

REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 13/07/2021	Classification DECISION	Enclosure
Application for a Premises Licence The Doner Store, 468 Kingsland Road, London, E8 4AE	Ward(s) affected London Fields	

1. SUMMARY

Applicant(s) : Kebab Store Enterprise Ltd	In SPA: Dalston
Date of Application 23/04/2021	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 23:00-02:00 Tue 23:00-02:00 Wed 23:00-02:00 Thu 23:00-02:00 Fri 23:00-04:00 Sat 23:00-04:00 Sun 23:00-02:00
Supply of Alcohol	Standard Hours: Mon 11:00-02:00 Tue 11:00-02:00 Wed 11:00-02:00 Thu 11:00-02:00 Fri 11:00-04:00 Sat 11:00-04:00 Sun 11:00-02:00
The opening hours of the premises	Standard Hours: Mon 11:00-02:00 Tue 11:00-02:00 Wed 11:00-02:00 Thu 11:00-02:00 Fri 11:00-04:00 Sat 11:00-04:00 Sun 11:00-02:00

Capacity: Not known	
Policies Applicable	LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP4 ('Off' Sales of Alcohol) and LP10 (Special Policy Areas – Dalston and Shoreditch)
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"> • Police • Licensing Authority • Other Persons

2. APPLICATION

2.1 Kebab Store Enterprise Ltd has made an application for a premises licence under the Licensing Act 2003:

- To authorise the supply alcohol for consumption on and off the premises
- Late Night Refreshment

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

3. CURRENT STATUS / HISTORY

3.1 The premises are not currently licensed for any activity.

3.2 Temporary Event Notices have been given for events in current year at this premises as follows:

<u>Date of the event(s)</u>	<u>Hours</u>
11/06/21-12/06/21	11:00-01:00
25/06/21-27/06/21	11:00-01:00

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	No representation received
Environmental Health Authority (Environmental Enforcement)	No representation received
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	No representation received
Police (Appendix B1)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and Special Policy Area.
Licensing Authority (Appendix B2)	Representation received on the grounds of The Prevention of Public Nuisance and Special Policy Area.
Health Authority	No representation received

5. REPRESENTATIONS: OTHER PERSONS

From	Details
7Representations opposing the application received from and on behalf of local residents. (Appendices C1-C7)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and The Protection of Children from Harm

6. GUIDANCE CONSIDERATIONS

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

7. POLICY CONSIDERATIONS

- 7.1 Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy") adopted by the Licensing Authority.
- 7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies, LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP4 ('Off' Sales of Alcohol) and LP10 (Special Policy Areas – Dalston and Shoreditch) are relevant.

8. OFFICER OBSERVATIONS

- 8.1 If the Sub-Committee is minded to approve the application, the following conditions should be applied the licence:
1. There shall be CCTV cameras recording 24/7 within and outside the premises and allow Police to access CCTV footage.
 2. Proof of age ID verification shall be operated at the premises.
 3. Noise of vibration generated on the premises will be maintained at a level not disruptive of neighbours.
 4. Ventilation and extract systems are designed and maintained so as to prevent noxious smells causing a nuisance to nearby properties.

9. REASONS FOR OFFICER OBSERVATIONS

9.1 Conditions 1 to 4 above are derived from the applicant's operating schedule.

9. LEGAL COMMENTS

9.1 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

9.2 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.

10. HUMAN RIGHTS ACT 1998 IMPLICATIONS

10.1 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.

11. MEMBERS DECISION MAKING

A. Option 1

That the application be refused

B. Option 2

That the application be approved, together with any conditions or restrictions which Members consider necessary for the promotion of the Licensing objectives.

12. CONCLUSION

12.1 That Members decide on the application under the Licensing Act 2003.

Group Director, Neighbourhoods and Housing	Ajman Ali
Lead Officer (holder of original copy):	Shan Uthayasangar 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: The Doner Store, 468 Kingsland Road, London, E8 4AE	Licensing Service 1 Hillman Street London E8 1DY

Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy

APPENDIX A

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We ~~THE SOBERS STORES~~ **KEBAB STORE ENTERPRISE 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 <div style="font-family: cursive; font-size: 1.2em; padding: 5px;">468 Kingsland Road London</div>			
Post town	LONDON	Postcode	E8 4AE

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 3500.00 7200

Part 2 - Applicant details

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

- | | |
|--|-----------------------------|
| a) an individual or individuals * | please complete section (A) |
| b) a person other than an individual * | |
| i as a limited company/limited liability partnership | please complete section (B) |
| ii as a partnership (other than limited liability) | please complete section (B) |
| iii as an unincorporated association or | please complete section (B) |
| 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) |

a person who is registered under Chapter 2
 ga) 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)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname				First names	
Date of birth over		I am 18 years old or over		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)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname				First names	
Date of birth		I am 18 years old or over		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	THE DONER STORE (TRADING NAME)
Address	468 KINGSLAND ROAD LONDON E8 4AE
Registered number (where applicable)	13124096 -
Description of applicant (for example, partnership, company, unincorporated association etc.)	Limited company (KEBAB STORE ENTERPRISE LTD)
Telephone number (if any)	[REDACTED]
E-mail address (optional)	[REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
21	04	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)

THE PREMISES IS A KEBAB SHOP WITH THE FRONT HALF SPLIT TO FORM A PLACE FOR TAKEAWAY CUSTOMERS AND FOOD PREP. THERE IS A COUNTER BEHIND AND A DRINKS FRIDGE

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

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

--	--	--	--

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing	
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors
Mon				Outdoors
				Both
Tue			Please give further details here (please read guidance note 4)	
Wed				
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)	
Fri				
Sat			Non-standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)	
Sun				

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	
Day	Start	Finish		Indoors
				Outdoors
				Both
Mon	11am	11am 2am	Please give further details here (please read guidance note 4)	
Tue	11am	2am		
Wed	11am	2am	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)	

Thur	11am	2am	
Fri	11am	4am	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)
Sat	11am	4am	
Sun	11am	12am	

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
			Both	<input type="checkbox"/>	
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	11am	2am			
Tue	11am	2am			
Wed	11am	2am			
Thur	11am	2am	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	11am	4am			
Sat	11am	4am			
Sun	11am	2am			

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

Name	OZGUN YOREY S
Date of birth	[REDACTED]
Address	[REDACTED]
Postcode	[REDACTED]
Personal licence number (if known)	[REDACTED]
Issuing licensing authority (if known)	

L [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).

N/A

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	11:00	02:00	
Tue	11:00	02:00	
Wed	11:00	02:00	
Thur	11:00	02:00	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)
Fri	11:00	04:00	
Sat	11:00	04:00	
Sun	11:00	02:00	

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)

- + 24/7 CCTV footage inside and out
- + ID check customers
- + Making sure ventilation systems are well maintained.

b) The prevention of crime and disorder

- There are CCTV cameras recording 24/7 within and outside the premises
- Cooperation with local police forces in allowing access to CCTV footage to prevent/reduce crime

c) Public safety

- Conduct a Fire Risk Assessment.
- Have an adequate first aid kit on site at all times
- At least one person will be trained on first aid.

d) The prevention of public nuisance

- Noise or vibration will be maintained at a level not disruptive of neighbours
- Disposal of empty bottles after 11pm to minimise disturbance
- All ventilation and extract systems are designed and maintained to prevent noxious smells proving a nuisance to nearby properties

e) The protection of children from harm

- ID check customers wanting to buy alcohol to make sure they are at legal age.
- Restriction of children on premises after 11pm.

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	[Redacted]
Date	23/04/21
Capacity	Director

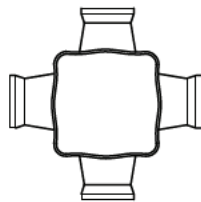
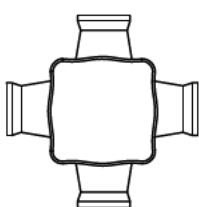
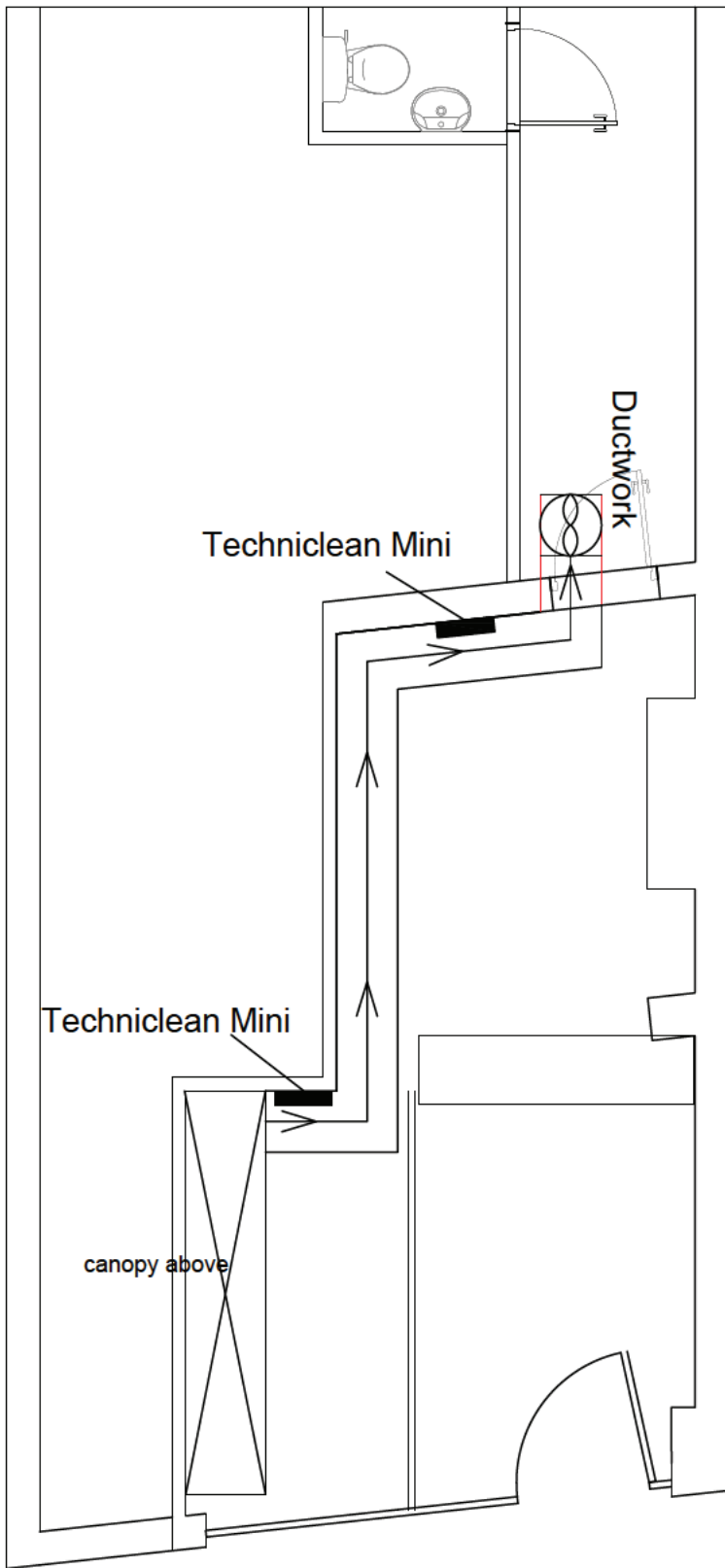
For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	[Redacted]
Date	23/04/21
Capacity	DPS

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

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any



APPENDIX B1

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Metropolitan Police service
ADDRESS OF AUTHORITY	Licensing Unit, Stoke Newington Police Station 33 Stoke Newington High Street London N16 8DS
CONTACT NAME	PC 1505CE Dave ATKINS
TELEPHONE NUMBER	07796 183078
E-MAIL ADDRESS	hackneylicensing@met.police.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	The Doner Store 468 Kingsland Road London E8 4AE
NAME OF PREMISES USER	Kebab Store Enterprise Ltd

COMMENTS

I make the following relevant representations in relation to the above application to vary the Premises Licence at the above address.

- 1) The prevention of crime and disorder ◆
- 2) Public safety ◆
- 3) The prevention of public nuisance ◆
- 4) The protection of children from harm

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

Police make the following representations for the premises licence application at The Donor Store 468 Kingsland Road.

The applicant is seeking a premises licence for late night refreshment Sunday to Thursday 2300-0200hours and Fridays and Saturdays 2300-0400hours. They are also seeking a licence for the supply of alcohol both on and off sales Sunday – Thursday 1100-0200hours and Friday and Saturday 1100-0400hours.

This premises is located within the boundaries of the Dalston Special Policy area (SPA) the SPA has been recognised as an area where there is a high density of licensed premises. The applicant has sought on sales as part of their application yet the plan submitted by the applicant shows no clear definition of the licensable area.

It should also be noted that the hours sought by the applicant far exceed those laid out in the London Borough Hackney Statement of licensing Policy which states in LP3 as Monday to Thursday 08:00 to 23:00, Friday and Saturday 08:00 to 00:00, and Sunday 10:00 to 22:30. In addition to this LP4 also states In relation to off sales that Hours for the supply of alcohol will generally be restricted to between 08:00 and 23:00.

In addition to the above the venue is located below residential premises and as such police are concerned that the granting of a licence to such a late hours will have an impact on the quality of life for local resident as avenue opening to such a late hour offering food and alcohol is likely to attract those leaving nearby bars.

Police would ask the following of the applicant:

- Are the proposed sales of alcohol to be ancillary to the sales of food?
- What steps does the applicant intend to take in order to minimise any disruption to local residents?
- The applicant is seeking on sales of alcohol. What capacity of customers is the applicant seeking in relation to this?
- Will the applicant be doing a delivery? If so how will they manage the disruption that the delivery vehicles may cause?

Police are concerned that the granting of the licence particularly to the hours applied for will undermine the Licensing objectives, namely crime and disorder and public nuisance

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

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

Signed PC 1505CE ATKINS (By E-mail)
Name (printed

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

APPENDIX B2

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Licensing Authority
ADDRESS OF AUTHORITY	Licensing Service 1 Hillman Street London E8 1FB
CONTACT NAME	Channing Riviere
TELEPHONE NUMBER	020 8356 4622
E-MAIL ADDRESS	Channing.riviere@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Kebab Store Enterprise Ltd. 468 Kingsland Road E8 4AE
NAME OF APPLICANT	Kebab Store Enterprise Ltd.

COMMENTS

I make the following relevant representations in relation to the above application.

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance **x**
- the protection of children from harm

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

The applicant is seeking a premises licence for late night refreshment and the supply of alcohol for on and off sales between the following hours;

Sunday to Thursday 11:00 to 02:00
Friday and Saturday 11:00 to 04:00

The premises are located in the Dalston special policy area and the hours sought are in excess of the Core Hours Policy set out within LP3 of the council's licensing policy.

The Licensing Authority is concerned that the grant of this premises licence may lead to the Prevention of Public Nuisance licensing objective being undermined given the locality, hours and activities sought.

The applicant has not demonstrated in the application how they would not add to the cumulative impact of licensed premises already experienced in the area. The supply of alcohol on and off sales for the hours sought may also be particularly problematic, the applicant has offered no conditions in relation to the supply of alcohol and could effectively operate as a bar at the discretion of the operator(s).

With the premises being located within the Dalston special policy area, removing alcohol sales entirely from the application should also be considered.

The Licensing Authority feels that the applicant has not demonstrated an understanding of the locality and licensing policy as set out in the Revised Guidance issued under section 182 of the Licensing Act 2003 (April 2018), chapters 8.41, 8.42 and 8.43.

The Licensing Authority feels the following suggested amendments may be more suitable for this premises licence application.

An amendment to the hours for licensable activity and opening to match the core hours set out in LP3 of the council's licensing policy.

The following conditions;

"Alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are taking substantial table meals and/or takeaway/delivery meals and that the consumption of alcohol by such persons is ancillary to taking such meals."

"Any alcohol sold or supplied [for consumption off the premises] must be in a sealed container."

LP10 Special Policy Areas – Dalston and Shoreditch

It is the Council's policy that where a relevant representation is made to any application within the area of the Dalston SPA or Shoreditch SPA, the applicant will need to demonstrate that the

proposed activity and the operation of the premises will not add to the cumulative impact that is currently being experienced in these areas. This policy is to be strictly applied. It should also be noted that the;

- quality and track record of the management;*
- good character of the applicant; and*
- extent of any variation sought*

May not be in itself sufficient. It should be noted that if an applicant can demonstrate that they will not add to the cumulative impact in their operating schedule and at any hearing, then the Core Hours Policy within LP3 will apply

LP3 Core Hours

Hours for licensable activity will generally be authorised, subject to demonstrating LP 1 and LP2, as follows:

- Monday to Thursday 08:00 to 23:00*
- Friday and Saturday 08:00 to 00:00*
- Sunday 10:00 to 22:30*

Hours may be more restrictive dependent on the character of the area and if the individual circumstances require it.

Later hours may be considered where the applicant has identified any risk that may undermine the promotion of the licensing objectives and has put in place robust measures to mitigate those risks.

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

The Licensing Act 2003, Statement of Licensing Policy 2018 and Revised Guidance issued under section 182 of the Licensing Act 2003 (April 2018)

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

Further discussion with the applicant may be required, the Licensing Authority is happy to discuss the application with the applicant.

Name: Channing Riviere (Principal Licensing Officer)

Date: 25/05/2021

APPENDIX C1**Contestation to Premises license - The Doner Store - 468 Kingsland Road**

1 message

30 May 2021 at 14:11

To: "licensing@hackney.gov.uk" <licensing@hackney.gov.uk>

Cc: [REDACTED]

Dear Sir/Madam,

I am writing to contest the application for a premises license for late night refreshment from 23:00 –02:00 Sun-Thurs and from 23:00-4:00 Fri- Sat, as made by The Doner store, situated at [468 Kingsland Road](#).

Being an “interested party” set out on page 7 of Hackney Council Premises Licence Guide, I would like to object to this license on the grounds that a license to serve alcohol and food on the premises until 04:00 would create a great deal of noise and disturbance on the road outside of the property. Whilst living in a vibrant part of Dalston, I accept a certain amount of noise and atmosphere comes as part of the package, however, I would ask that you consider taking into account a reasonable closing time.

Out of the other take-away food establishments and restaurants on this part of Kingsland road, none of their opening hours extend beyond 01:30 on weekends, which I consider a reasonable time. I have listed below nearby premises and their opening hours:

Uludag – Take-away and delivery:

Sunday to Wednesday - 12pm – 12am

Friday to Saturday - 12pm – 1am

Faulkners - Take-away:

Monday – Sunday - 12-10pm

Beer and Burger Store Dalston – Take-away and Delivery:

Sunday to Thursday – 12pm- 12am

Friday & Saturday – 12pm – 1am

Pizza club Dalston – Take-away and Delivery:

Monday to Sunday – 12-11pm

Chick 'n' Sours – Restaurant Take-away and Delivery:

Monday – 5-9:30pm

Tuesday to Thursday – 5-10pm

Friday & Saturday – 12-11pm

Brilliant Corners - Restaurant

Wednesday, Thursday, Sunday – 5pm-12am

Friday & Saturday – 5pm-1:30am

Extending the license for The Doner Store by 2.5 hours on weekends would create disturbance outside the property during an otherwise quiet period. Additionally, extending this licence by 2 hours every weekday would be detrimental to all residential properties in this area.

The Hackney Statement of Licensing Policy 2018-2023, Core Licensing Hours states as follows:

“2.17 However the Council is also mindful that the Borough is amongst the most densely populated in London with large numbers of residential premises often close to areas of commercial activity as well as other mixed-use neighbourhoods. The Council will therefore take an approach to licensing hours that seeks to balance the needs of the licensed trade whilst protecting residential amenity in order to promote the licensing objectives.”

I would therefore ask you to consider amending the later license and ensuring that the Doner Store has a closing time of 01:30 on weekends at the very latest and midnight on weeknights, which would be in keeping with the other take-away premises on this stretch of Kingsland Road.

I do hope that the licensing department will take this email into consideration when deciding whether to issue this late license.

Regards,

[Redacted]

[Redacted] [Kingsland Road, E8](#) [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Doner Store License Application 468 Kingsland Road

1 message

30 May 2021 at 19:51


To: licensing@hackney.gov.uk

Dear council,

I am writing in regards to letter received on 29/05/21 regarding the Doner Store ([468 Kingsland Road](#)) alcohol license application to have later night alcohol consumption license.

We are very happy to have the Doner Store serve alcohol at reasonable hours during the week - but to 2am on Sunday to Thursday is too much for us to have quiet enjoyment of our home. There is already some businesses serving alcohol on Kingsland road which keep us and our household awake late at night, but they generally are quiet after 11pm. We strongly strongly oppose the application to extend the liquor license to 2am on a weeknight - this is an unreasonable request and time to be awake mid-week for us as professionals and our families. We also consider 4am on weekends to be quite disruptive (it is right across the road from our house), but we see weekends as a more reasonable compromise. During the week till 2am is going to really affect our sleep and natural enjoyment of our homes and so we write to the council to strongly oppose the application.

Many thanks



Doner Store License Application 468 Kingsland Road

1 message

30 May 2021 at 22:22


To: licensing@hackney.gov.uk

Hello,

I'm writing to you regarding the license application of The Doner Store at [468 Kingsland Road](#) to serve alcohol at the premises until 2am on nights during the week and until 4am on weekend nights.

While I hope that this local business succeeds and thrives, I disagree strongly with the purpose of this application. My bedroom is directly opposite from The Doner Store and the noise generated by it and the two neighbouring businesses that serve alcohol until 11pm on weekdays is already considerable. Extending the window in which this noise may occur until 2am on weekdays and 4am on weekend nights will most likely greatly disrupt my ability to sleep, work and enjoy my home.

Please be considerate towards the residents and do not let this license application go ahead and thank you very much for looking into this!

Kind regards,


Doner Store License Application 468 Kingsland Road

1 message

30 May 2021 at 22:22

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

Hello,

I would like to strongly oppose giving the alcohol license application to the Doner Store ([468 Kingsland Road](#)). Leaving on Kingsland road is already extremely loud in the evening and giving the license till 2am means for me that I can't sleep until they are closed (I live across the road). Having the Brilliant Corners that are next to the Doner store that closes at midnight already creates quite a big and loud crowd every evening, it's impossible to go to sleep before they are closed. Adding the next place that has a license till 2am it's not reasonable and it's entirely inconsiderate of the residents who live here.

I would really appreciate the update on this matter and what is the council decision about the license.

Kind regards,
[REDACTED]

Doner Street - objection

1 message

31 May 2021 at 10:22

[REDACTED]
To: "Licensing (Shared Mailbox)" <licensing@hackney.gov.uk>

Hi

I live opposite the Doner Store and would like to object to their application for an alcohol / late night refreshment licence. We have young children and worry about the noise / possible anti social behaviour.

[REDACTED]

Ref 468 Kingsland Road Licensing Application


1 message

31 May 2021 at 20:41

[REDACTED]
To: "Licensing (Shared Mailbox)" <licensing@hackney.gov.uk>

Please find attached my representation re [468 Kingsland Road](#)'s application for licensing.

[REDACTED]
Please excuse typos, sent from my Pixel.

 **TheDonerStore_Licensing_Representation [REDACTED].pdf**
66K

Dear Hackney Licensing,

I would like to comment on the proposed application from The Doner Store @ 468 Kingsland Road, Dalston for:

Supply of alcohol consumption on and off the premises:

Sunday to Thursday from 11:00 am to 02:00 am
and Friday & Saturday from 11:00 am to 04:00 am

Late Night Refreshment:

Sunday to Thursday from 11:00 pm to 02:00 am
and Friday & Saturday from 11:00 pm to 04:00 am.

I am very fond of the vibrancy, atmosphere, and community-feel created by the parade of shops and restaurants that make up this section of Kingsland Road, which formed a large part of my decision to purchase a flat at [REDACTED] Kingsland Road two years ago.

Currently, the parts of the parade that operate in the night-time economy shut by midnight during the week and by 01:00 am at the latest on the weekends – namely, restaurants such as ‘Beer + Burger’ and ‘Brilliant Corners’, for example.

For me, it feels as though this practice strikes the right balance between providing a fun area for locals and visitors to enjoy themselves in the evening-time, importantly, without having a negative impact on local residents.

Therefore, the hours requested above by The Doner Store would be very much outside the status quo that exists currently, and it is for that reason **I object to their application for late-night refreshment.**

Remaining open into the early hours of the morning, I believe, would result in an unacceptable increase in noise and disturbance, which would adversely affect the amenity of the surrounding residential occupiers – notably from drunk, late-night patrons, and moped delivery drivers parking up outside.

I would urge the Hackney Council Licensing Authority to consider the requests in accord with the LP33 and Dalston Special Policy Area.

Kind regards,

[REDACTED]
[REDACTED] Kingsland Road Dalston, E8 [REDACTED]

Hackney Licensing 468 Kingsland Road

1 message

31 May 2021 at 23:48

To: licensing@hackney.gov.uk

To whom it may concern

I am writing to comment on the proposition for the following from 468 Kingsland Road, E8 4AE:

Supply of alcohol consumption on and off the premises:

Sunday to Thursday from 11:00 am to 02:00 am
and Friday & Saturday from 11:00 am to 04:00 am

Late Night Refreshment:

Sunday to Thursday from 11:00 pm to 02:00 am
and Friday & Saturday from 11:00 pm to 04:00 am.

I object to the late-night refreshment application on the grounds that this is beyond the opening hours for similar local providers (local restaurants and bars) and there is no requirement for such service in the community for opening hours beyond midnight. Additionally, there is no seating area within the premises and The Doner store has established a seating area on the pavement. Therefore, a late licence would not be contained within the premises and would result in a congregation of people on the street. I believe that opening hours beyond this time pose a significant risk of antisocial behaviour and noise disturbance which would be of detriment to nearby residents and community.

Regarding the request for supply of alcohol consumption, currently, The Doner Store does not accommodate consumption of food/drink within its building and only facilitates 'on-site' dining in the additional seating area located on the pavement. I therefore suggest that without appropriate facilities, it would be inadvisable to grant permission for the supply of alcohol which would be consumed on the pavement, adding to the risk of antisocial behaviour and noise disturbance. Furthermore, there are several nearby establishments supplying alcohol in the vicinity and therefore I feel there is no need for this additional service in the community. For these reasons, I object the application for supply of alcohol on and off the premises.

