

<b>REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING</b>		
<b>LICENSING SUB-COMMITTEE:</b> 17/03/2020	<b>Classification</b>  DECISION	Enclosure
<b>APPLICATION TO VARY THE PREMISES LICENCE :</b> Papillon Pizza, 5 Mare Street, E8 4RP	<b>Ward(s) affected</b>  London Fields	

### 1. SUMMARY

<b>Applicant(s)</b> Ahmad Jan	<b>In SPA</b> No
<b>Date of Application</b> 14 January 2020	<b>Period of Application</b> Permanent
<b>Proposed variation:</b> Extension of Hours for Late Night Refreshment	
<b>Proposed hours for licensable activity</b>	
<b>Late Night Refreshment</b>	<b>Standard Hours:</b> Mon 23:00-05:00 Tue 23:00-05:00 Wed 23:00-05:00 Thu 23:00-05:00 Fri 23:00-05:00 Sat 23:00-05:00 Sun 23:00-05:00
<b>The opening hours of the premises:</b>	<b>Standard Hours:</b> Mon 00:00-23:59 Tue 00:00-23:59 Wed 00:00-23:59 Thu 00:00-23:59 Fri 00:00-23:59 Sat 00:00-23:59 Sun 00:00-23:59
<b>Current activities/hours:</b> See current licence attached as Appendix C	
<b>Capacity:</b> not known	
<b>Policies Applicable</b>	LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours)

<b>List of Appendices</b>	A – Application for variation of premises licence B – Representations from responsible authorities C – Current Licence D – Location map
<b>Relevant Representations</b>	<ul style="list-style-type: none"> <li>• Police</li> <li>• Licensing Authority</li> </ul>

## 2. APPLICATION

- 2.1 Ahmad Jan has made an application vary their premises licence under the Licensing Act 2003:
- To extend hours for supply late night refreshment
- 2.2 The application is attached as Appendix A.

## 3. CURRENT STATUS / HISTORY

- 3.1 The current licence was granted under delegated authority in August 2019
- 3.2 No TENs have been submitted in respect of the premises since the current licence was granted.

## 4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

<b>From</b>	<b>Details</b>
Environmental Health Authority (Environmental Protection)	Have confirmed no representation on this application
Environmental Health Authority (Environmental Enforcement)	Have confirmed no representation on this application
Environmental Health Authority (Health & Safety)	Have confirmed no representation on this application
Weights and Measures (Trading Standards)	Have confirmed no representation on this application
Planning Authority	Have confirmed no representation on this application
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
Licensing Authority (Appendix B2)	Representation received on the grounds of The Prevention of Public Nuisance
Health Authority	Have confirmed no representation on this application

## 5. REPRESENTATIONS: OTHER PERSONS

- 5.1 None

## 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), LP3 (Core Hours), are relevant.

## 8. OFFICER OBSERVATIONS

- 8.1 If the Sub-Committee is minded to approve the application, the following additional conditions should be applied the licence:

None

## 9. REASONS FOR OFFICER OBSERVATIONS

- 9.1 No additional conditions have been proposed by applicant or responsible authorities.

## 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 individual's 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>Acting Group Director, Neighbourhoods and Housing</b>	Ajman Ali
<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.

<b>Description of document</b>	<b>Location</b>
Papillon Pizza 5 Mare Street, E8 4RP	Hackney Service Centre Licensing Service 1 Hillman Street London E8 1DY

### **Printed matter**

Licensing Act 2003  
LBH Statement of Licensing Policy

106835

# APPENDIX A

Hackney LA07	<b>Application to vary a premises licence under the Licensing Act 2003</b>
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## 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 Ahmad Jan  
*(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

<b>Premises licence number</b> 103594
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### Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Papillon Pizza, 5 Mare Street			
Post town	Hackney	Postcode	E8 4RP

Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	£12.000

### Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]
E-mail address (optional)	[REDACTED]
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?  Yes  
 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

**Please describe briefly the nature of the proposed variation (Please see guidance note 2)**

Opening hours on Weekends from 3am to 5am  
Opening hours on Weekdays from 1am to 5am

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:

0
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## 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 (if ticking yes, fill in box I)</b>                                  | <input checked="" type="checkbox"/> |
| <b>Supply of alcohol (if ticking yes, fill in box J)</b>  | <input type="checkbox"/>            |

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

<b>Late night refreshment</b>			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)</b>	Indoors	<input checked="" type="checkbox"/>
Standard days and timings (please read guidance note 8)				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	0100	0500	<b>Please give further details here (please read guidance note 5)</b>		
Tue	0100	0500			
Wed	0100	0500	<b>State any seasonal variations for the provision of late night refreshment (please read guidance note 6)</b>		
Thur	0100	0500			
Fri	0300	0500	<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 (please read guidance note 7)</b>		
Sat	0300	0500			
Sun	0100	0500			



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).

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	24 hour		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 (please read guidance note 7)
Tue	"		
Wed	"		
Thur	"		
Fri	"		
Sat	"		
Sun	"		

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.

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)**

Staff will be trained to adhere to the measures specified under each licensing objective below. In addition, the license holder will liaise with the responsible authorities and residents to ensure the business continues to meet the licensing objectives.

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

1. Appropriate digital CCTV equipment and the sufficient number of cameras shall be installed and maintained at the premises to record colour images that are clear enough to allow the Police to use to investigate any crimes that are committed on the premises. The areas covered by the cameras will cover all areas within the premise that are open to the public. A camera will be positioned to obtain images of persons entering the building by the main entrance.
2. No persons other than the Police, the Licensing Authority, the Premises Holder, the manager or authorised persons shall have access to the CCTV recording equipment or the recordings made from such equipment. The CCTV system will be in operation, and recording whenever the premises are open to the public.
3. Recordings made on the CCTV system shall be retained for a period of at least 30 days of recording.
4. A minimum of two notices stating that CCTV is in operation shall be displayed throughout the premises where the public have access. The notices shall be at least A4 size.

**c) Public safety**

1. Appropriate digital CCTV equipment and the sufficient number of cameras shall be installed and maintained at the premises to record colour images that are clear enough to allow the Police to use to investigate any crimes that are committed on the premises. The areas covered by the cameras will cover all areas within the premise that are open to the public. A camera will be positioned to obtain images of persons entering the building by the main entrance.
2. No persons other than the Police, the Licensing Authority, the Premises Holder, the manager or authorised persons shall have access to the CCTV recording equipment or the recordings made from such equipment. The CCTV system will be in operation, and recording whenever the premises are open to the public.
3. Recordings made on the CCTV system shall be retained for a period of at least 30 days of recording.
4. A minimum of two notices stating that CCTV is in operation shall be displayed throughout the premises where the public have access. The notices shall be at least A4 size.

**d) The prevention of public nuisance**

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

**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	[REDACTED]
Date	13-01-2020
Capacity	OWNER

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	

<b>Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)</b>			
<b>Post town</b>		<b>Post code</b>	
<b>Telephone number (if any)</b>			
<b>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</b>			

#### 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:

# 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>Papillon Pizza</b> <b>5 Mare Street</b> <b>London</b> <b>E8 4RP</b>
NAME OF PREMISES USER	<b>Ahmad Jan</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 a premises licence variation at Papillon Pizza, 5 Mare Street;

The premises is small venue that is situated on a busy high street. It is one of a gallery of shops that is situated below residential premises

The applicant applied for a premises licence in August 2019 and was granted a licence for late night refreshment on Sunday to Thursday 2300hours – 0100hours and Friday and Saturday 2300hours – 0300hours

The applicant has applied to extend their hours for late night refreshment until 0500 hours. Effectively making this a 24 hours restaurant and far exceeding the core hours as set out on LP3 in the London Borough of Hackneys Statement of Licensing Policy.

It is the concern of police that due to the location of the extension of hours is likely to see an increase in traffic for deliveries. This is likely to cause disruption and effect quality of life for local residents

Police look forward to hearing from the applicant soon.

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****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	Papillon Pizza 5 Mare Street London E8 4RP
NAME OF APPLICANT	Ahmad Jan

**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 **x**
- 4) the protection of children from harm



## Representation in relation to:

The licence was granted in 2019 with the current hours/conditions under delegated. The hours already exceed those as set out in LP3 – Core Hours (below). However, the proposed additional hours of activity could have a negative impact on the local area by encouraging customers to the premises at a time at which the area is likely to be quiet and ambient noise levels low. This could then lead to a negative impact on the promotion of the licensing objectives, in particular, the prevention of public nuisance.

The applicants' attention is drawn to the following extract from the Council's Statement of Licensing Policy.

### LP3 Core Hours

Hours for licensable activity will generally be authorised, subject to demonstrating LP 1 and LP2, as follows:

- Monday to Thursday 08:00 to 23:00
- Friday and Saturday 08:00 to 00:00
- Sunday 10:00 to 22:30

Hours may be more restrictive dependent on the character of the area and if the individual circumstances require it.

Later hours may be considered where the applicant has identified any risk that may undermine the promotion of the licensing objectives and has put in place robust measures to mitigate those risks.

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.

N/A

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

**Date:** 10/02/2020



**This premises licence has been issued by:**

Licensing Service  
1 Hillman Street  
London E8 1DY

## **PART A – PREMISES LICENCE**

### **Premises Licence Number**

103594

### **Part 1 – Premises details**

Papillon Pizza  
5 Mare Street  
London  
E8 4RP

### **Where the licence is time limited the dates**

Not Applicable

### **Licensable activities authorised by the licence**

Late Night Refreshment

### **The times the licence authorises the carrying out of licensable activities**

<b>Late Night Refreshment</b>	<b>Standard Hours:</b>
	Mon 23:00-01:00
	Tue 23:00-01:00
	Wed 23:00-01:00
	Thu 23:00-01:00
	Fri 23:00-03:00
	Sat 23:00-03:00
	Sun 23:00-01:00

### **The opening hours of the premises**

<b>Standard Hours:</b>
Mon 05:00-01:00
Tue 05:00-01:00
Wed 05:00-01:00
Thu 05:00-01:00
Fri 05:00-03:00
Sat 05:00-03:00
Sun 05:00-01:00

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

N/A

P  
N  
h  
A  
[Redacted]  
[Redacted]  
[Redacted]

(d) address, telephone number and e-mail (where relevant) of  
es licence

oad

**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**

N/A

**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:** 12 August 2019

**Signed:**

**David Tuitt  
Team Leader - Licensing**

## **Annex 1 - Mandatory Conditions**

None

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

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas and each 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.
2. There shall be a staff member from the premises who is conversant with the operation of the CCTV system on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage when requested.
3. A minimum of two notices stating that 'CCTV is in operation' shall be displayed throughout the premises where the public have access to. These notices shall be at of A4 Size.
4. Signs will be prominently displayed at all entrance and exit points reminding customers to leave quietly and respect local residents.
5. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following.
  - a. All crimes reported:
  - b. All ejections of patrons
  - c. Any complaints received.
  - d. Any incidents of disorder.
  - e. Seizure of drugs or offensive weapons.
  - f. Any faults in the CCTV system.
  - g. Any visit by a relevant authority or emergency service.
6. Premises to operate zero tolerance policy to drugs and comply with Hackney Police Drugs and Weapons policy where appropriate.
7. All instances of crime and disorder witnessed or brought to the attention of staff is to be reported by the Designated Premises Supervisor or responsible member of staff to the police.
8. The licensee shall ensure that delivery drivers/riders collecting pizzas for takeaway ensure that their engines are not left on whilst

outside the premises.

9. The Licensee shall instruct member of staff to make regular checks of the area immediately outside the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.
10. 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.

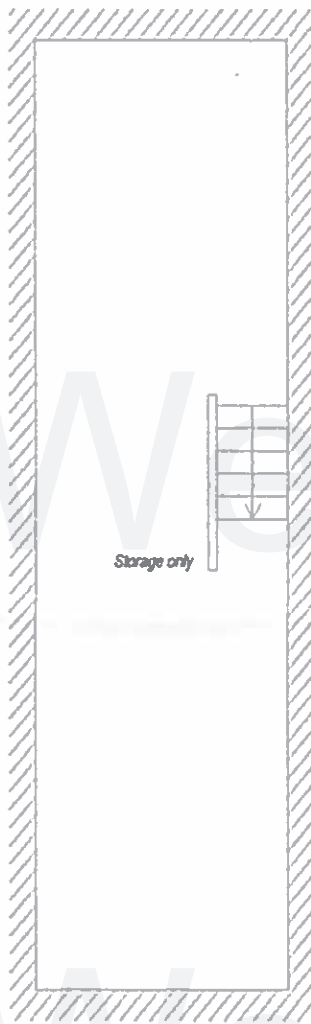
**Annex 3 – Conditions attached after a hearing by the licensing authority**

N/A

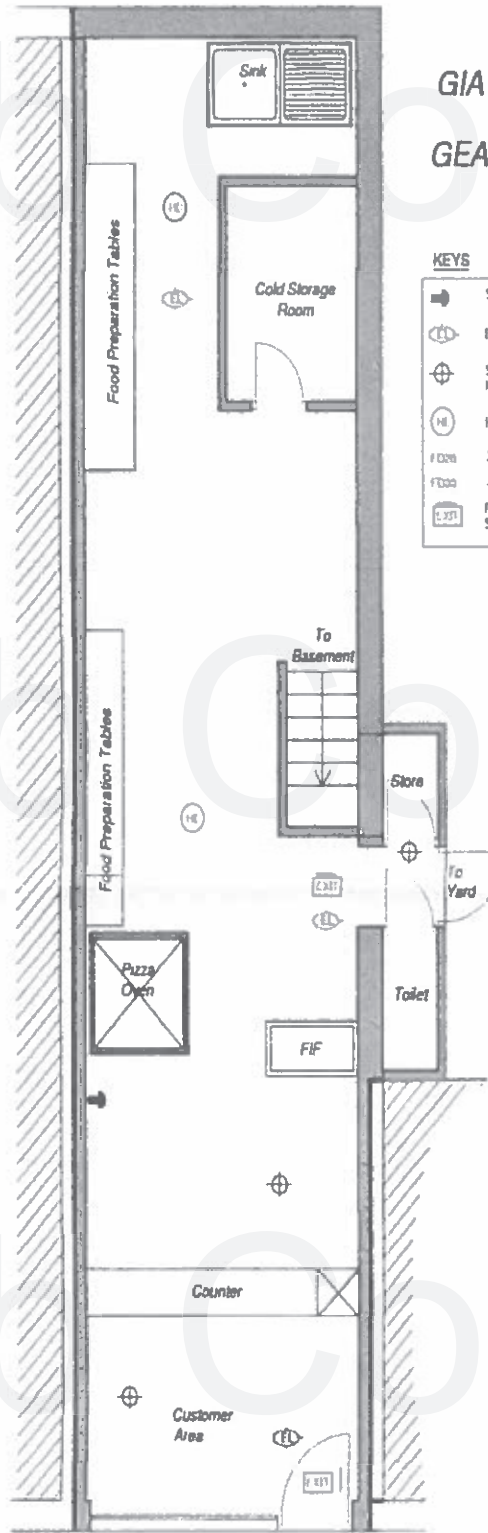
**Annex 4 – Plans**

PLAN/103594/12/08/2019

Web Copy



**BASEMENT FLOOR PLAN**



**FLOOR PLAN**

GIA = 48m<sup>2</sup>

GEA = 57m<sup>2</sup>

**KEYS**

	SOUNDER
	EMERGENCY EXIT LIGHT
	SMOKE ALARM INTERLINKED AND MANS OPERATED
	HEAT DETECTOR
	20 MIN FIRE DOOR
	30 MIN FIRE DOOR
	FIRE EXIT RUNNING MAN SIGN

**JOB:**

PLANS FOR LICENSING APPLICATION GROUND FLOOR PLANS.

**ADDRESS:**

Papillon Pizza  
5 Mare Street  
LONDON  
E8 4RP

<b>DATE:</b>	<b>SCALE</b>
10/07/19	1:100

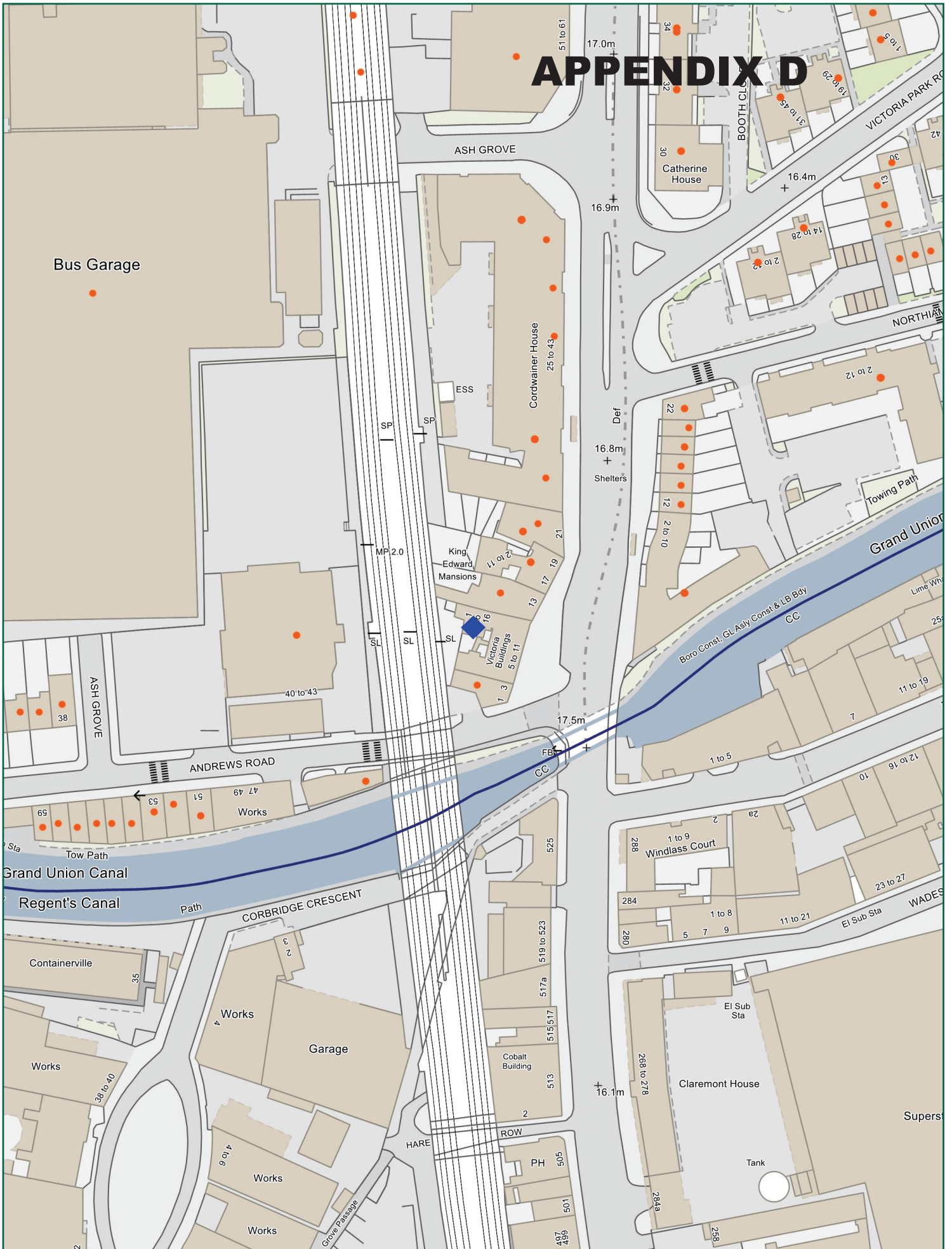
<b>SHEET</b>	
1@A4	

**NOTES**

This drawing is subject to a detailed building and site survey, therefore no guarantee of its accuracy can be given. This drawing has been draughted in accordance with the clients design requirements. All areas are approximate and are subject to a detailed building and site survey and further design development. All dimensions should be checked prior to commencement of construction on site. Measurements should not be taken off the drawing.

Web Copy

# APPENDIX D



Scale: 1:1250 at A4



Ref:  
05 March 2020

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email:

please specify copyright statement