

REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING

| | | |
|---|--|-----------|
| LICENSING SUB-COMMITTEE: 10/08/2021 | Classification DECISION | Enclosure |
| APPLICATION TO VARY THE PREMISES LICENCE : 46-48 Broadway Market, Hackney, London, E8 4QJ | Ward(s) affected London Fields | |

1. SUMMARY

| | |
|---|---|
| Applicant(s) Hasan Aybakar | In SPA: No |
| Date of Application 10 August 2021 | Period of Application Not Applicable |
| Proposed variation: To include the supply of alcohol for consumption on the premises. | |
| Proposed hours for licensable activity | |
| Supply of Alcohol (On sales) | 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 |
| The opening hours of the premises: | |
| | Standard Hours: Mon 07:00-02:00 Tue 07:00-02:00 Wed 07:00-02:00 Thu 07:00-02:00 Fri 07:00-02:00 Sat 07:00-02:00 Sun 07:00-02:00 |
| Current activities/hours: See current licence attached at Appendix D | |
| Capacity: not known | |
| Policies Applicable | LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours) and LP11 (Cumulative Impact - General) |

| | |
|---------------------------------|---|
| List of Appendices | A – Application for variation of premises licence and supporting documents B – Representations from responsible authorities C- Representation from other persons D – Current Licence E – Location map |
| Relevant Representations | <ul style="list-style-type: none"> • Environmental Protection • Other Persons |

2. APPLICATION

- 2.1 Hasan Aybakar has made an application vary their premises licence under the Licensing Act 2003:
- To add the supply of alcohol for consumption on the premises.
- 2.2 The application is attached as Appendix A. The applicant has proposed some measures that could be converted to conditions (see paragraph 8.1 below).

3. CURRENT STATUS / HISTORY

- 3.1 The current premises licence was granted on 24 November 2005 (attached as Appendix D).

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

| From | Details |
|--|---|
| Environmental Health Authority (Environmental Protection) (Appendix B) | Representation received on the grounds of The Prevention of Public Nuisance |
| Environmental Health Authority (Environmental Enforcement) | Have confirmed no representation on this application |
| Environmental Health Authority (Health & Safety) | No representation received |
| Weights and Measures (Trading Standards) | No representation received |
| 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 | Have confirmed no representation on this application |
| Health Authority | Have confirmed no representation on this application |

5. REPRESENTATIONS: OTHER PERSONS

| From | Details |
|---|---|
| 4 Representations opposing the application received from and on behalf of local residents. (Appendices C1-C4) | Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and The Protection of Children from Harm |

6. GUIDANCE CONSIDERATIONS

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

7. POLICY CONSIDERATIONS

- 7.1 Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy") adopted by the Licensing Authority.
- 7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours) and LP11 (Cumulative Impact - General) are relevant.

8. OFFICER OBSERVATIONS

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

1. A digital closed circuit television (CCTV) system to be installed at the premises ensuring the following:
 - a. It is maintained in good working order and faults are repaired without delay.
 - b. All entry and exit points must be covered to enable frontal identification of every person entering the premises in any light condition.
 - c. The CCTV system shall continually record whilst the premises is open for licensable activities and during times when customers remain on the premises.
 - d. A minimum of 2 notices stating that CCTV is in operation shall be displayed throughout the premises where the public have access. The notices shall be at least A4 size.
 - e. The CCTV shall cover clearly any area where alcohol is on display.
 - f. 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 28 day period.
 - g. DPS and other key staff will be trained in the use of the CCTV system and shall be on the premises at all times when the premises are open to the public and the DPS and other key staff must be able to show or supply if requested by a Police or authorised officer.
 - h. No persons other than the Police, the licensing authority, the premise licensing holder or the managers/DPS shall have access to the CCTV recording equipment or the recordings made from such equipment.
 - i. If an incident occurs at the premises then the footage on the CCTV system

shall be made available to view by Police officers on request. If a copy is requested then it must be available within 24 hours of the request.

2. The supply of alcohol for consumption on the premises shall only be to a person seated taking a table meal and for consumption by such person as ancillary to their meal.
3. The premises licence holder will ensure that the appropriate fire safety and health and safety regulations are applied at the premises.
4. Where a take away service is provided for the supply of alcohol the licensee shall take appropriate steps to ensure the local area is not adversely effected by such supply.
5. A first aid kit will be kept and maintained at the premises.
6. No persons shall be permitted to leave the premises with opened containers containing alcohol.
7. After 22.00 a maximum of 4 smokers will be allowed outside .The premises Staff shall monitor their conduct by use of the CCTV and physically.
8. Premises to operate zero tolerance policy to drugs and comply with Hackney Police Drugs and Weapons policy where appropriate.
9. All instances of crime and disorder witnessed or brought to the attention of staff to be reported by the Designated Premises Supervisor or responsible member of staff to the police.
10. All staff shall receive training on the legislation relating to the sales of alcohol to underage persons and drunken persons and shall have refresher training every 12 months. There shall be written records of such training which will be kept on the premises and produced to a police officer or other authorised officer upon request.
11. All off sales of alcohol shall be in sealed containers for consumption away from the premises
12. Intoxicating liquor shall not be sold, supplied or consumed otherwise than to persons who are taking a substantial table meal from the menu and that the consumption of intoxicating liquor by such persons is ancillary to taking such meals.
13. The supply of alcohol shall be by waiter/waitress service only.
14. The management fully understands that it is their duty to prevent their business causing any nuisance to any local residents or businesses They will monitor the external premises area in relation to any anti-social behaviour or public nuisance.
15. 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.
16. Have a named member of staff who is able to advise other staff and deal with child protection matters and knowing who to contact and what to do if they are

concerns about a child. Be competent in taking appropriate immediate or emergency child protection action and knowing how to make a referral to Duty and Assessment and /or Police.

17. The premises will only accept valid forms of identification such as photo driving licence, passport and home office approved id cards displaying the national proof of age standard scheme (PASS hologram). All customers who look under the age of 25 shall be challenged to prove their age and identity when purchasing alcohol.

9. REASONS FOR OFFICER OBSERVATIONS

9.1 Conditions 1 to 17 above are derived from the applicant's operating schedule.

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): | Suba Sriramana Principal Licensing Officer Licensing Service 1 Hillman Street E8 1DY Telephone: 020 8356 2431 |

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 |
|---|---|
| 46-48 Broadway Market, Hackney, London, E8 4QJ | Licensing Service 1 Hillman Street London E8 1DY |

Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy

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 Hasan AYBAKAR

(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-T0072

Part 1 – Premises Details

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

46-48 Broadway Market

Post town

London

Postcode

E8 4QJ

Telephone number at premises (if any)

Non-domestic rateable value of premises

£24500

Part 2 – Applicant details

Daytime contact telephone number

E-mail address (optional)

Current postal address if different from premises address

| | | | |
|-----------|--|----------|--|
| Post town | | Postcode | |
|-----------|--|----------|--|

Part 3 – Variation

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

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

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

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

| |
|---|
| <p>Please describe briefly the nature of the proposed variation (Please see guidance note 2)</p> <p>This variation application is made to include on sales of alcohol between the hours of 09:00 to 23:00 from Monday to Sunday. The off-sale hours will remain the same. The premises will be turned into a wine bar.</p> |
|---|

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

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

Part 4 Operating Schedule

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

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

In all cases complete boxes K, L and M

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).
 N/A

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) N/A |
|---|-------|--------|--|
| Day | Start | Finish | 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) N/A |
| Mon | 07:00 | 02:00 | |
| Tue | 07:00 | 02:00 | |
| Wed | 07:00 | 02:00 | |
| Thur | 07:00 | 02:00 | |
| Fri | 07:00 | 02:00 | |
| Sat | 07:00 | 02:00 | |
| Sun | 07:00 | 02:00 | |
| | | | |
| | | | |

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

N/A

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)

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas and each entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer.
2. There shall be a staff member from the premises who is conversant with the operation of the CCTV system on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage when requested.
3. The General alarm system is to be maintained.
4. Fire escape keep clear signs are to be clearly visible.
5. Make customers aware of the laws regarding sales or purchase of alcohol on behalf of children.
6. Notices will be prominently displayed by the entry/ exit door and servery (as appropriate) advising customers:
 - a) That CCTV & Challenge 25 are in operation;
 - b) Of the provisions of the Licensing Act regarding underage & proxy sales;
7. Ensure staffs are fully aware of legislation and always vigilant.
8. All mandatory conditions set out in the Licensing Act 2003 will be obeyed.
9. The outside frontage shall be kept clean at all times.
10. The premises will operate to a high standard.
11. The DPS fully understands his role and responsibilities concerning the four licensing objectives obtained within the Licensing Act 2003.

b) The prevention of crime and disorder

1. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following.
 - a) All crimes reported;
 - b) All ejections of patrons
 - c) Any complaints received.
 - d) Any incidents of disorder.
 - e) Seizure of drugs or offensive weapons.
 - f) Any faults in the CCTV system.
 - g) Any refusal of the sale of alcohol.
 - h) Any visit by a relevant authority or emergency service.
 - i) Any refusal of sales.
2. The premises licence holder shall endeavour to eliminate or minimise any nuisance or antisocial behaviour arising out of its licensable activities . In doing so the premises licence holder will work with all responsible authorities where any issues are identified. A complaints procedure will be maintained in order that local residents have a means of contact if necessary.
3. Any person who shows signs of intoxication will be refused entry to the licensed premises.
4. Appropriate digital CCTV equipment and a sufficient number of cameras shall be installed and maintained at the premises to record colour images that are clear enough to allow the Police to use them to investigate any crimes that are committed on the premises. The areas covered by the cameras will be all areas that the public have access and this will include the outside area. A camera will be positioned to obtain images of persons entering the building by the main entrances.

c) Public safety

1. A digital closed circuit television (CCTV) system to be installed at the premises ensuring the following:
 - a. It is maintained in good working order and faults are repaired without delay.
 - b. All entry and exit points must be covered to enable frontal identification of every person entering the premises in any light condition.
 - c. The CCTV system shall continually record whilst the premises is open for licensable activities and during times when customers remain on the premises.
 - d. A minimum of 2 notices stating that CCTV is in operation shall be displayed throughout the premises where the public have access. The notices shall be at least A4 size.
 - e. The CCTV shall cover clearly any area where alcohol is on display.
 - f. 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 28 day period.
 - g. DPS and other key staff will be trained in the use of the CCTV system and shall be on the premises at all times when the premises are open to the public and the DPS and other key staff must be able to show or supply if requested by a Police or authorised officer.
 - h. No persons other than the Police, the licensing authority, the premise licensing holder or the managers/DPS shall have access to the CCTV recording equipment or the recordings made from such equipment.
 - j. If an incident occurs at the premises then the footage on the CCTV system shall be made available to view by Police officers on request. If a copy is requested then it must be available within 24 hours of the request.
2. The supply of alcohol for consumption on the premises shall only be to a person seated taking a table meal and for consumption by such person as ancillary to their meal.
3. The premises licence holder will ensure that the appropriate fire safety and health and safety regulations are applied at the premises.
4. Where a take away service is provided for the supply of alcohol the licensee shall take appropriate steps to ensure the local area is not adversely effected by such supply.
5. A first aid kit will be kept and maintained at the premises.

d) The prevention of public nuisance

1. No persons shall be permitted to leave the premises with opened containers containing alcohol.
2. After 22.00 a maximum of 4 smokers will be allowed outside .The premises Staff shall monitor their conduct by use of the CCTV and physically.
3. Premises to operate zero tolerance policy to drugs and comply with Hackney Police Drugs and Weapons policy where appropriate.
4. All instances of crime and disorder witnessed or brought to the attention of staff to be reported by the Designated Premises Supervisor or responsible member of staff to the police
5. All staff shall receive training on the legislation relating to the sales of alcohol to underage persons and drunken persons and shall have refresher training every 12 months. There shall be written records of such training which will be kept on the premises and produced to a police officer or other authorised officer upon request.
6. All off sales of alcohol shall be in sealed containers for consumption away from the premises
7. Intoxicating liquor shall not be sold, supplied or consumed otherwise than to persons who are taking a substantial table meal from the menu and that the consumption of intoxicating liquor by such persons is ancillary to taking such meals.
8. The supply of alcohol shall be by waiter/waitress service only.
9. The management fully understands that it is their duty to prevent their business causing any nuisance to any local residents or businesses They will monitor the external premises area in relation to any anti-social behaviour or public nuisance.

e) The protection of children from harm

1. 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.
2. Have a named member of staff who is able to advise other staff and deal with child protection matters and knowing who to contact and what to do if they are concerns about a child. Be competent in taking appropriate immediate or emergency child protection action and knowing how to make a referral to Duty and Assessment and /or Police.
3. The premises will only accept valid forms of identification such as photo driving licence, passport and home office approved id cards displaying the national proof of age standard scheme (PASS hologram). All customers who look under the age of 25 shall be challenged to prove their age and identity when purchasing alcohol.

Checklist:

Please tick to indicate agreement

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

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

Part 5 – Signatures (please read guidance note 12)

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

| | |
|-----------|-----------------|
| Signature | ██████████ |
| Date | 20/05/2021 |
| Capacity | Licensing Agent |

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other

authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

| | |
|-----------|--|
| Signature | |
| Date | |
| Capacity | |

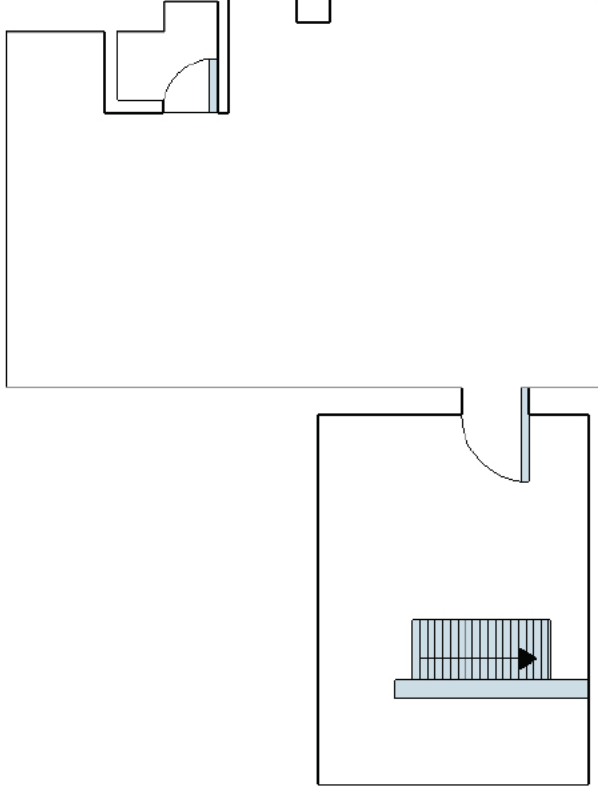
| | | | |
|--|------------|------------------|------------|
| Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15) ESI Licensing and Legal Consultancy [REDACTED] | | | |
| Post town | [REDACTED] | Post code | [REDACTED] |
| Telephone number (if any) | [REDACTED] | | |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional) [REDACTED] | | | |

Notes for Guidance

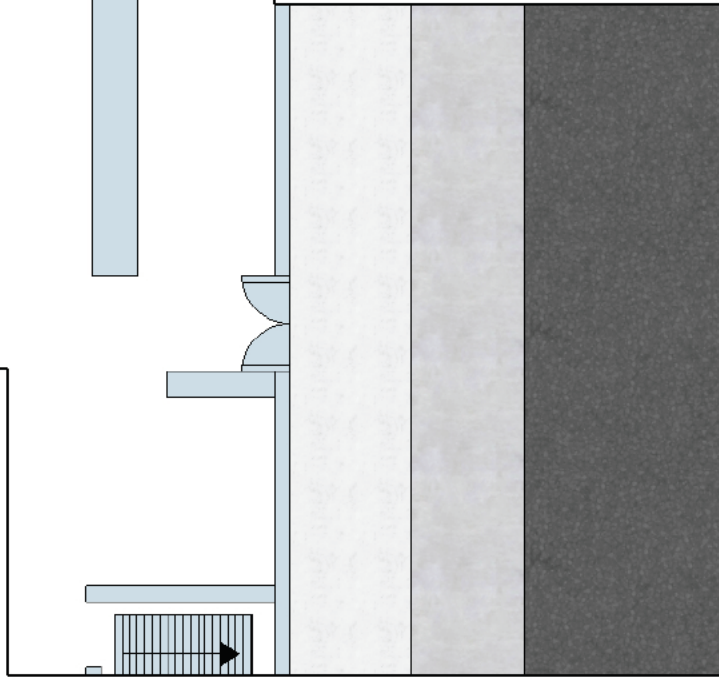
This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section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

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.

Ground Floor



Basement



Current

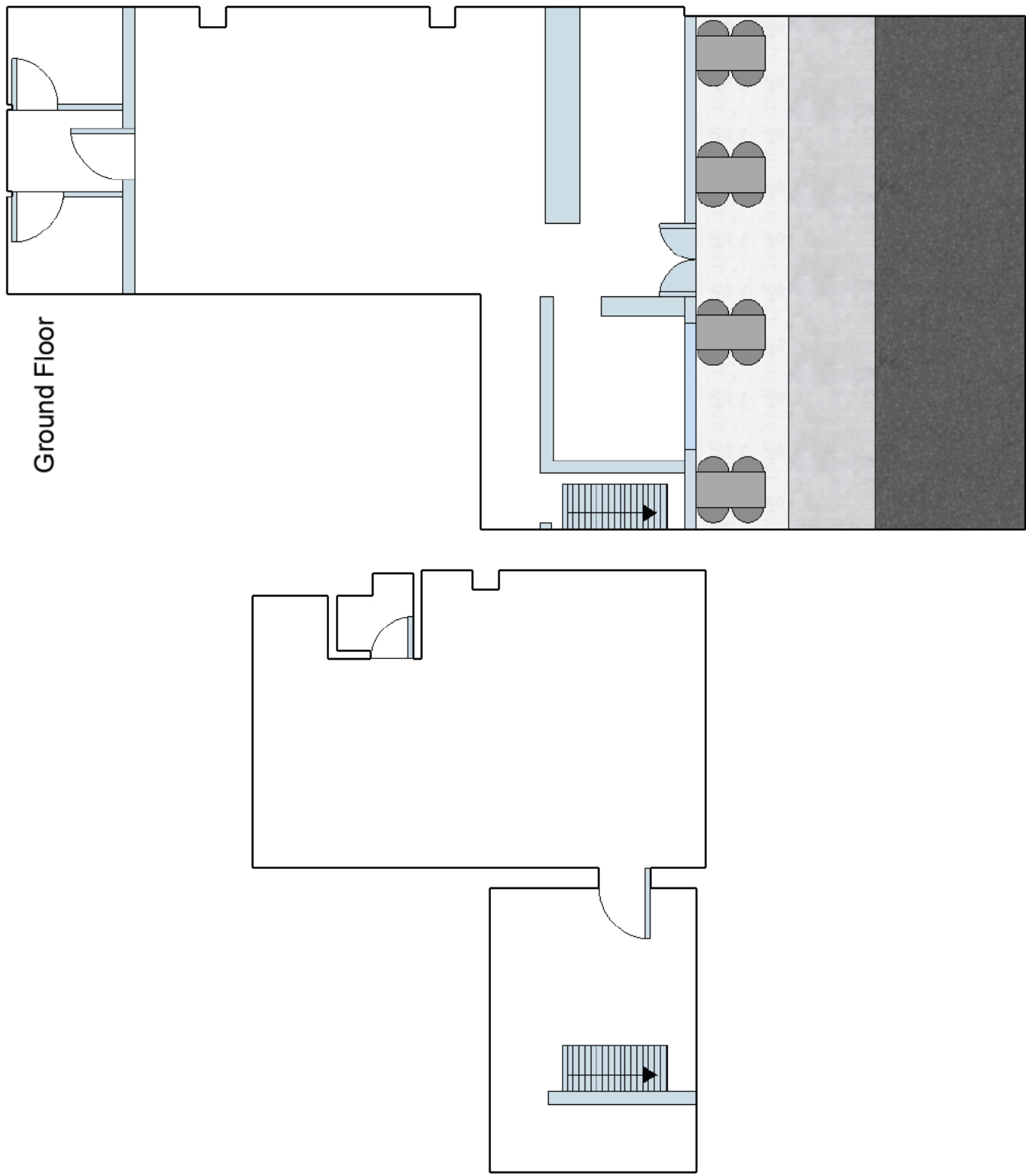


NOT FOR CONSTRUCTION

| | | | | | | | | | |
|---|--|----------------------|---|---------------------------------------|---------------------------------|--|--|------------------------------|---|
|  <p>84 HAYES LAINE, BROMLEY BR29EE T: 0208460 06 06 M: 07786 308 409 E-Mail: licence@eurosafetyinternational.co.uk www.eurosafetyinternational.co.uk</p> | | <p>CLIENT</p> | <p>PROJECT Londi Broadway Ground Floor</p> | <p>PROJECT NO. 245.188</p> | <p>DATE 04/05/21</p> | <p>DRAWN BY ESI BY D.H.</p> | <p>DESCRIPTION Current Floor Plan</p> | <p>CLIENT ADDRESS</p> | <p>SCALE 1:100 A4 SIZE</p> |
|---|--|----------------------|---|---------------------------------------|---------------------------------|--|--|------------------------------|---|



Ground Floor



Proposed

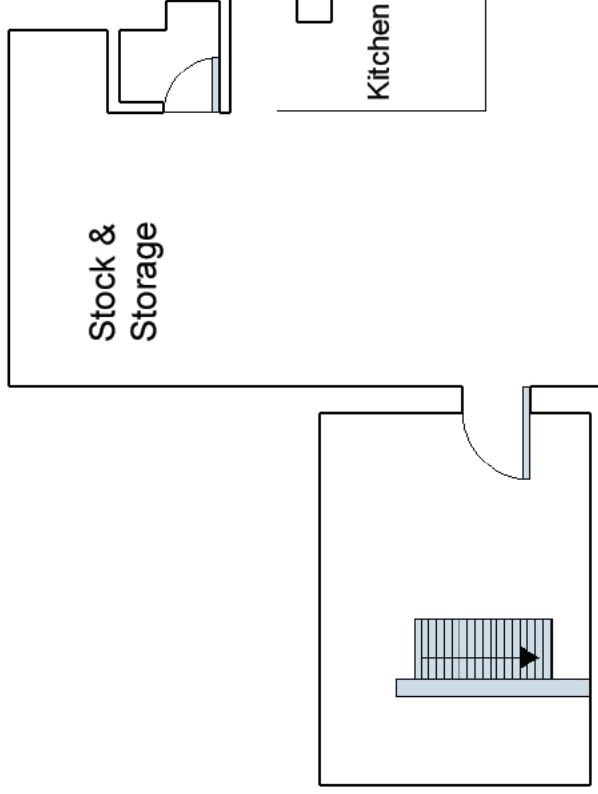
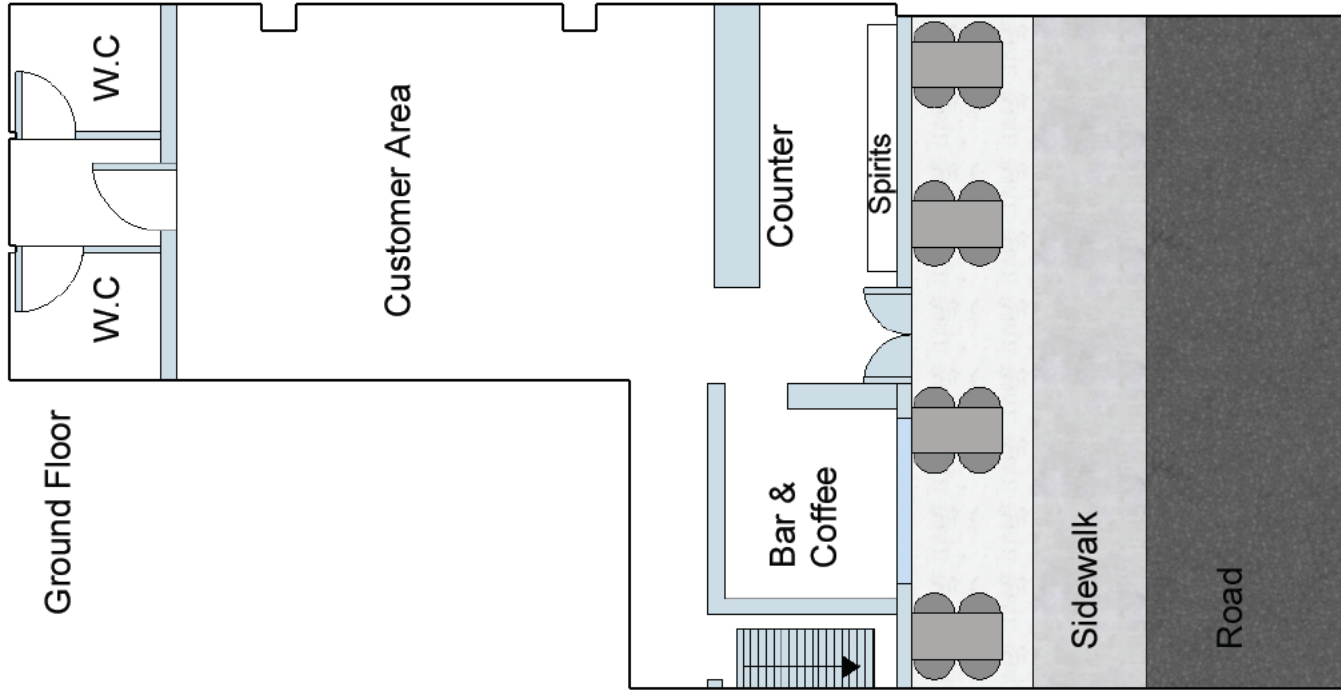


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|---|--|--|------------------------------------|---|--|------------------------------|---|
| <p>CLIENT</p> <p>eurosafe international 84 HAYES LAINE, BROMLEY BR29EE T: 0208460 06 06 M: 07786 308 409 E-Mail : licence@eurosafeinternational.co.uk www.eurosafeinternational.co.uk</p> | <p>PROJECT</p> <p>Londi Broadway Ground Floor</p> | <p>PROJECT NO.</p> <p>245.188</p> | <p>DATE</p> <p>04/05/21</p> | <p>DRAWN BY</p> <p>ESI BY D.H.</p> | <p>DESCRIPTION</p> <p>Proposed Floor Plan</p> | <p>CLIENT ADDRESS</p> | <p>SCALE</p> <p>1:100</p> <p>SIZE</p> <p>A4</p> |
|---|--|--|------------------------------------|---|--|------------------------------|---|



eurosafety
international

Ground Floor



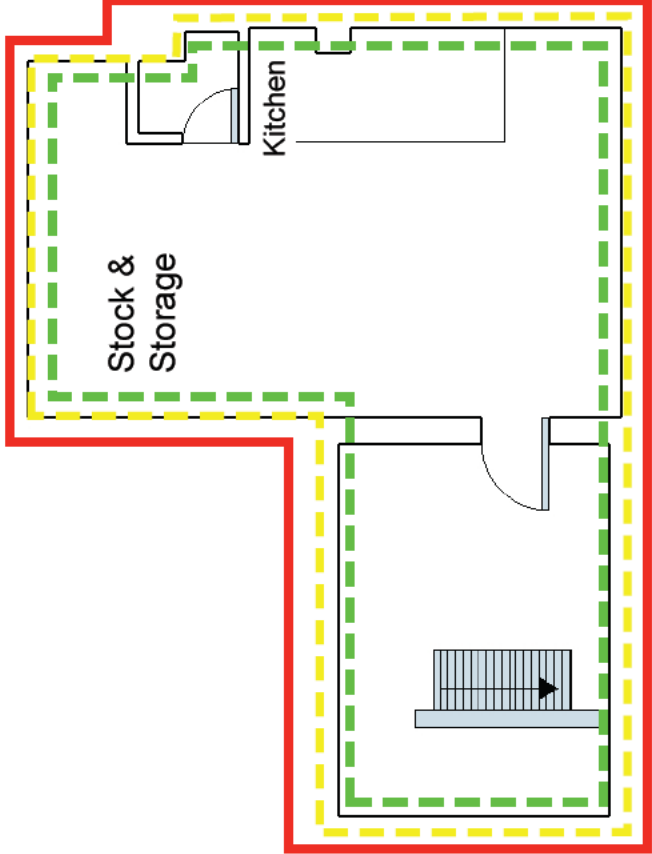
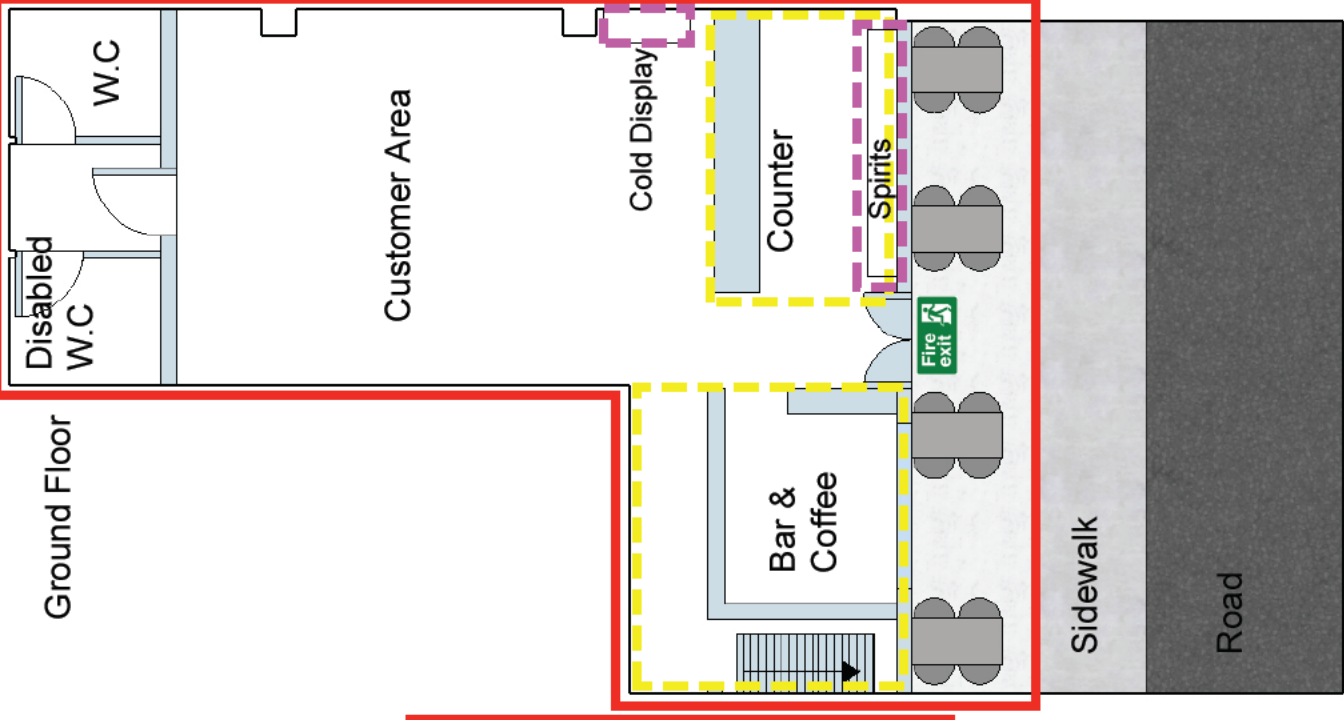
Proposed



| | | | | | | | |
|--|--|--|------------------------------------|---|--|------------------------------|---|
| <p>CLIENT</p> <p>eurosafetyinternational 84 HAYES LAINE, BROMLEY BR29EE T: 0208460 06 06 M: 07786 308 409 E-Mail: licence@eurosafetyinternational.co.uk www.eurosafetyinternational.co.uk</p> | <p>PROJECT</p> <p>Londi Broadway Ground Floor</p> | <p>PROJECT NO.</p> <p>245.188</p> | <p>DATE</p> <p>04/05/21</p> | <p>DRAWN BY</p> <p>ESI BY D.H.</p> | <p>DESCRIPTION</p> <p>Proposed Floor Plan</p> | <p>CLIENT ADDRESS</p> | <p>SCALE</p> <p>1:100</p> <p>SIZE</p> <p>A4</p> |
|--|--|--|------------------------------------|---|--|------------------------------|---|



Ground Floor



Alcohol Boundary

Alcohol Display Area

Alcohol Storage Area

Staff Only Area

Proposed



| | | | | | | | | |
|--|----------------------|---|-------------------------------|-------------------------|--------------------------------|---|--|--|
| eurosafe international 84 HAYES LAINE, BROMLEY BR29EE T: 0208460 06 06 M: 07786 308 409 E-Mail: licence@eurosafetyinternational.co.uk www.eurosafetyinternational.co.uk | CLIENT H.A | PROJECT Londi Broadway Ground Floor | PROJECT NO. 245.188 | DATE 04/05/21 | DRAWN BY ESI BY D.H. | DESCRIPTION Premises Licence | CLIENT ADDRESS 46-48 Broadway Market, E8 4QJ | SCALE 1:100 SIZE A4 |
| | Proposed | | | | | | | |



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

(no subject)

1 message

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

George Wokorach

to me

Good afternoon Sanaria,

There is insufficient information supplied by the applicant to support the application in terms of noise management of customers in order to uphold the Licensing objective of Public Nu

The applicant needs to either produce a noise impact report or noise management plan to support the application
I would object to the application and ask the applicant to provide the information requested

I hope this is useful

Regards

George Wokorach
Environmental Protection
Hackney



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

Fwd: Representation against application of 46-48 Broadway Market London E8 4QJ

1 message

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

22 June 2021 at 13:22

Kind Regards,

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: Fri, 4 Jun 2021 at 17:59
Subject: Representation against application of [46-48 Broadway Market London E8 4QJ](#)
To: Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Good afternoon

Hope you are well.

I am writing as a resident and property owner of Broadway Market.

I am against the application of 46-48 Broadway Market to obtain an on-license. I believe that the problems relating to alcohol consumption on the market street has been escalating in the last year particularly during the pandemic. I am frequently finding people urinating and loitering on our doorstep (on Duncan road around the corner from the NHS clinic), as well as broken glass and general litter on our doorstep. In the evenings, there is now regular shouting and amplified music on the street into the late hours (1, 2am).

I believe that if the license were given, it would encourage more people to drink on the street when there are already an increasing number of drinking establishments popping up (there is a bar taking the place of what used to be Percy Ingles). Giving the license would also be in direct conflict with the recent consultation on tackling drinking-related anti-social behaviour which Hackney council is currently running.

I disagree with the need for this on-license to be given to Londi and hope that you can see how this doesn't make sense on a street where anti-social behaviour is already a major cause for concern.

Kindly keep me posted on the application.

Many thanks

[REDACTED]



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

Fwd: 46-48 Broadway Market London E8 4QJ, Mr Aybakar Application for variation of premises licence to include supply of alcohol for on sales from 09:00 to 23:00 Mon to Sun.

1 message

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

22 June 2021 at 13:22

Kind Regards,

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: Thu, 3 Jun 2021 at 13:53
Subject: [46-48 Broadway Market London E8 4QJ](#), Mr Aybakar Application for variation of premises licence to include supply of alcohol for on sales from 09:00 to 23:00 Mon to Sun.
To: <licensing@hackney.gov.uk>

Dear Sir/Madam,

I am writing regarding the application for change of licence for the above property, LA43.

I am opposing this application on all the licensing objectives grounds (prevention of crime and disorder, prevention of public nuisance and public safety and protection of children from harm)

I live [REDACTED] and over the past year Broadway Market has become a nightmare for residents. We already have too many pubs and restaurants in this small street and recently I received an email from Hackney Council asking for feedback from residents about the restrictions of drinking in London Fields and antisocial behaviour. So on one hand the council are trying to stop anti social behaviour and on the other hand, seem to be giving more and more licences to serve alcohol, and changing off licences to on-licences, which as far as I can make out, the only reason for allowing bottles to be opened for customers in the shop is to facilitate yet more drinking in the street without taking it home.

I have had people regularly peeing on my from doorstep and gate and now have to take a bucket of bleach downstairs weekly to disinfect, and all this during a pandemic. The number of drunks and drug users sitting on our corner and all over the street has tripled or quadrupled in recent months, my daughter (age 15) is regularly cat called and harassed on her way home from school. On top of that I rarely come home without finding empty can and bottles strewn around my front door.

Now our local shop (address above) has also applied for an 'on-licence' , the only benefit would be to make it even easier for more street drinkers, why else would there be any reason for allowing shop to open bottles for customers on their premises?

My daughter and I witness anti social behaviour every day here, be it begging, aggression, name calling, arguments and harassment to women. This is during the day and obviously at night it's even worse. We have had shootings, gang problems etc and now we have an even higher number of drinkers permanently on the street. We often arrive home to find a stranger passed out on our doorstep (our home is directly around the corner from Broadway Market) and then I have to attempt to move that person so I can get inside. As an adult, I can just about do this whilst risking anger/abuse from whoever has passed out drunk, but my daughter has had to wait for me or a neighbour to come back to help her get into her own home. This also puts me and any of my neighbours directly at risk from not only aggression and verbal abuse but also the Coronavirus.

With respect to crime and disorder, thefts have gone up, from dogs to bicycles to goods and I have also witnessed bikes being stolen and aggressive begging and verbal abuse when no money is given.

I cannot understand how Hackney Council who are well aware of the issues going on here could be even be considering accepting any more applications for new bars, change of usage from existing shops to bars or on-licences. I understand there is yet another bar opening across the road and an existing restaurant doubling it's capacity in the coming weeks/months. If anything you should be revoking on-licences as this has no doubt made things a whole lot worse.

Yours Sincerely,

[REDACTED]



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



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

Fwd: Representation: opposing AYBAKAR (closing date 17/06/21)

1 message

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

22 June 2021 at 13:23

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

Kind Regards,

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: Wed, 2 Jun 2021 at 15:25
Subject: Representation: opposing AYBAKAR (closing date 17/06/21)
To: licensing@hackney.gov.uk <licensing@hackney.gov.uk>
Cc: [REDACTED]

Dear Sir/ Madam

Please find attached my letter of representation against the application by AYBAKAR (week ending 21 May 2021; closing date for representations 17/06/21).

I herewith copy and paste the contents of the letter in this email, for your convenience and attention.

[REDACTED]
[REDACTED] [Broadway Market](#)[London](#)[E8](#) [REDACTED]

Tuesday 1 June 2021

Dear Sir / Madam

RE: Hackney LA43, Notice of application to vary the premises licence on sales of alcohol from Mon – Sun between hours 09:00 – 23:00.

I write in reference to the above; and as listed on Hackney.gov.uk/licensing website; application reviewed under the Licensing Act 2003, week ending: 21 May 2021.

Premises: [46-48 Broadway Market, London, E8 4QJ](#).

Ward: London Fields.

Applicant: Mr Aybakar

Brief summary of application: Application for variation of premise licence to include supply of alcohol for on sales from 09:00 to 23:00 Mon to Sun.

I herewith make the strongest representation entirely against this application on all the licensing objectives grounds; (i) the prevention of crime and disorder; (ii) the prevention of public nuisance; (iii) and public safety, (iv) the protection of children from harm. Further, I wish to outline in the first instance, how this application has not been made with due clarity to disguise its real intention for variation of the licence; and secondly, I will outline supporting reasons and facts as to why this application should be refused entirely.

I am the private property owner of the apartment directly above the premises in question. It has come to my knowledge this week, from the landlord of the building in which my apartment and the premises is located, that the applicant informed the full intention of the variation to licence was to turn the premises from currently an off-licence into a bar.

Firstly, the applicant has not been explicit of this intention within the application; the exact wording is as brief as to be misleading as to the real intent to vary the license; as compared to other applications made to local authority which go into much more detail. This lack of transparency within the detail of the application is misleading to the general public, and the real intentions of the applicant must be put into question. The residents and surrounding Community are therefore denied the opportunity to fully consider this notice, and its effects.

Secondly, regarding the efficacy of the notice, there is at time of writing, only one notice displayed discreetly on the premises window. My understanding is that the notice must be displayed, as normal practice, within numerous places around the local area to give sufficient notice to others of the application. It is unclear, as to if more notices were displayed by local authorities, yet have somehow been taken down or removed. This situation certainly needs to be rectified prior to 17 June 2021, by which date all representations can be made. Once again, this application is vague to public awareness, of the conversion into a bar, and therefore the consequences.

On the grounds of prevention of crime and disorder; I am property owner of the apartment [REDACTED] the premises; and have owned and occupied the property for 16 years, I have witnessed the increase in venues selling alcohol on Broadway Market which have attracted disorderly behaviour late into the night. There are to my current knowledge along one small street of Broadway Market, London Fields; one cocktail bar; two public houses; six restaurants; all of which have late night street seating; one wine shop and a total of seven off licences; one of which is the premises in question. There is no need for another drinking establishment on the street in terms of this application to vary the existing off licence into a bar.

The landlord of the building of the premises is also fully against this application and is seeking legal action against it at time of writing.

The off licence premises in question already sells alcohol late into the night; I confirm countless incidents of disorderly behaviour and public nuisance from clients to this premises; ranging from arguments in the street at night; road rage incidents as clients to the premises return to their vehicles; aggressive arguments between the clients of the premises to the applicant himself; smashed glass; verbal and lewd threats all audible from my property directly above.

Incidents of crime have already been recorded by the landlord of the building; in which my property resides; where beggars having bought alcohol from the premises have then attempted forced entry into the above building. When their attempts to enter are unsuccessful; they remain loitering and sitting at the doorway, urinating on the door; obstructing entry for residents, including children. The local community support and police are already fully aware of this matter. As a consequence, my property has had one burglary from such a forced-entry from street-level and there have been a few other burglaries within the same building over the years.

Furthermore, I have personally witnessed incidents of attempted theft of bicycles tied securely at street level; all by punters to the premises below. Any variation to this existing licence will exacerbate an increasingly undesirable situation which exists most evenings; and most weekends, and would be imprudent.

On the grounds of public nuisance; to elaborate, my young family resides directly above the premises; two bedrooms towards street level on the floor above; and my seven year old son's bedroom is directly above the premises; owing to poor insulation of when the building was constructed; clear conversation is audible from the shop below, and the clients' music and loud noise is already a nuisance. Creating a bar, where loud music will be played day and night-long, and alcohol served, will, in no uncertain terms, make my property undesirable and inhabitable.

The clients of the premises already gather late at night in the street, where shouting and verbal abuse can be heard frequently. I have already spent up to 10,000 GBP on soundproof glass, including additional secondary glazing, to minimise the street level noise. However, I am not in a position to soundproof the noise heard from the below floor. Another point; is the beggars who congregate outside the entrance to my property are an unstable presence; prevent access and obstruct a residential entrance way into private property; which is already an abhorrent nuisance to my young family, not to mention the other residents of the same building, accessing their home; and our neighbours who live around the corner, who access their home by crossing the entrance of our building. Converting the premises into a bar would only attract more beggars who have become opportunists from late night drinkers, as can be witnessed from other pubs and bars on the street. The culture of begging as an occupation around pubs and bars must be strongly discouraged with the refusal of this application.

On the grounds of public safety and protection of children from harm; there are already multiple occasions of broken glass; and physical fights on street level by the premises clients from predominantly the alcohol purchased at the premises; any variation to their licence will contribute detrimentally to this, which would be undesirable. Children who reside in the area enjoy access along the pavements to London Fields and to the local primary school and nursery situated at the end of the road, to ride scooters and bikes; alongside their young mothers who push strollers and prams; and have increasingly been obstructed by beggars sitting on the sidewalk, and drunks loitering at the premises, even during day. There is a well-observed group of

drunks who reside at the start of London Fields; to add even more venues from which they can purchase drink, especially into later hours, is utterly incomprehensible.

I would also like to bring your attention that the London Fields Medical Centre is directly next to the premises in question and serves the entire community, to which families and children rely to visit throughout week days; I believe maintaining a safe, healthy and clean environment by which visitors can reassuringly access this free from the detritus of the clients is paramount. Structurally, within the Medical Centre the patient rooms directly adjoin the premises' walls and music of any sound level will be clearly audible and will affect the process of any private medical examination. It is clear there has been without doubt a gross oversight in the optimism of this application.

Lastly, as a private property owner within the building [REDACTED] the premises; I would expect consideration to be given to the fact that private properties will be devalued, as mortgage lenders seldom lend to properties above bars.

For clarity, myself and the landlord of the building, have always been in favour of the developments for business opportunity on Broadway Market, and even the premises below; it adds vibrancy to the neighbourhood and creates growth; however, in light of the specifics above, and the existence of multiple venues of similar commercial activity in the vicinity, this application would not in any sense be conducive to stabilising an atmosphere of safety and harmony for the residents, including children, who reside immediately above and nearby.

I ask for prudence and sensibility in taking all of the above into careful consideration; and request the above application be dismissed on the grounds of prevention of crime and disorder; of public nuisance; of public safety; and in protection of children from harm.

Further, I believe there must be a refusal of this application owing to the fact, the application wording is vague and sparse to its real intention; thereby misleading, and is not in keeping with community values of transparency and openness.

I hope I have clearly outlined the strongest of representations against this application on all the licensing objective grounds.

Yours sincerely,

[REDACTED]



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

Fwd: 46-48 Broadway Mkt

1 message

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

1 July 2021 at 14:11

Kind Regards,

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, 8 Jun 2021 at 02:35
Subject: 46-48 Broadway Mkt
To: <licensing@hackney.gov.uk>

Hi,

I write with regard the minor variation of premises license for the above address.

As a resident directly [REDACTED] this property the noise from the customers and shutters of this building are already above acceptable, and during unsociable hours, and further encouragement of footfall and drinking in Broadway Mkt is not fair nor reasonable.

Furthermore, Hackney council's ongoing review of pedestrianisation of Broadway Mkt and surrounding areas needs to be considered, implemented and evaluated before I can further support a move to increase or decrease license conditions that could affect the local residents.

Thank you for allowing representation in this regard.

Best,

[REDACTED]
Flat [REDACTED] Broadway Mkt, E8 4QJ

[REDACTED]

[REDACTED]
[REDACTED] this message from your computer system.



This premises licence has been issued by:

Licensing Service
1 Hillman Street
London E8 1DY

PART A – PREMISES LICENCE

Premises Licence Number

LBH-PRE-T-0072

Part 1 – Premises details

Broadway Supersaver
46 - 48 Broadway Market
London
E8 4QJ

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 07:00-02:00 Tue 07:00-02:00 Wed 07:00-02:00 Thu 07:00-02:00 Fri 07:00-02:00 Sat 07:00-02:00 Sun 07:00-02:00 |
| The opening hours of the premises | Standard Hours: Mon 07:00-02:00 Tue 07:00-02:00 Wed 07:00-02:00 Thu 07:00-02:00 Fri 07:00-02:00 Sat 07:00-02:00 Sun 07:00-02:00 |

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

Mr Hasan Aybakar



Mr Ibrahim Demir



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 Ibrahim Demir

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

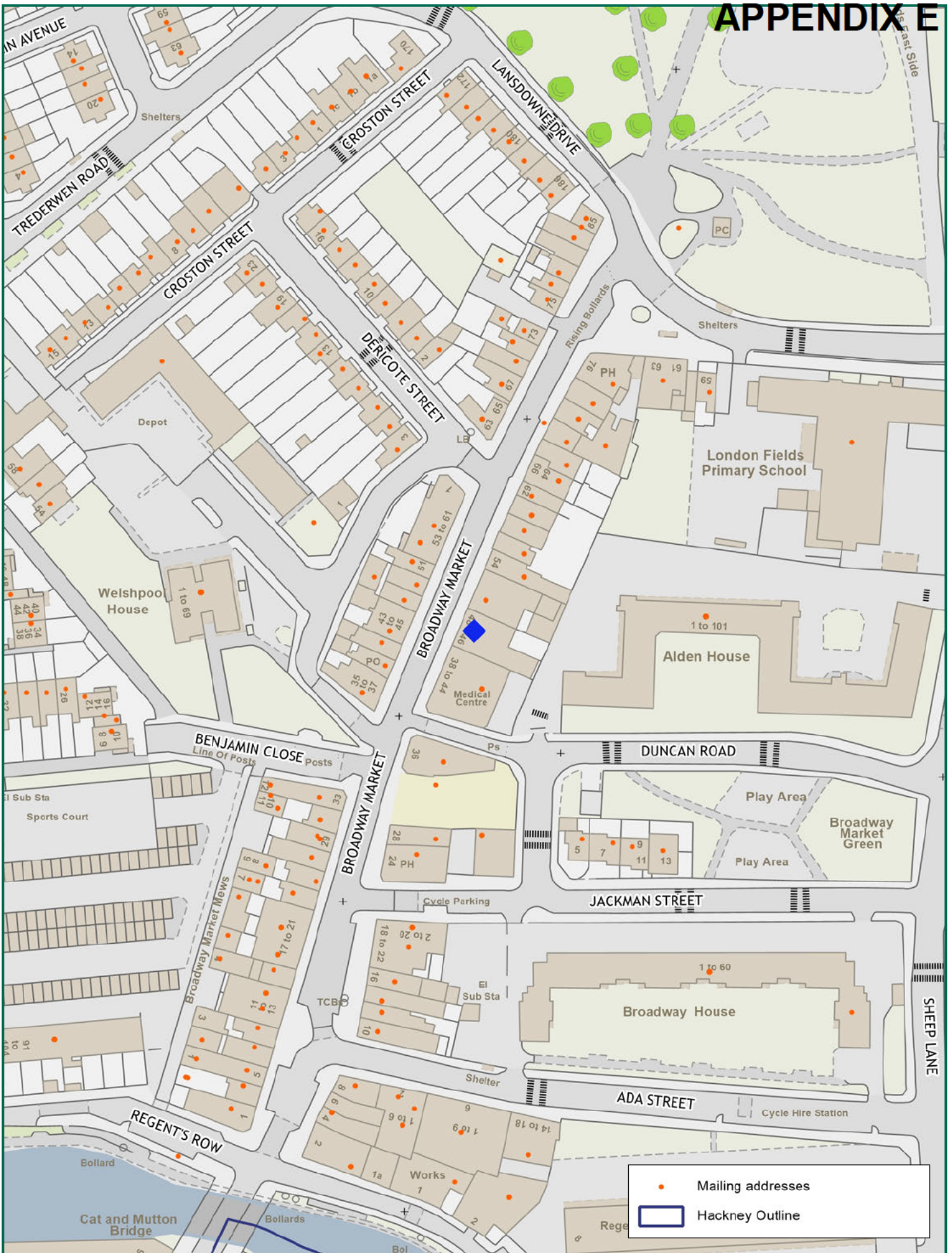
5. CCTV to operate on the premises and recordings kept for 31 days and made available to police on request.
6. Panic button connected to the police to be maintained
7. Fire equipment and fire escape lighting to be installed and maintained to comply with fire regulations.
8. Staff will apply strict proof of age and ID checks for sale of alcohol

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

Not Applicable

Annex 4 – Plans

PLAN/LBH-PRE-T-0072/TBC



Scale: 1:1250 at A4

46-48 Broadway Market, London, E8 4QJ



Ref:
Monday, August 2, 2021

Produced by: unspecified
email:

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