

REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING

LICENSING SUB-COMMITTEE: 11/06/2020	Classification DECISION	Enclosure
Application for Expedited/Summary Review of Premises Licence: Topaloglu Food and Wine, 478 Kingsland Road, E8 4AE	Ward(s) affected London Fields	

1. SUMMARY

Applicant Metropolitan Police	In SPA: Dalston
Date of Application 18 May 2020	
The Grounds for Review: <ul style="list-style-type: none"> Alleged assault on member of public by premises staff outside of the premises 	
Current Premises Licence Details: see Appendix B	
Current Capacity	Unknown
Policies Applicable	LP1 (General Principles), LP2 (Licensing Objectives)
List of Appendices	Appendix A– Application requesting review of premises licence Appendix B – Current Licence Appendix C – Interim steps decision letter Appendix D - Representation from licensee Appendix E – Representations from responsible authorities Appendix F - Location map
Relevant Responsible Authority Representations	<ul style="list-style-type: none"> Environmental Health Authority (Environmental Enforcement)

2. APPLICATION FOR REVIEW OF PREMISES LICENCE

2.1 The Metropolitan Police have applied for a summary review of the premises licences granted for the premises known as Topaloglu Food and Wine, 578 Kingsland Road, E8 4AE. The police are seeking the revocation of the licence.

2.2 The expedited/summary review application is attached as Appendix A. It is

understood the Police will be submitting additional evidence prior to the meeting of the sub-committee.

3. CURRENT POSITION/ HISTORY

- 3.1 Topaloglu Food and Wine has been in possession of a premises licence prior to the introduction of the Licensing Act 2003. The licence was transferred to Sherkhan Ltd in November 2018. The Designated Premises Supervisor is Sajjad Popal.
- 3.2 The current premises licence is attached as Appendix B
- 3.3 A meeting of the Licensing Sub-Committee was held on 20 May 2020 to consider whether any interim measures were required pending the full review of the licence. The sub-committee decided to defer a decision pending the full review hearing. The decision letter is attached as Appendix C.

4. REPRESENTATIONS: LICENSEE

- 4.1 Representation from licensee received prior to Interim Steps hearing held on 20 May 2020 attached as Appendix D.

5. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Relevant Representations details
Environmental Health Authority (Environmental Protection)	Have confirmed no representation on this application
Environmental Health Authority (Environmental Enforcement) (Appendix E1)	Representation received on the grounds of Public nuisance
Environmental Health Authority (Health & Safety)	Have confirmed no representation on this application.
Weights and Measures (Trading Standards)	No representation received.
Planning Authority (Appendix E2)	
Area Child Protection Officer	No representation received
Fire Authority	No representation received
Police	N/A.
Licensing Authority	No representation received
Health Authority	No representation received.

6. REPRESENTATIONS: OTHER PERSONS

- 6.1 None

7. POLICY CONSIDERATIONS

- 7.1 The Licensing Sub-Committee is required to have regard to the Hackney

Statement of Licensing Policy (“the Policy”) adopted by the Licensing Authority.

7.2 Extracts from Licensing Policies are reproduced at the front of the agenda for this meeting.

7.3 The Policy applies to applications where relevant representations have been made. With regard to this application, policies, LP1 (General Principles) and LP2 (Licensing Objectives) are relevant.

8. GUIDANCE CONSIDERATIONS

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

9. OFFICER OBSERVATIONS

9.1 The Police are seeking the revocation of the licence.

9.2 Environmental Enforcement have proposed the inclusion of the following conditions on the licence:

1. 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.
2. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.
3. The Licensee’s premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the Licensee’s waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as his/her waste carrier arrives to collect the refuse.
4. The Licensee shall instruct members 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

5. 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.
6. The current trade waste agreement/duty of care waste transfer document shall be conspicuously displayed and maintained in the window of the premises where it can be conveniently seen and read by persons standing in Topaloglu Food & Wine. This should remain unobstructed at all times and should clearly identify:-

- the name of the registered waste carrier
- the date of commencement of trade waste contract
- the date of expiry of trade waste contract
- the days and times of collection
- the type of waste including the European Waste Code

10. REASONS FOR OFFICER OBSERVATIONS

- 10.1 Conditions 1 to 6 above have been proposed by Environmental Health Authority (Environmental Enforcement).

11. LEGAL IMPLICATIONS

- 11.1 A legal representative will be in attendance to advise Members.

12. LEGAL COMMENTS

- 12.1 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

- 12.2 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.

13. HUMAN RIGHTS ACT 1998 IMPLICATIONS

- 13.1 There are implications on Article 6, Article 8, Article 14 and the First Protocol of Article 1.

14. MEMBERS DECISION MAKING

- 14.1 Members must, having regard to the application and any relevant representations, take such steps (if any) as it considers necessary for the promotion of the licensing objectives.

14.2 The steps are:

- A. **Option 1**
Take no action
- B. **Option 2**
Modify the conditions of the premises licence.
- C. **Option 3**
Exclude a licensable activity from the scope of the premises licence.
- D. **Option 4**
Remove the designated premises supervisor.
- E. **Option 5**
Suspend the premises licence for a period not exceeding three months.
- F. **Option 6**
Revoke the licence.

15. CONCLUSION

15.1 That Members decide on the application for review of the premises licence.

ACTING GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING	Ajman Ali
Lead Officer (holder of original copy):	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
Office File: Topaloglu Food and Wine, 478 Kingsland Road, E8 4AE	Licensing Service 1 Hillman Street London E8 1DY

Printed matter

Licensing Act 2003
LBH Statement of Licensing Policy

**METROPOLITAN
POLICE****TOTAL POLICING****Form for Applying for a Summary Licence Review****Application for the review of a premises licence under section 53A of the Licensing Act 2003**
(premises associated with serious crime, serious disorder or both)**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 the 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.

Insert name and address of relevant licensing authority and its reference number:

Name: Metropolitan Police Service

Address:

Stoke Newington Police Station, 33 Stoke Newington High Street, Hackney

Post town: London

Post code: N16 8DS

Ref. No.:

I PC Neal HUNWICK

on behalf of the chief officer of police for the Metropolitan Police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

1. Premises details

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

478 Kingsland Road, Hackney

Post town: London

Post code: E8 4AE
(if known)

2. Premises licence details

Name of premises licence holder or club holding club premises certificate (if known):

Sherkhan Ltd

Number of premises licence or club premises certificate (if known):

LBH-PRE-T-0035

3. Certificate under section 53A(1)(b) of the Licensing Act 2003 (Please read guidance note 1)

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or serious disorder or both, and the certificate accompanies this application.

Please tick the box to confirm:



PROTECTIVE MARKING

4. Details of association of the above premises with serious crime, serious disorder or both

(Please read guidance note 2)

At about 1830hrs on Tuesday 12th May 2020 it is alleged that the DPS and Licence Holder together with 4 members of his staff did assault a passer by outside the venue by using baseball bats and during this assault allegedly stamped on the victim.

Signature of applicant

Signature:		Date:	18 th MAY 2020
Capacity:	Police Constable - Licensing Unit		

Contact details for matters concerning this application

Surname:	HUNWICK	First Names:	Neal
Address:	Licensing Unit, Stoke Newington Police Station, 33 Stoke Newington High Street		
Post town:	London	Post code:	N16 8DS
Tel. No.:	0207 275 3140	Email:	HackneyLicensingUnit-GN@met.police.uk

Notes for guidance

- A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

 - conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
 - conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious disorder is not defined in legislation, and so bears its ordinary English meaning.
- Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.



**METROPOLITAN
POLICE**

TOTAL POLICING

Certificate under Section 53A(1)(b) of the Licensing Act 2003

Metropolitan Police Service | New Scotland | Yard 8-10 Broadway | London | SW1H 0BG

I hereby certify that in my opinion the premises described below are associated with:
both serious crime and serious disorder

Premises (Include business name and address and any other relevant identifying details):

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

478 Kingsland Road, Hackney

Post town: London

Post code: E8 4AE
(if known)

Premises licence number (if known):

LBH-PRE-T-0035

Name of premises supervisor (if known):

Sajjad POPAL

I am a Chief Superintendant* in the Metropolitan Police Service.

*Insert rank of officer giving the certificate, which must be superintendent or above.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case because:

(Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned)

One of the suspects is the DPS and Sole Director of the Company holding the Licence and as such no other measures are available in order to protect the Public.

Signature

Signature:  ^{DPS}
Rev Child -
CE

Date: 18th / 2020



APPENDIX B

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-0035

Part 1 – Premises details

Topaloglu Food and Wine
478 Kingsland Road
Hackney
London
E8 4AE

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 00:00-23:59
Premises: 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

The opening hours of the premises

Standard Hours:

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

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

Off Premises

Part 2 –

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

Sherkhan Limited
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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

Sajjad Popal

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: 24 November 2005

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.
 - 3.1. 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.
 - 3.2. 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.
 - 3.3. 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.Minimum Drinks Pricing
4.
 - 4.1. 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.
 - 4.2. For the purposes of the condition set out in paragraph 4.1 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 rate 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.

4.3 Where the permitted price given by Paragraph 4.2(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.

4.4 (1) Sub-paragraph 4.4(2) below applies where the permitted price given by Paragraph 4.2(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

5. CCTV Cameras shall be in operation at all hours the premises are Open.
6. The 'Red Care' Alarm System, providing direct connection to the police station, shall be maintained;
7. Fire alarms and fire extinguishers shall be installed and maintained on the premises
8. A minimum of three employees shall be on the premises between 12.00 midnight and 7.00am
9. A notice shall be displayed within the premises that confirms anyone under the age of 18, or who appears under the age of 18 and is not able to provide proof of age, will not be served alcohol.

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

N/A

Annex 4 – Plans

PLAN/LBH-PRE-T-0035/060505

Web Copy

Web Copy

Web Copy

APPENDIX C

Licensing Service
Hackney Council
1 Hillman Street
London
E8 1DY

Sherkhan Limited
[REDACTED]
[REDACTED]
[REDACTED]

0208 356 4987
mike.smith@hackney.gov.uk

22 May 2020

Dear Mr Popal,

LICENSING ACT 2003: Review of Premises Licence
RE: Topaloglu Food and Wine, 478 Kingsland Road, E8 4AE.

I refer to the summary review of the premises licence for the above premises, submitted by the Metropolitan Police on 18 May 2020.

The Licensing Sub-Committee met on 20 May 2020 to consider whether to take any interim steps to address immediate problems with the premises, in particular the likelihood of serious crime and/or disorder, pending a decision on the full review application.

The decision

The Licensing Sub-Committee, in considering this decision from the information presented to them within the report and at the hearing and having regard to the promotion of the licensing objective concerning the prevention of crime and disorder, and in particular the prevention of serious crime or disorder, have:

- Deferred their decision, pending the full review of the premises licence.

In making this decision, the Sub-Committee carefully considered the submissions from the Metropolitan Police regarding the incident and the alleged offences involving the Designated Premises Supervisor and his staff, and they considered the representations made by the licence holder.

The Sub-Committee considered whether the interim steps were necessary and appropriate for the promotion of the crime and disorder objective, however, on balance they felt the options available to them were not appropriate on the basis that there was not sufficient evidence of the likelihood of further crime and disorder occurring before a full review hearing.

The Sub-Committee decided not to implement interim measures at this time because they had insufficient evidence of an imminent threat to the licensing objectives pending the full review of the premises licence as the premises were likely to stay open for that period with or without an alcohol licence.

In assessing the likelihood of further crime and disorder occurring during the period before a full review can take place, the Sub-Committee also had regard to the absence of evidence of prior crime and disorder associated with these premises and the limited material available to them concerning the alleged offences. The Sub-Committee considered that they would be significantly better able to understand the incident on which the Metropolitan Police's application is based when presented with more extensive evidence at the full review hearing.

Next Steps

You may make further representations against the interim measures before the full review hearing takes place. If you wish to do so, please contact the Licensing Service on the number below.

The full review hearing will be held before 15 June 2020. We shall contact you again to advise of the hearing date and to let you know if any representations are received from other responsible authorities or other persons.

I trust the above is clear. Please do not hesitate to contact me if you have any queries.

Yours faithfully,

Mike Smith
Principal Licensing Officer

**Fwd: Application to Review Premises Licence at 478 Kingsland Road**

1 message

Mike Smith <mike.smith@hackney.gov.uk>
To: Mike Smith <mike.smith@hackney.gov.uk>

3 June 2020 at 07:58

Dear Mike,

My name is Sajjad Popal and I am the director of SherKhanLtd. I am emailing in response to your email and confirming that I will attend the premises review meeting tomorrow via google hangouts.

I have come from a good educational background and I have never been arrested or been accused of breaking the law. I joined Princes Trust Charity to help the youth get in to technology and entrepreneurship and I have worked extremely hard and borrowed some money to open this store and grow my career as an entrepreneur and make a livelihood for myself and my future family.

Regarding the incident, I would like to clarify a few things which I will happily discuss at tomorrow's meeting if given the chance to do so. I have been running this business, putting a-lot of hard work and I have built a wonderful rapport with the local community who know me very well and are really happy with the way we operate. We have built a relationship of trust with the members in the community and support them where they perhaps cannot afford items, we provide them such essentials as we know the importance of maintaining a happy community environment. We have never caused trouble around the premises and our landlord who is our neighbour can confirm this statement. With regards to the gentleman who is accusing our staff. Prior to the incident, we reported him to Stoke-newington police station and he was told not to be around our store because of his intimidating and aggressive behaviour inside the store. Despite being told by the police to refrain from entering our premises, he continued to bully and taunt our staff by verbally threatening them and shouting abusive language where the local community are passing and also kept mentioning he will close our store down.

On the day of incident, the police clearly saw footage of the gentleman spitting on our store window, spreading his phlegm and thus intentionally exposing me, my family, my customers, my colleagues and their families to risk of Covid-19. Furthermore the CCTV evidence shows him using aggressive behaviour and shouting violent things to my colleagues and then began to push my colleague. At this point the CCTV shows that I was inside the store fixing my table recently purchased and upon hearing the abusive language I went outside with a piece of the table that I was fixing. At this point, I saw the gentleman being aggressive and was forcing himself on my colleagues. I was very afraid for my colleagues as this gentleman is of a large build and physically is much stronger than my colleagues, and I felt myself experiencing an anxiety attack and began to pace back and forth not knowing what to do as I did not want involvement in a violent incident. At this stage the CCTV clearly shows a friend telling me to relax my mind and put the table wood down, which I did put back in its place. It is clear from the CCTV footage that I did not take this table wood as a weapon to hurt the gentleman, I was simply fixing a table when the incident occurred outside the store and in a state of panic and worry I grasped onto it and was not aware it was in my hand. The piece of wood is now with the police and the police can confirm that there was no DNA of the gentleman on the piece of table wood, or has been used in any way to cause harm to him.

After putting the piece of table wood down I then stepped outside and saw the incident was over and my colleagues were desperately getting away from this gentlemen's abuse as we close the shutters. The gentlemen at this point was circling my friend trying to hit him whilst he was alone as the other colleagues made their way inside the store, when I noticed this I held onto the automatic shutters telling my friend to come inside. Once everyone safely made their way inside the store, we called the police. While waiting for the police to help us, I noticed a bruise on my team leaders forehead which my colleague mentioned occurred at the start of the incident when the gentlemen attacked him first and he does not remember much after that.

When the police arrived, I politely explained that this gentleman was banned from the store due to his last abusive behaviour and today he assaulted a member of staff, I cooperated with the police by immediately showing them the CCTV footage, which they took with them for evidence. However, the polices seemed unconcerned about the wellbeing of myself and my staff, and the fact that this gentleman had previously been warned by the police to not come near the premises due to his continuous bullying and harassment. Following this, the police officer explained that I will be arrested and then I was taken to the police station where the investigation took place. My solicitor explained that I was not involved in the incident, nor did I use any sort of weapons and therefore I was released within 24 hours. My colleagues were also released within 24 hours with no charges.

With regards to the letter from the Metropolitan police,

I would like to bring attention to the allegations made in this statement by PC Neal Hunwick, he claimed that I as the DPS and sole director of the company assaulted the gentlemen with a baseball bat, but the CCTV clearly shows a baseball bat was not used or held by any member of staff including myself. I have CCTV footage showing the police taking the baseball bat which was next to a set of baseball gloves that my colleagues play sport in park way after the incident took place, and which was not used in the incident to cause harm to the gentleman and so am unsure as to why this was mentioned by PC Neal Hunwick.

I understand and share the community perspective of Hackney council as me and my family have been residing here for a number of years and we love every aspect of it and have always showed respect to the community, to the point we have put everything on direct debit when it comes to the Hackney Commercial department because even if our profit margin is low, I still want to fulfil my duties because I want to progress in business and entrepreneurship so I urge Hackney Council and Metropolitan police to consider my previous history and my passion for business and community as I was the only essential shop during this Covid-19 virus that stayed open doing extremely long shifts so I can serve the community. The residents and community around my store still thanks us for putting our life at risk, serving them so they can top up their gas and electric and travel to far wholesalers so I can bring food essentials for them.

Please consider our efforts as members of the community helping other members. I sincerely apologise to Hackney Council and Metropolitan Police if during the process we have upset them in any way and I am willing to take necessary measures and employ new skilful managers to operate the premises, because I have a family now and this is the only source of income which I and my family cannot survive without.

Thank you for your e-mail and I will be waiting to meet you tomorrow.

Kind regards,

Sajjad Popal
Director


RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	London Borough of Hackney
ADDRESS OF AUTHORITY	Community Safety & Enforcement Service First Floor Hackney Service Centre 1 Hillman Street London E8 1DY
CONTACT NAME	Jacey Frewin
TELEPHONE NUMBER	020 8356 4567
E-MAIL ADDRESS	jacey.frewin@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Topaloglu Food & Wine, 478 Kingsland Road London E8 4AE
NAME OF APPLICANT	Sherkhan Limited

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:

--

ENVIRONMENTAL LICENCE CONDITIONS IN RESPECT OF

Topaloglu Food & Wine,
478 Kingsland Road, London E8 4AE

1. 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.
2. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.
3. The Licensee's premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the Licensee's waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as his/her waste carrier arrives to collect the refuse.
4. The Licensee shall instruct members 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
5. 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.
6. The current trade waste agreement/duty of care waste transfer document shall be conspicuously displayed and maintained in the window of the premises where it can be conveniently seen and read by persons standing in Topaloglu Food & Wine. This should remain unobstructed at all times and should clearly identify:-
 - the name of the registered waste carrier
 - the date of commencement of trade waste contract
 - the date of expiry of trade waste contract
 - the days and times of collection
 - the type of waste including the European Waste Code

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

We have received complaints in the past regarding littering and build-up of waste in the area. There have been instances in the past where Enforcement Officers have found evidence of the illegal disposal of waste from this business. Experience has also shown that there is the probability that there will be cigarette litter outside these premises due to the smoking ban and that it is possible that glasses and bottles may be left outside by patrons.

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

Contact Jacey Frewin by email

Name: Jacey Frewin

Date: 19/05/2020

**Planning Authority Representation:
Application under the Licensing Act 2003**

Details of Authority	2 Hillman Street, Hackney, London, E8 1FB
Officer contact name	Ashley Rogers
Officer telephone number	020 8356 7914
Officer's email address	ashley.rogers@hackney.gov.uk

APPLICATION PREMISES

Name and address of premises	478 Kingsland Road
Applicant name	Sherkhan Ltd

COMMENTS

I make the following relevant representation in relation to the above application at the above address.

- Prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

Please supply any relevant evidence/information to support the above representation.

Application for the review of a premises license under section 53A of the Licensing Act 2003

A search of Council's planning records has found no planning approval for the usage of the premises as lawful. If the applicant would like formal confirmation from Council that the usage of the premises is lawful, it is recommended that they seek planning permission.

The applicant is reminded that licensing approval does not grant planning approval. Operation of the premises without appropriate planning approval is unlawful and may result in enforcement action.

Please provide the following information (if applicable)

Area (that permission applies to)	Ground Floor
Permitted use	N/A
Permitted hours	N/A
Specific/restrictive conditions	N/A
Recent applications	N/A
Decisions	N/A
Pending Decisions	N/A

Reasons for refusal	N/A
Relevant Conditions/discharges	N/A

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

No representation with informative

Application for the review of a premises license under section 53A of the Licensing Act 2003

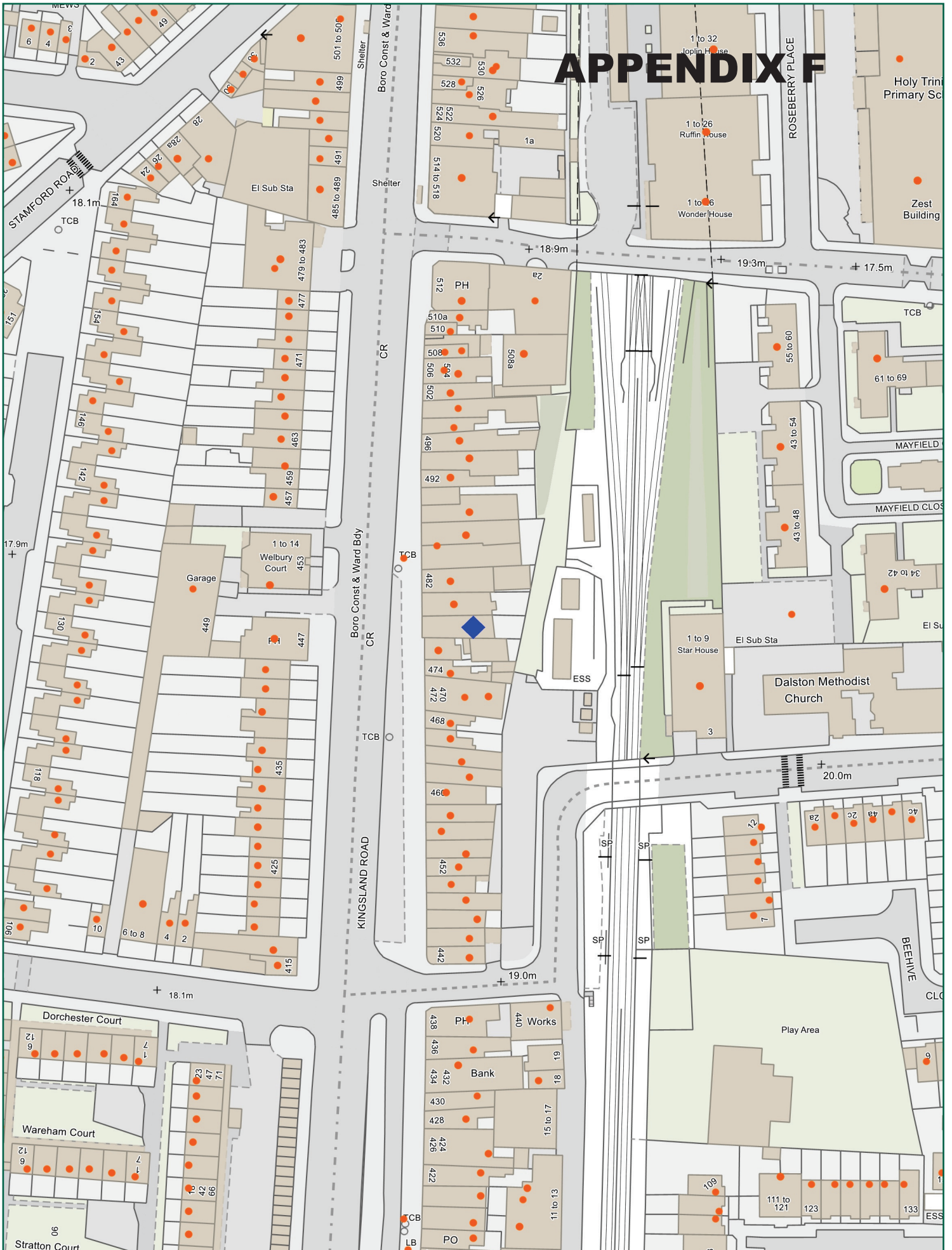
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The applicant is reminded that licensing approval does not grant planning approval. Operation of the premises without appropriate planning approval is unlawful and may result in enforcement action.

The applicant is advised that these comments do not represent a formal decision of the Local Planning Authority as to the acceptability or otherwise of the proposed use and that the decision of the Licensing Authority is not prejudicial to the determination of any subsequent planning application.

Signed	
Name	Adele (North Team Leader)
Name	Gareth (South Team Leader)*
Date	

APPENDIX F



Scale: 1:1250 at A4



Ref:

19 May 2020

Produced by: unspecified

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