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| REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING | | |
| LICENSING SUB-COMMITTEE: 17/09/2020 | Classification DECISION | Enclosure |
| Application for a Premises Licence The Barrel Boulangerie, 316 Mare Street, Hackney, E8 1HA | Ward(s) affected Homerton | |

1. SUMMARY

| | |
|---|---|
| Applicant(s) Zoheir Habet | In SPA Not Applicable |
| Date of Application 31/07/2020 | Period of Application Permanent |
| Proposed licensable activity Application to permit late night refreshment from 23:00 to 05:00am Monday to Sunday. | |
| Proposed hours of licensable activities | |
| Late Night Refreshment | Standard Hours: |
| Outdoors | 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 |
| The opening hours of the premises | |
| | Standard Hours: 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 |
| | Non-Standard Hours: Premises will be closed for members of the public at 21:00. The premises will operate as delivery only from 21:00 to 05:00 |
| Capacity: Not known | |
| Policies Applicable | LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours) |
| List of Appendices | A – Application for a premises licence and supporting documents |

| | |
|---------------------------------|---|
| | B – Representations from responsible authorities C – Representations from other persons D – Location map |
| Relevant Representations | <ul style="list-style-type: none"> • Environmental Health Authority (Environmental Protection and Environmental Enforcement) • Licensing Authority • Other Persons |

2. APPLICATION

2.1 **Zoheir Habet** has made an application for a premises licence under the Licensing Act 2003:

- To authorise late night refreshment

2.2 The application is attached as Appendix A. The applicant has proposed measures that could be converted to conditions (see paragraph 8.1 below).

3. CURRENT STATUS / HISTORY

3.1 The premises are not currently licensed for any activity.

3.2 No Temporary Event Notices have been given for this premises in this calendar year.

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

| From | Details |
|--|---|
| Environmental Health Authority (Environmental Protection) Appendix B1 | Representation received on the grounds of the prevention of public nuisance |
| Environmental Health Authority (Environmental Enforcement) Appendix B2 | Representation received on the grounds of the prevention of public nuisance |
| 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 | No representation received. |
| Licensing Authority Appendix B3 | Representation received on the grounds of The Prevention of Public Nuisance and Licensing Hours |
| Health Authority | Have confirmed no representation on this application |

5. REPRESENTATIONS: OTHER PERSONS

| From | Details |
|--|--|
| One representation received from and on behalf of local residents. Appendix C | Representation received on the grounds of Public Safety and Prevention of Public Nuisance. |

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 LP3 (Core Hours)

8. OFFICER OBSERVATIONS

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

Conditions derived from operating schedule

1. Competent staff shall be on duty at the premises for the purpose of fulfilling the terms and conditions of the license and for preventing crime and disorder
2. Any incident of a criminal nature that may occur on the premises shall be reported to the police. The premises have CCTV in place and it is operated and maintained at the premises
3. Recordings will be kept for 31 days. A total of 8 cameras on every corner of the premises, entrance, till area, floor area, stairs to the basement (kitchen) and the kitchen. Police will have access to images at any reasonable times.
4. Appropriate fire safety procedures are in place including fire extinguisher (foam, H2)
5. All emergency exits are kept free from obstruction at all the time
6. No customers will be attending the restaurant after 20:00h only delivery and the delivery drivers are reminded to enter and leave the premises quietly.
7. Clear and legible notices will be prominently displayed to remind the delivery drivers to enter and leave quietly and have regard to our neighbours

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. 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 The Barrel Boulangerie. 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 1 to 7 above are derived from the applicant's operating schedule. Conditions 8 to 13 have been proposed by the environmental enforcement.

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 4972 |

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: The Barrel Boulangerie, 316 Mare Street, Hackney, E8 1HA | Licensing Service 1 Hillman Street London E8 1DY |

Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy

APPENDIX A

| | |
|-----------------|--|
| Hackney LA01 | Application for a premises licence to be granted under the Licensing Act 2003 |
|-----------------|--|

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Mr zoheir Habet
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

| | | | |
|--|--------|-----------------|--------|
| Postal address of premises or, if none, ordnance survey map reference or description THE BARREL BOULANGERIE 316 MARE STREET HACKNEY LONDON | | | |
| Post town | LONDON | Postcode | E8 1HA |

| | |
|---|------------|
| Telephone number at premises (if any) | [REDACTED] |
| Non-domestic rateable value of premises | £27000 |

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **appropriate** Please tick as appropriate

| | | | |
|----|---|---|-----------------------------|
| a) | an individual or individuals * | <input checked="" type="checkbox"/> | please complete section (A) |
| b) | a person other than an individual * | | |
| | i. as a limited company/limited liability partnership | <input checked="" type="checkbox"/> HZ | please complete section (B) |

| | | | | |
|-----|------|---|--------------------------|-----------------------------|
| | ii. | as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| | iii. | as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| | iv. | other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) | | a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) | | a charity | <input type="checkbox"/> | please complete section (B) |
| e) | | the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) | | a health service body | <input type="checkbox"/> | please complete section (B) |
| g) | | a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales | <input type="checkbox"/> | please complete section (B) |
| ga) | | a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England | <input type="checkbox"/> | please complete section (B) |
| h) | | the chief officer of police of a police force in England and Wales | <input type="checkbox"/> | please complete section (B) |

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

| | | | |
|---|--|--------------------|--|
| Title Mr | | | |
| Surname | | First names | |
| I am 18 years old or over .. | | | |
| Date of birth | | | |
| Nationality | | | |
| Current residential address if different from premises address | | UK-England | |
| Post town | | Postcode | |
| Daytime contact telephone number | | | |
| E-mail address (optional) | | | |
| Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information) | | | |

SECOND INDIVIDUAL APPLICANT (if applicable)

| | | | |
|---|--|--------------------|--|
| Title Mr | | | |
| Surname | | First names | |
| I am 18 years old or over .. Please tick yes | | | |

| | | | |
|---|--|------------|--|
| Date of birth | | | |
| Nationality | | | |
| Current postal address if different from premises address | | UK-England | |
| Post town | | Postcode | |
| Daytime contact telephone number | | | |
| E-mail address (optional) | | | |
| Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information) | | | |

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

| |
|---|
| Name [REDACTED] |
| Address [REDACTED] ISLEWORTH |
| T [REDACTED] UK-England |
| Registered number (where applicable) |
| Description of applicant (for example, partnership, company, unincorporated association etc.) |
| Telephone number (if any) |

| |
|---------------------------|
| |
| E-mail address (optional) |
| |

Part 3 Operating Schedule

When do you want the premises licence to start?

| | | |
|----|----|------|
| DD | MM | YYYY |
| 01 | 09 | 2020 |

If you wish the licence to be valid only for a limited period, when do you want it to end?

| | | |
|----|----|------|
| DD | MM | YYYY |
| | | |

| |
|---|
| Please give a general description of the premises (please read guidance note 1) |
| |

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

| |
|---|
| 0 |
|---|

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

| | Provision of regulated entertainment (please read guidance note 2) | Please tick all that apply |
|----|--|-----------------------------------|
| a) | plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) | films (if ticking yes, fill in box B) | .. |
| c) | indoor sporting events (optional, fill in box C) | .. |
| d) | boxing or wrestling entertainment (if ticking yes, fill in box D) | .. |
| e) | live music (optional, fill in box E) | .. |
| f) | recorded music (if ticking yes, fill in box F) | .. |
| g) | performances of dance (optional, fill in box G) | .. |
| h) | anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | .. |

| | |
|---|-------------------------------------|
| <u>Provision of late night refreshment</u> (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| <u>Supply of alcohol</u> (if ticking yes, fill in box J) | .. |

In all cases complete boxes K, L and M

I

| Late night refreshment Standard days and timings (please read guidance note 7) | | | Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | |
|---|---------------------------|---------------------------|--|----------|--|
| Day | Start | Finish | | Outdoors | |
| | | | | Both | |
| Mon | 17:00 23:00 | 00:00 05:00 | Please give further details here (please read guidance note 4) DELIVERY ONLY | | |
| Tue | 17:00 23:00 | 00:00 05:00 | | | |
| Wed | 17:00 23:00 | 00:00 05:00 | State any seasonal variations for the provision of late night refreshment (please read guidance note 5) N/A | | |
| Thur | 17:00 23:00 | 00:00 05:00 | | | |
| Fri | 17:00 23:00 | 00:00 05:00 | 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 6) N/A | | |
| Sat | 17:00 23:00 | 00:00 05:00 | | | |
| Sun | 17:00 23:00 | 00:00 05:00 | | | |

J

| | | | | | |
|---|-------|--------|---|------------------|--|
| Supply of alcohol Standard days and timings (please read guidance note 7) | | | Will the supply of alcohol be for consumption – please tick (please read guidance note 8) | On the premises | |
| | | | | Off the premises | |
| | | | | Both | |
| Day | Start | Finish | State any seasonal variations for the supply of alcohol (please read guidance note 5) | | |
| Mon | | | | | |
| Tue | | | | | |
| Wed | | | | | |
| Thur | | | | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |
| | | | 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 6) | | |

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

| | |
|---|--|
| Name | |
| Mr | |
| Date of birth | |
| Address | |
| UK-England | |
| Postcode | |
| Personal licence number (if known) | |
| Issuing licensing authority (if known) Please select | |

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 9).
 NO SUCH ACTIVITIES AT THE PREMISES
 NO DIRECT SALE TO CUSTOMERS

DELIVERY ONLY

L

| Hours premises are open to the public Standard days and timings (please read guidance note 7) | | | State any seasonal variations (please read guidance note 5) N/A |
|--|------------------|------------------|---|
| Day | Start | Finish | <p><i>THE PREMISES WILL NOT BE OPEN TO PUBLIC NOR CUSTOMER WILL BE COLLECTING IT IS ONLY FOR DELIVERY AFTER 9PM</i></p> |
| Mon | 08:00 | 20:00 | |
| | <i>23:00</i> | <i>05:00</i> | |
| Tue | 08:00 | 20:00 | |
| | <i>23:00</i> | <i>05:00</i> | |
| Wed | 08:00 | 20:00 | |
| | <i>23:00</i> | <i>05:00</i> | |
| Thur | 08:00 | 20:00 | |
| | <i>23:00</i> | <i>05:00</i> | |
| Fri | 08:00 | 20:00 | |
| | <i>23:00</i> | <i>05:00</i> | |
| Sat | 08:00 | 20:00 | |
| | <i>23:00</i> | <i>05:00</i> | |
| Sun | 08:00 | 20:00 | |
| | <i>23:00</i> | <i>05:00</i> | |

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 6)

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

I will ensure that all the times when the premises are for any licensable activity, there are sufficient competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the license and for preventing crime and disorder

b) The prevention of crime and disorder

Any incident of a criminal nature that may occur on the premises will be reported to the police
we have in place CCTV and it is operated and maintained at the premises
A total of 8 cameras in every corner of the premises, entrance, till area, floor area, stairs to the basement (kitchen) and the kitchen
Good quality recording and are kept for 31 days
Police will have access to images at any reasonable time

c) Public safety

appropriate fire safety procedures are in place including fire extinguisher (foam, H₂O and emergency lighting) all appliances are inspected annually
All emergency exits are kept free from obstruction at all the times

d) The prevention of public nuisance

No customers will be attending the restaurant after 20:00h only delivery and the delivery drivers are asked to enter and leave the premises quietly
clear and legible notices will be prominently displayed to remind the delivery drivers to enter and leave quietly and have regard to our neighbours

e) The protection of children from harm

NO CUSTOMER WILL BE ATTENDING THE RESTAURANT AFER 20:00H
NO ALCOHOL SALE AT THE PREMISES AT ANY TIME

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.

- I understand that if I do not comply with the above requirements my application will be rejected.


- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

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.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

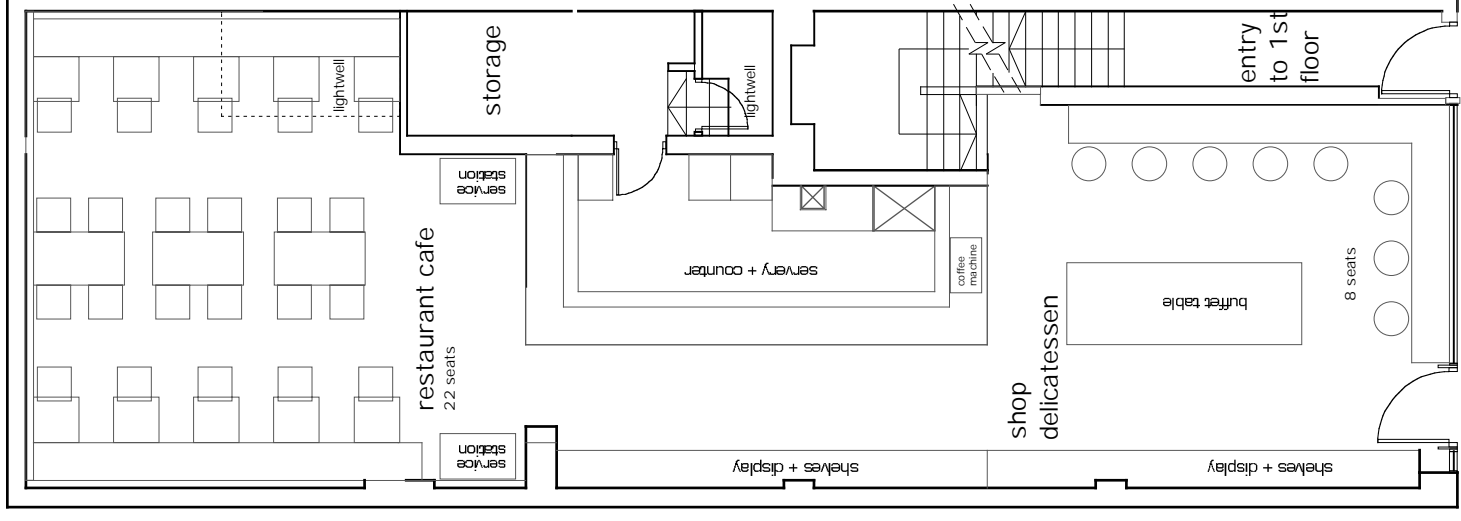
Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

| | |
|--------------------|--|
| Declaration | <ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office right to work checking service which confirmed their right to work (please see note 15) |
| Signature |  |
| Date | 29/7/2020 |
| Capacity | OWNER |

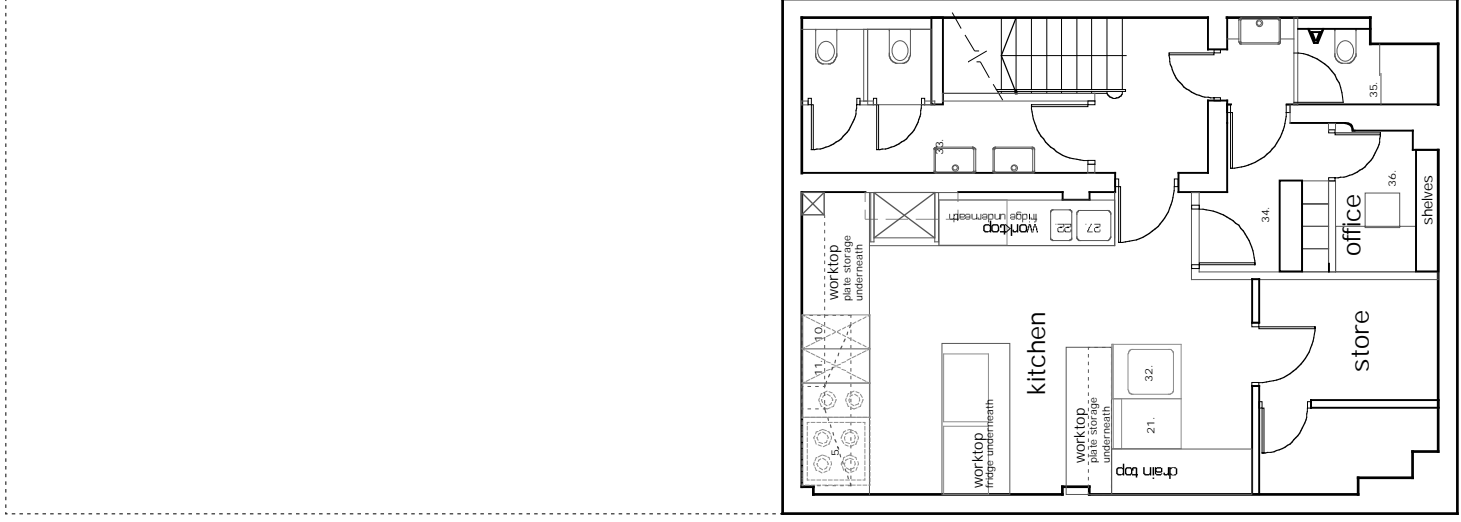
For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

| | |
|-----------|-----------|
| Signature | |
| Date | 29/7/2020 |
| Capacity | |

| | | | |
|---|--|----------|--|
| Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Premises Address UK-England | | | |
| Post town | | Postcode | |
| Telephone number (if any) | | | |



PROPOSED GROUND FLOOR PLAN



PROPOSED BASEMENT FLOOR PLAN

key

- 21. dishwasher
- 22. hand sink
- 27. big sink
- 32. big (pot wash) sink
- 33. unisex wc
- 34. staff changing room + locker
- 35. staff wc / shower
- 36. office

| | | |
|--|--------------|---|
| USE Architects Temple Works Brett Road London E8 1JR T +44 020 8986 8111 F +44 020 8986 8555 www.usearchitects.com | Project | MARE STREET |
| | DWG Title | BASEMENT & GROUND FLOOR KEYPLAN |
| Scale | 1:100 | do not scale the drawing all dimensions to be verified on site |
| DWG Size | A3 | |
| | | |
| Date | 22.11.07 | |
| DWG No. | MA / PA / 01 | |
| Revision | REVISION | |
| DWG File | template | |
| | | 0817 |

RESPONSIBLE AUTHORITY DETAILS

| | |
|----------------------|---|
| NAME OF AUTHORITY | London Borough of Hackney |
| ADDRESS OF AUTHORITY | Environmental Protection Team, First Floor, Hackney Service Centre, 1 Hillman Street London E8 1DY |
| CONTACT NAME | Anuja Jayawickrema |
| TELEPHONE NUMBER | 0208 356 4434 |
| E-MAIL ADDRESS | anuja.jayawickrema@hackney.gov.uk |

APPLICATION PREMISES

| | |
|--|---|
| NAME & ADDRESS OF PREMISES | THE BARREL BOULANGERIE 316A MARE STREET HACKNEY E8 1HA |
| REFERENCE Historic LBH-PRE-T-0425 | Premises licence number 108994 |
| NAME OF LICENCE HOLDER/ DESIGNATED PREMISES SUPERVISOR | zoheir Habet |

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 Protection object to an extension of the premises licence under the Licensing Act 2003 as applied for by Mr Zoheir Habet, 1 OSTERLEY ROAD, ISLEWORTH, TW7 4PE. The applicant has not demonstrated in full that **LP5 Public**

Nuisance Licensing Policy requirement would be met.

Environmental Protection Team is concerned that noise, smoke and/or odours may cause nuisances to occupiers of nearest noise/smoke sensitive receptors. The Council has served a Section 80 for noise nuisance from these premises and the applicant has not satisfactorily carried out remedial works. He has been unable to employ any one due to the Covid pandemic. The applicant's extraction system causes smoke inside the basement kitchen as they are not able to use the extractor properly as when the system is on full power, the neighbours complain of noise and vibration in the flat above.

Another resident also complains of cooking odours and smells from burgers, which the applicant also runs, namely Cheeky Burgers. The Council is not carrying out visits to residential properties at this time.

The applicant has not provided adequate information on what steps he will take to abate nuisance caused by the extraction system and it will not cause a disturbance to nearby residents.

The Council has also received complaints from a third complainant about the delivery drivers creating noise nuisance late into the night on Mare Street when the applicant was open through the night prior to his application, when they were waiting for their orders. The requested activity is likely to undermine the licensing objectives and cause a nuisance to nearby residents.

Complaints have been curtailed in recent weeks due to the early closing of the premise by the applicant.

However with the extended hours requested there is likely to be additional public nuisance, noise and odours nuisance from the premise especially as the background noise levels in the area are lower at this time. Noise and smell from cooking the hot food could be an issue to nearby residents homes if the kitchen is been used until 5am.

Therefore, the applicant is advised to contact Environmental Protection to discuss concerns above.

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

The Licensing Policy. The prevention of public nuisance **LP5**.

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

The applicant is welcome to contact Anuja Jayawickrema on 020 8356 4434 or Email: anuja.jayawickrema@hackney.gov.uk

Name: Anuja Jayawickrema

Date: 28.06.20

**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 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 | The Barrel Boulangerie 316 Mare Street Hackney E8 1HA |
| NAME OF APPLICANT | |

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
The Barrel Boulangerie
316 Mare Street, London E8 1HA**

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 The Barrel Boulangerie. 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 businesses in this area. 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 if necessary

Name: Jacey Frewin

Date: 12/08/2020

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

APPENDIX B3

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 | The Barrel Boulangerie 316 Mare Street London E8 1HA |
| NAME OF APPLICANT | Zoheir Habet |

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:

I write to make a representation in relation to this application. The proposed hours could have a negative impact on the promotion of the licensing objectives. The hours of activity exceed those set out in the Core Hours policy. It is noted that the proposed activity is for delivery only, however I am aware that there have already been complaints received in relation to noise caused by delivery drivers.

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.

Reduction in hours to be more aligned with Core Hours
Measures to prevent disturbances caused by delivery drivers
Clarification on the planning status (2008/0190 restricts hours to midnight)

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

Date: 26/08/2020



Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

Fwd: representation against application for a license by Mr Habet

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>
To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

20 August 2020 at 11:03

Kind Regards,

APPENDIX C

Licensing Service
London Borough of Hackney
Tel: 020 8356 2431
Email: licensing@hackney.gov.uk
www.hackney.gov.uk/licensing

----- Forwarded message -----

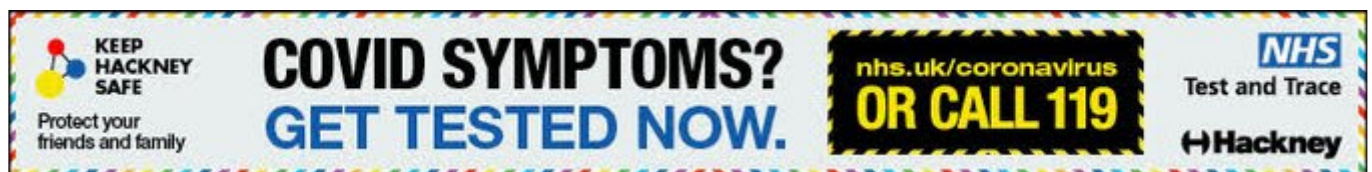
From: [REDACTED]
Date: Tue, 18 Aug 2020 at 12:07
Subject: representation against application for a license by Mr Habet
To: <licensing@hackney.gov.uk>

To whom it may concern,

please find my representation against the Barrel boulangerie late night license application attached to this email.
My email complaint reference is:**Complaint SRU 898117 Barrel Boulangerie 316 Mare Street**There is also a long string of emails to Charles Gaville, which began in September 2019.
You can see how this has been a recurring problem for a long time now.

Best,

[REDACTED]

www.nhs.uk/coronavirusDisclaimers apply, for full details see: <https://hackney.gov.uk/email-disclaimer>

 letter.docx
18K

To: The licensing service

To whom it may concern,

I am writing about the application for a premise license at the Barrel boulangerie, 316 Mare Street, E8 1HA.

This business has been operating without a license for over a year now. They have kept me and my flatmate awake almost every night until 4am that entire time.

As the kitchen is downstairs, drivers need to ring the cook, who then prepares the order. The drivers wait outside, as they cannot enter the unattended shop, with their helmets on, and proceed to have conversations on their phones or amongst each other, very very loudly. I can hear every word. At first, I used to get dressed, go downstairs and ask them to be quiet, but of course, one would go and another would come, and I would have to get that one to stop, and so on. I was very polite to begin with, then, after a few months of two hours sleep, I would just go downstairs and tell them to be quiet.

I spoke to the cook a few times and asked him to put a note, but he laughed me off. He was very rude and dismissive. I put a polite note myself, asking drivers to not have loud conversations right in front of the shop, but the cook removed it (twice).

Sometimes, the drivers are confused by the dark shop, and they don't see the small sign telling them to phone in, and they ring my doorbell.

As the business grew, delivery drivers began to congregate right under my window, having conversations (with helmets on of course). Then cars started to come, parking on the double yellow line, sometimes with music on. Busses would honk. Rubbish trucks would have difficulties accessing the rubbish on the streets and stay longer. Sometimes there are three or four cars on my side, and a couple more in front of the cock tavern.

As time went on, I contacted the council, and I was told to record each event. I started filming and sending videos, but the drivers so me, and some became quite aggressive. I get shouted at, threatened and even filmed. Some days, I can't be bothered turning the light on, getting dressed, filming and sending. It's exhausting and unnerving. Sometimes I am so annoyed, I can't sleep even after it stops.

When a new driver arrives, the loud homeless man comes and asks for money. (It's not his fault, but it adds to an already aggravating situation.)

This repeats, again and again until 4am. (I wake up for work at 6:30am)

I am now quite frightened to go to my window or downstairs at night. Sometimes there are groups of drivers smoking marijuana under my window. My bedroom stinks.

I now send my flatmate down, as he is a man and they don't feel they can intimidate him as much, but he is not as patient and polite as I am, and I prefer to avoid it.

I would be happy to forward you the very long string of emails with videos of these guys shouting, (I started writing in in September last year I think) and one particular car driver actually doing rude gestures and shouting at me.

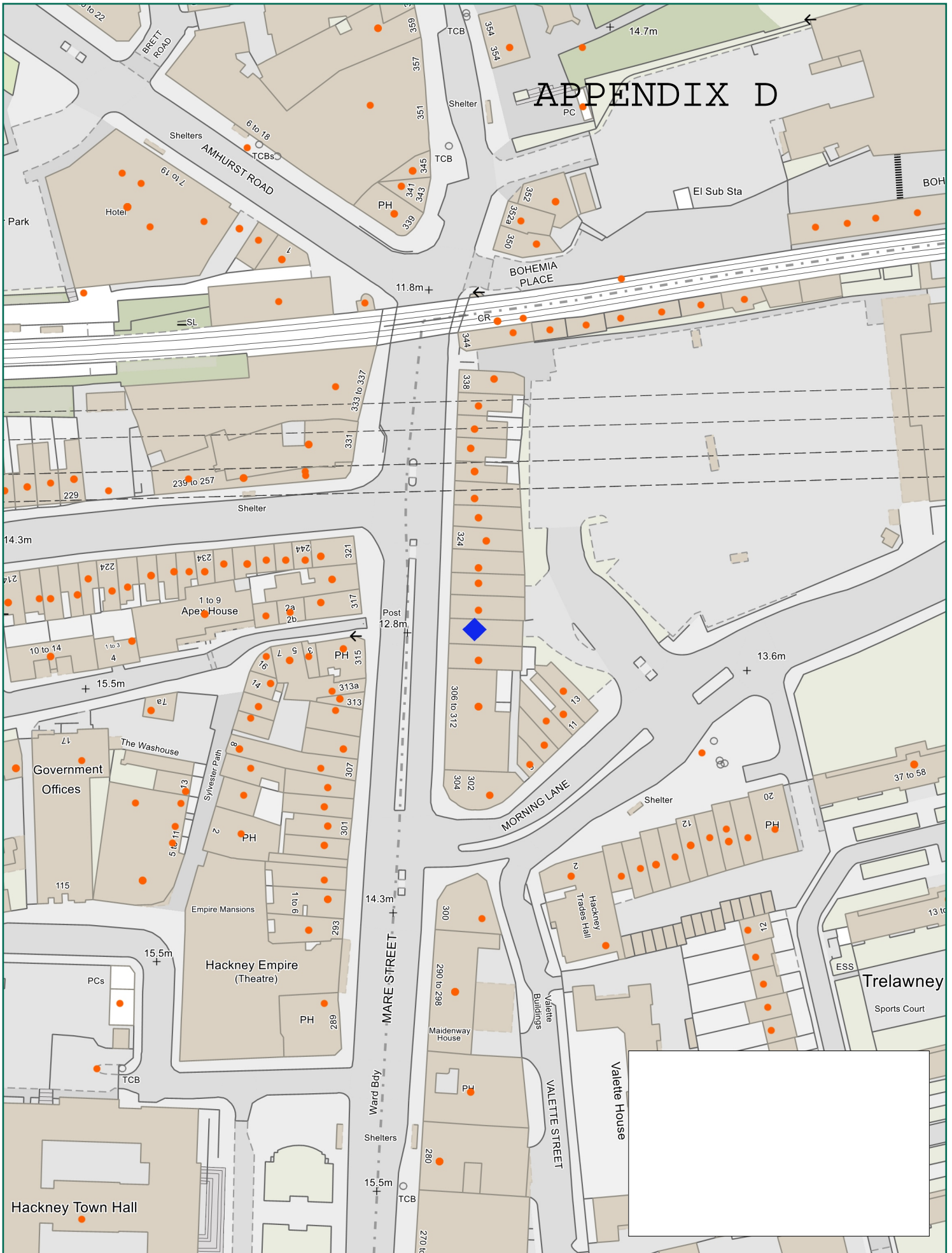
Finally, I know this is none of my business, but the extraction fan at the back blows burger smoke right into my upstairs neighbours window when it's open. I can smell it too, but it's not as bad as them.

This man has been very unpleasant and abusive, has made me uncomfortable, has shouted at me at 2,3,4am. I am worried on the days I get home after 11pm from work. I have not slept more than three hours in a night for over a year. Before the lockdown, I was starting to miss work as I could not wake up. Please, do not allow this to continue. I see on your site that you will show them the complaints against them, and I am even more worried for my safety now, as they know how to access my terrace (where their extraction and other things are), hence easily enter my flat, but I cannot put up with this anymore.

Best,

██████████

APPENDIX D



Scale: 1:1250 at A4

316 Mare Street



Ref:
09 September 2020

Produced by: unspecified
email:

please specify copyright statement