

REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE:	Classification DECISION	Enclosure
Application for a Variation of Premises Licence Gigi's Italian, Unit 3, 30 Felstead Street, Hackney, London, E9 5LG	Ward(s) affected Hackney Wick	

1. SUMMARY

Applicant(s) Mr Gokhan Algur	In SPA No
Date of Application 25/06/2020	Period of Application Permanent
<p>Proposed licensable activity To Authorise Supply of Alcohol (Off Premises)</p> <p>And to remove the following conditions :</p> <p>12-Intoxicating liquor shall not be sold, supplied or consumed otherwise than to persons who are taking a meal from the menu.</p> <p>19-Patrons will not be allowed to take drinks, glass or open containers outside of the premises at anytime</p> <p>20-Intoxicating liquor shall not be sold, supplied or consumed on the premises otherwise than to persons who are taking substantial table meals. The supply of alcohol shall be by waiter or waitress service only</p>	
<p>Proposed hours of licensable activities</p> <p>Supply of Alcohol</p> <p>Standard Hours: Mon 11:00-22:45 Tue 11:00-22:45 Wed 11:00-22:45 Thu 11:00-22:45 Fri 11:00-22:45 Sat 11:00-22:45 Sun 11:00-22:45</p>	
<p>The opening hours of the premises</p> <p>Standard Hours: Mon 11:00-22:45 Tue 11:00-22:45 Wed 11:00-22:45 Thu 11:00-22:45 Fri 11:00-22:45 Sat 11:00-22:45 Sun 11:00-22:45</p>	

Current activities/hours: See current licence at Appendix D	
Capacity: Not known	
Policies Applicable	LP1 (General Principles), LP2 (Licensing Objectives), and LP4 ('Off' Sales of Alcohol)
List of Appendices	A – Application for a premises licence and supporting documents B – Representations from responsible authorities C – Current Licence D – Location map
Relevant Representations	<ul style="list-style-type: none"> • Police Authority • Licensing Authority

2. APPLICATION

2.1 **Mr Gokhan Algur** has made an application for a premises licence under the Licensing Act 2003:

- To authorise hours for the supply alcohol for consumption Off the premises
- To remove conditions 12, 19 and 20 from the existing licence

2.2 The application is attached as Appendix A. The applicant has not proposed additional measures that could be converted to conditions.

3. CURRENT STATUS / HISTORY

3.1 The current premises licence was granted in October 2013.

3.2 No TENs have been submitted in respect of the premises in the current calendar year.

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	Have confirmed no representation on this application
Environmental Health Authority (Environmental Enforcement)	Representation has been withdrawn with the agreed conditions as set out in para 8.1
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	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 and Prevention of Public Nuisance
Licensing Authority Appendix B2	Representation received on the grounds of The Prevention of Crime and Disorder and Prevention of Public Nuisance
Health Authority	No representation received

5. REPRESENTATIONS: OTHER PERSONS

From	Details
Representation received from and on behalf of local residents.	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), and LP4 ('Off' Sales of Alcohol)

8. OFFICER OBSERVATIONS

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

Supply Of Alcohol (On/Both)

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 must 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

b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

c) 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 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.

7.3 Where the permitted price given by Paragraph 7.2(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.

Conditions derived from Responsible Authority representations

8. 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.

9. 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.

10. 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.

11. In order to minimise the amount of time any waste remains on the public highway in readiness for collection, the Licensee will ensure the timeframe within which it may expect its waste carrier to collect is adhered to. 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.

12. 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.

13. 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 Giugi's Italian. 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

9. REASONS FOR OFFICER OBSERVATIONS

9.1 Conditions 8 to 13 have been proposed by environmental enforcement. The proposed conditions have been accepted 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.

Group Director, Neighbourhoods and Housing	Ajman Ali
Lead Officer (holder of original copy):	Sanaria Hussain Senior 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: Gigi's Italian, 30 Felstead Street, Hackney, London, E9 5LG	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 Gokhan Algur

(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-1461

Part 1 – Premises Details

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

Gigi's Italian
30 FELSTEAD STREET
HACKNEY

Post town

LONDON

Postcode

E9 5LG

Telephone number at premises (if any)

Non-domestic rateable value of premises

££11500

Part 2 – Applicant details

Daytime contact telephone number

E-mail address (optional)

Current postal address if different from premises address

FELSTEAD STREET
HACKNEY

UK-England

Post

LONDON

Postcode

E9

town			
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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
If not, from what date do you want the variation to take effect?	
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
	<input checked="" type="checkbox"/> No

<p>Please describe briefly the nature of the proposed variation (Please see guidance note 2)</p> <p>To be able to serve alcohol on and off the premises</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:

35

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	
				Off the premises	
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	11:00	22:45	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
	-----	-----			
Tue	11:00	22:45			
	-----	-----			
Wed	11:00	22:45	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 (please read guidance note 7) Default.LicesableActivitiesJ_plays_non_s»		
	-----	-----			
Thur	11:00	22:45			
	-----	-----			
Fri	11:00	22:45			
	-----	-----			
Sat	11:00	22:45			
	-----	-----			
Sun	11:00	22:45			
	-----	-----			

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 at all

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	11:00	22:45	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	11:00	22:45	
Wed	11:00	22:45	
Thur	11:00	22:45	
Fri	11:00	22:45	
Sat	11:00	22:45	
Sun	11:00	22:45	

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.

The conditions

7a- Where possible alcoholic drinks are sold or supplied for consumption on the premises

12-Intoxicating liquor shall not be sold, supplied or consumed otherwise than to persons who are taking a meal from the menu.

19-Patrons will not be allowed to take drinks, glass or open containers outside of the premises at anytime

20-Intoxicating liquor shall not be sold, supplied or consumed on the premises otherwise than to persons who are taking substantial table meals. The supply of alcohol shall be by waiter or waitress service only

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)

Since We have opened 7 years ago and, we have established to be a well-known local pizzeria while having a motto to be a local for the locals vision and slogans. We have proudly and thankfully been operating with no licensing or nuisance issues whatsoever during our normal operating life.

The reason we would like to have to sell alcohol on and off the premises that since we sell very nice pizzas, get requests from our patrons to take an alcoholic drink with it. In the summer time if someone wants to buy an alcoholic drink, we would like not to turn them down for refreshing drink that will give us the flexibility not to brake the law and we are complaint with the rules.

The patrons' safety, to respect our neighbours to prevent nuisance who I see everyday as I live above the premises, encourage our customers to drink responsibly, not to allow them to reach the point they are drunken and disorderly, to protect the children from harm by safety netting them within the premises have been the paramount of our daily activities. We have achieved this:

-Having hands on approach to make sure who gets served alcohol, only allow patrons responsibly. We have achieved this by getting to know our locals well. They also enjoy to be with us with their families, parents and children meaning a local place for locals.

-Training each member staff to be vigilant in regards who they serve to, and ask them to report any alcohol related disorderly behaviour to the management.

b) The prevention of crime and disorder

-We have installed CCTV system in line with our licensing policy. CCTV images are retained for a minimum of 30 days and be produced on the request of the police

-Our CCTV system is and will be operational at all times whilst the premises are trading.

-A4 sized warning notices are displayed in all public areas of the premises and at all entrances advising that CCTV is in operation.

-We have followed and will follow the national and local crime prevention policies, regularly get updates from local crime prevention agencies

-We have an incident book in place that will contain full details of all occurrences of disorder and refused alcohol sales. The incident book is kept on the premises at all times and is available for inspection the police.

-We do not allow and will never allow someone carrying open or sealed bottles or glasses to the premises.

c) Public safety

I have been working in the industry for the last 21 years, running a number of premises with a larger capacity with a 24 hours licence secured. The experience I have gained has been proving to be very helpful, We will therefore achieve this objective as we have been over the last seven years as below:

-To watch who is entering and leaving the premises and ensuring that once the maximum occupancy is reached, no further persons are admitted.

-Before we open to the public to ensure there are no risks to patrons and that all safety precautions are in place.

-All staff receive the appropriate training about the safety precautions and procedures, are aware of their social and legal obligations and their responsibilities regarding the sale of alcohol.

-Free drinking water is always available at all times the premises to cut the effect of alcohol

-We are always to remove the rubbish from public areas on a regular and frequent basis.

-We always are safety compliant with yearly electrical safety certificate, will always make sure that we shall stay by getting a competent person will be a suitably qualified electrician. All safety certificates and inspection reports are to be available.

-We have always carried out and will always carry out of a fire risk assessment for the public safety.

d) The prevention of public nuisance

-We have always ensured and will ensure that staff regularly patrol the premises both indoors and out to supervise the orderly conduct of patrons.

-We have always requested and will always request our patrons to leave the premises quietly

-We have always controlled and will always control the volume of the music at the premises.
and we do not have external speakers and will never have them.

-We will place a suitable signage in areas requesting patrons to respect the

amenities of disposing and collecting of litter will be maintained.

-We have been using the council rubbish collection services and will do so as they are so efficient. We only take our rubbish out at the end of the night

e) The protection of children from harm

-We always challenge and will challenge the individuals who appear to be under the age of 18 attempting to purchase alcohol and we ask to see their IDs.

-We have always given and will always give the plastic glasses or bottles to the children to prevent them harming themselves

-We advise our patrons not to bring their children on friday and saturday evenings when we seem to be busier.

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	Gokhan Algur
Date	22/6/2020
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	22/6/2020
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)			
Premises Address			
UK-England			
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

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 3691CE Kerrie RYAN
TELEPHONE NUMBER	020 7275 3022
E-MAIL ADDRESS	hackneylicensing@met.police.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Gigi's Italian 30 Felstead Street London E9 5LG
NAME OF PREMISES USER	Gokhan Algur

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 objections in relation to the application to vary the Premises Licence at GIGI'S ITALIAN, 30 FELSTEAD STREET, LONDON, E9 5LG for the following reason(s);

These premises are as part of a small parade of shops, cafes and restaurants in a quiet residential street. It is located on the ground floor of a residential block of apartments.

Currently this premises operates as a restaurant and has submitted this application to add off sales to the premises licence. However, the application also proposes to remove all conditions that relate to drinking outside and restaurant conditions relating to alcohol being sold ancillary to food.

This is a quiet street and it is surrounded on all sides and above by residential properties. The removal of these conditions, will essentially turn this venue into a bar and will not restrict people from taking drinks outside and consuming them on the street. This causes huge concerns for police. The behaviour of customers leaving a bar and those leaving a restaurant are very often, completely different and police fear that the residents will be cause all kinds of disturbance by patrons leaving the bar having consumed large amounts of alcohol instead of sitting down for a meal. This in turn leads to a much larger potential for ASB on the streets, such as urination, noise, disorder and drunkenness.

Police propose that the conditions that the applicant proposes to remove, should be amended to include sales of alcohol for consumption off the premises i.e. being ancillary to food and that the outside conditions be amended to include those having a meal in the designated seating area at the front of the premises.

The COVID-19 crisis has seen a change in how licensed premises will be operated and used. Social distancing will be in place for many months to come, in an attempt to control the spread of infection. How will the applicant ensure that social distancing is practised? What procedures will be in place to protect staff and the public? Are there any additional outside areas that the applicant intends to use during this changing and evolving process, as restrictions on public places become less and less?

Police look forward to hearing from the applicant to discuss a way forward with 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
PC3691CE RYAN (By E-mail)

Name (printed)

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

APPENDIX 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	Gigi's Italian 30 Felstead Street London E9 5LG
NAME OF APPLICANT	Gokhan Algur

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. The proposed variation (removal of Conditions 12 and 20) could have a negative impact on the promotion of the licensing objectives as it would enable a change in the nature of the operation. Further, there appears to have been a change to the layout of the premises – see plan attached below. It appears there are tables and seating to the front of the premises and no garden area to the side nor door leading to this area.



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

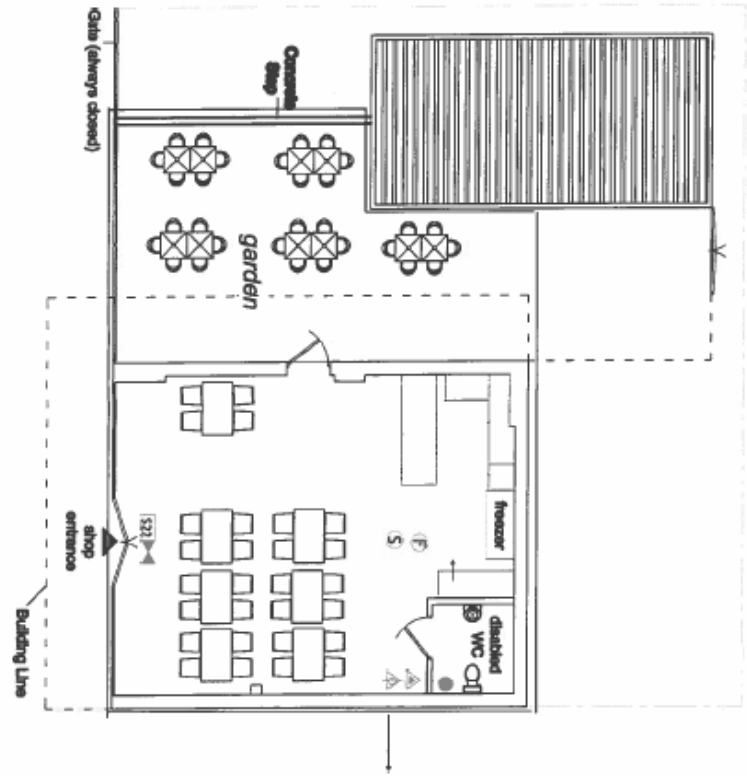
The Licensing Act 2003, Statement of Licensing Policy 2018-2023 and S182 Guidance issued by the Home Office.

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

Discussion with the applicant in relation to the concerns raised above and submission of a revised plan which is an accurate reflection of the premises.

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

Date: 20/07/2020



Planning Application	Date	Drawn	Scale
Project: UNIT 3, 30 FELSTEAD STREET, LONDON, E9 6LG	31/10/2009	ST	1:800
	Drawing no :	Apw/ST/04-001/A	

APPENDIX C



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-1461

Part 1 – Premises details

Gigi's Italian
Unit 3
30 Felstead Street
Hackney
London
E9 5LG

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:

Premises:	Mon 11:00-22:45
	Tue 11:00-22:45
	Wed 11:00-22:45
	Thu 11:00-22:45
	Fri 11:00-22:45
	Sat 11:00-22:45
	Sun 11:00-22:45

The opening hours of the premises

Premises Standard Hours:

	Mon 09:00-23:00
	Tue 09:00-23:00

Wed 09:00-23:00
Thu 09:00-23:00
Fri 09:00-23:00
Sat 09:00-23:00
Sun 09:00-23:00

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

On Premises

Web Copy

Web Copy

Web Copy

Part 2 –

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

Mr Gokhan Algur
421 Dallow Road
Luton
Beds
LU1 1UL

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

Not Applicable

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

Mr Gokhan Algur

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: 15 October 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 shall ensure that free tap water is provided on request to customers where it is reasonably available.
5. 5.1. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sales or supply of alcohol.

5.2. 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 a holographic mark.

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
 - b) customers are made aware of the availability of these measures.

A responsible person in relation to a licensed premises means the holder of the premises licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

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

Not Applicable

Conditions derived from Responsible Authority representations

8. The premises shall install and 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 throughout the preceding 31-day period.
9. Any 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 must be able to show a Police or authorised council officer recent data or footage when requested.
10. Signs will be prominently displayed at all exit points reminding customers to leave quietly and respect local residents.
11. There shall be no promotional sales of alcohol on the premises where alcohol is sold at a lower price than that at which the same or similar alcoholic drinks are sold, or usually sold, on the premises.
12. Intoxicating liquor shall not be sold, supplied or consumed otherwise than to persons who are taking a meal from the menu and that the consumption of intoxicating liquor by such persons is ancillary to taking such meals. The supply of alcohol will be by waiter/waitress service only.
13. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence or passport.

14. 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 or searching equipment or scanning equipment. Any refusal of the sale of alcohol.
 - g. Any visit by a relevant authority or emergency service.
15. Premises to operate zero tolerance policy to drugs and comply with Hackney Police and Council Community safety unit drugs and weapons policy where appropriate.
16. An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.
17. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons.
18. The licence holder shall maintain a dedicated telephone number of the Designated Premises Supervisor for use by any Responsible Authority or any person who may wish to make a complaint. This contact number shall be provided to licensing authority, police and to any local residents upon request.
19. Patrons will not be allowed to take drinks, glass or open containers outside of the premises at any time.
20. Intoxicating liquor shall not be sold, supplied, or consumed on the premises otherwise than to persons who are taking substantial table meals 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.

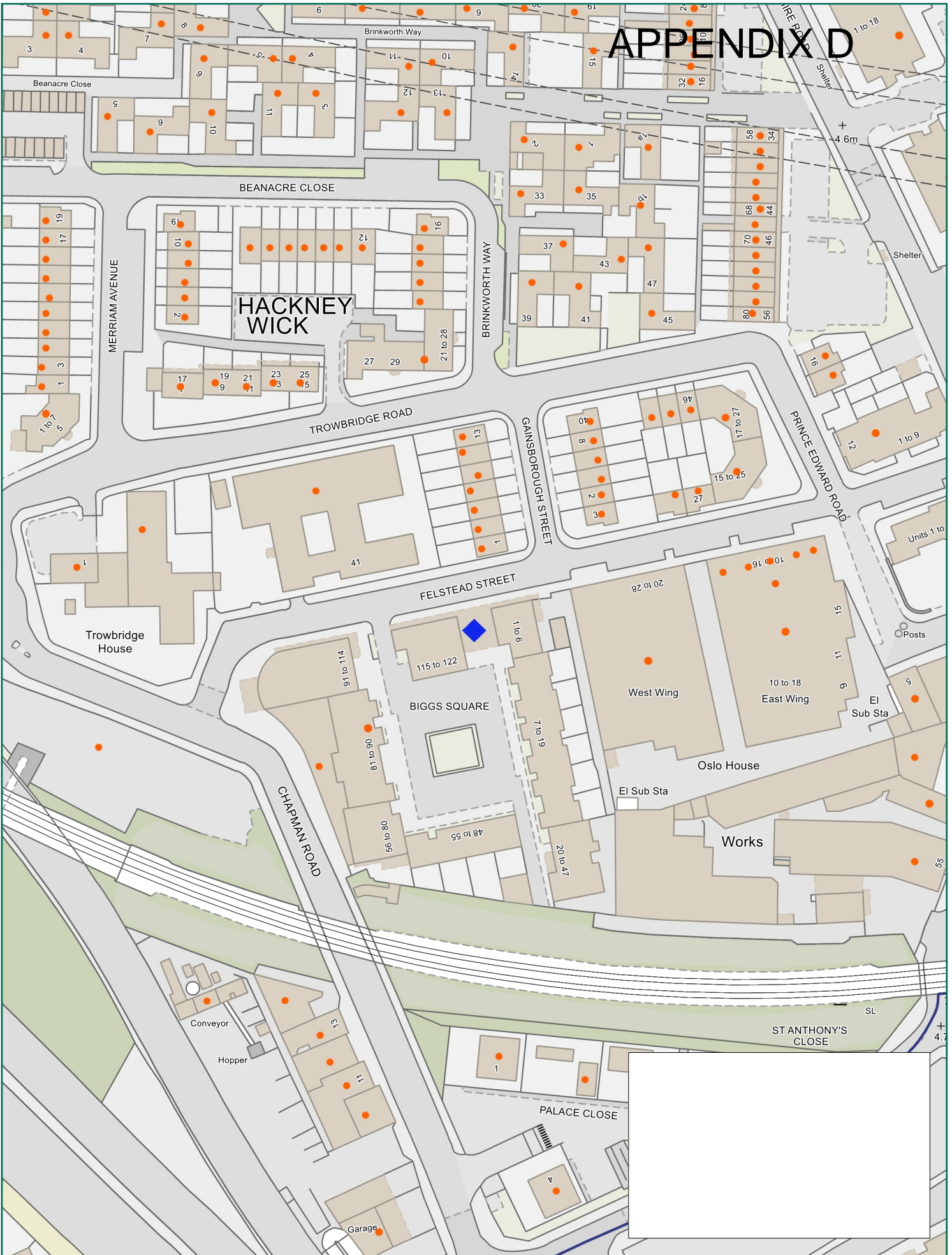
Annex 3 – Conditions attached after a hearing by the licensing authority

Not Applicable

Annex 4 – Plans

PLAN/LBH-PRE-T-1461/16/102013

APPENDIX D



30 Felstead Street

Scale: 1:1250 at A4



Ref:

04 September 2020

Produced by: unspecified

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