

**REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING****LICENSING SUB-COMMITTEE:**

22/06/2021

**Classification
DECISION****Enclosure****Application for a Premises Licence**

Nest Morning Lane LTD

Arches 392/393 Mentmore Terrace

E8 3PH

**Ward(s)
affected**

London Fields

1. SUMMARY**Applicant(s)** Nest Morning Lane LTD**In SPA:** No**Date of Application**

13/04/2020

Period of Application

Permanent

Proposed licensable activity

- Late Night Refreshment
- Supply of Alcohol (On and Off Premises)

Proposed hours of licensable activities**Late Night Refreshment****Standard Hours:**

Mon 23:00-00:00

Tue 23:00-00:00

Wed 23:00-00:00

Thu 23:00-00:00

Fri 23:00-00:00

Sat 23:00-00:00

Sun 23:00-00:00

Supply of Alcohol**Standard Hours:**

On premises

Mon 11:00-23:00

Tue 11:00-23:00

Wed 11:00-23:00

Thu 11:00-23:00

Fri 11:00-23:59

Sat 11:00-23:59

Sun 11:00-22:30

Supply of Alcohol**Standard Hours:**

Off premises

Mon 11:00-22:00

Tue 11:00-22:00

Wed 11:00-22:00

Thu 11:00-22:00

Fri 11:00-22:00

Sat 11:00-22:00

Sun 11:00-22:00

The opening hours of the premises	
<p style="text-align: right;">Standard Hours: Mon 07:30-23:30 Tue 07:30-23:30 Wed 07:30-23:30 Thu 07:30-23:30 Fri 07:30-00:30 Sat 07:30-00:30 Sun 07:30-23:00</p>	
Capacity: Not known	
Policies Applicable	LP1 (General Principles), LP2 (Licensing Objectives) , and LP4 ('Off' Sales of Alcohol)
List of Appendices	A – Application for a premises licence and supporting documents B – Representations from Responsible Authorities C– Representations from other persons D– Location map
Relevant Representations	<ul style="list-style-type: none"> ● Licensing Authority ● Other Persons

2. APPLICATION

2.1 Nest Morning Lane LTD have made an application for a premises licence under the Licensing Act 2003:

- To authorise late night refreshment
- To authorise supply alcohol for consumption **on and off** the premises

2.2 The application is attached as Appendix A. The applicant agreed to the removal of recorded music from the application. The proposed hours for supply of alcohol have been reduced to those described in para 1. 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 TENs have been submitted in respect of the premises in the current calendar year

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	No representation received
Environmental Health Authority	Representation withdrawn following agreements of conditions as set out in Para 9.1 below

(Environmental Enforcement)	
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 Authority	Representation withdrawn following applicant's agreement to the reduced hours for supply of alcohol and amended conditions as set out in Para 9.1 below
Licensing Authority Appendix B	Representation received on the ground of the Prevention of Public Nuisance
Health Authority	Representation withdrawn following applicant's agreement to reduce start time of supply of alcohol to 11 am each day.

5. REPRESENTATIONS: OTHER PERSONS

From	Details
18 Representations have been received from and on behalf of local residents. Appendices C1 to C18	Representation received on the grounds of The Prevention of Crime and Disorder, 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 LP4 ('Off' Sales of Alcohol) are relevant.

8. OFFICER OBSERVATIONS

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

Supply Of Alcohol (On/Both)

1.No supply of alcohol may be made under the premises licence:

(a) At a time when there is no designated premises supervisor in respect of the premises licence.

(b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

5. 5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.

5.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

5.3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-

- A. a holographic mark or
- B. an ultraviolet feature.

6. The responsible person shall ensure that:

a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:

- beer or cider: 1/2 pint;
- gin, rum, vodka or whisky: 25ml or 35ml; and
- still wine in a glass: 125ml; and

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

b. where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

7. 7.1 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

7.2 For the purposes of the condition set out in paragraph 7.1 above -

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(i) "permitted price" is the price found by applying the formula - $P = D + (D \times V)$ Where -P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(b) "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;

(c) "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

(d) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

7.3 Where the permitted price given by Paragraph 8.2(b) above would (apart from

this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub- paragraph rounded up to the nearest penny.

7.4 (1) Sub-paragraph 7.4(2) below applies where the permitted price given by Paragraph 7.2(b) above on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Conditions derived from operating schedule

8. The premises will have a comprehensive operational CCTV system for all public areas and the two entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system will continually record whilst the premises is open and 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 other authorised officers.

9. There shall be a staff member who understands the operation of the CCTV system on the premises at all times, when the restaurant is open to the public. This staff member will be able to show a Police or authorised council officer recent data or footage when requested.

10. Signs reminding customers to leave quietly and respect local residents will be prominently displayed at all entrance and exit points.

11. 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.

12. An incident log shall be kept at the restaurant, and made available on request to an authorised officer of the council or the police, which will record the following.

- a. Any crimes reported:
- b. Any 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.

13. We operate a zero tolerance policy to drugs and comply with Hackney Police Drugs and Weapons policy where appropriate.

14. All instances of crime and disorder will be reported by the Designated Premises Supervisor or responsible member of staff to an agreed police contact point.

15. All staff shall receive training on the legislation relating to the sales of alcohol to underage persons and drunken persons. 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.

16. There shall be no glass or open containers taken outside of the premises at any time, except for those purchased as an off sale and packaged correctly
17. Staff shall ensure that any queues that may form outside of the premises are managed to ensure that there is no obstruction to the footway and do not cause any nuisance to the local residents.
18. After 2100hrs there shall be a maximum of 4 smokers outside the demarcated premises line at any one time. These customers shall be monitored by staff to ensure that they do not cause public nuisance.
19. The licence holder shall maintain a dedicated telephone number of the DPS or Duty manager for use by any responsible authority or any person wishing to make a complaint.
20. The procedure for handling and preparing for disposal of general, recycling, food & other waste shall be in writing and displayed in a prominent place in the restaurant where it can be referred to at all times by staff. We ensure that any contract with the council for general and recyclable waste disposal shall be appropriate in size to the amount of waste we produce. We shall maintain an adequate supply of waste bins/receptacles i.e. refuse sacks & commercial waste bins in order to ensure all refuse is presented for collection for the waste carrier and shall not use unidentifiable refuse sacks.
21. We make regular checks of the area immediately outside the premises and remove any litter, bottles and glasses that create nuisance or look uninviting & unprofessional to guests & the local community. A final check is always made at close of business.
22. We have a suitable receptacle for cigarette ends outside which does not cause obstruction.
23. 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 restaurant. This will remain unobstructed at all times and will clearly identify:-
 - the name of the registered waste carrier
 - the date of when we started the 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
24. Food waste in general is kept as low as possible and our recycling operation includes food waste, alongside glass, cardboard & mixed recycling.
25. External Areas shall only be used between 08.00 -22.00 all week. Exception for 4 smokers outside the demarcated area. premises line at any one time.
26. Alcohol shall not be sold, supplied or consumed otherwise than to persons seated taking a substantial meal from the menu. The supply of alcohol shall be waiter/waitress service only.
27. 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.

28. 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.

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

30. 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.

31. 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.

32. 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 Nest. This should remain unobstructed at all times and should clearly identify:-

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

9. REASONS FOR OFFICER OBSERVATIONS

9.1 Conditions 8 to 25 above are derived from the applicant's operating schedule. Condition 26 has been agreed with the Police Authority and conditions 27 to 32 have been agreed with 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

Option 1

That the application be refused

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.

Acting 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 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
Office File: Nest, 392/392 Mentmore Terrace, E8 3PH	Licensing Service 1 Hillman Street London E8 1DY

Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy

Hackney LA01	Application for a premises licence to be granted under the Licensing Act 2003
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PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Nest Morning Lane LTD
(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			
ARCHES 392/3 MENTMORE TERRACE, London, E8 3PH			
Post town	London	Postcode	E8 3PH

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 25,000

Part 2 - Applicant details

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

- | | | |
|---|--|---|
| <p>a) an individual or individuals *</p> <p>b) a person other than an individual *</p> <p style="padding-left: 20px;">i as a limited company/limited liability partnership</p> <p style="padding-left: 20px;">ii as a partnership (other than limited liability)</p> <p style="padding-left: 20px;">iii as an unincorporated association or</p> | <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> | <p>please complete section (A)</p> <p>please complete section (B)</p> <p>please complete section (B)</p> <p>please complete section (B)</p> |
|---|--|---|

- iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body 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 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 please complete section (B)
- h) the chief officer of police of a police force in England and Wales 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)

M r	<input type="checkbox"/>	Mr s	<input type="checkbox"/>	Mis s	<input type="checkbox"/>	M s	<input type="checkbox"/>	Other Title (for example, Rev)	
Surname					First names				
Date of birth <input type="checkbox"/> I am 18 years old or over <input type="checkbox"/> Please tick yes									
Nationality									
Current residential address if different from premises address									
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)

M <input type="checkbox"/> r <input type="checkbox"/>	Mr <input type="checkbox"/> s <input type="checkbox"/>	Mis <input type="checkbox"/> s <input type="checkbox"/>	M <input type="checkbox"/> s <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes			
Nationality					
Current postal address if different from premises address					
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 Nest Morning Lane Ltd

Address 177 Morning Lane, London, E9 6NR [REDACTED]
Registered number (where applicable) 12356228
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional) [REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
01	06	2021

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)

We serve seasonal British produce in a low key, intimate & high-end food-led setting. Sustainability & fairness is at the heart of what we do; The food & drinks we serve have been farmed or produced using sustainable, organic and/or biodynamic methods, we work with suppliers as local to us as possible. We offer good pay & apprentice/work experience opportunities. We recycle and avoid waste as much as possible & have set up operating conditions in order to protect the licensing objectives. We are moving our restaurant, Nest, from a nearby location to this premises, we have been incredibly well received by the local community over the last 4 years & have had no issues in regards to the licensing objectives.

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

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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)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, 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)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) Recorded music played ONLY as low level background music to compliment the intimate restaurant setting.		
Mon	0730	0000			
Tue	0730	0000			
Wed	0730	0000	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	0730	0000			
Fri	0730	0000	Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	0730	0000			
Sun	0730	0000			

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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) As mentioned in cover email, we serve a 'tasting menu' experience. This time for Late night refreshment is to allow "eating up time" for a small amount of customers with later bookings.		
Mon	2300	0000			
Tue	2300	0000	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Wed	2300	0000			
Thur	2300	0000	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)		
Fri	2300	0000			
Sat	2300	0000			
Sun	2300	0000			

Issuing licensing authority (if known [REDACTED])

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).

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)
Day	Start	Finish	
Mon	0730	0030	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)
	-----	-----	
Tue	0730	0030	
	-----	-----	
Wed	0730	0030	
	-----	-----	
Thur	0730	0030	
	-----	-----	
Fri	0730	0030	
	-----	-----	
Sat	0730	0030	
	-----	-----	

Sun	0730	0030	

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)

Please see attached 'Nest Restaurant License Conditions & Values', we put in place to promote the four licensing objectives.

b) The prevention of crime and disorder

Please see attached 'Nest Restaurant License Conditions & Values', we put in place to promote the four licensing objectives.

c) Public safety

Please see attached 'Nest Restaurant License Conditions & Values', we put in place to promote the four licensing objectives.

d) The prevention of public nuisance

Please see attached 'Nest Restaurant License Conditions & Values', we put in place to promote the four licensing objectives.

e) The protection of children from harm

Please see attached 'Nest Restaurant License Conditions & Values', we put in place to promote the four licensing objectives.

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	12/4/2021
Capacity	

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	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Hi all,

We wanted to make contact with you directly and clarify a few things regarding our recent application for a Premises License at 392/3 Mentmore Terrace.

Firstly, we want to make it crystal clear about what the site will be used for and definitely what it will not be used for. We feel there are a lot of grey areas due to the nature of the application process specifically surrounding the service of alcohol and the use of recorded music.

We are a very small business made up of three very long term friends who are based in Hackney. We have managed to survive the last year and we are looking to open a Tasting Menu seasonal British restaurant. We will be working with the very best regenerative, organic/biodynamic and sustainably driven farmers and producers.

This is a very low key, intimate Tasting Menu experience consisting of 8 to 15 courses. It will take up to 3.5 hours, which will result in dramatically lower amounts of guests during service compared to the usual 1.5/2 hour booking which is generally the norm.

Being local to the area we are all too aware of the rise in antisocial behaviour and nuisance around London Fields. The nature of this restaurant means we are very low risk in this regard, nevertheless we take our responsibility, as any business in the area should, very seriously and have a number of conditions which we operate to. Please find our conditions attached for your reference.

We want to stress from the outset that this is in no way an alcohol led restaurant. If people in the area would like that sort of experience there are, in our opinion, more than enough options on Broadway Market, Mare Street etc. Alcohol is only ever served to accompany the long tasting menu meal, to enhance this intimate & personal experience.

Almost 100% of bookings will be pre-booked and made online, this space will not have a 'drop-in'/walk-in culture like many restaurants, pubs etc in the area. And of course there will never be queues as per some operators. This restaurant is built on an understated high end food experience, we see it as a 'hidden' destination that suits the low key nature of the location. With regards to travel, being the site of the old ticket office and therefore so close to the station we would expect and advise customers to use that mode of transport to get to the restaurant, avoiding the potential for traffic on Mentmore Terrace. Due to the nature of the food format that we will operate to (set menu, low volume) there will be much less people leaving the premises late at night.

Any recorded music will be very much background, ambient & quiet to match the intimate experience. It is not a bustling energetic restaurant, pub or club, we now understand we do not need a license for this quiet background music. Sorry for any confusion about that.

In terms of operating hours, in the application process there is not the option to differentiate hours for on-site and off-site sales of alcohol. We would like to clarify that any alcohol served

onsite will only be served with the Tasting Menu meal. The majority of the time this will start no earlier than 1800hrs. For days where we envisage serving lunch (to start will likely be Friday, Saturday, Sunday) this would start no earlier than midday. The only reason to be able to serve any food or drink from 11pm to midnight, is for the small amount of people that will be on the last courses or cheese course, should they like a drink to accompany it. It is in no way late night alcohol service, we imagine on average the number of guests in the building at this time will be 10-15 guests who are finishing the meal.

Any off-site sales are only included in the application as a small insurance should another situation like this last year happen again or if another strain of the virus were to spread. In the event of more restrictions/lockdowns we would need some option in order to survive. It could be used on the off chance that a guest would like to take a bottle of wine, that they have particularly enjoyed, home with them. To clarify we see this as a very small part of the business, and is more of an extra in very individual circumstances. For those of you in the local area who enjoy your wine, we'd be more than happy to provide on an individual basis, as we work with some fantastic small scale wineries that are not possible to get hold of on the mainstream market.

We do not see us using the outside spaces for seating guests either at the front of the building or out of the back, again to minimise the risk of noise or nuisance. We do not intend to put seating, speakers, awnings etc outside. This will be used for storage space for the restaurant. While it's not something we want to allow, if there is someone who smokes, as mentioned in our conditions, we will ensure no more than 4 guests can be outside after 9pm, and no more than 6 smokers at any time.

To confirm, the proposed hours of the restaurant are;

Mon-Weds: (we do not envisage being open on Mondays or Sunday evening)

- No online/available bookings past 2100hrs
- No alcohol sales past 2330hrs, close at Midnight

Thurs, Fri, Sat:

- No online/available bookings past 2100hrs
- No alcohol sales past midnight, close at 00.30hrs

If there is anything that you feel has not been clarified we are more than happy to discuss anything with you on an individual basis. You can email hello@nestfood.co.uk and we if you'd like we can organise a time to chat.

We're looking forward to meeting you in the coming months and we thank you for your support especially after the incredibly challenging year we have all faced.

Many thanks,
Luke, Johnnie & Toby

PS for those of you who would like we will also be inviting you to a local residents and business discount during the opening period.



Nest Restaurant License Conditions

We take our license responsibility seriously and have put the below conditions in place, which are continuously managed. These points relate to ensuring the safety of our staff, local community & local environment & to ensure the licensing objectives are adhered to.

Safety

- 1) The premises will have a comprehensive operational CCTV system for all public areas and the two entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system will continually record whilst the premises is open and 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 other authorised officers. There shall be a staff member who understands the operation of the CCTV system on the premises at all times, when the restaurant is open to the public. This staff member will be able to show a Police or authorised council officer recent data or footage when requested.
- 2) Signs reminding customers to leave quietly and respect local residents will be prominently displayed at all entrance and exit points.
- 3) 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.
- 4) An incident log shall be kept at the restaurant, and made available on request to an authorised officer of the council or the police, which will record the following.
 - a. Any crimes reported:
 - b. Any 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.
- 5) We operate a zero tolerance policy to drugs and comply with Hackney Police Drugs and Weapons policy where appropriate.

- 6) All instances of crime and disorder will be reported by the Designated Premises Supervisor or responsible member of staff to an agreed police contact point.
- 7) All staff shall receive training on the legislation relating to the sales of alcohol to
- 8) underage persons and drunken persons. 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.
- 9) We do not allow open glass containers taken outside of the premises at any time.
- 10) Staff shall ensure that any queues that may form outside of the premises are managed to ensure that there is no obstruction to the footway and do not cause any nuisance to the local residents.
- 11) After 2100hrs there shall be a maximum of 4 smokers outside the demarcated premises line at any one time. These customers shall be monitored by staff to ensure that they do not cause public nuisance.
- 12) The licence holder shall maintain a dedicated telephone number of the DPS or Duty manager for use by any responsible authority or any person wishing to make a complaint.

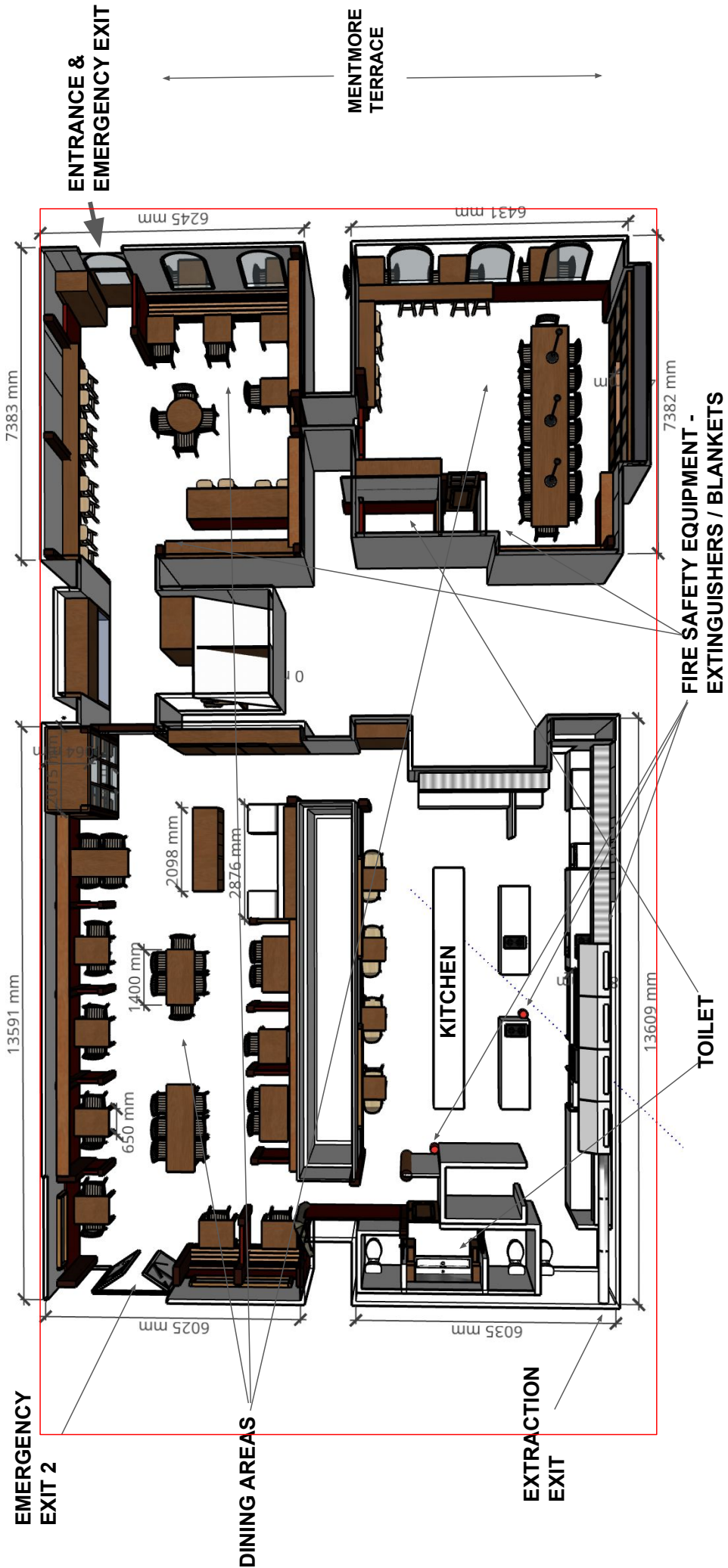
Waste & Environmental Safety

- 1) The procedure for handling and preparing for disposal of general, recycling, food & other waste shall be in writing and displayed in a prominent place in the restaurant where it can be referred to at all times by staff. We ensure that any contract with the council for general and recyclable waste disposal shall be appropriate in size to the amount of waste we produce. We shall maintain an adequate supply of waste bins/receptacles i.e. refuse sacks & commercial waste bins in order to ensure all refuse is presented for collection for the waste carrier and shall not use unidentifiable refuse sacks.
- 2) We make regular checks of the area immediately outside the premises and remove any litter, bottles and glasses that create nuisance or look uninviting & unprofessional to guests & the local community. A final check is always made at close of business.
- 3) We have a suitable receptacle for cigarette ends outside which does not cause obstruction.
- 4) 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 restaurant. This will remain unobstructed at all times and will clearly identify:-
 - the name of the registered waste carrier
 - the date of when we started the 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

Sustainability & Fairness

- 1) Avoiding waste. We uniquely only use one meat in the restaurant at a time, where we use absolutely everything. This helps us manage meat consumption more sustainably. Food waste in general is kept as low as possible and our recycling operation includes food waste, alongside glass, cardboard & mixed recycling.
- 2) Reused/sustainable materials. The vast majority of furniture & fittings have been made using recycled, reclaimed or naturally fallen materials.
- 3) Supplier checks. We thoroughly vet every supplier we work with to make sure they farm/produce ethically & with respect to the natural environment & their community and also avoid single use materials as much as possible. For example we use small scale regenerative farms for meat & vegetables, we use sustainable British seafood suppliers & all wine is organic or biodynamic in production.
- 4) We have apprentice schemes in place for young or disadvantaged members of the local community to get work experience or start their professional career.

392/3 MENTMORE TERRACE | Max Capacity: 90 + 12 outside



RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Licensing Authority
ADDRESS OF AUTHORITY	Licensing Service 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

Premises	Arches 392-393 Mentmore Terrace London E8 3PH
Applicant	Nest Morning Lane Ltd

COMMENTS

I make the following relevant representations in relation to the above application for a 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

Representations (which include comments and/or objections) in relation to:

I am writing to make a representation in respect of this application. The proposed hours of activity could have a negative impact on the promotion of the licensing objectives, in particular, the prevention of public nuisance given the nature of the surrounding area. The premises is directly opposite a residential terrace which may suffer as a result of customers vacating the premises at the proposed terminal hour.

According to planning records, the site appears to have been granted planning permission (ref 2018/3008) for change of use to restaurant. The planning decision notice is not available online, however the 'Design and Access Statement' (DAS) submitted as part of the application suggests that the proposed hours of activity were 08:00 until 23:00 daily. The applicant should therefore have regard to the following extract from the Council's Licensing Policy:

LP5 Planning Status

Licence applications should normally be from premises where:

(a) The activity to be authorised by the licence is a lawful planning use or is a deemed permitted development pursuant to the General Permitted Development Order (1995) as amended.

(b) The hours sought do not exceed those authorised by any planning permission.

The Licensing Authority may take into account the lack of planning permission or an established lawful use in deciding whether there is likely to be any harm to the licensing objectives.

The hours in the DAS would also align with the hours set out in the LP3 (Core Hours) contained within the Licensing Policy.

It is noted that the premises is described as a restaurant so the applicant should consider a condition requiring alcohol sales to be ancillary to a person taking a table meal from the menu.

It is also noted that the application seeks to authorise the playing of recorded music. However, the application then states that this is to be low level background music. Music played at this level would not require authorisation therefore the applicant may wish to remove this from the application.

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

The Licensing Act 2003, s182 Guidance issued by the Home Office, Statement of Licensing Policy

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

- Condition requiring alcohol sales to be ancillary to a table meal
- Clarification on the hours attached to the planning permission
- Removal of the request to authorise recorded music

Name: **David Tuitt (Business Regulation Team Leader) - Licensing and Technical Support**

13 May 2021



Fwd: License application Arch 392/3 Mentmore Terrace E8

1 message

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

13 May 2021 at 15:59

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, 13 May 2021 at 15:59
Subject: License application Arch 392/3 Mentmore Terrace E8
To: <licensing@hackney.gov.uk>

To whom it may concern

I would like to make it clear that as a resident of Mentmore Terrace, I thoroughly object to the above alcohol licence application.

The granting of a licence to serve alcohol would undoubtedly result in significant increase in disturbance to residents late at night. We already experience noise from people leaving drinking venues on this and surrounding streets. We often get woken by rowdy behaviour, including people knocking on our doors, shouting and singing late in the evening and in the early hours of the morning. We also witness people public nuisance including people urinating, vomiting and littering the street. We would also experience late disturbance from deliveries and night time staff clearing and closing up. We fear this increase in this activity will lead to an increase in crime and makes our street less safe for families and children, particularly the inevitable broken glass and pools of urine that have already become a feature due to previous licensing decisions.

Thanks for your time

[REDACTED]

[REDACTED] [Mentmore Terrace](#)



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Foster Care Fortnight 10-23 May 2021

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 Visit: www.hackney.gov.uk/fostering
 Email: fostering.recruitment@hackney.gov.uk



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

Fwd: License Application: Arch 392/3 Mentmore Terrace E8

1 message

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

13 May 2021 at 16:08

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: Mon, 10 May 2021 at 18:43
Subject: License Application: Arch 392/3 Mentmore Terrace E8
To: Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Dear Licensing,

I object to the issue of a license for Arch 392/3 Mentmore Terrace E8. The granting of a licence to serve alcohol would undoubtedly result in significant increase in disturbance to residents late at night.
We already experience noise from people leaving drinking venues on this and surrounding streets.
We often get woken by rowdy behaviour, including people knocking on our doors, shouting and singing late in the evening and in the early hours of the morning.
We also witness people public nuisance including people urinating, vomiting and littering the street.
We would also experience late disturbance from deliveries and night time staff clearing and closing up.
We fear this increase in this activity will lead to an increase in crime and makes our street less safe for families and children.

Many thanks.

[REDACTED]



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 Email: fostering.recruitment@hackney.gov.uk

APPENDIX C2 - ADDITIONAL



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

Licensing Act 2003: Application for a New Premises Licence Re: 392/393 Mentmore Terrace, E8 3PH

21 May 2021 at 09:50

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

Dear Sanaria

Thank you for your email below and for providing the first attempt by Nest to address the concerns of local residents. Despite the articulation of good intentions by Nest, the proposal still omits any firm conditions on the licence that would address the serious concerns of local residents and their families.

Specifically the following;

With regard to the request for a late licence, and proposed opening and closing times

Sun-Thurs: last alcohol sales by 10.30pm and building closed to public at 11.00pm

Fri and Sat: last alcohol sales by 11.30pm and building closed to the public by 00:00

We would also ask that the license be restricted to on-premises sales only if granted.

d) At point 11 in their "safety" proposals Nest say that " after 21.00hrs a maximum of 4 smokers outside the demarcated premises line at any one time."

It is not stated what numbers are allowed outside earlier than this. It is assumed that this "outside the demarcated premises line" means "gathering on Mentmore Terrace. This would cause noise and disruption.

The applicants have already sought permission for 12 covers outside and also wants an unspecified number of smokers to be allowed to gather before 9pm outside and 4 after 9pm.

We restate our objection to the 12 covers outside in the light of the fact that proposals are not explicit as to what time these outside tables can be used. Presumably up until midnight as no restriction is specified in the application. We think this would be intolerable from a nuisance point of view. Twelve diners at this point eating and drinking will inevitably make noise and cause nuisance to the houses opposite.

We also object to the encroachment on to the pavement space as it makes the pavement at this point intolerably narrow, a safety concern. The pavement at this point is under 2.5m wide and the road space is occupied by bike parking structures. Combine with fixed obstacles including street furniture this would make the street impassible with double buggies or mobility scooters.

Assuming the site plan supplied is accurate and to scale at the northern end the licensed area extends 1.4m from the corner of the building taking up more than half of the pavement space.

The tables, though not clearly shown in the diagram appear to be at least 80cm deep taking up 30% of the pavement space.

We therefore do not think it is acceptable to have this street provision in place at this location due to the space-related safety concerns and the noise related issues they will generate.

With regard to people outside/ smokers etc. we would ask that the number of people gathering outside is restricted to 6 before 8pm and 2 after 8pm.

This is important from a protection of children issue as while 8pm is early by adult standards, young children who may have bedrooms facing the street will be going to bed weekdays at this time and therefore don't need to be disturbed by people with unmanaged nicotine addictions.

e) The Plan submitted by the applicants does not address the following:

- is there any intention to add awnings, covers, heaters or loudspeakers to the wall outside the premises. Having already stated our objection to the outdoor seating we would further object to light or noise pollution caused by speakers or additional lighting outside.

f) The application states that recorded music may be played. We would ask that volume limiters be fitted and that volume levels are at such a level that they are inaudible from adjacent properties.

g) The front entrance opens on to a 25-cover dining area which itself will generate significant noise. We therefore request that the license requires the door to the street to remain closed after 7pm to reduce noise on the street.

We feel that there are already an excessive number of licensed premises on and around London Fields and are disappointed to see another license being sought in this area.

In conclusion, the response by Nest does little to allay our concerns and we believe that the license should be declined or at the very least modified in line with the measures proposed above to mitigate the nuisance and disruption to local residents

We would welcome a hearing to enable local residence to express their concerns and protect their well being and family life

Regards





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

Premise License Application. Arch 392/3 Mentmore Terrace E81 message

11 May 2021 at 17:49

To: [REDACTED]
licensing@hackney.gov.uk

Dear sir/madam

The granting of a licence to serve alcohol would undoubtedly result in significant increase in disturbance to residents late at night and throughout the day, 7 days a week.

We already experience noise from people leaving properly licensed drinking venues on this and surrounding streets. We often get woken by rowdy behaviour, including people knocking on doors, shouting and singing late in the evening and in the early hours of the morning.

We also witness people public nuisance including people urinating, vomiting and littering the street.

We would also experience late disturbance from deliveries and night time staff clearing and closing up.

The licence would also result in more people frequenting London Fields Park and surrounding streets late at night which may lead to increase in antisocial behaviour.

We fear this increase in this activity will lead to an increase in crime and make our streets less safe for families and children.

The playing of recorded or live music is not in keeping with the residential area and with the permitted use for the property.

I object the above application and recommend you refuse the granting of a premise licence. I also urge the Council to review the planning regulations relating to Mentmore Terrace and surrounding areas to ensure that there is no night time economy developed in the area.

[REDACTED]
Martello Street E8 [REDACTED]

APPENDIX C3 - ADDITIONAL

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

**Remote Hearing Re: Application for a New Premises Licence Re: Arches 392/393
Mentmore Terrace, E8 3PH**

25 May 2021 at 15:10

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

Many thanks Sanaria,

I will decline the invitation to attend the hearing but still object to the application.

Despite the applicants intentions and recent correspondence there are no significant concessions or conditions which would ensure minimised disruption to adjoining residents. The application as it is currently would set a dangerous precedent for future premise applications in the area and may also provide the opportunity for existing premise licence holders to apply to amend their licences accordingly. The residents have fought hard to ensure no 'nighttime economy' is developed along Mentmore Terrace and to minimise disruption to our daily lives and have made considerable concessions already in the licences that have been granted. You can refer to the previous premise applications for details of our objections. It is disappointing that the applicants have not taken this into consideration and have applied for conditions outside of those already agreed by the local residents.

The current premise licences in the immediate vicinity also started with best intentions however the reality has been the following: live and recorded music being played at volume at all hours, building of structures without planning approval and holding of events in breach of licence conditions, filling/emptying of industrial bins at night, late night deliveries and 'staff parties/lockins'. There are also well documented cases of anti social behaviour due to off-licence sales from premise licence holders in the area during lockdown and previously, requiring the hiring of additional security to patrol and protect the park but not surrounding streets.

I again reiterate my objection to the application, specifically the 'extended' hours of alcohol sales and business operating hours, 'all day' off licence alcohol sales and the playing of recorded music outdoors. The licence application as it is currently should be declined or at the very least modified with the following measures to mitigate the nuisance and disruption such a business will have to adjoining residents.

- alcohol sales 12.00 to 22.00 and only with serving of hot food (there is no justification for sales from 0730 as the business only opens at 12.00)
- no live or recorded music outdoors or with fitted volume limiters so as to be inaudible from surrounding residences
- no off licence sales (business intention is restaurant not off licence or takeaway)
- 22.30 closing time to ensure reasonable time for patrons to leave the premises and for staff to 'cleanup' to ensure no late night disturbance from waste management activities, deliveries etc (the applicants waste management plan suggests leaving waste on street, whereas there are industrial bins to the rear of the premises which they have not addressed the potential disturbance arising from their use)
- business days of operation and opening hours to be in line with other premise licenses along Mentmore Terrace

Kind Regards

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]



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

Feedback on application Re: 392 Mentmore Terrace

1 message

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

7 June 2021 at 11:50

OP 3

Hi Sanaria,

Many thanks for this. It is frustrating that the Applicants continue to ignore the residents main concerns, namely opening hours and off-licence sales and have not addressed this in their latest amendment.

Again my objections / concessions to the application are as follows

1. No Recorded/Live music outdoors - this must be a condition of the premise licence not an omission or just an intention.
2. Opening Hours should be in line with other Restaurant and food/drink businesses in the immediate vicinity ie along Mentmore Tce. Note that the only other restaurant business has opening hours of Sun-Thu 12-10.30pm and fri-sat 12-11pm. There is no justification for 8am premise licence - the application states that the business is only open for lunch and dinner service. The Hackney Policy Core Hours is only relevant in areas where there is an established nighttime economy. This is a residential area and other business have respected this and their opening hours and other operations reflect this.
3. No Off licence sales. The main purpose of the business is a restaurant so no off-licence sales should be needed or justified.
4. The waste management still ignores that the majority of this activity will be undertaken at the rear of the premises which adjoins residential properties. Given the proposed opening hours, cleaning and waste management activities will be late at night/early morning and will be a disturbance which can not be minimised.

The premise has in recent times been a cafe and this application calls for a significant change in the hours of operations and the introduction of alcohol sales both off licence and in premise. As I have stated previously the residents have already made concessions to other similar businesses and these should be applied to this application so as not to set a precedence for future premise applications.

Kind Regards
Sanaria Hussain
Senior Licensing Officer
Hackney Service Centre
1 Hillman Street
London E8 1DY
Direct Line:020 8356 4972
Duty Line:020 8356 2431
www.hackney.gov.uk/licensing



We have launched the new [Hackney Nights portal](#) for licensees. This portal will help us rebuild a safer, stronger and more connected night time economy for everyone and give access to free training and guidance on a range of key night time economy safety issues as well as provide updates from the council.

Sign up [here](#) to receive access.



Fwd: New License Application. Arch 392/3 Mentmore Terrace E8

1 message

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

13 May 2021 at 13:25

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: Mon, 10 May 2021 at 20:26
Subject: New License Application. Arch [392/3 Mentmore Terrace E8](#)
To: Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Dear Sir/Madam,

The above application is yet another threat to our neighbourhood. We keep fighting these applications to do with alcohol one after another. Why doesn't your Department look back to previous applications and their objection? It's a waste of public and private time and money. With the imposition of low traffic neighbourhoods, Mentmore Terrace now finds itself polluted with noise and exhaust from hundreds of delivery scooters. And now there's this promise of more pollution and nuisance.

The granting of a licence to serve alcohol would undoubtedly result in significant increase in disturbance to residents late at night. We already experience noise from people leaving drinking venues on this and surrounding streets. We often get woken by rowdy behaviour, including people knocking on our doors, shouting and singing late in the evening and in the early hours of the morning. We also witness public nuisance including people urinating, vomiting and littering the street. We would also experience late disturbance from deliveries and night time staff clearing and closing up. We fear this increase in this activity will lead to an increase in crime and makes our street less safe for families and children.

In summary I strongly object to this license application.

Yours etc

[REDACTED]
Mentmore Terrace Resident



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



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

Fwd: Arch 399

1 message

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

13 May 2021 at 13:25

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: Mon, 10 May 2021 at 22:00
Subject: Arch 399
To: <licensing@hackney.gov.uk>

Dear Sir or Madam
Hackney Council

Arch 399, [Mentmore Terrace](#).

Please note my objection to the application for granting a licence for sale of alcohol from Arch 399 which will result in significant increase in disturbance to residents late at night.

We already experience noise from people leaving drinking venues on this and surrounding streets.

We often get woken by rowdy behaviour, including people knocking on our doors, shouting and singing late in the evening and in the early hours of the morning.

And particularly we also witness people public nuisance including people urinating, vomiting and littering the street, against our buildings, in doorways and in the gates around the properties in the area.

We would also experience late disturbance from deliveries and night time staff clearing and closing up.

We fear this increase in this activity will lead to an increase in crime and makes our street less safe for families and children.

Thank you,

[REDACTED] [London Lane, E8](#) [REDACTED]Disclaimers apply, for full details see: <https://hackney.gov.uk/email-disclaimer>

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

Fwd: New License Application. Arch 392/3 Mentmore Terrace E8. Deadline 13-05-2021

1 message

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

13 May 2021 at 13:24

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, 11 May 2021 at 09:15
Subject: New License Application. Arch [392/3 Mentmore Terrace E8](#). Deadline 13-05-2021
To: <licensing@hackney.gov.uk>

To whom it may concern,

As a resident of the area that backs onto Arch 392/3 Mentmore Terrace, I want to voice my objection to this application.

We already ensure a growing list of problems from the licenses you have already issued so that current premises in the archways cause noise pollution, waste pollution, smell pollution to name but three. Passing this license will further exasperate the problem. These are not alarmist comments but merely facts and behaviours we have witnessed countless times over the years.

To this end we make our objections for the following reasons:

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

Please do right by the local residents and stop this application so it takes residents view into account.

Best wishes

[REDACTED]
All Nations House
Martello Street
London E8 [REDACTED]



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

Fwd: licensing application, Arch 392/3 Mentmore Terrace E8

1 message

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

13 May 2021 at 13:24

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, 11 May 2021 at 09:51
Subject: Re: licensing application, Arch 392/3 Mentmore Terrace E8
To: Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Dear Sir/ Madam,

Re: licensing application, Arch 392/3 [Mentmore Terrace E8](#)

As a local resident on Mentmore Terrace I object to the granting of this licence.

The granting of a licence to serve alcohol would undoubtedly result in significant increase in disturbance to us as residents, late at night. We already experience noise from people leaving drinking venues on this and surrounding streets. We often get woken by antisocial behaviour, including people knocking on our doors, shouting and singing late in the evening and in the early hours of the morning.

We also witness people causing a public nuisance including people urinating, vomiting and littering the street. We would also experience late disturbance from deliveries and night time staff clearing and closing up. We fear this increase in this activity will lead to an increase in crime and makes our street less safe for families and children.

Yours faithfully,

[REDACTED]
Mentmore Terrace



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Fwd: License for Mentmore Terrace - Comment from Resident

1 message

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

13 May 2021 at 13:24

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, 11 May 2021 at 11:53
Subject: License for Mentmore Terrace - Comment from Resident
To: licensing@hackney.gov.uk <licensing@hackney.gov.uk>

Hi,

I have just been made aware of an application for an license to serve alcohol and to play music from Arch 392/393 on Mentmore Terrace.

I strongly object and this should not be granted without a proper hearing and review from residents. As a resident directly behind the arches I am extremely concerned that there will be loud noise throughout the evening – hugely impacting my sleep and therefore wellbeing.

The arches back onto residential properties on Martello Street. Anyone even talking during the day in this area can be heard clearly due to the echo between to the structures – noise pollution for any sort of social venue will be unbearable for residents.

This is a usually quiet residential area but there are disturbances from the nearby Pub on The Park. This currently only just tolerable – shouting and screaming, fighting, urinating on the property.

This residential area should not become any sort of destination and must remain for the residents.

Please contact me if you want any more information or opinion. As a resident directly behind the location is am seriously concerned about this

Many thanks

[REDACTED]



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Fwd: Arch 392/3 Mentmore Terrace E8

1 message

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

13 May 2021 at 13:24

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, 12 May 2021 at 09:28
Subject: Arch [392/3 Mentmore Terrace E8](#)
To: Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

I wish to register an objection for the planning application for the above address.

There has already been a large increase over lock down in the amount of anti-social alcohol based behaviour on this residential street, principally urinating, shouting in the early hours and even late night fights.

Already, against residents' objections, the Three Sod's Brewery has been granted strictly limited opening hours and adding further licensed premises would make our residential street into a destination drinking venue.

Our house is my wife's childminding setting and turning our street into a drinking venue would not make it appropriate.

Despite repeated requests the business that have moved into the arches in the last couple of years continue to have deliveries throughout the night that wake me and my kids. A further licenced premises would add to this disturbance.

[REDACTED]
[Mentmore Terrace, London E8](#) [REDACTED]

[REDACTED]

[REDACTED]



APPENDIX C10

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

Fwd: Licence Application 108780 Arch 399, Mentmore Terrace, Hackney

1 message

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

13 May 2021 at 13:24

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, 12 May 2021 at 09:29
Subject: Licence Application 108780 Arch 399, Mentmore Terrace, Hackney
To: licensing@hackney.gov.uk <licensing@hackney.gov.uk>

Dear Madam, Sir

I am a local resident on [REDACTED] [London lane, London E8](#) [REDACTED]

The granting of a licence to serve alcohol would undoubtedly result in significant increase in disturbance to residents late at night. I already experience noise from people leaving drinking venues on this and surrounding streets.

I often get woken by rowdy behaviour, including people knocking on our doors, shouting and singing late in the evening and in the early hours of the morning.

I also witness people public nuisance including people urinating, vomiting and littering the street. I would also experience late disturbance from deliveries and night time staff clearing and closing up. I fear this increase in this activity will lead to an increase in crime and makes our street less safe for families and children.

I have attached a doc that also states our objections to the granting of a licence.

I ask you to please take these comments into consideration.

Thank you

[REDACTED]
[London lane](#)
[London E8](#)
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]



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Fwd: License Application. Arch 392/3 Mentmore Terrace E8

1 message

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

13 May 2021 at 13:23

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, 12 May 2021 at 11:44
Subject: License Application. Arch 392/3 Mentmore Terrace E8
To: <licensing@hackney.gov.uk>

I am writing to express concern regarding License Application. Arch 392/3 Mentmore Terrace E8.
I am a resident living opposite this large arch.

Over the last few years we have seen a huge increase in night time activity along the street and neighbouring streets which impacts residents through disturbance and anti social behaviour. My children are woken at night with people exiting local venues.

I object to this application for the following reasons:

The cumulative impact - too many alcohol based premises in the area.
Public nuisance that results - especially in this area, which is generally quiet and residential.
The granting of a licence to serve alcohol would undoubtedly result in significant increase in disturbance to residents late at night.
We already experience noise from people leaving drinking venues on this and surrounding streets.
We often get woken by rowdy behaviour, including people knocking on our doors, shouting and singing late in the evening and in the early hours of the morning.
We also witness people public nuisance including people urinating, vomiting and littering the street.
We would also experience late disturbance from deliveries and night time staff clearing and closing up.
We fear this increase in this activity will lead to an increase in crime and makes our street less safe for families and children.

Yours sincerely

[REDACTED]
[Mentmore Terrace](#)
[London E8](#)
[REDACTED]



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

Fwd: New Licensing Application @ Arch 392/3 Mentmore Terrace, E8

1 message

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

13 May 2021 at 13:23

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, 12 May 2021 at 13:02
Subject: New Licensing Application @ Arch 392/3 Mentmore Terrace, E8
To: licensing@hackney.gov.uk <licensing@hackney.gov.uk>

I am the owner of [REDACTED] [Gransden Avenue, E8](#) [REDACTED].

I wish to object to the new licensing application for Arch 392/3 Mentmore Terrace for the following reasons:

A new venue serving alcohol would add further disturbance for neighbouring residents at night. A lot of these residents have children at school.

This is already happening due to other venues in the neighbourhood.

This could lead to more rowdy behaviour with knocking on front doors (easily accessible from the street), more singing and shouting in the street.

Also unacceptable behaviour such as urinating in the street, vomiting and more litter.

There could be more disturbance from deliveries and cleaning up after the venue is closed and before the venue opens.

This could lead to an increase in crime which is unacceptable especially as there are families in the street with school children.

Thank you

[REDACTED]



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Fwd: Application by Nest Morning Lane Ltd for a Premises License at: Arches 392/3 Mentmore Terrace, London, E8 3PH

1 message

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

13 May 2021 at 13:23

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, 12 May 2021 at 13:47
Subject: Application by Nest Morning Lane Ltd for a Premises License at: Arches [392/3 Mentmore Terrace, London, E8 3PH](#)
To: licensing@hackney.gov.uk <licensing@hackney.gov.uk>
Cc: [REDACTED]

Dear LB Hackney Licensing,

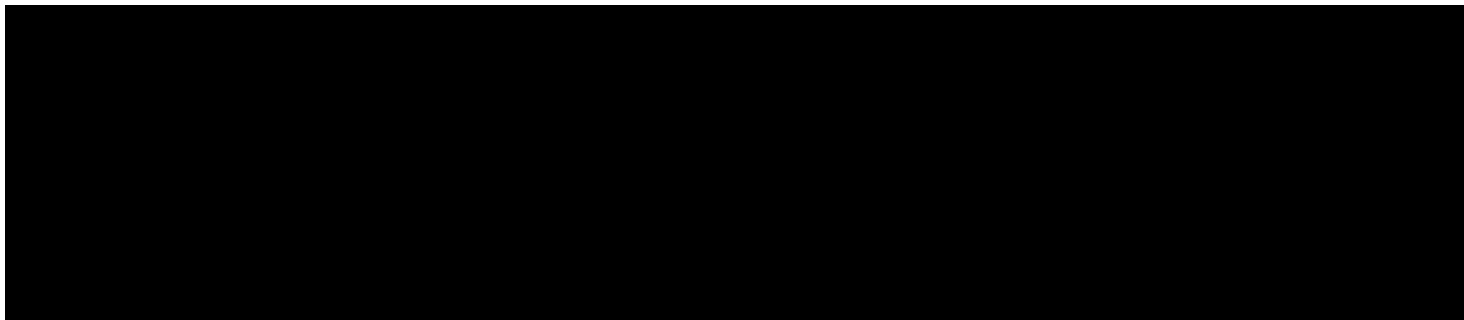
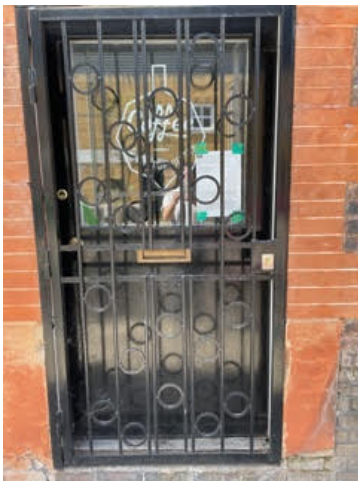
I am writing further to previous emailed objection to the above application.

It has come to my attention that Nest have made no attempt to contact local residence in the immediate vicinity of the proposed venue for which they are applying for a licence. Their licence application is partially obscured on the door of [392 Mentmore Terrace](#) (please see attached image), and on discussion with neighbours we are certain that this posted no earlier than Monday 3rd May, which has not afforded local residence sufficient time to respond with a detailed objection this licence. Which, if the licence is granted by yourselves in its current form, will have a serious and negative impact on the lives and wellbeing of hundreds of local residents.

I respectfully request that either this licence application is rejected in its totality OR at the very least, we are given a reasonable amount of time to collect and shape a detailed response to this application, so we may have a fair chance at protecting where we live.

Kind regards,

[REDACTED]
Mentmore Terrace





APPENDIX C13 - ADDITIONAL

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

Licensing Act 2003: Application for a New Premises Licence Re: 392/393 Mentmore Terrace, E8 3PH

20 May 2021 at 12:26

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

Cc: [REDACTED]

Dear Sanaria,

Thank you for your email below and for providing the first attempt by Nest to address the concerns of local residents. Despite the articulation of good intentions by Nest, the proposal still omits any firm conditions on the licence that would address the serious concerns of local residence and their families.

Specifically the following;

With regard to the request for a late licence, and proposed opening and closing times

Sun-Thurs: last alcohol sales by 10.30pm and building closed to public at 11.00pm
Fri and Sat: last alcohol sales by 11.30pm and building closed to the public by 00:00

We would also ask that the license be restricted to on-premises sales only if granted.

d) At point 11 in their "safety" proposals Nest say that " after 21.00hrs a maximum of 4 smokers outside the demarcated premises line at any one time."
It is not stated what numbers are allowed outside earlier than this. It is assumed that this "outside the demarcated premises line" means "gathering on Mentmore Terrace. This would cause noise and disruption.

The applicants have already sought permission for 12 covers outside and also wants an unspecified number of smokers to be allowed to gather before 9pm outside and 4 after 9pm.

We restate our objection to the 12 covers outside in the light of the fact that proposals are not explicit as to what time these outside tables can be used. Presumably up until midnight as no restriction is specified in the application. We think this would be intolerable from a nuisance point of view. Twelve diners at this point eating and drinking will inevitably make noise and cause nuisance to the houses opposite.

We also object to the encroachment on to the pavement space as it makes the pavement at this point intolerably narrow , a safety concern. The pavement at this point is under 2.5m wide and the road space is occupied by bike parking structures. Combine with fixed obstacles including street furniture this would make the street impassible with double buggies or mobility scooters.

Assuming the site plan supplied is accurate and to scale at the northern end the licensed area extends 1.4m from the corner of the building taking up more than half of the pavement space.

The tables, though not clearly shown in the diagram appear to be at least 80cm deep taking up 30% of the pavement space.

We therefore do not think it is acceptable to have this street provision in place at this location due to the space-related safety concerns and the noise related issues they will generate.

With regard to people outside/ smokers etc. we would ask that the number of people gathering outside is restricted to 6 before 8pm and 2 after 8pm.

This is important from a protection of children issue as while 8pm is early by adult standards, young children who may have bedrooms facing the street will be going to bed weekdays at this time and therefore don't need to be disturbed by people with unmanaged nicotine addictions.

e) The Plan submitted by the applicants does not address the following:

- is there any intention to add awnings, covers, heaters or loudspeakers to the wall outside the premises. Having already stated our objection to the outdoor seating we would further object to light or noise pollution caused by speakers or additional lighting outside.

f) The application states that recorded music may be played. We would ask that volume limiters be fitted and that volume levels are at such a level that they are inaudible from adjacent properties.

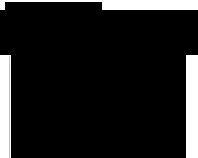
g) The front entrance opens on to a 25-cover dining area which itself will generate significant noise. We therefore request that the license requires the door to the street to remain closed after 7pm to reduce noise on the street.

We feel that there are already an excessive number of licensed premises on and around London Fields and are disappointed to see another license being sought in this area.

In conclusion, the response by Nest does little to allay our concerns and we believe that the license should be declined or at the very least modified in line with the measures proposed above to mitigate the nuisance and disruption to local residents

We would welcome a hearing to enable local residence to express their concerns and protect their well being and family life.

Kind regards,



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On 19 May 2021, at 17:09, Sanaria Hussain <sanaria.hussain@hackney.gov.uk> wrote:

Dear Sir/Madam,

I refer to your representation in respect of the above premises.

Please find attached correspondence from the applicant in response to your representation.

I should be grateful if you confirm whether this would allay your concern.

Kind Regards
Sanaria Hussain
Senior Licensing Officer
Hackney Service Centre
1 Hillman Street
London E8 1DY
Direct Line:020 8356 4972
Duty Line:020 8356 2431
www.hackney.gov.uk/licensing



We have launched the new [Hackney Nights portal](#) for licensees. This portal will help us rebuild a safer, stronger and more connected night time economy for everyone and give access to free training and guidance on a range of key night time economy safety issues as well as provide updates from the council. Sign up [here](#) to receive access.



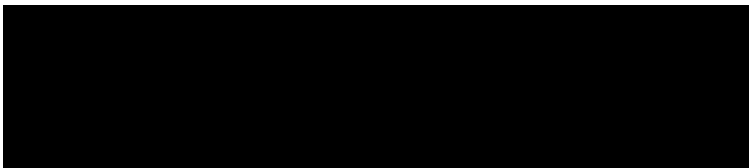
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<Restaurnt License Conditions.pdf><Message from Luke.pdf>





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

Fwd: license for 392/3 Mentmore Terrace

1 message

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

10 May 2021 at 11:37

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: Mon, 10 May 2021 at 05:37
Subject: license for 392/3 Mentmore Terrace
To: licensing@hackney.gov.uk <licensing@hackney.gov.uk>

Hello,

Im writing to you to express my opposition to licence application at [392/3 Mentmore Terrace](#) from Nest Morning Lane, E8 3PH.

The license includes the following;

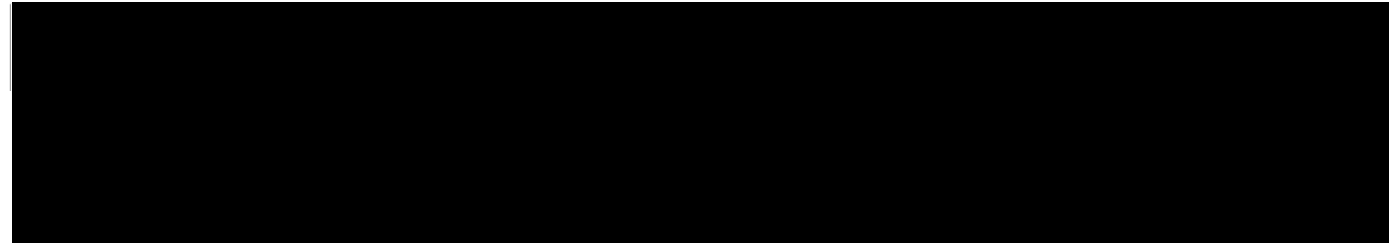
- Play recorded music
- Late night refreshment
- Sale of alcohol

This is a large unit and many residents on the street and surrounding area are very worried about this in regard to noise and disturbance, and associated late night activity and anti social behaviour outside residential properties.

The granting of a licence to serve alcohol would undoubtedly result in significant increase in disturbance to residents late at night. We already experience noise from people leaving drinking venues on this and surrounding streets. We often get woken by rowdy behaviour, including people knocking on our doors, shouting and singing late in the evening and in the early hours of the morning. We also witness people public nuisance including people urinating, vomiting and littering the street. We would also experience late disturbance from deliveries and night time staff clearing and closing up. We fear this increase in this activity will lead to an increase in crime and makes our street less safe for families and children.

Kind regards

[REDACTED]
[REDACTED] [Mentmore Terrace](#)
E [REDACTED]
[REDACTED]



Objection to Application by Nest Morning Lane Ltd for a Premises License at:
Arches 392/3 Mentmore Terrace, London, E8 3PH

Dear LB Hackney Licensing,

I am writing to object to the above application.

I am a local resident living near London Fields, but also act on behalf of the London Fields User Group which represents the views and interests of Park Users and those living in the surrounding streets.

Overall it is the view of the London Fields User Group that there is already an excessively high number of licensed premises in the area. Due to take-away alcohol sales the Park is primarily used as a drinking venue on hot weekends and this makes the environment feel unwelcoming to children, young people and older people seeking quiet relaxation.

The large numbers contribute to street drinking and as Park toilets close in the evening, public toileting. The large numbers migrating out of the area in the evening contribute significantly to noise and antisocial behaviour.

As such many residents feel the area should be viewed as Cumulative Impact Area and licensing restrictions applied accordingly. Unfortunately, despite representations to this effect from local residents this is yet to be actioned.

As such, it is probably inevitable that this application will be granted, which means that this will be the third premises to be granted a license on this stretch of road since the start of the year.

Mentmore Terrace is a quiet residential street with railway arches on one side. The railway arches have been used for a number of years for light industry, storage, retail and fitness but recently many have been converted to eateries including Dark Kitchens and licensed premises. In turn each of these brings with them additional traffic for deliveries in and out, late night vehicles with taxis arriving and departing, noise from people leaving premises.

While the impact of each premises on its own may be limited the cumulative impact of several premises allowing people outside to smoke, several premises discharging customers at the same time and selling takeaway alcohol is not insignificant.

As such we think that the noise from late night customers arriving and departing, noise and nuisance from people gathering on the pavement contribute to public nuisance and the cumulative effect of this should mean no further premises licenses should be granted to properties on Mentmore Terrace.

The above notwithstanding, should a licence be granted we would make specific objections as follows:

1) In terms of Prevention of Public Nuisance we note:

a) The site states a maximum capacity of 90 people and "12 outside."

It is unclear if the Maximum capacity of 102 is total diners, or diners plus staff. This should be made explicit.

The proposals are not explicit as to what time these outside tables can be used. Presumably up until midnight as no restriction is specified in the application. We think this would be intolerable from a nuisance point of view. Twelve diners at this point eating and drinking will inevitably make noise and cause nuisance to the houses opposite.

We object to the encroachment on to the pavement space as it makes the pavement at this point intolerably narrow, a safety concern. The pavement at this point is under 2.5m wide and the road space is occupied by bike parking structures. Combine with fixed obstacles including street furniture this would make the street impassible with double buggies or mobility scooters.

Assuming the Site plan supplied is accurate and to scale at the northern end the licensed area extends 1.4m from the corner of the building taking up more than half of the pavement space.

The tables, though not clearly shown in the diagram appear to be at least 80cm deep taking up 30% of the pavement space.

We therefore do not think it is acceptable to have this street provision in place at this location due to the space-related safety concerns and the noise related issues they will generate.



b) the applicants are seeking a licence to serve alcohol both on and off the premises. We don't see how off-sales feature in their offering in a high end restaurant setting and verbal assurances given that they will only be selling alcohol with food. The rationale for such an off-sales approach would be that at some point they intend to do food and drink deliveries which will increase traffic and noise nuisance further in this residential street.

We therefore ask that the license be restricted to on-premises sales only if granted.

c) the applicants seek an alcohol license from 07:00 to 00:00 seven days per week. There is a further 30 minutes after this as the license allow for public on premises to 00:30.

We see no rationale for a license starting so early for a restaurant's alcohol sales so we ask that the start times be significantly reduced to the times when the restaurant is open for a food service and no earlier than 12noon.

The late license means service will continue past last trains from London Fields station increasing reliance on and number of taxis arriving and departing at night and associated noise, nuisance and pollution.

We can see that to maximise profits Nest will want to do at least two sittings of the tasting menu but such table turning should not be to the detriment of local residents.

The late hours proposed would mean in the region of an extra 30-40 taxis each evening – some 200 a week and this is detrimental to the quiet enjoyment of local residents.

We would ask therefore that the hours are restricted as follows:

Sun-Thurs: last alcohol sales by 11pm and building closed to public at 11.30pm

Fri and Sat: last alcohol sales by 11.30pm and building closed to the public by 00:00

d) At point 11 in their "safety" proposals Nest say that " after 21.00hrs a maximum of 4 smokers outside the demarcated premises line at any one time."

It is not stated what numbers are allowed outside earlier than this. It is assumed that this "outside the demarcated premises line" means "gathering on Mentmore Terrace.

The applicants have already sought permission for 12 covers outside and also wants an unspecified number of smokers to be allowed to gather before 9pm outside and 4 after 9pm.

We restate our objection to the 12 covers outside and would ask that the number of people gathering outside is restricted to 6 before 8pm and 2 after 8pm.

This is important from a protection of children issue as while 8pm is early by adult standards, young children who may have bedrooms facing the street will be going to bed weekdays at this time and therefore don't need to be disturbed by people with unmanaged nicotine addictions.

e) The Plan submitted by the applicants does not address the following:

- is there any intention to add awnings, covers, heaters or loudspeakers to the wall outside the premises. Having already stated our objection to the outdoor seating we would further object to light or noise pollution caused by speakers or additional lighting outside.

f) The application states that recorded music may be played. We would ask that volume limiters be fitted and that volume levels are at such a level that they are inaudible from adjacent properties.

g) The front entrance opens on to a 25-cover dining area which itself will generate significant noise. We therefore request that the license requires the door to the street to remain closed after 7pm to reduce noise on the street.

In conclusion we feel that there are already an excessive number of licensed premises on and around London Fields and are disappointed to see another license being sought in this area. While we regret this will likely be granted we hope that the nuisance and disruption to local residents can be mitigated through the measures proposed.

[REDACTED]
[REDACTED]

London Fields User Group



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

Fwd: Application. Arch 392/3 Mentmore Terrace E8.

1 message

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

10 May 2021 at 11:37

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: Sun, 9 May 2021 at 16:08
Subject: Application. Arch 392/3 Mentmore Terrace E8.
To: licensing@hackney.gov.uk <licensing@hackney.gov.uk>

Dear licensing

I am objecting to an application for a licence at [392 Mentmore Terrace](#). I am a resident and have lived on Mentmore Terrace for over 18 years and strongly object to this application on the following grounds. This establishment will lead to an increase in anti social behaviour, late night activity on a residential street. Application for music again will cause an increase of late night noise pollution. Mentmore Terrace is a residential street with only day time activity occurring from E5 bakehouse. We as residents do not want any late night activity. We strongly urge you to reject this application.

Many thanks

[REDACTED]

[Mentmore Terrace](#)



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





APPENDIX C16

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

Fwd: New License Application. Arch 392/3 Mentmore Terrace E8

1 message

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

10 May 2021 at 11:37

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: Sun, 9 May 2021 at 16:56
Subject: New License Application. Arch [392/3 Mentmore Terrace E8](#)
To: Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Hello,

Mentmore terrace is a residential street containing many families with young children. The granting of a licence to serve alcohol would undoubtedly result in significant increase in disturbance to residents late at night. We already experience noise from people leaving drinking venues on this and surrounding streets. We often get woken by rowdy behaviour, including people knocking on our doors, shouting and singing late in the evening and in the early hours of the morning. We also witness people public nuisance including people urinating, vomiting and littering the street. We would also experience late disturbance from deliveries and night time staff clearing and closing up. We fear this increase in this activity will lead to an increase in crime and makes our street less safe for families and children.

Thank you.

[REDACTED]



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





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

Fwd: reference Arch 392/3 Mentmore Terrace

1 message

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

10 May 2021 at 11:37

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: Sun, 9 May 2021 at 20:42
Subject: reference Arch 392/3 Mentmore Terrace
To: <licensing@hackney.gov.uk>

Dear Sir / Madam,

I object to another bar restaurant that is selling alcohol in this area, bottles being served, smashed glasses and noise rowdiness that is constant .

The language is unrepeatable and my young family being kept awake from all above.
We have enough in the vicinity we really do not need another.

Please stop this from happening

Yours faithfully

[REDACTED]
[London Lane E8](#) [REDACTED]

Sent from my iPad



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





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

392 Mentmore Terrace

Sanaria Hussain <sanaria.hussain@hackney.gov.uk>
[REDACTED]

7 June 2021 at 11:50

Response/ additional information from from **OP 17**

Dear Sanaria,

Kindly, why are you not listening to the owners who live and reside around this area that we do not want anymore bars restaurants or public spaces that have outside noise finishing at 10.30 pm on a Sunday Midnight on weekends and 11.00pm weekdays.

I'm totally against having noise pollution and aggravated noise to my children who need sleep for school and also for parents who have work and need down time of quietness and peace and quiet

We moved here for the tranquility and quiet and slow pace of life near the London Fields park. The Arches were never designed for pubs, clubs, bars, restaurants and such with noise pollution constant from these venues and glass that has punctured more tires than I dare to remember and litter and debris that is disrespectful for all residents.

I will be voting again for **NO** opening of a late license and opening of venues.

Either give us all triple glazing, No outside tables, No drinking outside triple glazing of all premises. £1000 fine for any litter glass and noise pollution.

Policeman / women on the beat full time around the streets 24 hours a day 365 days a year.

Tree lined roads both sides. Every unit has a full time doorman and woman making sure that NO noise or disturbance is caused for any residents along Mentmore Terrace, Grandsden road, London Lane etc.

Yours sincerely

**Fwd: New License Application. Arch 392/3 Mentmore Terrace E8**

1 message

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

10 May 2021 at 11:36

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: Mon, 10 May 2021 at 10:37
Subject: New License Application. Arch [392/3 Mentmore Terrace E8](#)
To: <licensing@hackney.gov.uk>

To whom it my concern

I wish to object to the Nest Morning Lane Ltd application for a new license at Arch [392/3 Mentmore Terrace E8 3PH](#).

I object to the limited time in which the notice has been placed at the property, the date in which to object seems wholly unreasonable, too short.

I object to the poor, informal manner in which it has been displayed, (see attached) and no residents have been made aware of the proposal, I live directly opposite the application address.

The granting of a licence to serve alcohol would undoubtedly result in significant increase in disturbance to residents late at night.

I don't feel Hackney Council are being pro active, taking responsible measures to protect the environmental impact of behaviour within the London Fields area.

I already experience noise from people leaving drinking venues on this and surrounding streets.

I often get woken by rowdy behaviour, including people knocking on my door, shouting and singing late in the evening and in the early hours of the morning.

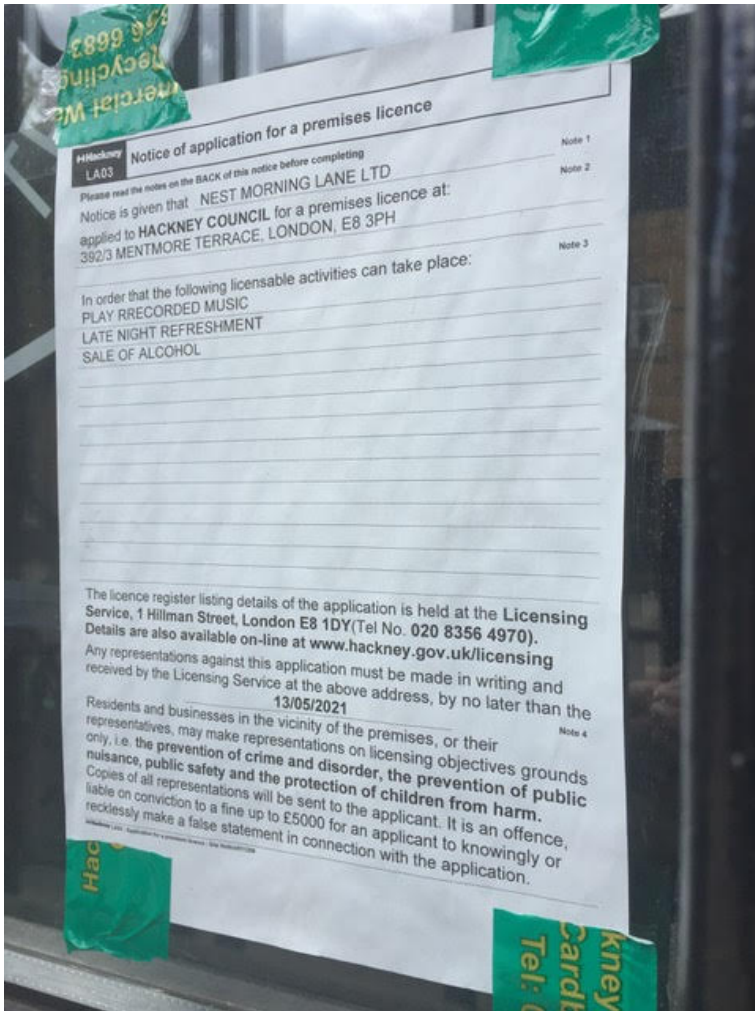
I also witness people public nuisance including people urinating, vomiting and littering the street.

I already experience late disturbance from deliveries and night time staff clearing and closing up.

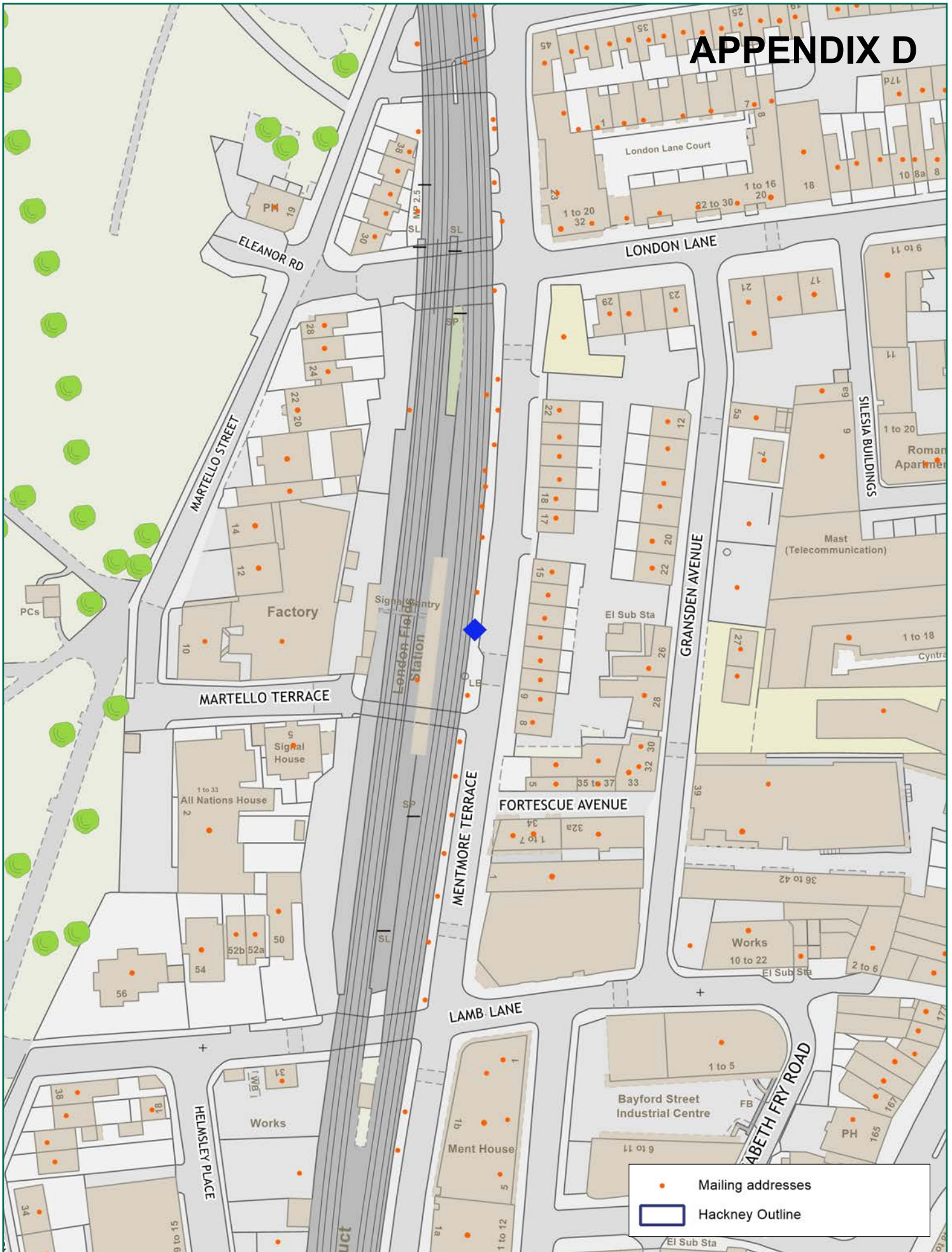
I fear this increase in this activity will lead to an increase in crime and makes our street less safe for families and children.

Regards

[REDACTED]
[REDACTED] [mentmore Terrace](#)
[London E8](#) [REDACTED]



APPENDIX D



Scale: 1:1250 at A4

392-393 Mentmore Terrace



Ref:
Friday, June 11, 2021

Produced by: unspecified
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