

<b>REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING</b>		
<b>LICENSING SUB-COMMITTEE:</b> 18/02/2020	<b>Classification</b>  DECISION	Enclosure
<b>APPLICATION TO VARY THE PREMISES LICENCE :</b> L'Atelier, 31 Stoke Newington Road, N16 8BJ	<b>Ward(s) affected</b>  Shacklewell	

### 1. SUMMARY

<b>Applicant(s)</b> Erdal Aslan	<b>In SPA</b> Dalston
<b>Date of Application</b> 24 December 2019	<b>Period of Application</b> Permanent
<b>Proposed variation:</b> To delete and replace wording of condition 14 on current premises licence (see para 8.1 below)	
<b>Proposed hours for licensable activity</b>	
	No change
<b>The opening hours of the premises:</b>  No change	
<b>Current activities/hours:</b> See Appendix D	
<b>Capacity:</b> not known	
<b>Policies Applicable</b>	LP1 (General Principles), LP2 (Licensing Objectives), LP10 (Special Policy Areas – Dalston and Shoreditch)
<b>List of Appendices</b>	A – Application for variation of premises licence and supporting documents B – Representations from responsible authorities C – Representations from ‘other persons’ D – Current Licence E - Location map
<b>Relevant Representations</b>	<ul style="list-style-type: none"> <li>• Police</li> <li>• Licensing Authority</li> <li>• Other Persons</li> </ul>

## 2. APPLICATION

- 2.1 Erdal Aslan has made an application vary their premises licence under the Licensing Act 2003:
- To delete wording of condition 14 on current premises licence, which reads  
"Intoxicating liquor shall not be sold, supplied, or consumed on the premises otherwise than to persons who are taking a substantial table meal from the menu and that the consumption of intoxicating liquor by such persons is ancillary to taking such meals. The supply of alcohol shall be by waiter or waitress service only."
  - and replace with  
"The supply of alcohol shall be by waiter or waitress service only.  
There shall be no dancing area for dancing in the premises.  
There shall be no disc jockeys on the premises.  
There shall be no standing at the bar."
- 2.2 The application is attached as Appendix A.

## 3. CURRENT STATUS / HISTORY

- 3.1 The current premises licence was granted in 2013 and transferred to the current licensee in April 2017.
- 3.2 No Temporary Event Notices have been submitted for the premises in 2019 or 2020 to date.

## 4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	Have confirmed no representation on this application
Environmental Health Authority (Environmental Enforcement)	No representation received
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	Have confirmed no representation on this application
Planning Authority	No representation received
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application
Police (Appendix B1)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and Special Policy Area

Licensing Authority (Appendix B2)	Representation received on the grounds of The Prevention of Crime and Disorder, Prevention of Public Nuisance and Special Policy Area
Health Authority	No representation received

## 5. REPRESENTATIONS: OTHER PERSONS

1 representation received from local residents. (Appendix C)	Representation received on the grounds of The Prevention of Crime and Disorder, Prevention of Public Nuisance and Special Policy Area
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## 6. GUIDANCE CONSIDERATIONS

- 6.1 The Licensing Authority is required to have regard to any guidance issued by the Secretary of State under the Licensing Act 2003.

## 7. POLICY CONSIDERATIONS

- 7.1 Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy") adopted by the Licensing Authority.
- 7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies LP1 (General Principles), LP2 (Licensing Objectives) and LP10 (Special Policy Areas – Dalston and Shoreditch) are relevant.

## 8. OFFICER OBSERVATIONS

- 8.1 If the Sub-Committee is minded to approve the application, the following conditions should be removed from the licence:
- 14. Intoxicating liquor shall not be sold, supplied, or consumed on the premises otherwise than to persons who are taking a substantial table meal from the menu and that the consumption of intoxicating liquor by such persons is ancillary to taking such meals. The supply of alcohol shall be by waiter or waitress service only

and be replaced with the following

- 14. The supply of alcohol shall be by waiter or waitress service only.  
There shall be no dancing area for dancing in the premises.  
There shall be no disc jockeys on the premises.  
There shall be no standing at the bar.

## 9. REASONS FOR OFFICER OBSERVATIONS

- 9.1 The above amendment has been requested by the applicant.

## 10. LEGAL COMMENTS

10.1 The Council has a duty as a Licensing Authority under the Licensing Act 2003 to carry out its functions with a view to promoting the following 4 licensing objectives;

- The Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- The Protection of Children from Harm

10.2 It should be noted that each of the licensing objectives have equal importance and are the only grounds upon which a relevant representation can be made and for which an application can be refused or terms and conditions attached to a licence.

## 11. HUMAN RIGHTS ACT 1998 IMPLICATIONS

11.1 There are implications to;

- **Article 6** – Right to a fair hearing
- **Article 14** – Not to discriminate
- Balancing: **Article 1**- Peaceful enjoyment of their possession (i.e. a licence is defined as being a possession) with **Article 8** – Right of Privacy (i.e. respect private & family life) to achieve a proportionate decision having regard to the protection of an individuals rights against the interests of the community at large.

## 12. MEMBERS DECISION MAKING

### A. Option 1

**That the application be refused**

### B. Option 2

**That the application be approved, together with any conditions or restrictions which Members consider necessary for the promotion of the Licensing objectives.**

## 13. CONCLUSION

13.1 That Members decide on the application under the Licensing Act 2003.

<b>Group Director, Neighbourhoods and Housing</b>	Kim Wright
<b>Lead Officer (holder of original copy):</b>	Mike Smith Principal Licensing Officer Licensing Service 1 Hillman Street E8 1DY Telephone: 020 8356 4973

## LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

The following document(s) has been relied upon in the preparation of the report.

Description of document	Location
L'Atelier 31 Stoke Newington Road, N16 8BJ	Hackney Service Centre Licensing Service 1 Hillman Street London E8 1DY

### Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy

# APPENDIX A

**Hackney**  
LA07

**Application to vary a premises licence under the Licensing Act 2003**

## PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Mr Aslan

*(Insert name(s) of applicant)*

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

### Premises licence number

LBH-PRE-T-1396

### Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

L'Atelier  
31 Stoke Newington Road

Post town

London

Postcode

N16 8BJ

Telephone number at premises (if any)

██████████

Non-domestic rateable value of premises

£33750

### Part 2 – Applicant details

Daytime contact telephone number

██████████

E-mail address (optional)

Current postal address if different from premises address

Post town		Postcode	
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### Part 3 – Variation

Please tick as appropriate
Do you want the proposed variation to have effect as soon as possible? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)  Yes  No

<p><b>Please describe briefly the nature of the proposed variation</b> (Please see guidance note 2)</p> <p>This variation is simply to amend condition 14 to read the following:</p> <p>"The supply of alcohol shall be by waiter or waitress service only. There shall be no dancing area for dancing in the premises. There shall be no disc jockeys on the premises. There shall be no standing at the bar."</p> <p>There is no increase in capacity or extension of operating hours of this premises in this variation.</p>
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If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

## Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

- | <b>Provision of regulated entertainment (Please see guidance note 3)</b>                                    | <b>Please tick all that apply</b>   |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A)  | <input type="checkbox"/>            |
| b) films (if ticking yes, fill in box B)  | <input type="checkbox"/>            |
| c) indoor sporting events (if ticking yes, fill in box C)   | <input type="checkbox"/>            |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)  | <input type="checkbox"/>            |
| e) live music (if ticking yes, fill in box E)   | <input type="checkbox"/>            |
| f) recorded music (if ticking yes, fill in box F)   | <input type="checkbox"/>            |
| g) performances of dance (if ticking yes, fill in box G)  | <input type="checkbox"/>            |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/>            |
| <b>Provision of late night refreshment</b> (if ticking yes, fill in box I)                                  | <input type="checkbox"/>            |
| <b>Supply of alcohol</b> (if ticking yes, fill in box J)  | <input checked="" type="checkbox"/> |

**In all cases complete boxes K, L and M**



**A**

<b>Plays</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5) NO CHANGE		
Mon					
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 6)		
Thur					
Fri			<b>Non-standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 8)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 5) NO CHANGE		
Mon					
Tue			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 6)		
Wed					
Thur			<b>Non-standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Fri					
Sat					
Sun					

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 8)			<b>Please give further details</b> (please read guidance note 5) NO CHANGE
Day	Start	Finish	
Mon			<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 6)
Tue			<b>Non-standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</b> (please read guidance note 7)
Wed			
Thur			
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 8)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon				<b>Please give further details here</b> (please read guidance note 5) NO CHANGE	
Tue					
Wed			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 6)		
Thur					
Fri			<b>Non-standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 5) NO CHANGE		
Mon					
			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 6)		
Tue					
			<b>Non-standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Wed					
Thur					
Fri					
Sat					
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 8)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 5) NO CHANGE		
Mon					
			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 6)		
Tue					
			<b>Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Wed					
Thur					
Fri					
Sat					
Sun					

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 5) NO CHANGE		
Tue					
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 6)		
Thur					
Fri			<b>Non-standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Sat					
Sun					

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			<b>Please give a description of the type of entertainment you will be providing</b> NO CHANGE		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b>Please give further details here</b> (please read guidance note 5)		
Wed					
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 6)		
Fri					
Sat			<b>Non-standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Sun					



I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5) NO CHANGE		
Mon					
Tue			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 6)		
Wed					
Thur			<b>Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 7)		
Fri					
Sat					
Sun					

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6) NO CHANGE					
Mon	11.00	22.30						
Tue	11.00	22.30						
Wed	11.00	22.30						
Thur	11.00	22.30				<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 7) NO CHANGE		
Fri	11.00	22.30						
Sat	11.00	22.30						
Sun	11.00	22.30						

**K**

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).**

None.

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 6) NO CHANGE
Day	Start	Finish	<b>Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 7) NO CHANGE
Mon	08.00	23.00	
Tue	08.00	23.00	
Wed	08.00	23.00	
Thur	08.00	23.00	
Fri	08.00	23.00	
Sat	08.00	23.00	
Sun	08.00	23.00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Condition 14 to be amended as follows:

"The supply of alcohol shall be by waiter or waitress service only.  
There shall be no dancing area for dancing in the premises.  
There shall be no disc jockeys on the premises.  
There shall be no standing at the bar."

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

**M** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)**

- Well designed and approved, safe premises with good ventilation and safe access.
  - Well trained staff and positive attitude to promoting safe use of premises to the public, for sale of alcohol and food.
  - Management policy to ensure staff are well supervised and working to achieve licensing objectives.: eg no underage drinking, no use of drugs, no violent behaviour.
- Use of proof of age ID., Challenge 25 in operation, staff to protect children from harm, at all times.

**b) The prevention of crime and disorder**

- Staff trained and aware of issues; effectively observing customers throughout hours of operation.; participation in Best Bar None or similar schemes.
- CCTV installed in liaison with local police guidance.
- Sufficient registered door supervisors as necessary, on a risk assessment basis.
- No happy hours or special drink prices.
- Management policy of on-going training in effectively dealing with customers and preventing crime, senior management are to be members of the 'Pub Watch' scheme.
- Incident log book kept on premises and ready for inspection.

**c) Public safety**

- Well signed entrances and fire exits.; well lit rooms and exits and entrances.
- Building and services complies to all building regulations and fire safety.
- Staff well trained and aware of public safety.
- No overcrowding.
- Drinking water available.
- Good public transport route.
- Adoption of best practices.

**d) The prevention of public nuisance**

- Well trained and aware staff to prevent noise and disturbance to any resident.
- Regular visits by management to all parts of premises; Responsible management.
- Notices asking customers to leave quietly.
- Lobby doors used; Dispersal and exit policy in place and well supervised.
- Good licenced taxi firm in use.
- Obviously inebriated people not served, or allowed into the premises.

**e) The protection of children from harm**

- Children admitted only when accompanied by an adult, to 7pm only.
- Staff trained and aware of specific needs of children, and child protection requirements.
- Staff trained and aware of how to report concerns about the welfare of a child.
- Children must be accompanied by an adult.
- Children under 18 not served alcohol, Challenge 25 in operation.
- Well ventilated premises.
- No gambling or drugs on premises. Proof of age ID required.

Checklist:

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	23/12/2019
Capacity	Licensing Agent

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent** (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

**Contact name (where not previously given) and address for correspondence associated with this application** (please read guidance note 15)

Shaun Murkett  
Shaun Murkett Acoustic Consultants Ltd

██████████

**Post town**

██████████

**Post code**

██████████

**Telephone number (if any)**

██████████

**If you would prefer us to correspond with you by e-mail, your e-mail address (optional)**

██

**Notes for Guidance**

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:

**L'Atelier bar, 31 Stoke Newington Road, Dalston, Hackney N16 8BJ.**

**Background Information, to accompany premises licence variation application .**

23<sup>rd</sup> December 2019

1. This document is an outline of the proposal for the variation of the licensed premises at L'Atelier at 31 Stoke Newington Road, Hackney, N16 8BJ, and with relevant background information to support the application.

2 The premises is on the main Stoke Newington Road in Dalston, and was originally granted a premises licence in 2013, as a small café bar with food available and with standard café and restaurant opening hours. The bar would like to operate as a specialist high end cocktail bar, specialising in cocktails, for discerning customers. There will be luxury leather seating for around 30 people only; there is no standing bar area, no dance floor, no djs and no dancing. The bar operates a table waiting service only, and has a simple kitchen with food available throughout the opening hours.

3 Mr Erdal has much experience of running late night bars in the West End, and decided on a complete refit and refurbishment and to concentrate on high end cocktails, and with no djs, no live music, no dance floor and no dancing. He intends to install luxury seating, and décor, and operate with experienced trained cocktail bartenders, and with table service only. The cocktails are to be priced accordingly, and the bar to be well managed and run as a premises to attract a much better class of clientele.

4 This variation application seeks to vary Condition 14 so that there is an ability to serve alcohol without the necessity of customers taking a full meal at this particular premises. This will enable customers who do not want to sit and eat a full meal to still be able to have food if they desire, but also to just have cocktails and sit comfortably with waiter service, if they do not want a full meal. There will still be food available throughout the operating hours, as the kitchen will remain open. This is only a small café bar, and is located in a very busy and popular area, with many local restaurants already catering for more substantial meals. Customers often prefer to take a cocktail first and then eat at a more traditional restaurant, and then maybe finish off the evening with just a drink at a cocktail bar. This variation would allow this to happen at this premises in a safe and controlled way.

5 There is no intention for later hours or increased capacity. This is only a small café bar of some 30 capacity, which makes it an ideal premises to operate as a small, well controlled, and safely run cocktail bar.

6 A responsible attitude has been taken by the new owner to all necessary regulations and assessments. All fire risk assessments and gas safety checks are up to date. Bar managers attend the local Pub Watch scheme to keep up to date with local policing and licensing issues in the Dalston area. This new policy has proved to be very successful; the new owner has managed the bar effectively and has a strict entry policy, and with seated table service, and there is no shouting or unruly behaviour tolerated. There is only background music, with a very small sound system and no djs.



7 Since Mr Erdal has opened the bar, and with his effective operating policy and refurbishment, there have been no complaints from any of the residents, no complaints or issues with the Police or Licensing Authority, and no complaints made to the noise team. The café bar has been effectively and responsibly managed with a strict new policy and has been safely operating as cocktail bar in the heart of Dalston's restaurant area.

8 The L'Atelier café bar is located in the Dalston Special Policy Area, and the owner is aware of this, and he is also well aware of his responsibilities and duties as a licensee. He is also aware of all the historic reasons why the special policy was set up, to prevent further noise and disturbance to local residents, and to prevent further demands on the Local Authority and Police, from unruly behaviour late at night. The area is very commercial with many other late night bars, and many traditional restaurants nearby.

9 The new owner has effectively shown, and successfully confirmed, that over a long period of almost four years with no complaints or issues, that he is a responsible operator, and can effectively, and safely, manage this bar. This has been shown by the complete absence of any complaints or any issue from any of the authorities that have an active interest in the premises. This application is only to simply amend one condition, which will allow food to still be available, but to enjoy a specialist cocktail, waiter served, but without the necessity to eat a full meal in this particular premises.

10 The capacity of only 30 seated well behaved people at maximum is considered to have no significant additional impact on the surrounding residential area. There is a mini cab office nearby and arrangements have been running successfully since the new owner took over the bar with the minicab firm so that customers do not even leave the premises until a cab is ready to escort them home. There are many late night bus stops directly outside the premises which will also take customers away with the minimum of disturbance. It is considered that this simple variation will make no significant impact on the local area, and still be within the objectives of the special policy area, and it would now be appropriate to grant the variation.

Shaun Murkett 23<sup>rd</sup> December 2019

# APPENDIX B1

## RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

### RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Metropolitan Police service
ADDRESS OF AUTHORITY	Licensing Unit, Stoke Newington Police Station 33 Stoke Newington High Street London N16 8DS
CONTACT NAME	PC 1505CE Dave ATKINS
TELEPHONE NUMBER	020 7275 3022
E-MAIL ADDRESS	hackneylicensing@met.police.uk

### APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	<b>L'Atelier</b> <b>31 Stoke Newington Road</b> <b>London</b> <b>N16 8BJ</b>
NAME OF PREMISES USER	<b>Mr Aslan</b>

### COMMENTS

I make the following relevant representations in relation to the above application to vary the Premises Licence at the above address.

- 1) the prevention of crime and disorder      ◆
- 2) public safety      ◆
- 3) the prevention of public nuisance      ◆
- 4) the protection of children from harm

Representations (which include comments and/or objections) in relation to:

Police make the following representations in relation the application for the Premises Licence Variation at 31 Stoke Newington Road.

This premises is located within the Dalston Special Policy Area. The special policy has been applied to this area with the aim of managing the growth of the alcohol led premises. Dalston is a very densely populated area and has a high level of concentration of licensed premises. In turn this has seen high levels of ASB including urination, vomiting, littering, noise and public order, in conjunction with crime, violence and disorder, all causing issues on the streets of Dalston at night.

The applicant has applied to amend Condition 14 on their licence which would remove any ancillary condition from the licence and as the applicant has stated allow the venue to operate as a cocktail bar.

It is the concern of police that should this variation be granted with the direction that the venue plans to proceed it is likely to make the area more attractive for to attend the area to the negative Cumulative impact and undermine the licensing objectives. This may also lead to a disruption for residents and an increased demand on police resources.

Police would also ask how the off sales on their current licence fits in with their new business plan of operating as a cocktail bar.

Police look forward to hearing from the applicant to discuss this application

The above representations are supported by the following evidence and information.

Are there any actions or measures that could be taken to allay concerns or objections? If so, please explain.

Signed PC 1505CE ATKINS (By E-mail)  
Name (printed)

**RESPONSIBLE AUTHORITY REPRESENTATION:  
APPLICATION UNDER THE LICENSING ACT 2003**

**B2**

**RESPONSIBLE AUTHORITY DETAILS**

NAME OF AUTHORITY	Licensing Authority
ADDRESS OF AUTHORITY	Hackney Service Centre 1 Hillman Street London E8 1DY
CONTACT NAME	David Tuitt
TELEPHONE NUMBER	020 8356 4942
E-MAIL ADDRESS	david.tuitt@hackney.gov.uk

**APPLICATION PREMISES**

NAME & ADDRESS OF PREMISES	L'Atelier 31 Stoke Newington Road London N16 8BJ
NAME OF APPLICANT	Erdal Aslan

**COMMENTS**

I make the following relevant representations in relation to the above application to vary the Premises Licence at the above address.

- 1) the prevention of crime and disorder **x**
- 2) public safety
- 3) the prevention of public nuisance **x**
- 4) the protection of children from harm

## Representation in relation to:

I write to make a representation in relation to this application as the premises is located within the Special Policy Area (SPA) in Dalston. The SPA is area that has been identified as suffering from the negative cumulative impact of the concentration of licensed premises in the area. The proposed variation changes the nature of the premises which could then lead to a negative impact on the promotion of the licensing objectives, in particular, the prevention of crime and disorder and the prevention of public nuisance.

It should be noted that **LP10** (Special Policy Areas – Dalston and Shoreditch) of the Council's Statement of Licensing Policy states:

### **LP10 Special Policy Areas – Dalston and Shoreditch**

It is the Council's policy that where a relevant representation is made to any application within the area of the Dalston SPA or Shoreditch SPA, the applicant will need to demonstrate that the proposed activity and the operation of the premises will not add to the cumulative impact that is currently being experienced in these areas. This policy is to be strictly applied.

It should also be noted that the;

- quality and track record of the management;
- good character of the applicant; and
- extent of any variation sought

May not be in itself sufficient.

*It should be noted that if an applicant can demonstrate that they will not add to the cumulative impact in their operating schedule and at any hearing, then the Core Hours Policy within LP3 will apply.*

The above representations are supported by the following evidence and information.

The Licensing Act 2003, Statement of Licensing Policy 2018-2023 and S182 Guidance issued by the Home Office.

Are there any actions or measures that could be taken to allay concerns or objections? If so, please explain.

Discussion with the applicant, further clarification on how the premises will operate and if a revised plan is required, clarification on the planning status and if the licensee operates other premises in the Borough.

**Name:** David Tuitt, Business Regulation Team Leader (Licensing and Technical Support)

**Date:** 21/01/2020

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**Re: 31 Stoke Newington Road N16 8BJ**

1 message

20 January 2020 at 19:54

To: "licensing@hackney.gov.uk" <licensing@hackney.gov.uk>

To Licensing Committee,

There are already too many premises in the immediate vicinity which have had similar variations.

Would this new condition 14 cause nuisance and crime particularly at closing time and dispersal?

[REDACTED]

L'Altier

31 Stoke Newington Road

London

N16 8BJ

Shacklewell Mr Aslan

Application for variation of premises licence to amend  
condition 14 as "The supply of alcohol shall be by waiter or  
waitress service only. There shall be no dancing area for  
dancing in the premises. There shall be no disc jockeys on the  
premises. There shall be no standing at the bar."

21/01/2020

# APPENDIX D



This premises licence has been issued by:

Licensing Service  
2 Hillman Street  
London E8 1FB

## PART A – PREMISES LICENCE

### Premises Licence Number

LBH-PRE-T-1396

### Part 1 – Premises details

L'Atelier  
31 Stoke Newington Road  
London  
N16 8BJ  
020 7254 3238

### Where the licence is time limited the dates

Not Applicable

### Licensable activities authorised by the licence

Supply of Alcohol

### The times the licence authorises the carrying out of Licensable activities

#### Supply of Alcohol      **Standard Hours:**

Mon 11:00-22:30

#### Premises:              Tue 11:00-22:30

Wed 11:00-22:30

Thu 11:00-22:30

Fri 11:00-22:30

Sat 11:00-22:30

Sun 11:00-22:30

### The opening hours of the premises

#### **Standard Hours:**

Mon 08:00-23:00

Tue 08:00-23:00

Wed 08:00-23:00

Thu 08:00-23:00

Fri 08:00-23:00

Sat 08:00-23:00

Sun 08:00-23:00

### Where the licence authorises supplies of alcohol whether these are on and/or off supplies

On and Off Premises

**Part 2 –**

**Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence**

Erdal Aslan  
31 Stoke Newington Road  
Hackney  
London  
N16 8BJ

**Registered number of holder, for example company number, charity number (where applicable)**

N/A

**Name, address and telephone number of designated premises supervisor where the premises authorises the supply of alcohol**

Erdal Aslan

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol**

**Date of Grant:** 29 April 2013

**Signed:**

**David Tuitt  
Team Leader - Licensing**



## Annex 1 - Mandatory Conditions

### Supply of Alcohol

1. No supply of alcohol may be made under the premises licence:
  - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
  - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
    - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
    - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. 5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.
- 5.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- 5.3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
- A. a holographic mark or
  - B. an ultraviolet feature.
6. The responsible person shall ensure that:
- a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
    - beer or cider: 1/2 pint;
    - gin, rum, vodka or whisky: 25ml or 35ml; and
    - still wine in a glass: 125ml; and
  - a. these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - b. where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

### **Minimum Drinks Pricing**

7. 7.1 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 7.2 For the purposes of the condition set out in paragraph 7.1 above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
  - (b) "permitted price" is the price found by applying the formula -  $P = D + (D \times V)$
- Where -
- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence -  
(i) the holder of the premises licence,  
(ii) the designated premises supervisor (if any) in respect of such a licence, or  
(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

7.3 Where the permitted price given by Paragraph 8.2(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

7.4 (1) Sub-paragraph 7.4(2) below applies where the permitted price given by Paragraph 7.2(b) above on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

## **Annex 2 – Conditions consistent with the Operating Schedule**

8. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer.
9. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.
10. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or

the Police, which will record the following:

- (a) all crimes reported to the venue
- (b) any complaints received
- (c) any incidents of disorder
- (d) any faults in the CCTV system or searching equipment or scanning equipment
- (e) any refusal of the sale of alcohol
- (f) any visit by a relevant authority or emergency service.

11. There shall be "CCTV in Operation" signs prominently displayed.
12. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.
13. Suitable beverages, other than intoxicating liquor, including drinking water, shall be available at the premises.
14. Intoxicating liquor shall not be sold, supplied, or consumed on the premises otherwise than to persons who are taking a substantial table meal from the menu and that the consumption of intoxicating liquor by such persons is ancillary to taking such meals. The supply of alcohol shall be by waiter or waitress service only
15. The premises licence holder shall comply with a dispersal Policy, a copy of which will be made available to the police or authorised officer upon request.
16. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.
17. Premises to operate a zero tolerance policy to drugs and comply with Weapons Policy where appropriate Hackney Police Theft Reduction Policy 2011 Or any subsequent reviews of these policies.
18. The premises will display prominent signage by every entrance and exit requesting customers to leave the premises quietly and respect local residents.
19. Patrons permitted to temporarily leave and re-enter (e.g. to smoke) shall not be permitted to take drinks or glass containers with them. The area outside the premises will be monitored.
20. Refuse, including bottles, shall not be taken and placed in receptacles outside the premises between the hours of 2000 and 0800.
21. There shall be no deliveries to the premises between the hours of 22.00 to 08.00.

22. All staff should receive training and have an awareness of the four licensing objectives.
23. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their responsibility as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.
24. The Licensee shall maintain an adequate supply of receptacles (this includes refuse sacks) in order to ensure his waste is always presented for collection in receptacles provided by his registered waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.
25. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacle being carefully placed so as not to cause an obstruction or trip.
26. The Licensee shall instruct members of staff to make regular checks of the area immediately outside and within 10 metres either side of the premises, removing any litter, glasses and bottles.
27. No more than 5 patrons to be permitted to smoke outside the premises at any one time
28. Background music to be only played at a level that permits face to face conversation at normal speech level

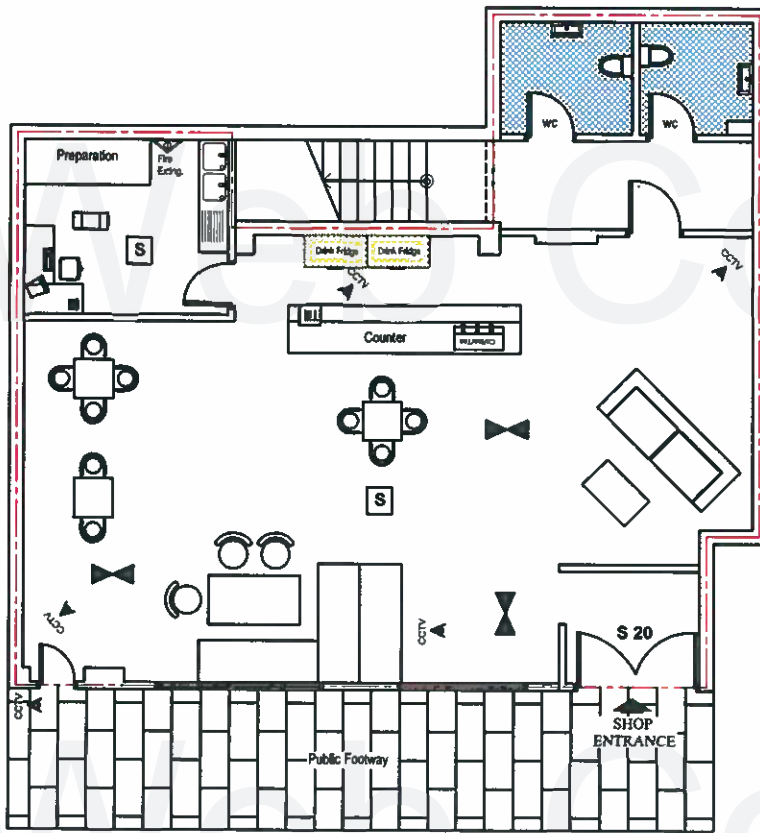
### **Annex 3 – Conditions attached after a hearing by the licensing authority**

N/A

### **Annex 4 – Plans**

PLAN/LBH-PRE-T-1396/07022013

Web Copy



**LEGEND**

- FREEZER
- FRIDGES
- WC AREA
- AMBIT OF LICENSED PREMISES
- SAFETY LIGHTS
- SMOKE DETECTOR
- CCTV
- FIRE EXTINGUISHER
- S 20 FIRE ESCAPE KEEP CLEAR

<b>L'ATELIER</b>	<b>31Stoke Newington Road, London N16 8BJ</b>
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FLOOR PLAN

REF: VC-12-31

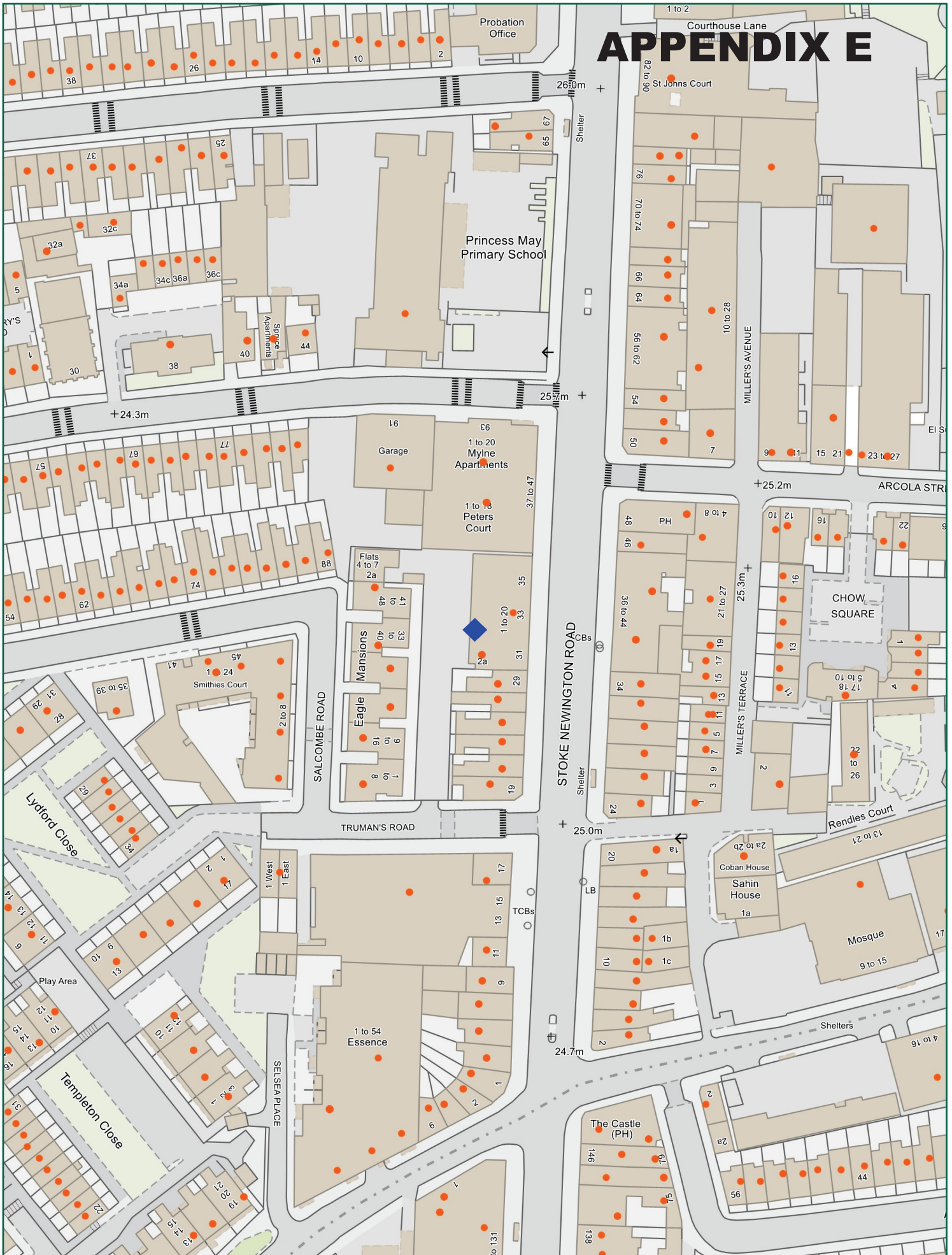
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# APPENDIX E



Scale: 1:1250 at A4



Ref:  
07 February 2020

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