

**REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING**

<b>LICENSING SUB-COMMITTEE:</b> 09/09/2021	<b>Classification</b>  DECISION	Enclosure
<b>APPLICATION TO VARY THE PREMISES LICENCE :</b> Casa Fofu, Basement and Ground Floor, 158 Sandringham Road, London, E8 2HS	<b>Ward(s) affected</b>  Hackney Central	

**1. SUMMARY**

<b>Applicant(s)</b> Fofu Ltd	<b>In SPA:</b> No
<b>Date of Application</b> 10 June 2020	<b>Period of Application</b> Not Applicable
<b>Proposed variation:</b> To extend hours for supply of alcohol of garden area To extend hours for late night refreshment of garden area To remove the current condition 24 which states “ Any outside space shall not be used after 22:00”	
<b>Proposed hours for licensable activity</b>	
<b>Supply of Alcohol (Inside and garden area)</b>	<b>Standard Hours:</b>  Mon 12:00-22:40 Tue 12:00-22:40 Wed 12:00-22:40 Thu 12:00-22:40 Fri 12:00-22:40 Sat 10:00-22:40 Sun 11:00-22:40
<b>Late Night Refreshment (Inside and garden area)</b>	<b>Standard Hours:</b>  Fri 23:00-00:00 Sat 23:00-00:00
<b>The opening hours of the premises:</b>	
<b>(Inside and garden area)</b>	<b>Standard Hours:</b>  Mon 10:00-23:00 Tue 10:00-23:00 Wed 10:00-23:00 Thu 10:00-23:00 Fri 10:00-00:00 Sat 10:00-00:00 Sun 11:00-23:00

<b>Current activities/hours:</b> See current licence attached at Appendix C	
<b>Capacity:</b> not known	
<b>Policies Applicable</b>	LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP6 (External Areas and Outdoor Events) and LP11 (Cumulative Impact - General)
<b>List of Appendices</b>	A – Application for variation of premises licence and supporting documents B – Representations from responsible authorities C – Representations from other persons D – Current Licence E – Location map
<b>Relevant Representations</b>	<ul style="list-style-type: none"> <li>• Licensing Authority</li> <li>• Other Persons</li> </ul>

## 2. APPLICATION

- 2.1 Fofo Ltd has made an application vary their premises licence under the Licensing Act 2003:
- To extend hours for supply of alcohol and late night refreshment of garden area with the hours described in para 1 above.
  - To remove condition 24 "Any outside space shall not be used after 22:00"
- 2.2 The application is attached as Appendix A. The applicant has proposed some additional measures to address the licensing objectives.

## 3. CURRENT STATUS / HISTORY

- 3.1 The current premises licence was granted on 12 November 2014 (attached as Appendix D).
- 3.2 No TEN have been submitted in respect of the premises in this calendar year.

## 4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	Have confirmed no representation on this application
Environmental Health Authority (Environmental Enforcement)	Have confirmed no representation on this application
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	No representation received
Planning Authority	No representation received
Area Child Protection Officer	No representation received

Fire Authority	Have confirmed no representation on this application
Police	No representation received
Licensing Authority (Appendix B)	Representation received on the grounds of The Prevention of Public Nuisance
Health Authority	No representation received

## 5. REPRESENTATIONS: OTHER PERSONS

From	Details
3 Representations opposing the application received from and on behalf of local residents. (Appendices C1-C3)	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), LP6 (External Areas and Outdoor Events) and LP11 (Cumulative Impact - General) are relevant.

## 8. OFFICER OBSERVATIONS

- 8.1 If the Sub-Committee is minded to approve the application, the following additional conditions should be applied the licence:  
None.

## 9. REASONS FOR OFFICER OBSERVATIONS

- 9.1 No Conditions have been proposed by responsible authorities.

## 10. LEGAL COMMENTS

- 10.1 The Council has a duty as a Licensing Authority under the Licensing Act 2003 to carry out its functions with a view to promoting the following 4 licensing objectives;
- The Prevention of Crime and Disorder
  - Public Safety
  - Prevention of Public Nuisance
  - The Protection of Children from Harm

10.2 It should be noted that each of the licensing objectives have equal importance and are the only grounds upon which a relevant representation can be made and for which an application can be refused or terms and conditions attached to a licence.

## 11. HUMAN RIGHTS ACT 1998 IMPLICATIONS

- 11.1 There are implications to;
- **Article 6** – Right to a fair hearing
  - **Article 14** – Not to discriminate
  - Balancing: **Article 1**- Peaceful enjoyment of their possession (i.e. a licence is defined as being a possession) with **Article 8** – Right of Privacy (i.e. respect private & family life) to achieve a proportionate decision having regard to the protection of an individuals rights against the interests of the community at large.

## 12. MEMBERS DECISION MAKING

- A. **Option 1**  
That the application be refused
- B. **Option 2**  
That the application be approved, together with any conditions or restrictions which Members consider necessary for the promotion of the Licensing objectives.

## 13. CONCLUSION

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

<b>Group Director, Neighbourhoods and Housing</b>	Ajman Ali
<b>Lead Officer (holder of original copy):</b>	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.

<b>Description of document</b>	<b>Location</b>
Casa Fofo, Basement and Ground Floor, 158 Sandringham Road, London, E8 2HS	Licensing Service 1 Hillman Street London E8 1DY

### Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy

**Hackney**  
LA07

**Application to vary a premises licence under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

**I/We** Fofo Ltd

*(Insert name(s) of applicant)*

**being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below**

**Premises licence number**

064398

**Part 1 – Premises Details**

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

158 Sandringham Road

Post town

London

Postcode

E8 2HS

Telephone number at premises (if any)

██████████

Non-domestic rateable value of premises

£8,300

**Part 2 – Applicant details**

Daytime contact telephone number

██████████

E-mail address (optional)

████████████████████

Current postal address if different from premises address

██████████  
████████████████████

Post town	██████	Postcode	██████
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**Part 3 – Variation**

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

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

DD	MM	YYYY
□	□	□
□	□	□

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

<p><b>Please describe briefly the nature of the proposed variation</b> (Please see guidance note 2)</p> <p>Application for variation of premises licence to extend supply of alcohol for consumption also to the garden area.</p>
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If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

--

## Part 4 Operating Schedule

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

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

**In all cases complete boxes K, L and M**

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 5) Late night refreshment in the Basement, ground floor and garden		
Tue					
Wed			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 6) n/a		
Thur					
Fri	23:00	00:00	<b>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</b> (please read guidance note 7) no		
Sat	23:00	00:00			
Sun					



J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6) Note: Inside area/garden area		
Mon	12:00	22:40			
Tue	12:00	22:40			
Wed	12:00	22:40			
Thur	12:00	22:40			
			<b>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</b> (please read guidance note 7) no		
Fri	12:00	22:40			
Sat	10:00	22:40			
Sun	11:00	22:40			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 6) n/a
Day	Start	Finish	<b>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</b> (please read guidance note 7) no
Mon	10:00	23:00	
Tue	10:00	23:00	
Wed	10:00	23:00	
Thur	10:00	23:00	
Fri	10:00	00:00	
Sat	10:00	00:00	
Sun	11:00	23:00	

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

We can only supply alcohol in our garden until 10pm, but considering we offer a seven course set menu, and our guests usually spend between 2,5hours at our restaurant, we would like to have the same opening hours we have indoor to apply also for the garden.

We would like to ask to please remove condition n.24 'Any outside space shall not be used after 22:00'.

Thanks

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

**M** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)**

**b) The prevention of crime and disorder**

All instances of crime and disorder will be reported to the police as soon as reasonably practicable

**c) Public safety**

We have conducted a suitable Fire Risk Assessment at the premises and implemented the necessary control measures.  
Adequate and appropriate First Aid equipment and materials are available on the premises.  
We operate a complete no smoking policy at the premises

**d) The prevention of public nuisance**

We will close garden and open air areas at 23.00 Mon-Thu, at 00:00 Fri and Saturday and at 23:00 on Sunday  
We will move speakers away from walls adjacent to residential properties

**e) The protection of children from harm**

Due to the concept of our restaurant where we offer a seven-course set menu, it is extremely rare that families come with their children to enjoy their meals, so we do not think that the change in opening hours will make any difference to this objective.

Checklist:

**Please tick to indicate agreement**

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

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

**Part 5 – Signatures** (please read guidance note 12)

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

Signature	
Date	10/06/2021
Capacity	Director

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent** (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	10/06/2021
Capacity	Director

**Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)**

Paola Albanese

██████████  
████████████████████

**Post town**

██████████

**Post code**

██████████

**Telephone number (if any)**

████████████████████

**If you would prefer us to correspond with you by e-mail, your e-mail address (optional)**

████████████████████

**Notes for Guidance**

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

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

# APPENDIX B

## 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	Casa Fofa 158 Sandringham Road London E8 2HS
Applicant	Fofa Limited

### 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 write in relation to the application submitted to vary the premises licence.

The proposal could have a negative impact on the promotion of the licensing objectives, in particular, the prevention of public nuisance given the close proximity of residential properties located to the rear of the site. The applicant should have regard to LP6 (External Areas and Outdoor Activities) which states:

**LP6 External Areas and Outdoor Events**

The Licensing Authority will normally restrict external areas and outdoor activity to between 08:00 and 22:00 unless the applicant can demonstrate that comprehensive control measures have been implemented that ensure the promotion of the licensing objectives, in particular the public nuisance objective. Notwithstanding any proposed control measures, the Licensing Authority may restrict the hours and/or activity even further.

Current condition (24), which states "Any outside space shall not be used after 22:00" so is already aligned with the Council's Statement of Licensing Policy. The applicant should therefore demonstrate that comprehensive control measures have been implemented that ensure the promotion of the licensing objectives, in particular the public nuisance objective.

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.

Matters raised above.

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

5 August 2021





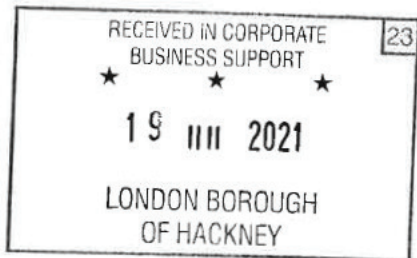
[Redacted]

# APPENDIX C1(a)

(no subject)

[Redacted]  
Draft

Sun, Jul 18, 2021 at 12:57 PM



19th July 2021

Dear Sirs/Madam,

RE : Casa fofo 158 Sandringham rd ,London E82HS

We are the landlords of [Redacted] Sandringham rd E8 [Redacted] .I apologies for having to bother you .My tenants informed me that the [Redacted] restaurant named above is using the restaurant as well as the garden area for dining and alcohol use until the early hours of the morning .Due to the disturbance caused by the noise level travelling through the garden area up to their bedrooms making it very difficult for them to get back to sleep as well as keeping their young child awake making him irritable all day long.

Regarding this my tenants will have no choice but to leave .This will put me in a difficult situation in finding new tenants because I will be faced with the same consequences .

Sandringham rd, Amhurst rd and Wayland avenue are all highly populated residential properties .There are only 4 essential shops and even those have living accommodation above.

I believe they have just submitted an application to your licensing department to extend alcohol consumption both in the restaurant and garden area until midnight .They are already put this in practice without your permission and going on until 1am which they are already breaching the law .

Granting a license to the restaurant amongst a residential environment should not be allowed which I am sure you will agree with me.

I appreciate it very much if you would consider this in honesty to turn it down please.

Kind regards

[Redacted]

**APPENDIX C1(b)****Representation re "Casa Fofu" variation received via MP**

1 message

David Tuitt <david.tuitt@hackney.gov.uk>  
To: Shan Uthayasangar <shan.uthayasangar@hackney.gov.uk>

27 July 2021 at 16:56

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

From: **Diane Abbott MP** <Diane.abbott.office@parliament.uk>  
Date: Thu, 22 Jul 2021 at 14:24  
Subject: Casa fofu 158 Sandringham rd E82HS (Case Ref: DA6857)  
To: <Members.Enquiry@hackney.gov.uk>

Dear Team,

**RE:** [REDACTED], [REDACTED] Sandringham Road, E8 [REDACTED]

I write on behalf of my constituents, [REDACTED].

[REDACTED] inform me that the [REDACTED] restaurant Casa Fofu has applied for an alcohol licence which they and other residents are strongly opposing.

They further inform me that alcohol is being consumed in the restaurant and garden area until 1am which is making it very difficult to sleep.

I would be grateful if you could look into this matter and for any assistance you are able to offer.

Yours Sincerely,

RT Hon Diane Abbott

*Member of Parliament for Hackney North and Stoke Newington*

**APPENDIX C2****licensing application - FOFO LTD 158 Sandringham Road E8 2HS**

1 message

26 July 2021 at 17:23

To: "licensing@hackney.gov.uk" &lt;licensing@hackney.gov.uk&gt;

Hi

I would like to make a representation in relation to the application for the a change to the licence of FOFO Ltd, [158 Sandringham Road, E8 2HS](#)

My name is [REDACTED], and my address is [REDACTED] [Amhurst Road, London E8](#) [REDACTED] - I would like my name and address to be kept confidential.

I would like to object to the licence request on the basis of prevention of public nuisance. Firstly the restaurant already serves alcohol in the garden, so I think that it may have been in breach of its current licence. Additionally the restaurant is in a highly residential area and the garden backs onto everyone else's gardens. You can already hear the noise from the customers of the restaurant until at least 10 at night when they are open, including week days. Extending these hours would cause a public noise nuisance. I think that customers being able to drink alcohol in the garden until 10 is reasonable but any later seems excessive.

Thanks

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

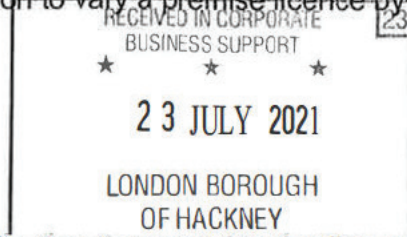
[REDACTED]

[REDACTED]

Tuesday, 20 July 2021

## APPENDIX C3(a)

Objection to application to vary a premise licence by FOFO LTD for Casa Fofu, 158 Sandringham Road, E8 2HS



Dear Sirs,

We object to the application to vary a premise licence by FOFO LTD for Casa Fofu, 158 Sandringham Road, E8 2HS based on the following concerns:

- The location is neighbouring quiet residential housing. Noise in the garden can be heard in neighbouring houses and bedrooms. Varying the licence and extending the hours of business in the garden after 10pm is not compatible with this location.

Since the owners of the restaurant were already using the garden after the licenced hours before our correspondence with Hackney Licencing, we already know what an extension of garden service hours means. Loud chatting and laughing could be heard in our bedrooms and were keeping us and especially our [REDACTED] son awake until after midnight, thereby severely affecting our son's wellbeing, our quality of living, as well as my performance at work.

- The owner has already demonstrated a disregard for the local residents by ignoring the current licencing terms, keeping the garden open for customers in some cases until well after midnight and hosting very noisy private events on days when the restaurant was closed for business. Those events have also gone on until well after midnight.
- We previously contacted Hackney Council in this regard via email (e.g., 3/7/2019, 3/9/2019, 1/8/2020, 5/11/2020, 27/4/2021) telephone and web (<https://reportaproblem.hackney.gov.uk/noise>, #2672216, other 100023015083, with 7 occurrences; First reported at 2021-04-14T23:56:05). Please note that the noise issue was persistent, and we contacted the council only on a handful of occasions where this caused distress.
- We would also like to object to the notice the restaurant put up only mentioning the "application for variation of premises licence to extend supply of alcohol for consumption also to the garden area" but failing to notify of the application "to remove condition 24 Any outside space shall not be used after 22:00". We only found out about the second application when we looked it up on the Hackney licencing website. Because of this omission the notice is misleading, evidencing the disregard for local residents, and not in compliance with the terms of the licencing regulations. On page 6 of the "Premises Licence Guidance" under the point "What should the local newspaper notice, and site notice contain?" point a) says to include "the relevant licensable activities proposed to be carried on or from the premises".

In summary, we strongly object to the application on basis of public nuisance, harm to our son and other children in the neighbourhood, a record of non compliance with existing regulations and general disregard of neighbours.

Many thanks for your consideration.

[REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED] Sandringham Road)

**APPENDIX C3(b)**

**Re: LSC - 09 September 2021-Application to vary a premises Licence: Casa Fofu,  
Basement & Ground Floor, 158 Sandringham Road, Hackney, E8 2HS**

1 message

26 August 2021 at 22:21

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

Cc: [REDACTED]

Dear Sir/Madam,

further to this, we would like to submit the following additional information:

- 1) one PDF of photos taken of the restaurant garden after the official opening hours (including time stamps; originals are available on request)
- 2) one video of guests sitting and drinking in the garden of the restaurant on May 6th at 0:16am to document the noise levels
- 3) one video of staff sitting in the garden of the restaurant on July 31st at 22:59h to document the noise levels

Please let me know if you have further questions!

Best wishes,


[REDACTED]


[REDACTED]

[REDACTED]

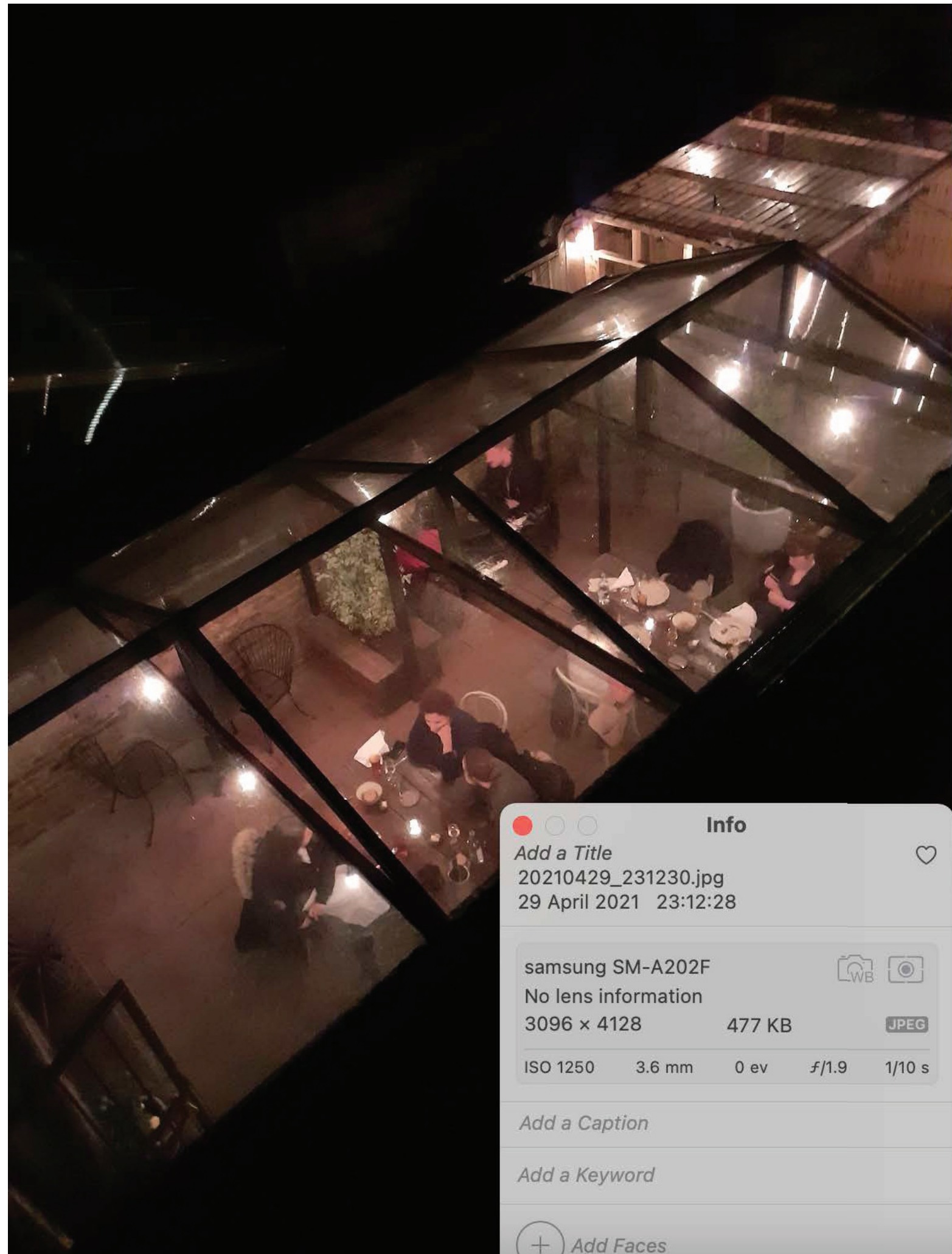
[REDACTED]

**3 attachments**

**CasaFofu\_after hour photos incl time stamp.pdf**   
2535K

**date20210506\_time00h16.mp4**   
649K

**date20210731\_time22h59.mp4**   
733K



### Info

Add a Title



20210429\_231230.jpg

29 April 2021 23:12:28

samsung SM-A202F



No lens information

3096 × 4128

477 KB

JPEG

ISO 1250

3.6 mm

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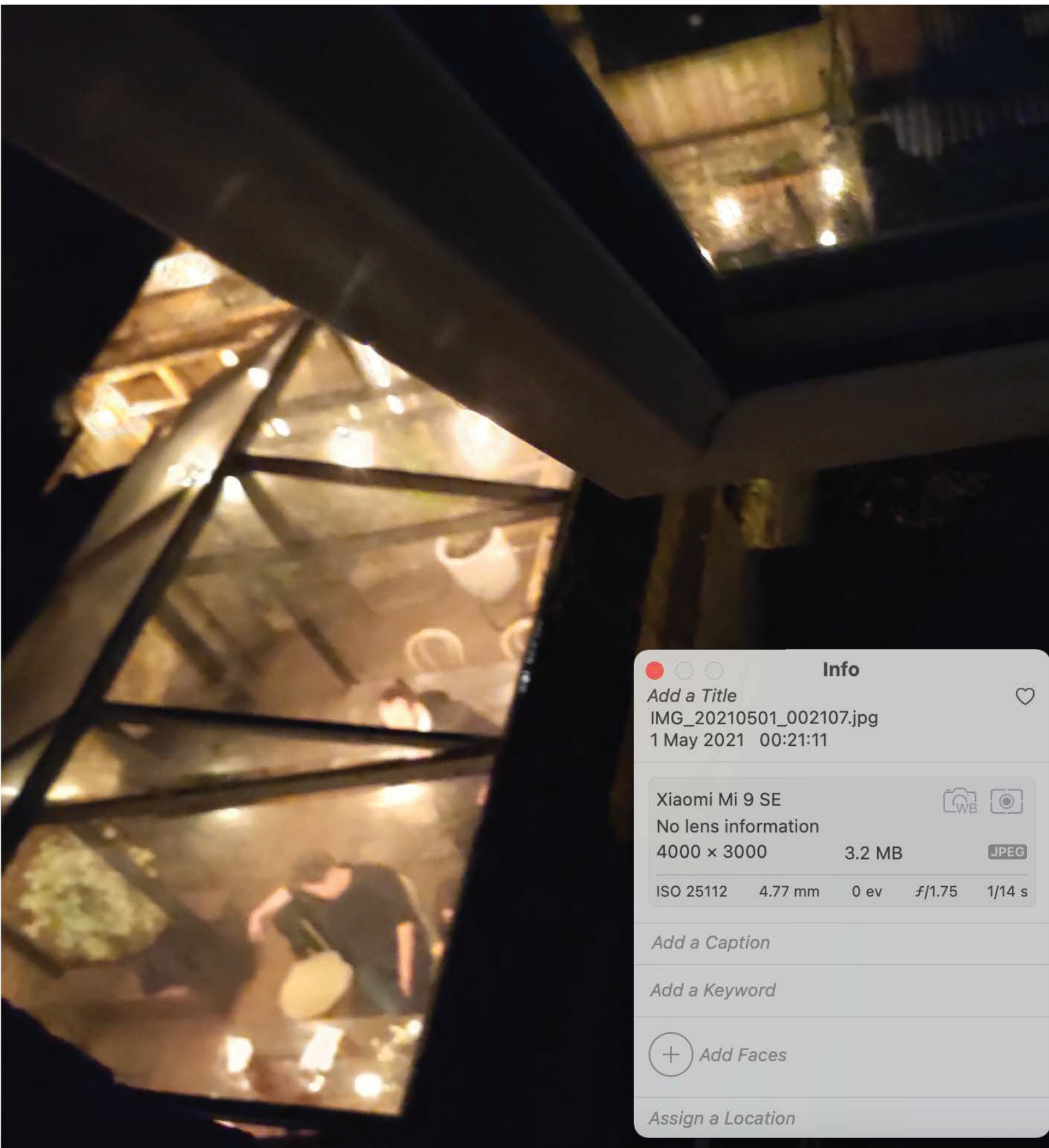
f/1.9

1/10 s


Add a Caption

Add a Keyword

+ Add Faces





**Info**

*Add a Title* 

IMG\_20210501\_002107.jpg  
1 May 2021 00:21:11

---

Xiaomi Mi 9 SE  

No lens information

4000 × 3000 3.2 MB **JPEG**

---

ISO 25112 4.77 mm 0 ev f/1.75 1/14 s


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*Add a Caption*

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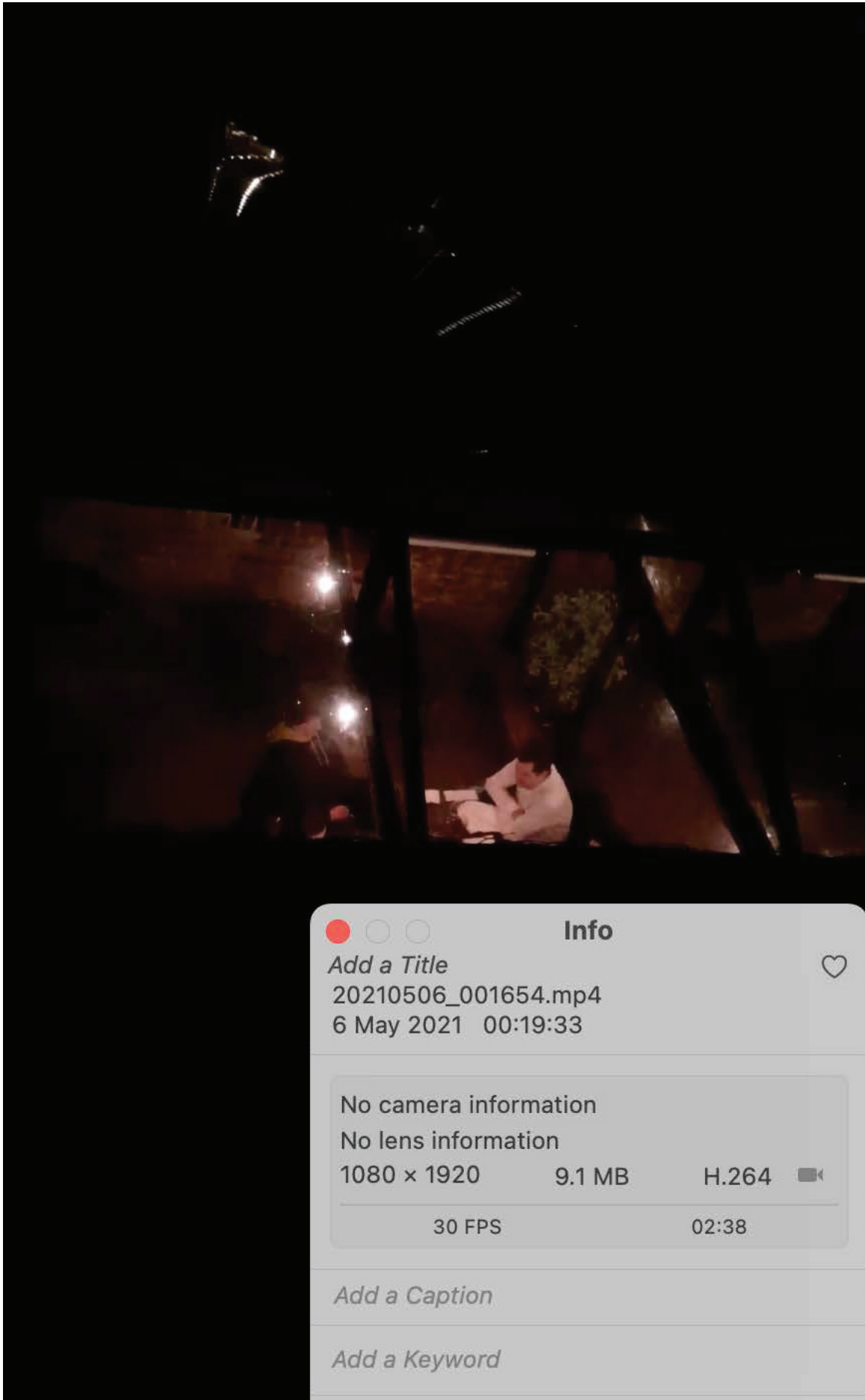
*Add a Keyword*

---


 *Add Faces*

---

*Assign a Location*




**Info**

*Add a Title* 

20210506\_001654.mp4  
6 May 2021 00:19:33

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No camera information  
No lens information

1080 × 1920	9.1 MB	H.264 
30 FPS	02:38	

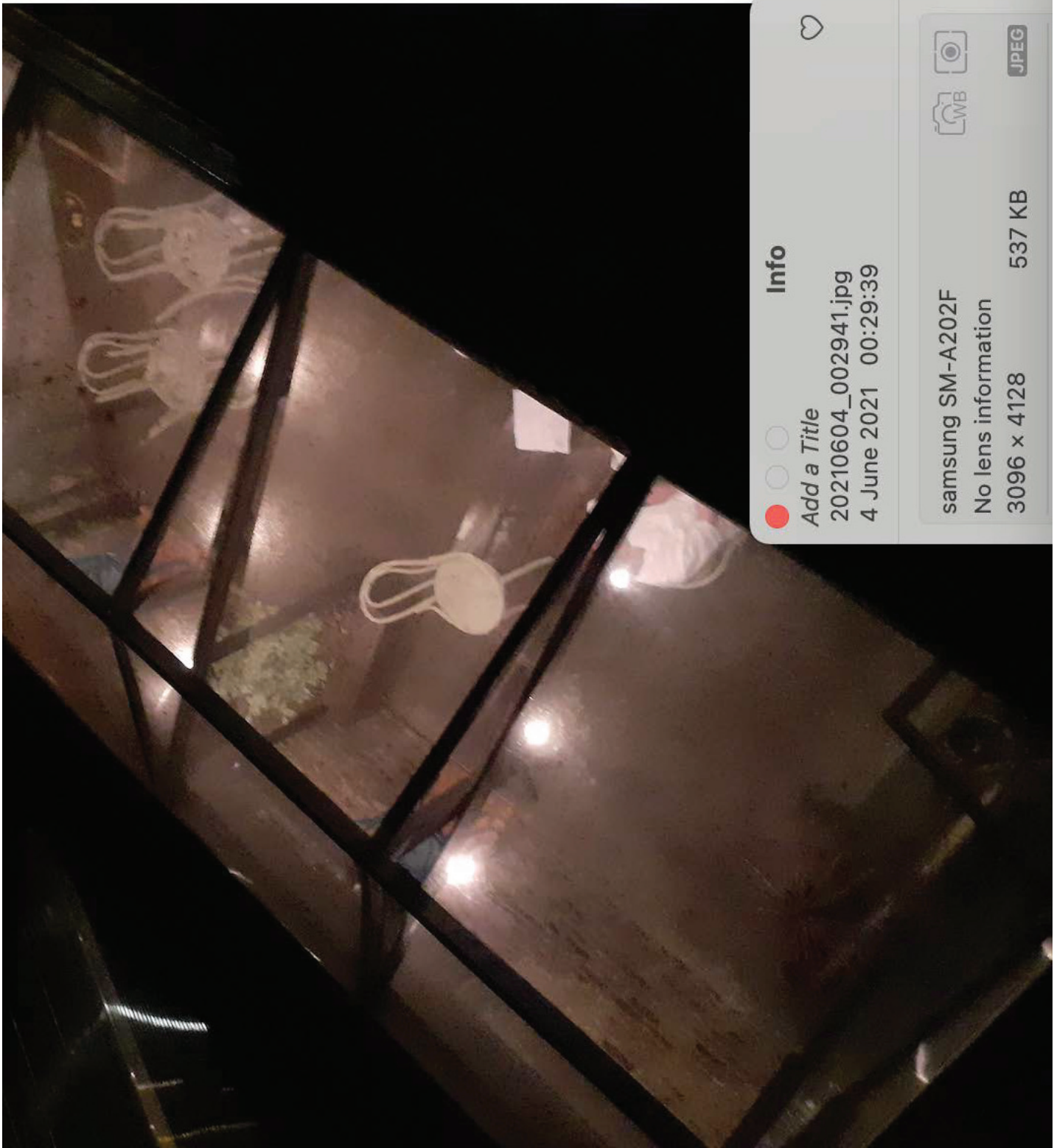
---

*Add a Caption*

---

*Add a Keyword*





Info

● ○ ○ ○

Add a Title

20210604\_002941.jpg

4 June 2021 00:29:39

♥

WB

Camera

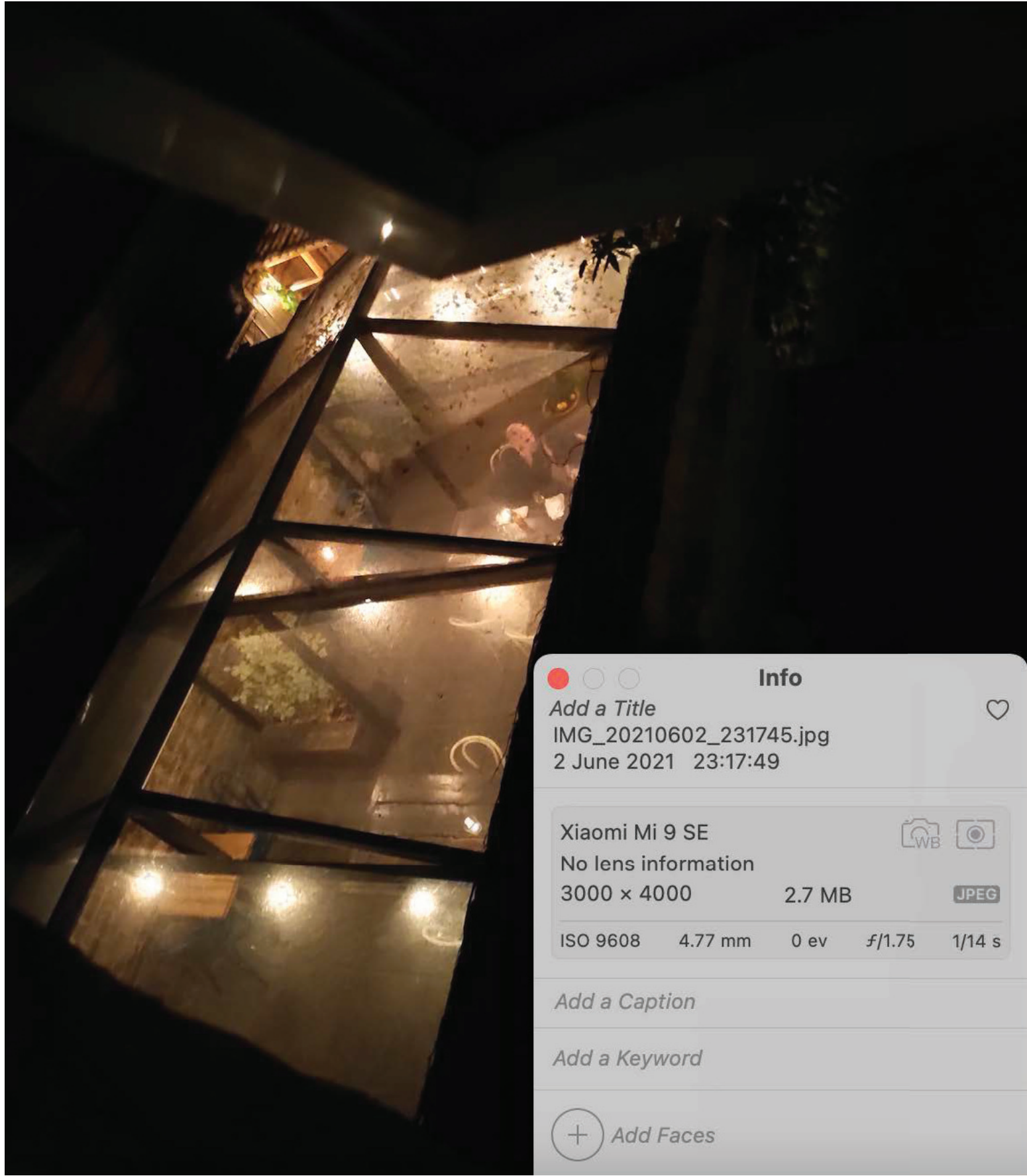
JPEG

samsung SM-A202F

No lens information

3096 x 4128

537 KB



**Info**

*Add a Title* ♥

IMG\_20210602\_231745.jpg  
2 June 2021 23:17:49

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Xiaomi Mi 9 SE WB 📷

No lens information

3000 × 4000 2.7 MB JPEG

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ISO 9608    4.77 mm    0 ev    f/1.75    1/14 s

---

*Add a Caption*

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*Add a Keyword*

---

+ *Add Faces*



**Info**

*Add a Title* ♥

IMG\_20210602\_221957.jpg  
2 June 2021 22:20:01

---

Xiaomi Mi 9 SE 📷 📷

No lens information

4000 × 3000 3.3 MB **JPEG**

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ISO 8634 4.77 mm 0 ev f/1.75 1/20 s

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*Add a Caption*

---

*Add a Keyword*

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+ *Add Faces*

---

*Assign a Location*



**Info**

Add a Title ♥

20210528\_232544.jpg

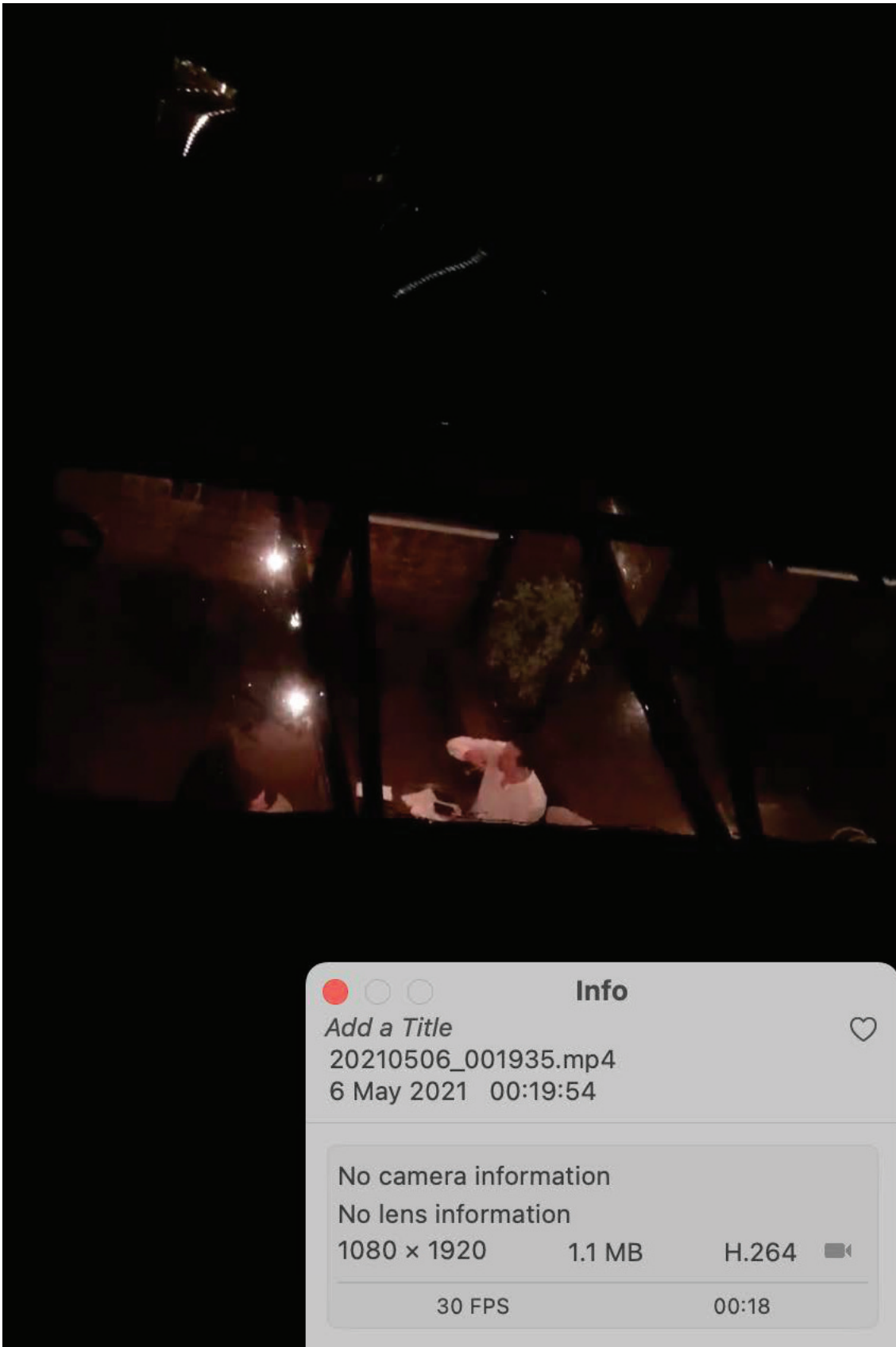
28 May 2021 23:25:42

---

samsung SM-A202F WB

No lens information

3096 x 4128 537 KB JPEG



**Info**

*Add a Title* ♥

20210506\_001935.mp4  
6 May 2021 00:19:54

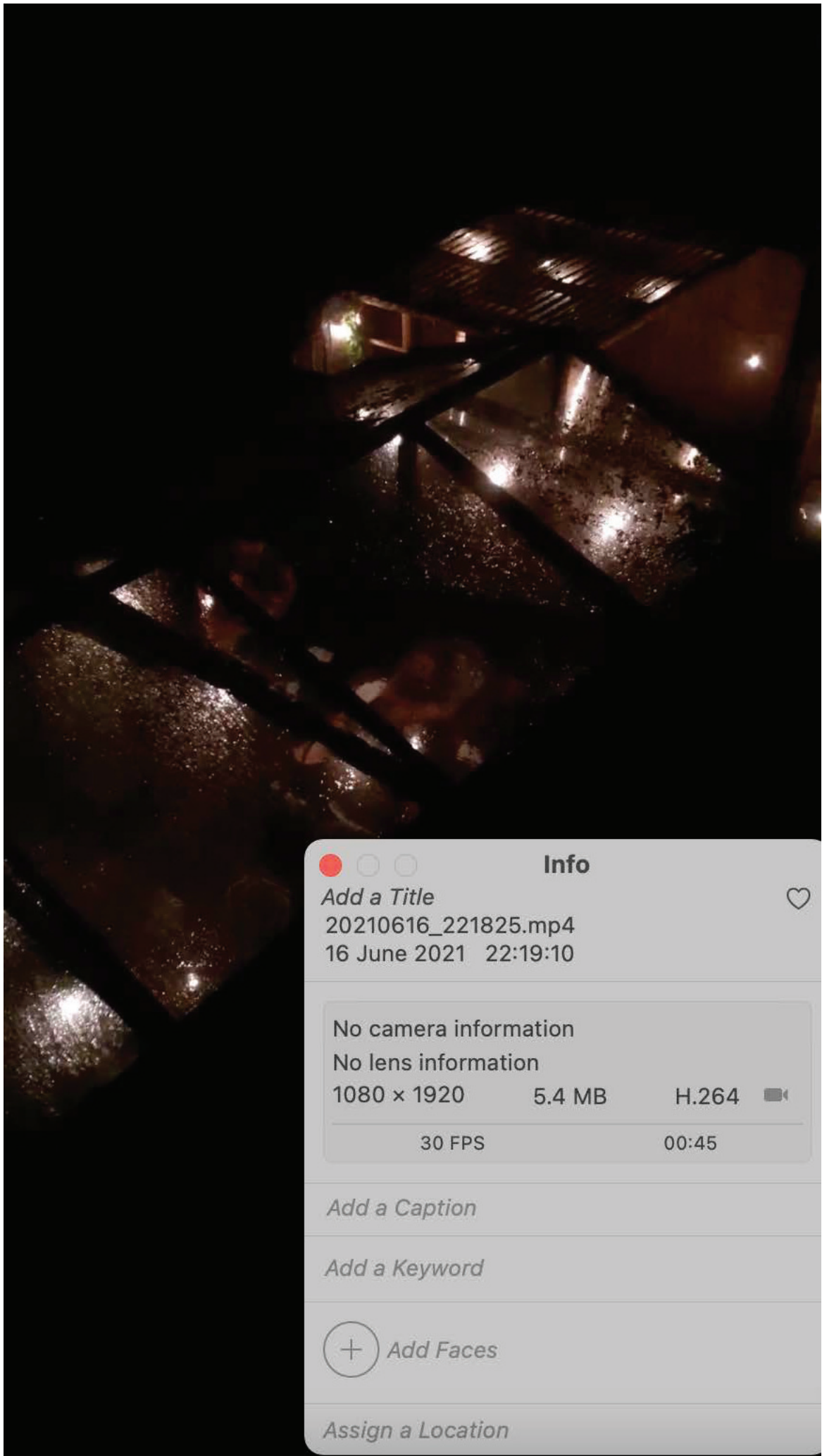
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No camera information  
No lens information


1080 × 1920	1.1 MB	H.264	🎥
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30 FPS	00:18
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**Info**

*Add a Title* 


20210616\_221825.mp4  
16 June 2021 22:19:10

No camera information  
No lens information

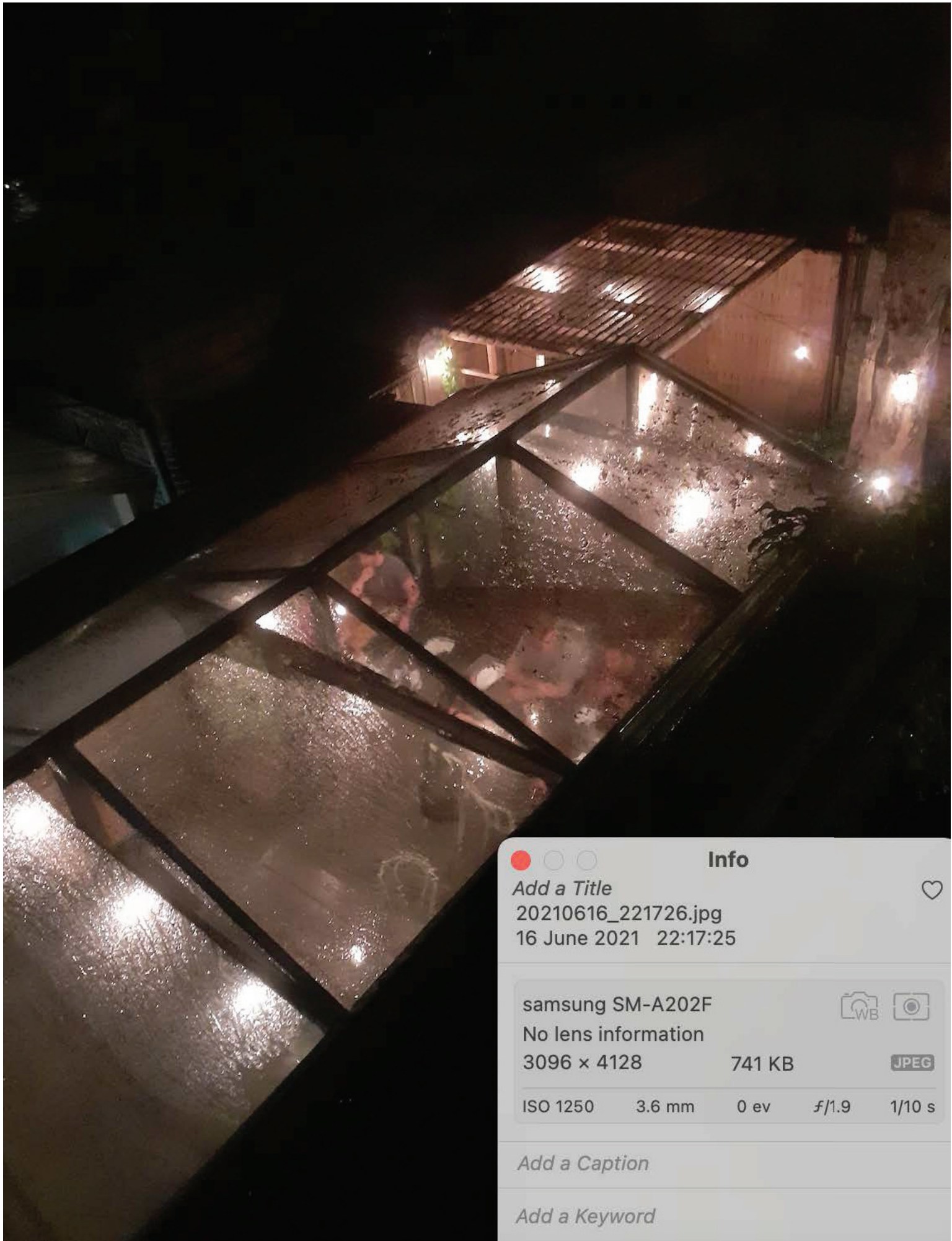
1080 × 1920	5.4 MB	H.264 
30 FPS	00:45	

*Add a Caption*

*Add a Keyword*

 *Add Faces*

*Assign a Location*



### Info

Add a Title



20210616\_221726.jpg

16 June 2021 22:17:25

samsung SM-A202F



No lens information

3096 × 4128

741 KB

JPEG

ISO 1250

3.6 mm

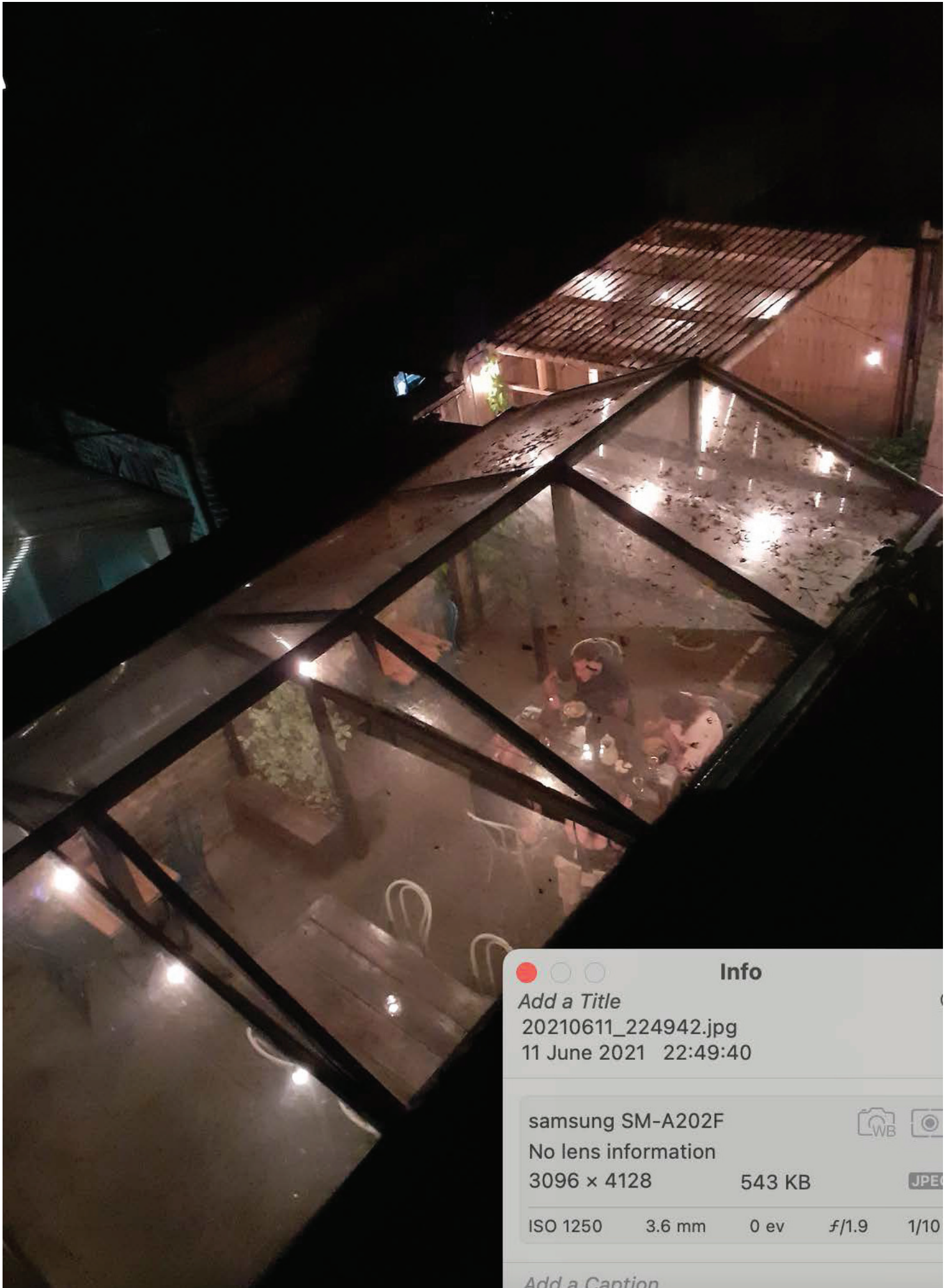
0 ev

f/1.9

1/10 s

Add a Caption

Add a Keyword





**Info**

Add a Title

20210611\_224942.jpg

11 June 2021 22:49:40

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samsung SM-A202F  

No lens information

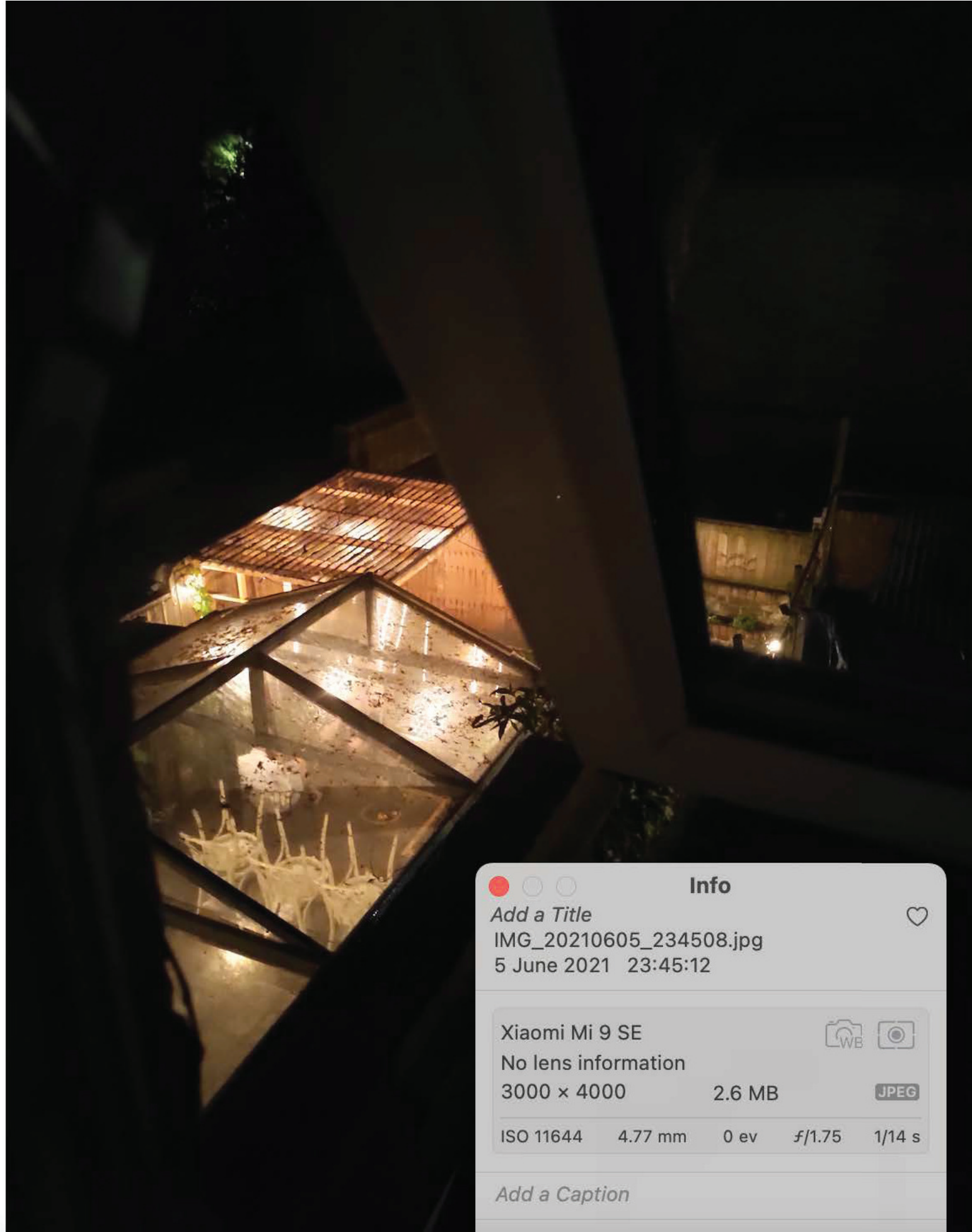
3096 x 4128 543 KB JPE

---

ISO 1250 3.6 mm 0 ev f/1.9 1/10

Add a Caption





**Info**

*Add a Title* ♥

IMG\_20210605\_234508.jpg  
5 June 2021 23:45:12

---

Xiaomi Mi 9 SE WB

No lens information

3000 x 4000 2.6 MB JPEG

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ISO 11644    4.77 mm    0 ev    f/1.75    1/14 s

*Add a Caption*



**Info**

*Add a Title* ♥

20210703\_001130.jpg  
3 July 2021 00:11:29

---

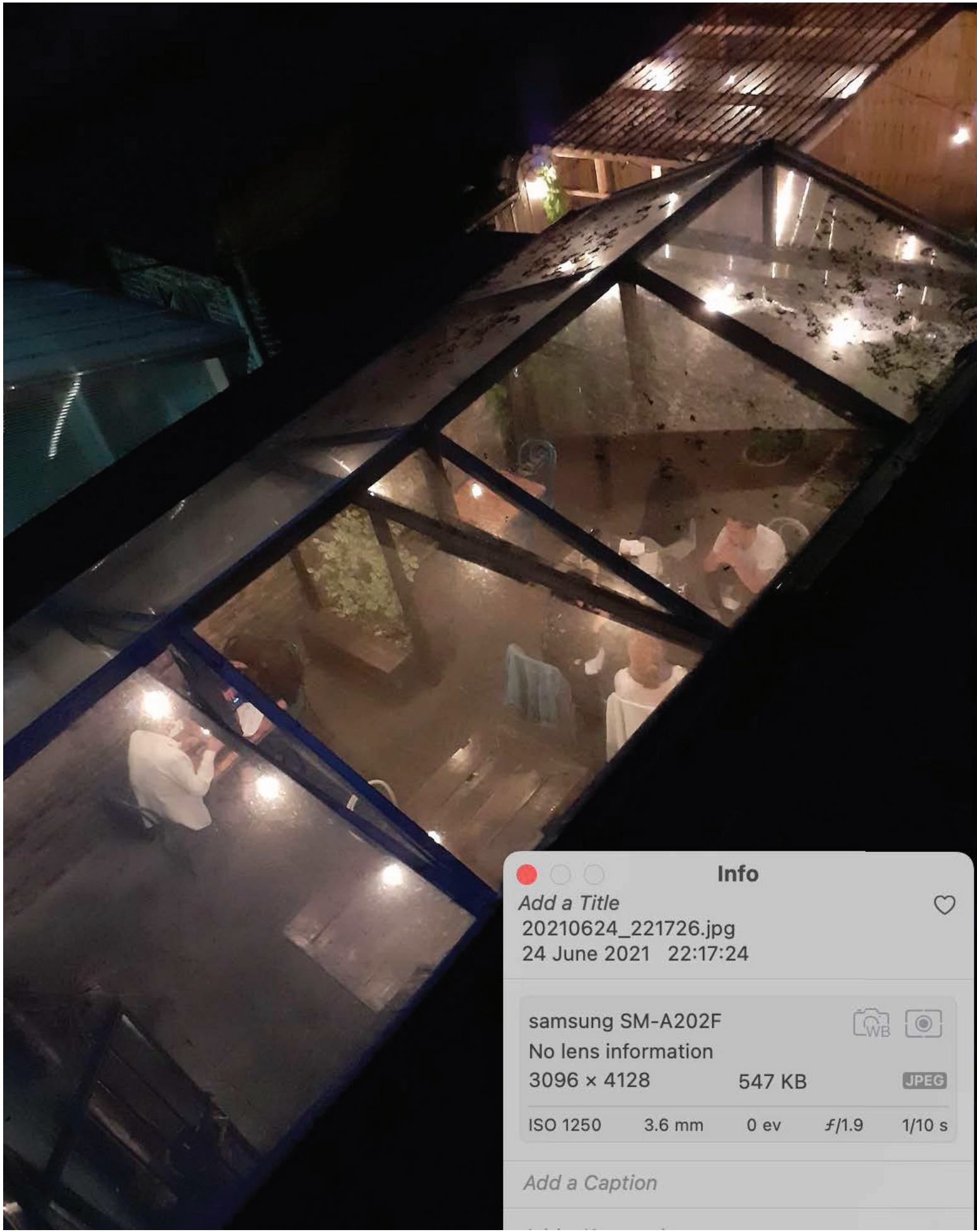
samsung SM-A202F WB

No lens information

3096 × 4128 453 KB JPEG

---

ISO 1250 3.6 mm 0 ev f/1.9 1/10 s



**Info**

*Add a Title* ♥

20210624\_221726.jpg  
24 June 2021 22:17:24

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samsung SM-A202F WB

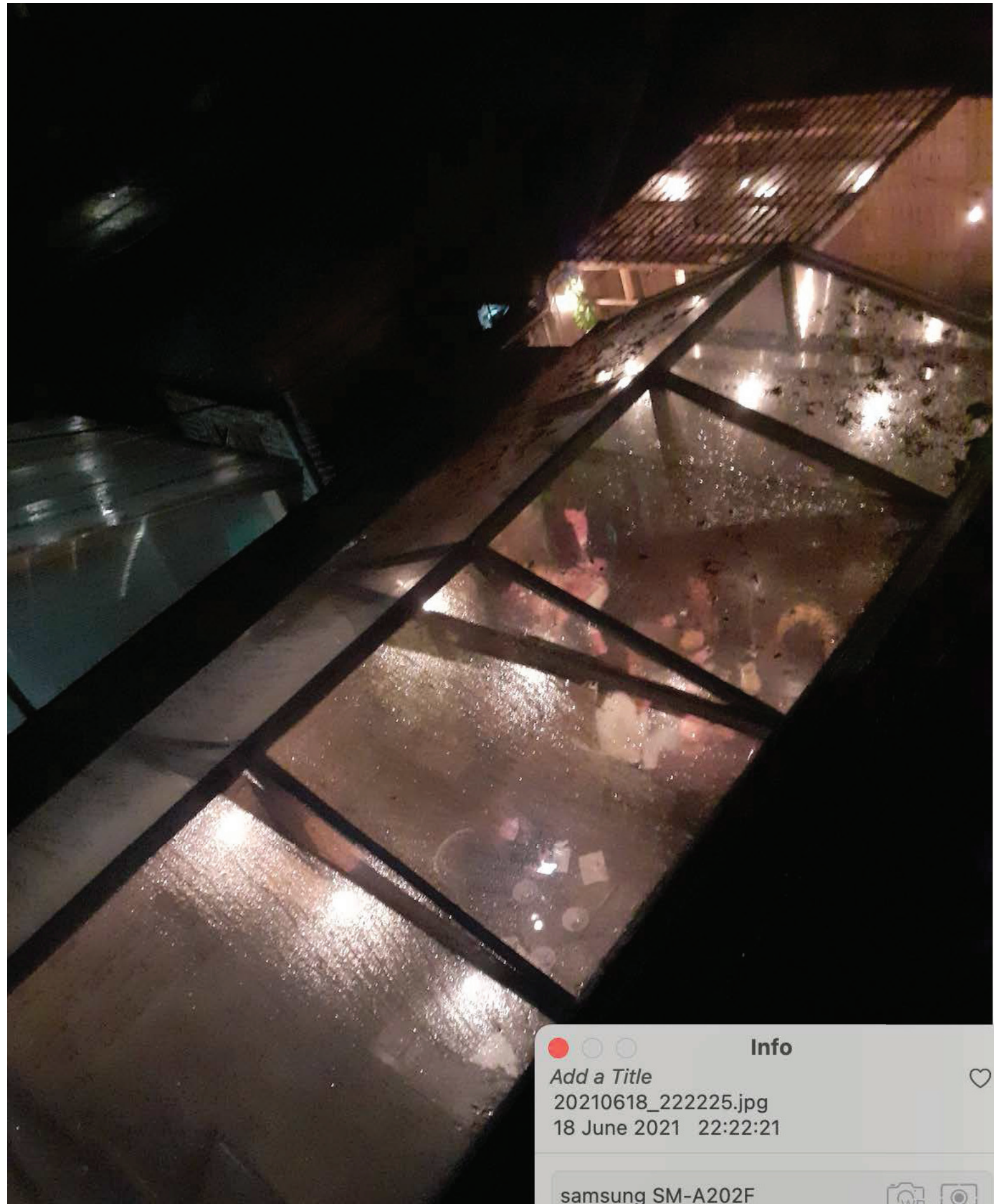
No lens information 📷



3096 × 4128 547 KB JPEG

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ISO 1250    3.6 mm    0 ev    f/1.9    1/10 s

*Add a Caption*





 **Info** 

*Add a Title*

20210618\_222225.jpg

18 June 2021 22:22:21

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samsung SM-A202F  



**Info**



Add a Title

20210716\_001433.jpg

16 July 2021 00:14:32

samsung SM-A202F

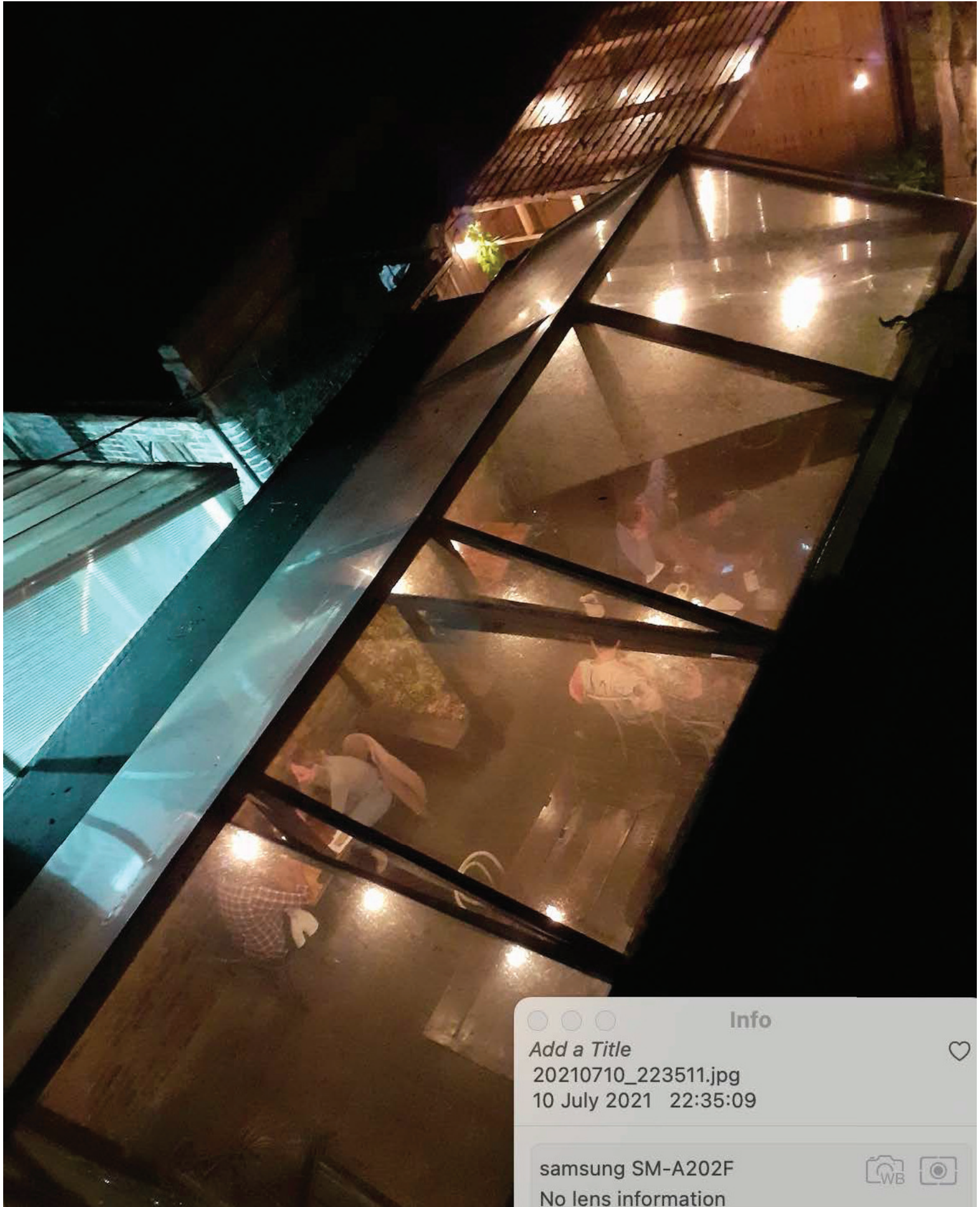


No lens information

3096 x 4128

484 KB

JPEG



Info

Add a Title

20210710\_223511.jpg

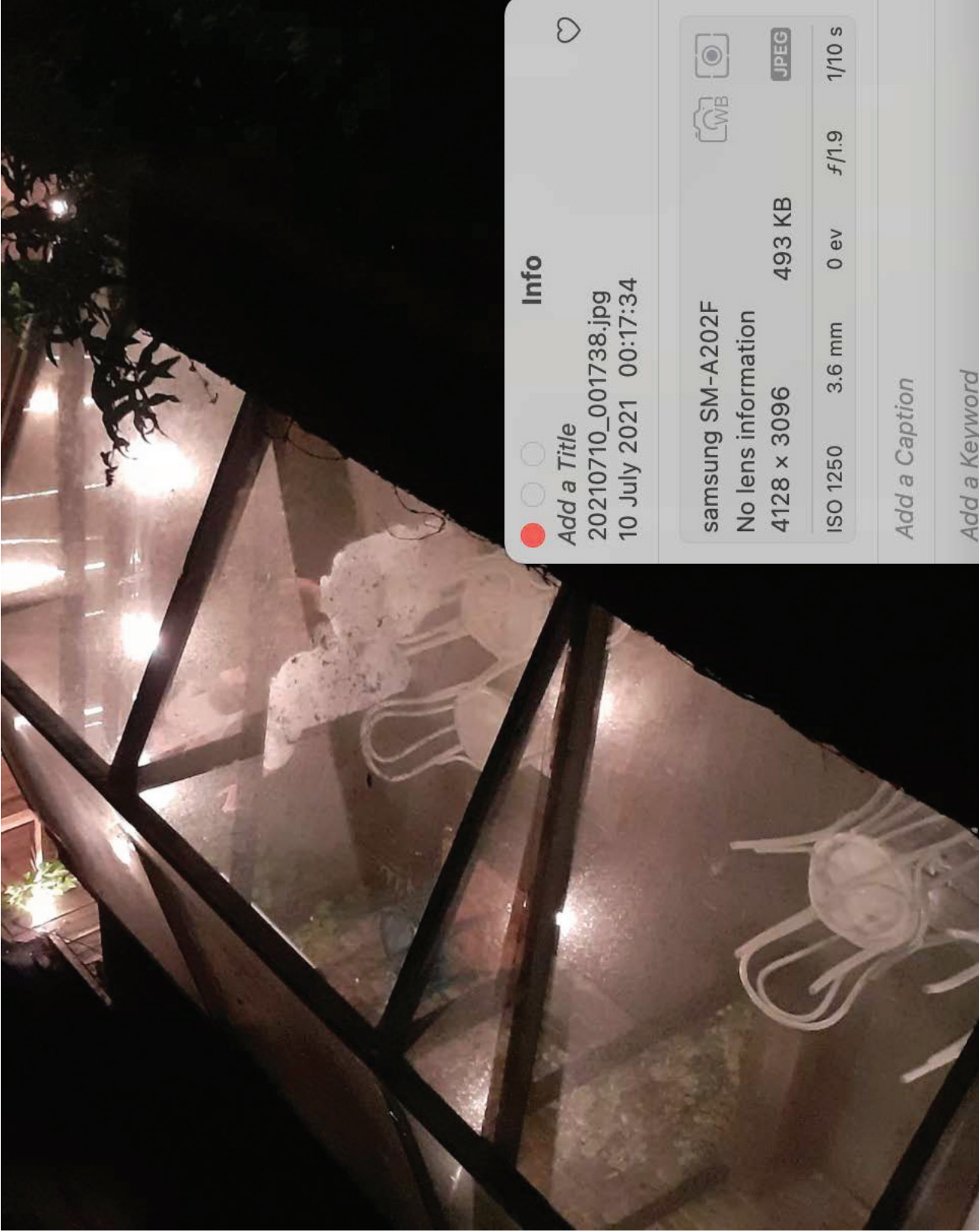
10 July 2021 22:35:09



samsung SM-A202F

No lens information





Info

Add a Title

20210710\_001738.jpg

10 July 2021 00:17:34

samsung SM-A202F

No lens information

4128 x 3096 493 KB

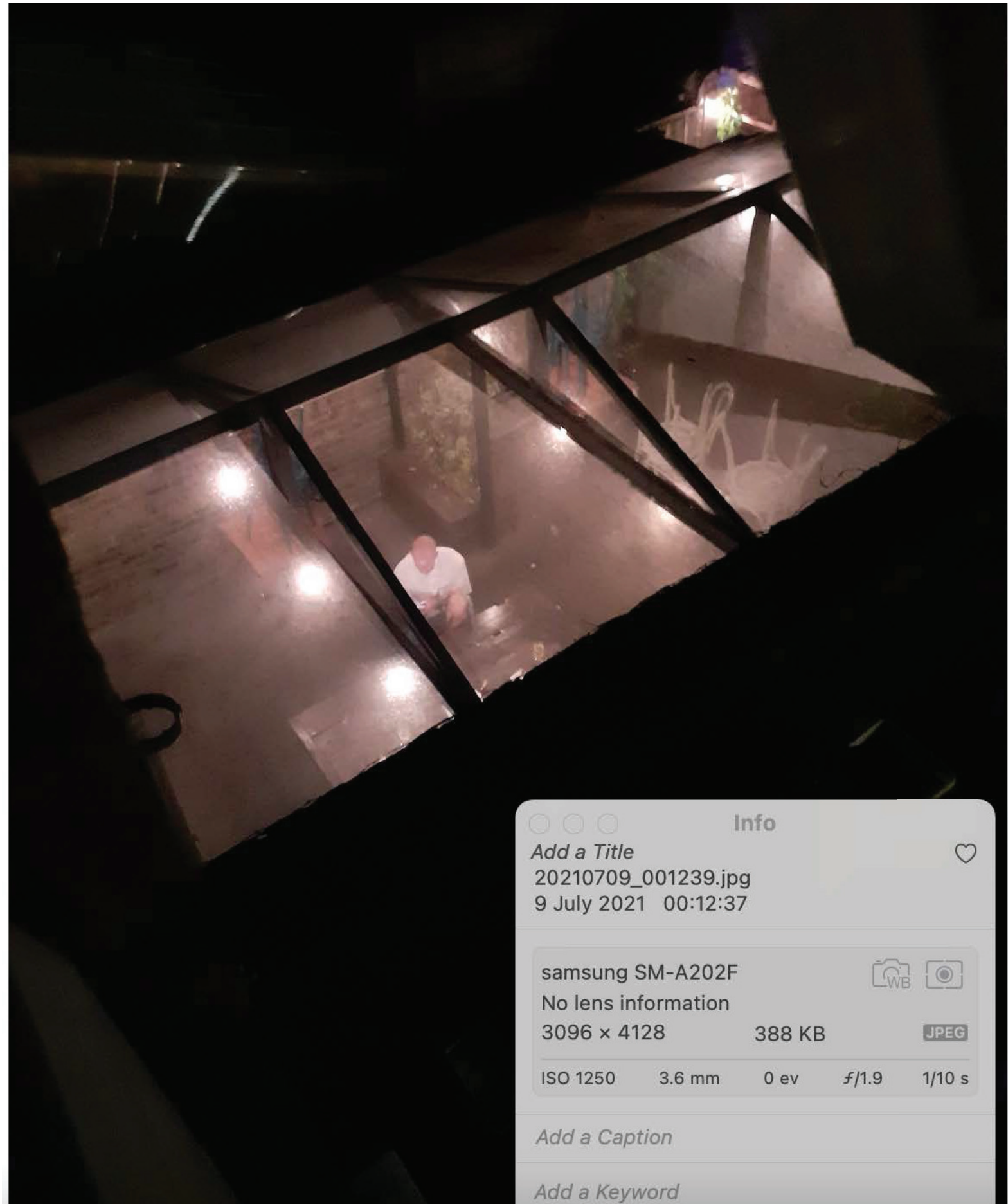
ISO 1250 3.6 mm 0 ev f/1.9 1/10 s

JPEG

WB

Add a Caption

Add a Keyword





**Info**

*Add a Title*

20210709\_001239.jpg

9 July 2021 00:12:37

---

samsung SM-A202F  

No lens information

3096 x 4128 388 KB **JPEG**

---

ISO 1250 3.6 mm 0 ev f/1.9 1/10 s

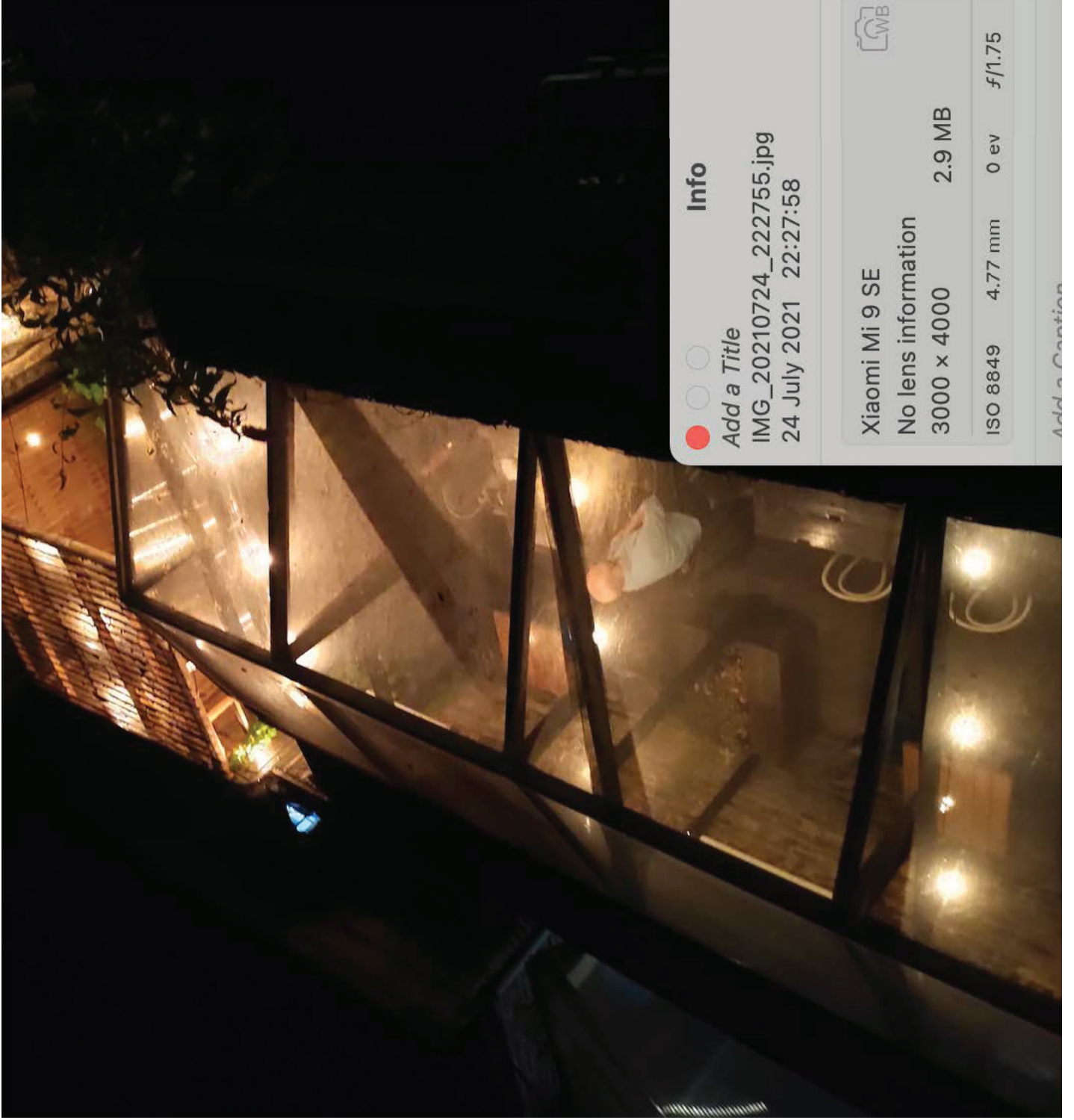
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*Add a Caption*

---

*Add a Keyword*





Info

Add a Title

IMG\_20210724\_222755.jpg

24 July 2021 22:27:58



Xiaomi Mi 9 SE

No lens information

3000 x 4000 2.9 MB

ISO 8849 4.77 mm 0 ev f/1.75

Add a Caption



**Info**

*Add a Title* ♥

20210723\_001025.jpg  
23 July 2021 00:10:23

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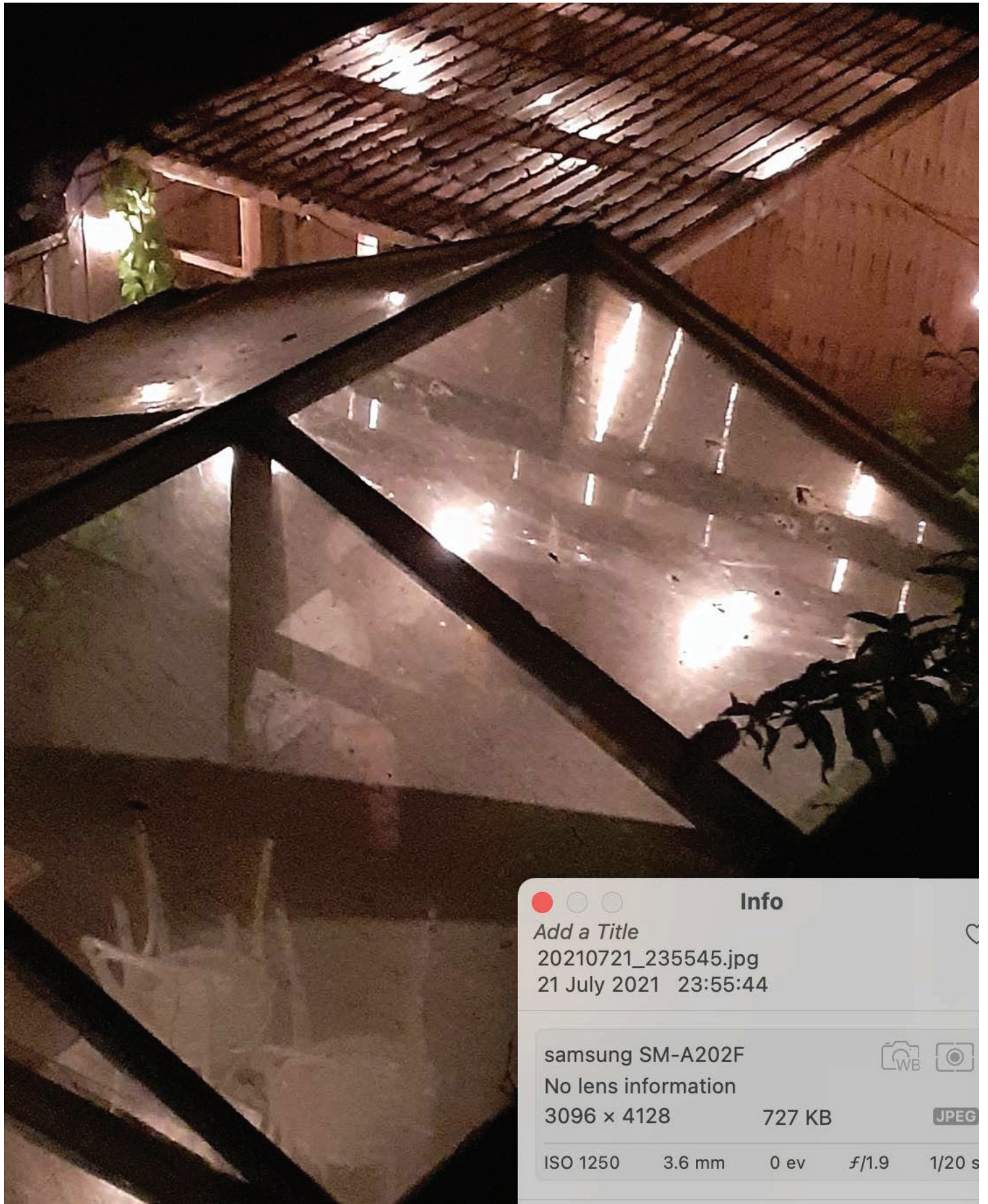
samsung SM-A202F WB

No lens information 📷

3096 × 4128 402 KB JPEG

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ISO 1250    3.6 mm    0 ev    f/1.9    1/10 s





**Info**

*Add a Title*

20210721\_235545.jpg  
21 July 2021 23:55:44

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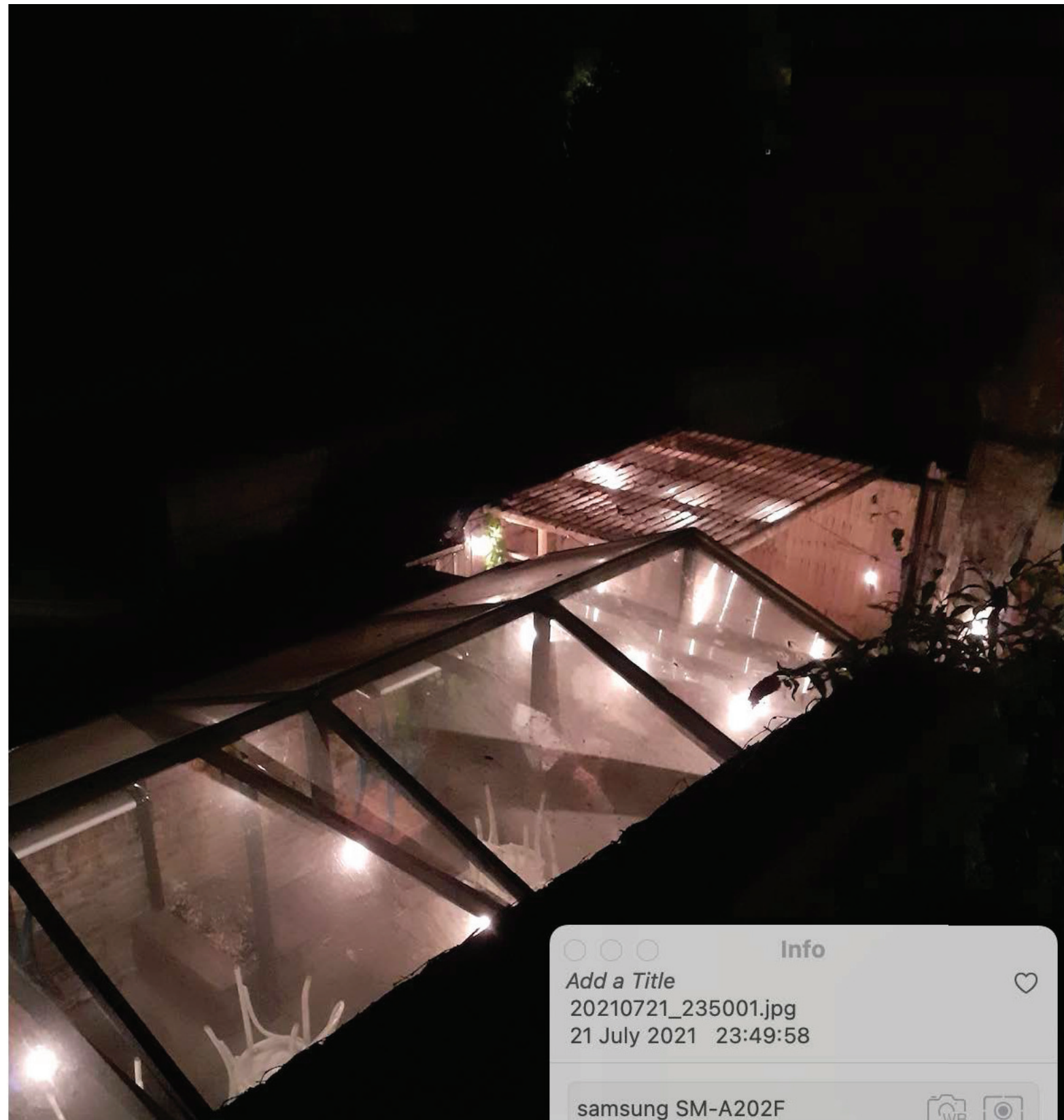
samsung SM-A202F  

No lens information

3096 x 4128 727 KB **JPEG**

---

ISO 1250 3.6 mm 0 ev f/1.9 1/20 s



Info

Add a Title



20210721\_235001.jpg

21 July 2021 23:49:58

samsung SM-A202F





**Info**

*Add a Title* ♥

20210717\_221353.jpg  
17 July 2021 22:13:52

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samsung SM-A202F WB

No lens information

3096 x 4128 551 KB JPEG

---

ISO 1250    3.6 mm    0 ev    f/1.9    1/10 s

*Add a Caption*





Info

*Add a Title*

20210801\_000404.jpg

1 August 2021 00:04:02

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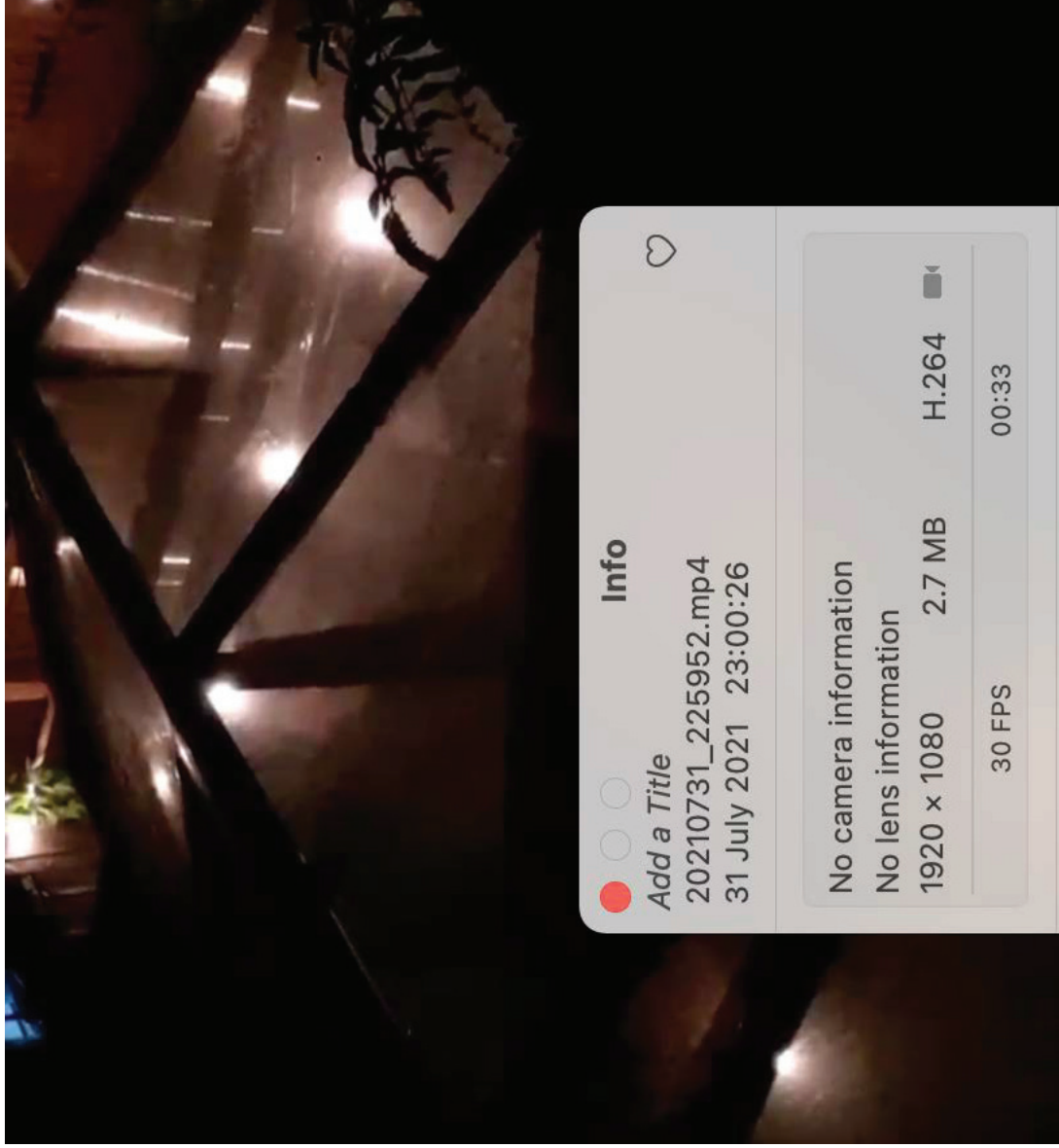
samsung SM-A202F  

No lens information

3096 × 4128 441 KB **JPEG**

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ISO 1250 3.6 mm 0 ev f/1.9 1/10 s



Info

Add a Title

20210731\_225952.mp4

31 July 2021 23:00:26

No camera information

No lens information

1920 x 1080

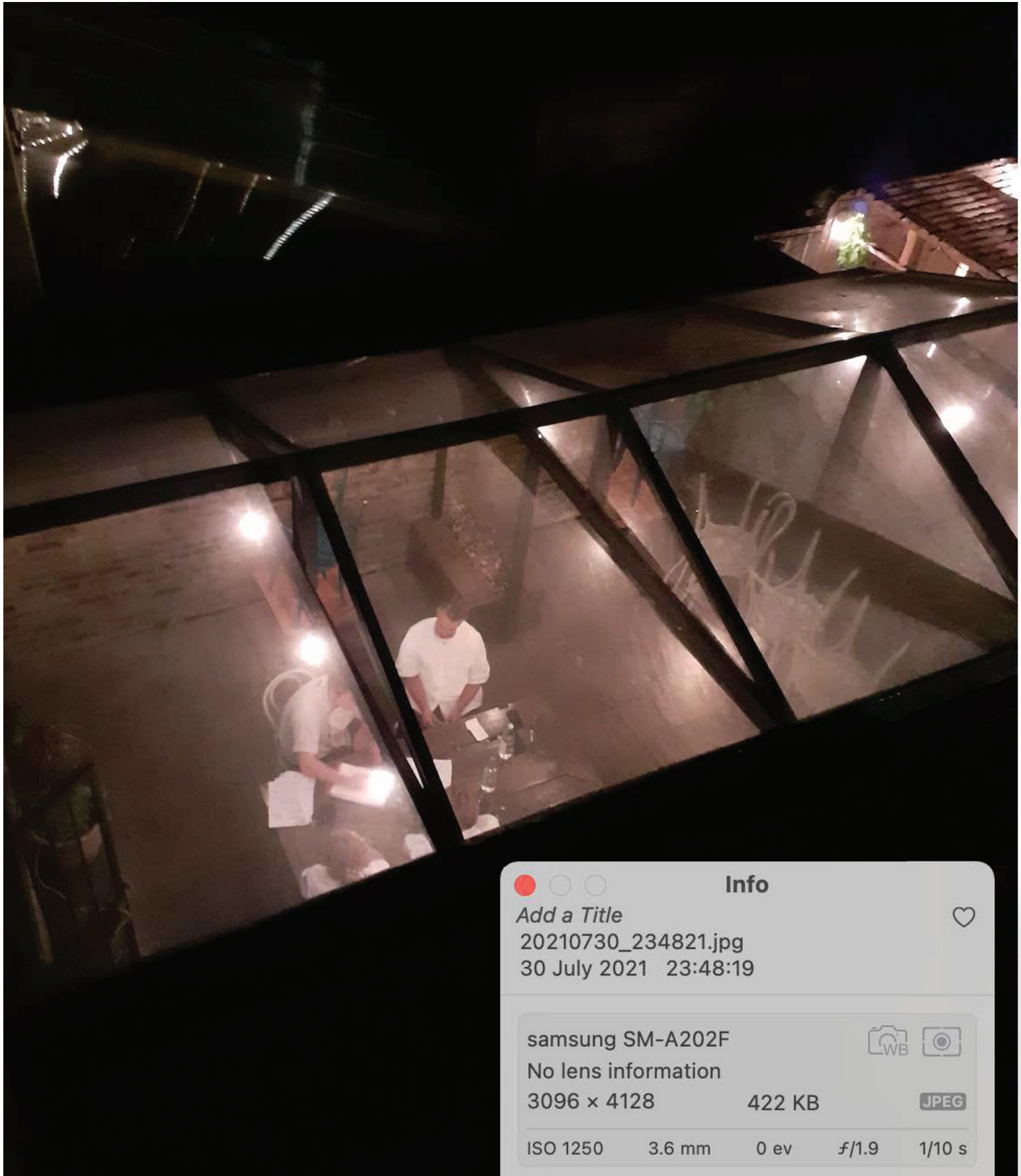
2.7 MB

H.264



30 FPS

00:33



**Info**

*Add a Title* ♥

20210730\_234821.jpg

30 July 2021 23:48:19

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samsung SM-A202F WB 📷

No lens information

3096 × 4128 422 KB **JPEG**

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ISO 1250    3.6 mm    0 ev    f/1.9    1/10 s





Info

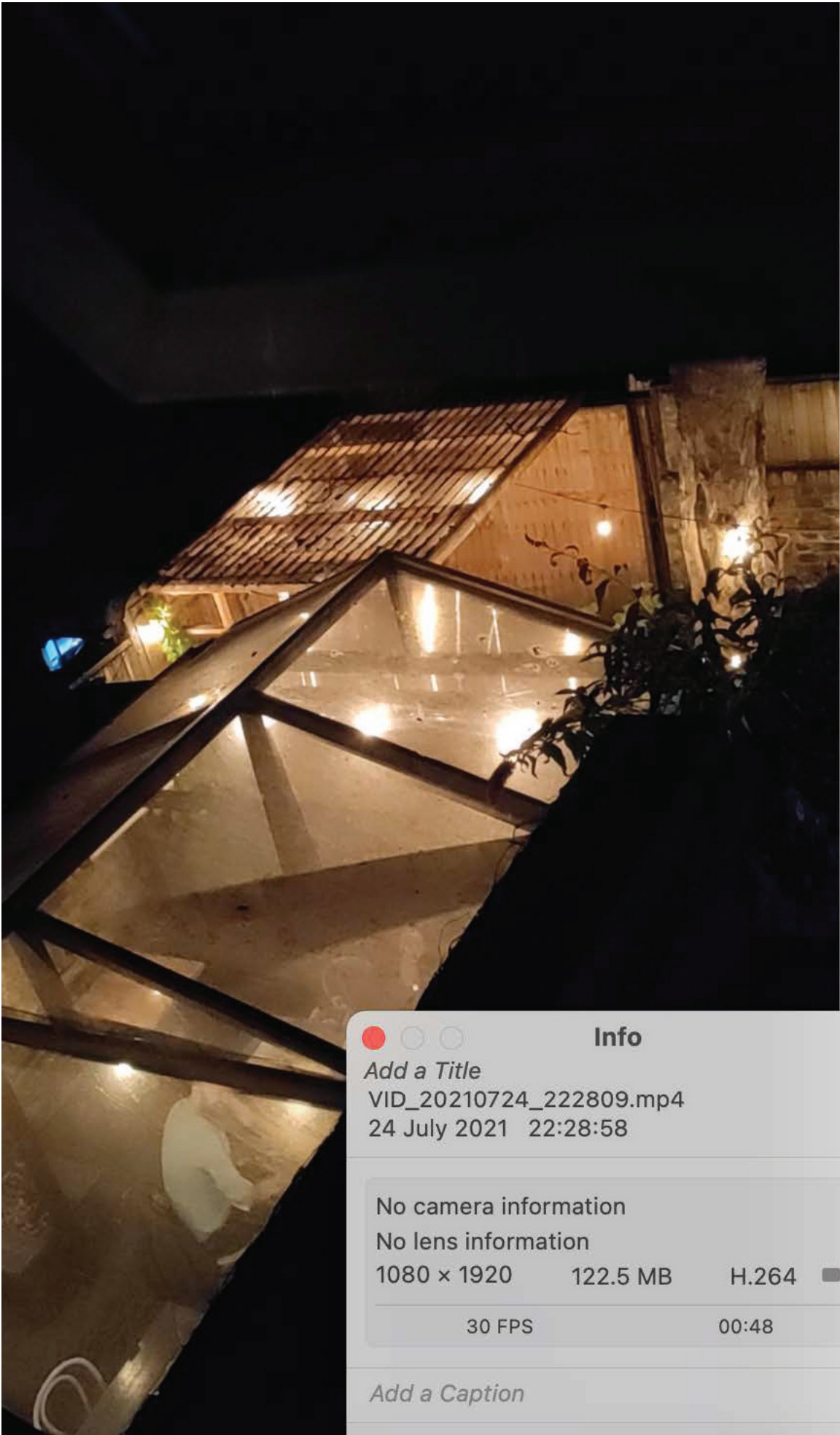
Add a Title



20210730\_002102.jpg  
30 July 2021 00:21:00

samsung SM-A202F  
No lens information





**Info**

*Add a Title* ♥

VID\_20210724\_222809.mp4  
24 July 2021 22:28:58

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No camera information  
No lens information

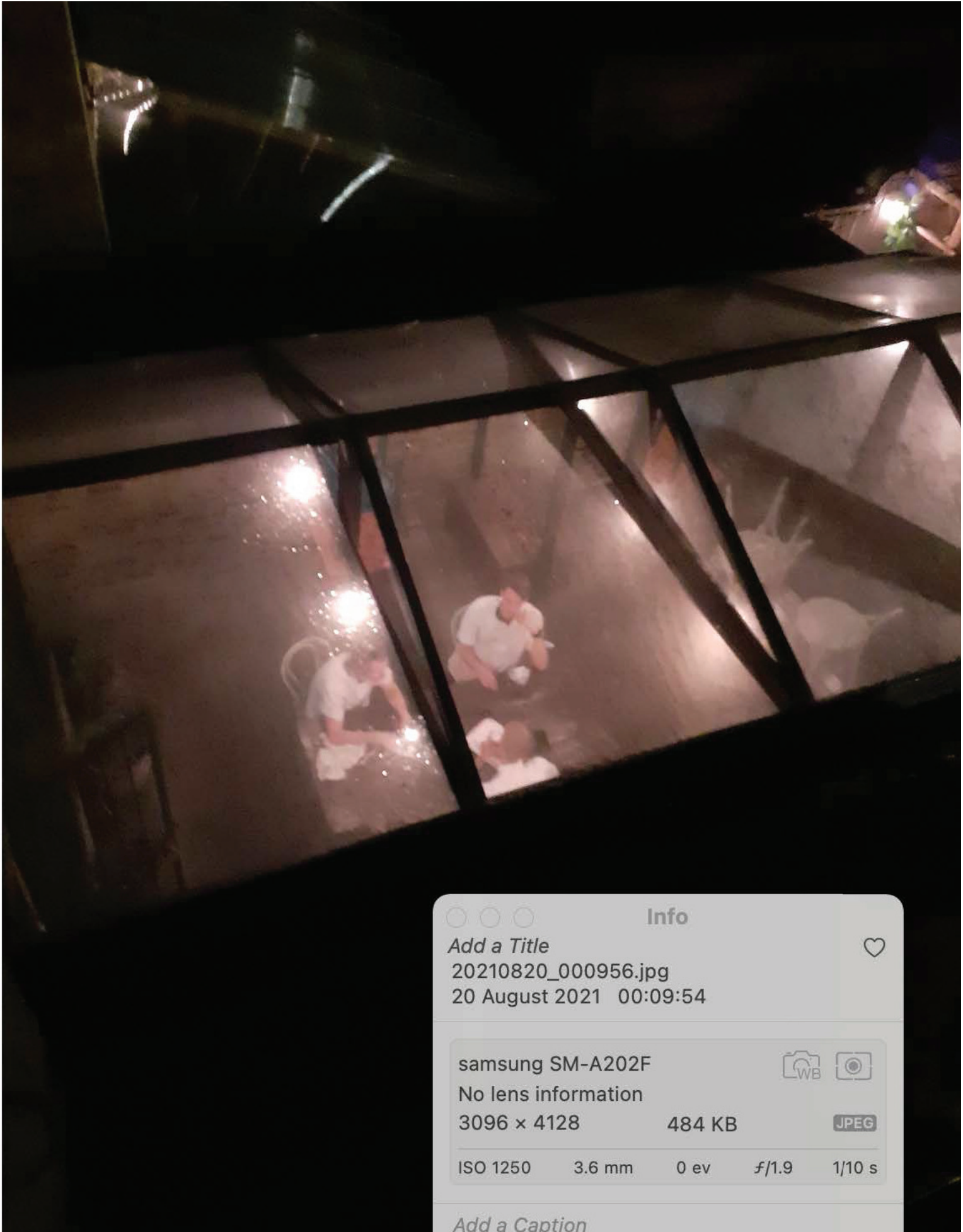
1080 × 1920	122.5 MB	H.264	🎥
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30 FPS	00:48
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*Add a Caption*



Info

*Add a Title* ♡

20210820\_000956.jpg  
20 August 2021 00:09:54

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samsung SM-A202F WB 📷

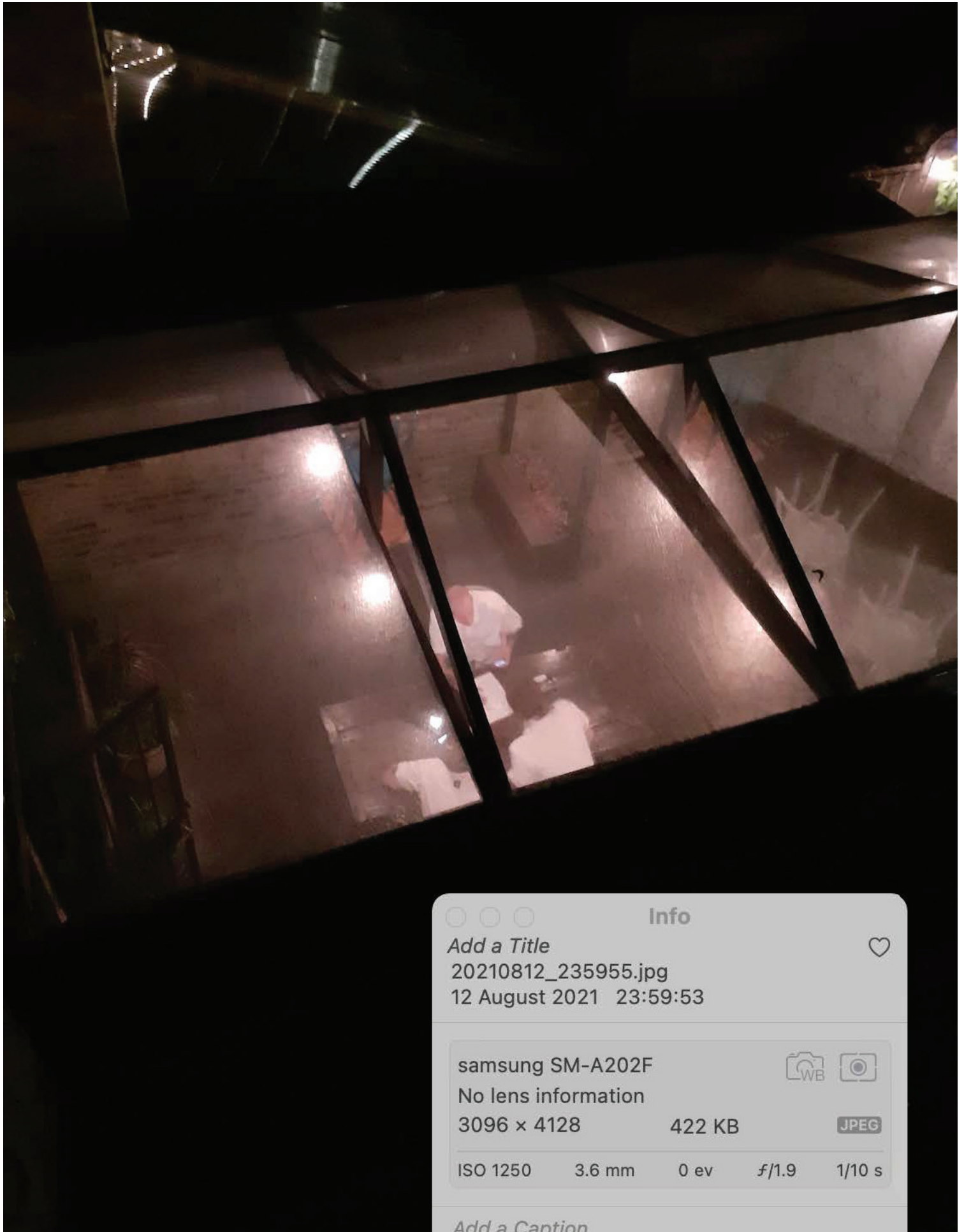
No lens information

3096 x 4128 484 KB JPEG

---

ISO 1250 3.6 mm 0 ev f/1.9 1/10 s

*Add a Caption*



**Info**

*Add a Title* ♥

20210812\_235955.jpg  
12 August 2021 23:59:53

---

samsung SM-A202F WB

No lens information 📷

3096 x 4128 422 KB JPEG

---

ISO 1250    3.6 mm    0 ev    f/1.9    1/10 s



*Add a Caption*



**Info**

*Add a Title*  
20210807\_001409.jpg  
7 August 2021 00:14:07

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samsung SM-A202F  

No lens information

3096 x 4128 427 KB **JPE**

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ISO 1250 3.6 mm 0 ev f/1.9 1/10





Info

*Add a Title*

20210801\_001200.jpg  
1 August 2021 00:11:59

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samsung SM-A202F  

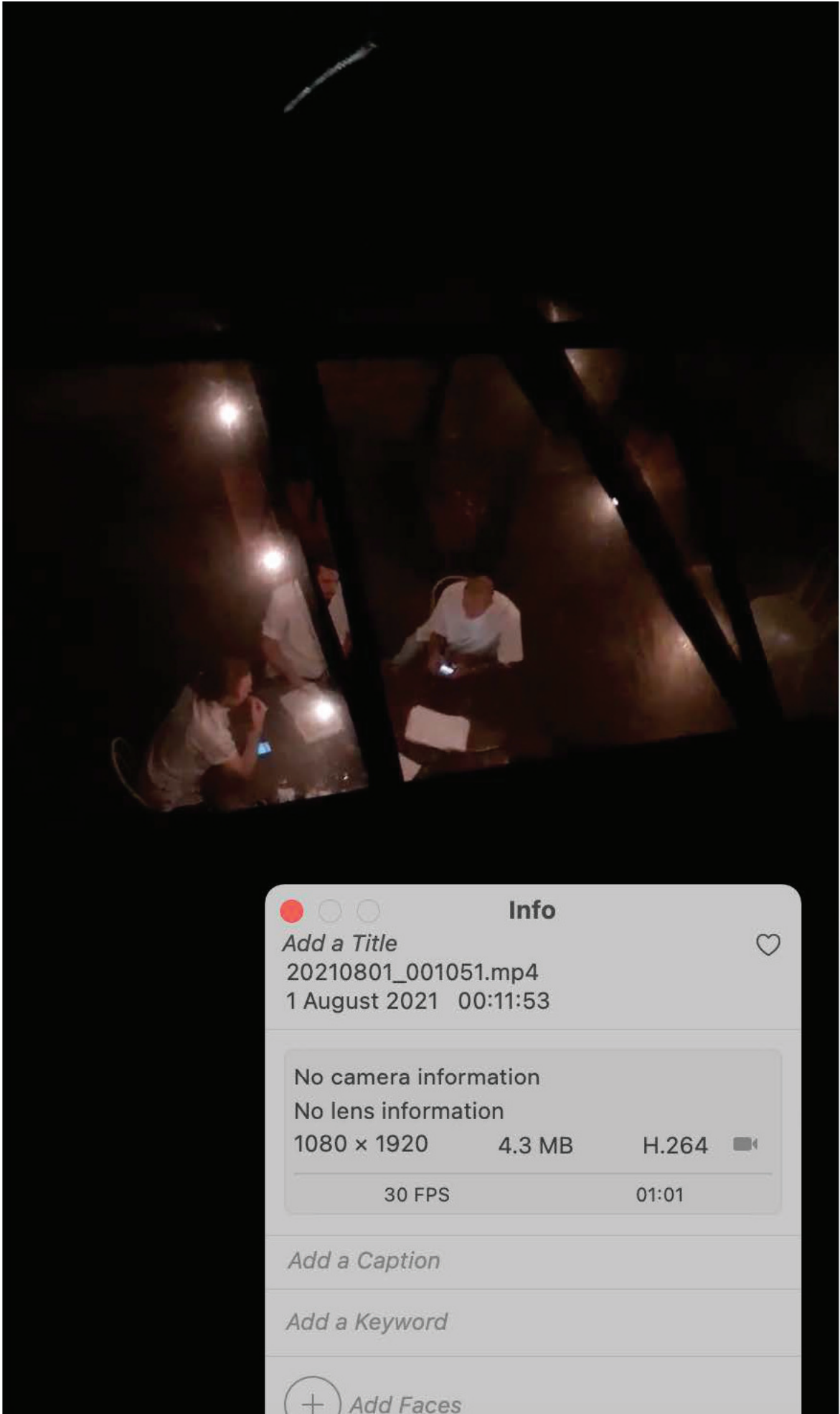
No lens information

3096 × 4128 403 KB JPEG


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ISO 1250 3.6 mm 0 ev f/1.9 1/10

*Add a Caption*




**Info**

*Add a Title* 


20210801\_001051.mp4  
1 August 2021 00:11:53

No camera information  
No lens information

1080 × 1920	4.3 MB	H.264	
30 FPS	01:01		

*Add a Caption*

*Add a Keyword*

 *Add Faces*



**This premises licence has been issued by:**

Licensing Service  
1 Hillman Street  
London E8 1DY

## **PART A – PREMISES LICENCE**

### **Premises Licence Number**

064398

### **Part 1 – Premises details**

Casa Fofo  
Basement and Ground Floor  
158 Sandringham Road  
Hackney  
E8 2HS

### **Where the licence is time limited the dates**

Not Applicable

### **Licensable activities authorised by the licence**

Late Night Refreshment  
Supply of Alcohol

### **The times the licence authorises the carrying out of Licensable activities**

#### **Late Night Refreshment**

#### **Standard Hours:**

Fri 23:00-00:00  
Sat 23:00-00:00

#### **Supply of Alcohol**

#### **Standard Hours:**

Mon 12:00-22:40  
Tue 12:00-22:40  
Wed 12:00-22:40  
Thu 12:00-22:40  
Fri 12:00-22:40  
Sat 10:00-22:40  
Sun 11:00-22:40

#### **The opening hours of the premises**

#### **Standard Hours:**

Mon 10:00-23:00  
Tue 10:00-23:00  
Wed 10:00-23:00  
Thu 10:00-23:00  
Fri 10:00-00:00



Sat 10:00-00:00  
Sun 11:00-23:00

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

On and Off Premises

**Part 2 –**

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

Fofu Ltd  
20-22 Wenlock Road  
London  
N1 7GU

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

11756151

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

Paola Albanese

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol**

**Date of Grant:** 12/11/2014

**Signed:**

**David Tuitt  
Team Leader - Licensing**

## Annex 1 - Mandatory Conditions

### Supply of Alcohol

1. No supply of alcohol may be made under the premises licence:
  - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
  - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
    - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
    - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

4. The responsible person 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;
  - (b) "permitted price" is the price found by applying the formula -  $P = D + (D \times V)$   
Where -
    - (i) P is the permitted price,
    - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
    - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence -

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

7.3 Where the permitted price given by Paragraph 8.2(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

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

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

## **Annex 2 – Conditions consistent with the Operating Schedule**

8. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31-day period.

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

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

11. Signs will be prominently displayed in any smoking areas reminding customers to leave quietly and respect local residents.

12. 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.

13. There shall be a personal licence holder on duty whenever alcohol is being sold.

14. Intoxicating liquor shall not be sold, supplied or consumed otherwise than to persons who are taking a substantial meal from the menu and that the consumption of intoxicating liquor by such persons is ancillary to taking such meals. The supply of alcohol, on the premises, will be by waiter/waitress service only.

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

- a. All crimes reported:
- b. All ejections of patrons
- c. Any complaints received.
- d. Any incidents of disorder.
- e. Seizure of drugs or offensive weapons.
- f. Any faults in the CCTV system or searching equipment or scanning equipment.
- g. Any refusal of the sale of alcohol.
- h. Any visit by a relevant authority or emergency service.

16. The premises will have a written dispersal policy that ensures that all patrons exiting the venue are encouraged to leave the area quickly and

quietly.

17. Premises to operate zero tolerance policy to drugs and comply with Hackney Police Drugs, Weapons and Theft policy where appropriate.

18. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons.

19. All off sales of alcohol shall be in sealed, unopened containers and packaged appropriately.

20. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

21. No waste or recyclable materials including bottles, shall be moved, removed from or placed in outside areas between 2200hrs and 0700hrs on the following day.

22. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

23. Patrons will not be allowed to take drinks, glass or open containers outside of the building at any time.

24. Any outside space shall not be used after 22:00.

25. There shall be a maximum of 5 smokers outside the front of the venue at any one time.

26. A specified indoor area on the ground floor shall not be subject to the ancillary to food condition subject to a maximum of 15 persons.

27. All music at the venue will be played at background level which will enable customers to have a face to face conversation.

28. The maximum capacity shall be:

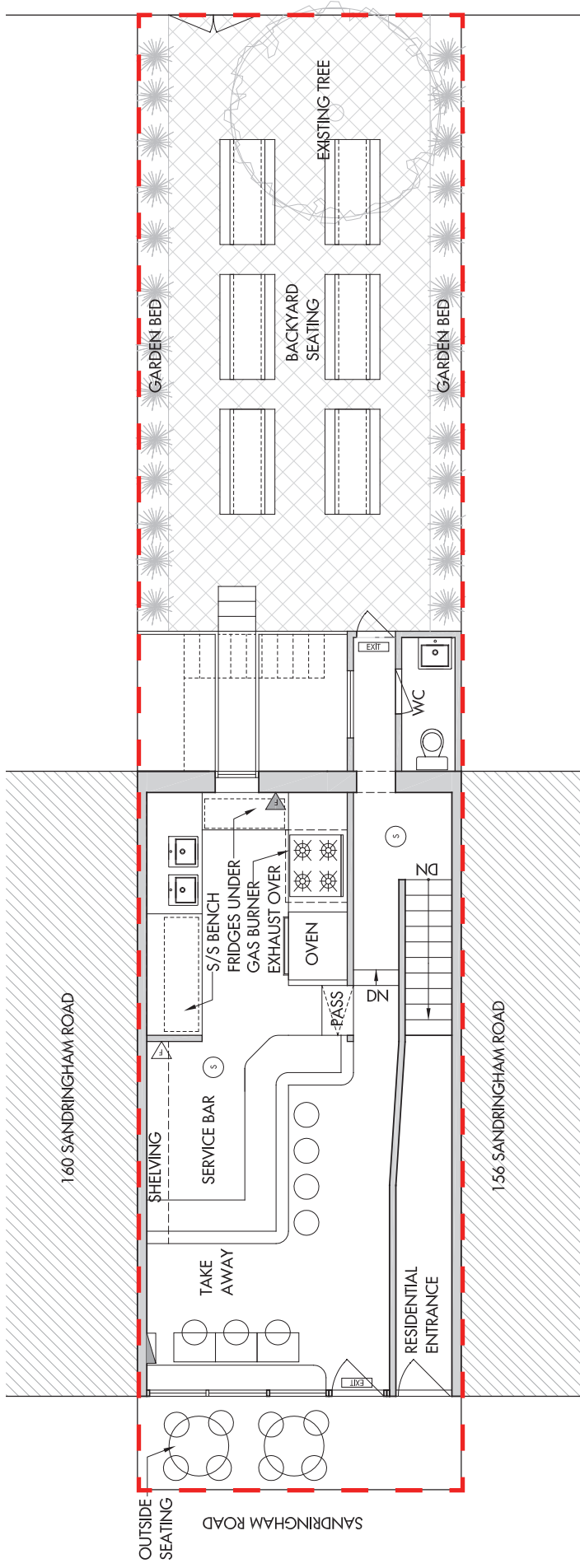
- 8 persons in the outdoor area at the front of the premises;
- 15 persons in the indoor ground floor area of the premises;
- 38 persons in the basement area of the premises; and
- 40 persons in the outdoor area at the rear of the premises.

**Annex 3 – Conditions attached after a hearing by the licensing authority**  
Not Applicable.



## **Annex 4 – Plans**

PLAN/064398/TBC



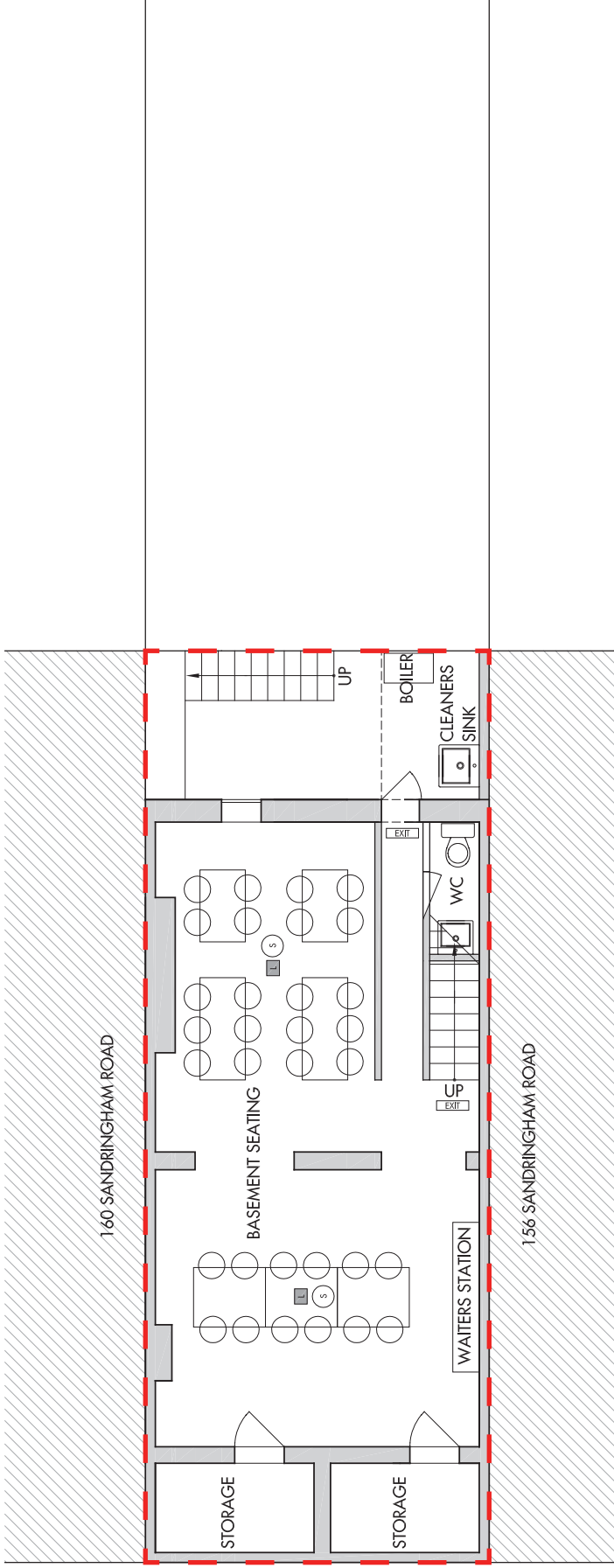
**1 PROPOSED GROUND FLOOR PLAN**

SCALE 1:100

LEGEND	
(S)	SMOKE DETECTOR
▽	PORTABLE DRY CHEMICAL FIRE EXTINGUISHER
▽	FIRE BLANKET
EXIT	ILLUMINATED EMERGENCY EXIT SIGN
L	EMERGENCY LIGHT
▭	ELECTRICAL PANEL

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		SCALE 1:100 @ A4	

**A100**



**1 PROPOSED BASEMENT FLOOR PLAN**  
SCALE 1:100

LEGEND	
(S)	SMOKE DETECTOR
▽	PORTABLE DRY CHEMICAL FIRE EXTINGUISHER
▽	FIRE BLANKET
EXIT	ILLUMINATED EMERGENCY EXIT SIGN
(L)	EMERGENCY LIGHT
▭	ELECTRICAL PANEL

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		<b>SCALE</b> 1:100 @ A4	

# APPENDIX E



Scale: 1:1250 at A4

## Casa Fofu, 158 Sandringham Road, E8 2HS



Ref:  
Monday, August 30, 2021

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