

REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 14/10/2021	Classification DECISION	Enclosure
Application for a Premises Licence U7 Lounge, Unit 7, 2-4 Orsman Road, N1 5FB	Ward(s) affected Hoxton East & Shoreditch	

SUMMARY

Applicant(s) Haci Ozturk	In SPA: No
Date of Application 15th February 2021	Period of Application Permanent
Proposed licensable activity <ul style="list-style-type: none"> To amend condition 46. From “ Hande Sezgin shall be excluded from the premises and shall not undertake any activities related to the management of the business. This shall include but shall not be limited to any directorship, shareholding, direct employment, employment as a contractor, advisor or supplier” To “Ms Sezgin is excluded from the management of the business but not the premises in its entirety” 	
Proposed hours of licensable activities See attached current Premises Licence- Appendix C	

The opening hours of the premises See attached current Premises Licence- Appendix C	
Capacity: Not known	
Policies Applicable	LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP5 Planning ,LP4 ‘Off’ Sales of Alcohol, LP6 (External Areas and Outdoor Events)
List of Appendices	A – Licensing Sub-Committee Report dated 22/04/2021 including the application for a premises licence and supporting documents B – Minutes of the Licensing Sub-Committee

	meeting held on 22/04/2021 C – Current Premises Licence D – Letter from Haci Ozturk's solicitor, Dadds and Co E – Location map
Relevant Representations	See Appendix A

1. APPLICATION

1.1 Haci Ozturk has made an application for a premises licence under the Licensing Act 2003:

- To authorise Regulated Entertainment comprising Plays, films, live music, recorded music and anything of a similar nature.
- To authorise late night refreshment
- To authorise the supply alcohol for consumption **on** and **off** the premises

1.2 The application is attached as Appendix A.

2. CURRENT STATUS / HISTORY

2.1 The application for a new premises licence was approved by the Licensing Sub-Committee at a meeting held on 22nd April 2021. The minutes of the meeting is attached as Appendix B.

The applicant (Haci Ozturk's solicitor, Dadds and Co) appealed against the Licensing Sub-Committee decision.

On 02/08/2021 The Council Legal Department received a letter from Haci Ozturk's solicitor, Dadds and Co to settle the appeal by a proposal to amend the condition that will not exclude Hande Sezgin from the premises only from the management of the premises. A copy of the letter is attached as Appendix D.

On 06/08/2021 following a case Management hearing the District Judge agreed to adjourn the court hearing so that the exclusion condition only would be referred back to the Council's Licensing Committee for consideration as per the following order:

That the Case Management hearing be adjourned to 9:30 am for a 10 am start on Friday 12 November in Court 2 at Highbury Corner Magistrates' Court for 30 minutes for a review and Case Management hearing if the proceedings are to continue, the matter to be reserved to District Judge Newton.

2.2 The following TEN's have been submitted in respect of the premises in this calendar year.

	StartDate	EndDate	StartTime	EndTime
	18/05/2021	23/05/2021	12:00	23:00
	25/05/2021	30/05/2021	12:00	23:00
	01/06/2021	06/06/2021	12:00	23:00

3. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	Not Applicable
Environmental Health Authority (Environmental Enforcement)	Not Applicable
Environmental Health Authority (Health & Safety)	Not Applicable
Weights and Measures (Trading Standards)	Not Applicable
Planning Authority	Not Applicable
Area Child Protection Officer	Not Applicable
Fire Authority	Not Applicable
Police	Not Applicable
Licensing Authority	Not Applicable
Health Authority	Not Applicable

4. REPRESENTATIONS: OTHER PERSONS

From	Details
Representations have been received from and on behalf of local residents.	See attached Appendix A

5. GUIDANCE CONSIDERATIONS

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

6. POLICY CONSIDERATIONS

- 6.1 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.
- 6.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies, LP1 (General Principles), LP2 (Licensing Objectives), LP5(Planning Status), LP4 'Off' Sales of Alcohol and LP6 (External Areas and Outdoor Events)are relevant.

7. OFFICER OBSERVATIONS

- 7.1 If the Sub-Committee is minded to approve the application, the following conditions should be amended on the licence:

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

46.Hande Sezgin shall be excluded from the premises and shall not undertake any activities related to the management of the business. This shall include but shall not be limited to any directorship, shareholding, direct employment, employment as a contractor, advisor or supplier.

9. REASONS FOR OFFICER OBSERVATIONS

- 9.1 The purpose of this Report is to consider the proposed amendment to condition 46.

10. LEGAL COMMENTS

- 10.1 The Council has a duty as a Licensing Authority under the Licensing Act 2003 to carry out its functions with a view to promoting the following 4 licensing objectives;
- The Prevention of Crime and Disorder
 - Public Safety
 - Prevention of Public Nuisance
 - The Protection of Children from Harm
- 10.2 It should be noted that each of the licensing objectives have equal importance and are the only grounds upon which a relevant representation can be made and for which an application can be refused or terms and conditions attached to a licence.

11. HUMAN RIGHTS ACT 1998 IMPLICATIONS

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

12. MEMBERS DECISION MAKING

- A. **Option 1**
That the application be refused

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

13. CONCLUSION

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

Group Director, Neighbourhoods and Housing	Ajman Ali
Lead Officer (holder of original copy):	Sanaria Hussain Senior Licensing Officer Licensing Service 1 Hillman Street E8 1DY Telephone: 020 8356 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: Unit 7, 2-4 Orsman Road, Hackney N1 5FB	Licensing Service 1 Hillman Street London E8 1DY

Printed matter
Licensing Act 2003
LBH Statement of Licensing Policy

REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 22/04/2021	Classification DECISION	Enclosure
Application for a Premises Licence U7 Lounge, Unit 7, 2-4 Orsman Road, N1 5FB	Ward(s) affected Hoxton East & Shoreditch	

SUMMARY

Applicant(s) Haci Ozturk	In SPA: No
Date of Application 15th February 2021	Period of Application Permanent
Proposed licensable activity Plays Films Live Music Recorded Music Anything of a similar description Late Night Refreshment Supply of Alcohol	
Proposed hours of licensable activities	
Plays	Standard Hours: Mon 10:00-23:30 Tue 10:00-23:30 Wed 10:00-23:30 Thu 10:00-23:30 Fri 10:00-00:00 Sat 10:00-00:00 Sun 10:00-23:30
Films	Standard Hours: Mon 10:00-23:30 Tue 10:00-23:30 Wed 10:00-23:30 Thu 10:00-23:30 Fri 10:00-00:00 Sat 10:00-00:00 Sun 10:00-23:30
Live music	Standard Hours: Mon 10:00-23:30 Tue 10:00-23:30 Wed 10:00-23:30 Thu 10:00-23:30

Recorded music	Fri 10:00-00:00 Sat 10:00-00:00 Sun 10:00-23:30 Standard Hours:
	Mon 10:00-23:30 Tue 10:00-23:30 Wed 10:00-23:30 Thu 10:00-23:30 Fri 10:00-00:00 Sat 10:00-00:00 Sun 10:00-23:30 Standard Hours:
Performance of dance	Mon 10:00-23:30 Tue 10:00-23:30 Wed 10:00-23:30 Thu 10:00-23:30 Fri 10:00-00:00 Sat 10:00-00:00 Sun 10:00-23:30 Standard Hours:
Anything of a similar description	Mon 10:00-23:30 Tue 10:00-23:30 Wed 10:00-23:30 Thu 10:00-23:30 Fri 10:00-00:00 Sat 10:00-00:00 Sun 10:00-23:30 Standard Hours:
Late night refreshment	Mon 23:00-23:30 Tue 23:00-23:30 Wed 23:00-23:30 Thu 23:00-23:30 Fri 23:00-00:00 Sat 23:00-00:00 Sun 23:00-23:30 Standard Hours:
Supply of Alcohol On and Off the premises	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 10:00-22:30

The opening hours of the premises	
Standard Hours: Mon 10:00-23:30 Tue 10:00-23:30 Wed 10:00-23:30 Thu 10:00-23:30 Fri 10:00-00:30 Sat 10:00-00:30 Sun 10:00-23:00	
Capacity: Not known	
Policies Applicable	LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP5 Planning ,LP4 'Off' Sales of Alcohol, LP6 (External Areas and Outdoor Events)
List of Appendices	A – Application for a premises licence and supporting documents B – Representations from responsible authorities C – Representations from Other Persons D– Existing Premises Licence E – Location map
Relevant Representations	<ul style="list-style-type: none"> ● Licensing Authority ● Environmental Enforcement ● Planning Authority ● Other Persons

1. APPLICATION

1.1 Haci Ozturk has made an application for a premises licence under the Licensing Act 2003:

- To authorise Regulated Entertainment comprising Plays, films, live music, recorded music and anything of a similar nature.
- To authorise late night refreshment
- To authorise the supply alcohol for consumption **on** and **off** the premises

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

2. CURRENT STATUS / HISTORY

2.1 The current premises licence was revoked by the Licensing Sub Committee on 01/10/2020 following an application to review made by the Licensing Authority on 11/08/2020. An application to vary the existing licence received 05/08/2020 was also refused by the Sub-Committee on 01/10/2020. Subsequently a new application was submitted on 17/11/2020 which was refused by the Licensing Sub Committee on 21/01/2021. An appeal has been lodged against each of the three decisions. A copy of the existing premises licence is attached as Appendix D.

2.2 No TENs have been submitted in respect of the premises in this calendar year.

3. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	Have confirmed no representation on this application
Environmental Health Authority (Environmental Enforcement) Appendix B3	Representation received on the grounds of The Prevention of Public Nuisance
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	No representation received
Planning Authority Appendix B2	Representation received on the grounds of The Prevention of Public Nuisance
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application
Police	Representation withdrawn following applicant's agreement to reduce to the core hours for alcohol , removal of non-standard hours and amendment to condition 24 of proposed conditions as set out in Para 8.1 below
Licensing Authority Appendix B1	Representation received on the grounds of The Prevention of Public Nuisance
Health Authority	Have confirmed no representation on this application

4. REPRESENTATIONS: OTHER PERSONS

From	Details
8 representations have been received from and on behalf of local residents. Appendices C1 to C8	Representation received on the grounds of The Prevention of Public Nuisance, Public Safety and Prevention of Crime and Disorder

5. GUIDANCE CONSIDERATIONS

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

6. POLICY CONSIDERATIONS

- 6.1 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.
- 6.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies, LP1 (General Principles), LP2 (Licensing Objectives), LP5(Planning Status), LP4 'Off' Sales of Alcohol and LP6 (External Areas and Outdoor Events)are relevant.

7. OFFICER OBSERVATIONS

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

Supply Of Alcohol (On/Both)

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.

Exhibition Of Films

8. Admission of children (under 18) to the exhibition of any film must be restricted in accordance with: -

- (a) Recommendations made by the film classification body where the film classification body is specified in the licence, or
- (b) Recommendations made by the licensing authority where the film classification body is not specified in the licence, or the relevant licensing authority has not notified the holder of the licence that this subsection applies to the film in question.

"film classification body" means person(s) designated under s4 of the Video Recordings Act 1984 (c.39).

Door Supervision

9. Each individual who is to carry out a security activity at the premises must be licensed by the Security Industry Authority.

Conditions derived from operating schedule

10. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, 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 a Police or authorised officer.

11. A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.

3) An incident log shall be kept at the premises and made available immediately to an authorised officer of the Hackney Borough Council or the Police which will record the following:

- a) Any crimes reported to the venue
- b) Any complaints received
- c) Any incidents of disorder
- d) Any faults in the CCTV system
- e) Any refusal of the sale of alcohol
- f) Any visit by a relevant authority or emergency service

12. Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.

13. The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm.

6) Adequate waste receptacles for use by customers will be provided in the local vicinity.

14. "Challenge 25" to operate at premises with signage displayed advertising that anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving licence or a passport) if they wish to buy alcohol.

15. The applicant shall adequately ventilate the premises to allow doors and windows to remain closed during licensed entertainment.

16. The applicant shall close all entrance doors and windows when regulated entertainment takes place except for immediate access and egress of persons.

17. The applicant shall install a sound limiter device set by a registered member of the Institute of Acoustics and maintain to ensure that the music does not give rise to a nuisance to nearby residents and in the vicinity.

18. The applicant shall prominently display clearly legible signage at all patron exits requesting that patrons leave the premises in a quiet and orderly manner that is respectful to the neighbours.

19. The applicant shall keep all the highway and public spaces in the immediate vicinity of the premises free from litter emanating from the premises while the premises are open.
20. There shall be no deliveries or collection between 22:00-07:00 hours Monday-Sunday.
21. The applicant shall properly present and place out all waste for collection no earlier than 30 minutes before collection times.
22. Light installation at the premises shall not give rise to light nuisance to nearby residents.
23. The extract system at the premises shall not give rise to noise and odour nuisance to nearby residents.
24. The rear outside area shall not be used after 2100hours save for a maximum of 5 smokers.
25. The smoking area is to be situated at the rear of the premises. The front of the venue is not to be used for smokers.
26. There shall be no glass, drinks or open containers taken outside of the premises after 21:00 hours.
27. There shall be no glass, drinks or open containers taken outside the front of the premises at any time.
28. A staff member from the premises who is conversant with the operation of CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.
29. There shall be "CCTV in Operation" signs prominently displayed.
30. All instances of crime or disorder to be reported by the Designated Premises Supervisor or responsible member of staff to an agreed Police contact point as agreed with the Police.
31. The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor/Duty Manager.
32. All staff will be given refresher training every twelve months on the legislation relating to the sale of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to the Police or other authorised officers upon request.
33. The premises shall adhere to Hackney Police Weapons and Drugs Policies and any updates thereof.
34. When the licensable area is being used for licensable activities, the capacity, including the rear outside area, be restricted to a maximum of 95 patrons at any one time.

35. The premises will implement a written dispersal policy and will provide a copy of the policy to the Police, Licensing Authority and Environmental Health. All staff will be trained in the implementation of the dispersal policy.

36. The Premises Licence Holder shall undertake a risk assessment prior to any pre-booked function, to determine whether they require a registered door supervisor(s). If required the premises licence holder, in consultation with the door security provider, shall determine the commensurate levels, timings and location of door supervision to be deployed.

37. The risk assessment shall be recorded in writing and retained for a minimum of 31 days and be made available to the Police or officers of the Council immediately upon request.

38. When engaged all security staff shall be clearly identifiable at all times and all door supervisors shall enter their full details in the premises daily register at the commencement of their work, including their SIA registration number.

39. If the door supervisor is provided by an agency the name, registered business address and contact telephone number of the agency shall be recorded and will be made available to police or authorised officers immediately upon request.

Conditions derived from Responsible Authority representations

40. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their responsibility as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.

41. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.

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

43. The Licensee shall instruct members of staff to make regular checks of the area immediately outside the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.

44. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacle being carefully placed so as not to cause an obstruction or trip.

9. REASONS FOR OFFICER OBSERVATIONS

9.1 Conditions 10 to 39 are derived from the applicant's operating schedule. Condition 24 has been amended as agreed with Police. Conditions 40 to 44 have been suggested by the Environmental Enforcement Authority.

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.

Acting Group Director, Neighbourhoods and Housing	Ajman Ali
Lead Officer (holder of original copy):	Sanaria Hussain Senior Licensing Officer Licensing Service 1 Hillman Street E8 1DY Telephone: 020 8356 2431

LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

The following document(s) has been relied upon in the preparation of the report.

Description of document	Location
Office File: Unit 7, 2-4 Orsman Road, Hackney N1 5FB	Licensing Service 1 Hillman Street London E8 1DY

Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy

Hackney
LA01

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

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 HACI OZTURK

(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 Unit 7 2-4 Orsman Road Hackney			
Post town	London	Postcode	N1 5FB

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£26000

Part 2 - Applicant details

Please state whether you are applying for a premises licence as 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)

Post town	██████████	Postcode	██████████
Daytime contact telephone number			
E-mail address (optional)	████████████████████		

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
Nationality					
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(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
Address
Registered number (where applicable)

Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
1	6	03 2021

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

DD	MM	YYYY

<p>Please give a general description of the premises (please read guidance note 1)</p> <p>LICENSED BAR</p>
--

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?

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

- | | |
|--|-------------------------------------|
| Provision of regulated entertainment (please read guidance note 2) | Please tick any that apply |
| a) plays (if ticking yes, fill in box A) | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" 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 checked="" type="checkbox"/> |

f) recorded music (if ticking yes, fill in box F)

g) performances of dance (if ticking yes, fill in box G)

h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) Plays may occasionally be performed as part of fund raising events and may form the principal entertainment offered or ancillary to other entertainment eg music		
Mon	10:00	23:30			
Tue	10:00	23:30			
Wed	10:00	23:30	Non-standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Thur	10:00	23:30			
Fri	10:00	00:00			
Sat	10:00	00:00			
Sun	10:00	23:30			

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) Film and/or video shows or relays may be provided from time to time whether of a musical and/or sporting nature or otherwise and whether forming the principal entertainment offered or as ancillary to other entertainment, e.g. music and dancing.		
Mon	10:00	23:30			
Tue	10:00	23:30			
Wed	10:00	23:30	State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur	10:00	23:30			
Fri	10:00	00:00	Non-standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	10:00	00:00			
Sun	10:00	23:30			

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<p>Please give further details here (please read guidance note 4)</p> <p>The applicant wishes to be able to provided both live amplified and unamplified music and singing as may from time to time compliment the range of entertainment being provided at the premises whether as the principal entertainment or in conjunction with dancing and/or any other permitted activity.</p> <p>State any seasonal variations for the performance of live music (please read guidance note 5)</p> <p>Non-standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)</p>		
Mon	10:00	23:30			
Tue	10:00	23:30			
Wed	10:00	23:30			
Thur	10:00	23:30			
Fri	10:00	00:00			
Sat	10:00	00:00			
Sun	10:00	23:30			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) The applicants wish to have the facility for the provision of recorded music whether as the principal entertainment provided or in conjunction with dancing or any other permitted activity.		
Mon	10:00	23:30			
Tue	10:00	23:30			
Wed	10:00	23:30	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	10:00	23:30			
Fri	10:00	00:00	Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	10:00	00:00			
Sun	10:00	23:30			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	10:00	23:30	Please give further details here (please read guidance note 4) The applicants wish to provide such performance of dance as may be required from time to time to compliment the range of entertainment or in conjunction with dancing or any other permitted activity		
Tue	10:00	23:30			
Wed	10:00	23:30	State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur	10:00	23:30			
Fri	10:00	00:00	Non-standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	10:00	00:00			
Sun	10:00	23:30			

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	<input checked="" type="checkbox"/>
Mon	10:00	23:30		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	10:00	23:30	Please give further details here (please read guidance note 4) The applicant wishes to provide such other entertainment of a like kind as may be required from time to time to compliment the range of entertainment or in conjunction with dancing or any other permitted activity		
Wed	10:00	23:30			
Thur	10:00	23:30	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri	10:00	00:00			
Sat	10:00	00:00	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	10:00	23:30			

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) The applicants wish to be able to provide facilities for late night refreshment as may be required from time to time to compliment the range of activities (whether licensable or not) being provided at the premises whether as principal or in conjunction any other permitted activity		
Mon	23:00	23:30			
Tue	23:00	23:30	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Wed	23:00	23:30			
Thur	23:00	23:30	Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		
Fri	23:00	00:00			
Sat	23:00	00:00			
Sun	23:00	23:30			

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 type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	10:00	23:30			
Tue	10:00	23:30			
Wed	10:00	23:30			
Thur	10:00	23:30			
Fri	10:00	00:00			
Sat	10:00	00:00			
Sun	10:00	23:30			
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

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

Name ALICAN TILKIDAGI
Date of birth [REDACTED]
Address [REDACTED]
Postcode [REDACTED]
Personal licence number (if known) [REDACTED]
Issuing licensing authority (if known) [REDACTED]

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

THERE WILL BE NO ACTIVITY OF THIS NATURE

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	10:00	00:00	<p>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)</p> <p>From the end of permitted hours on New Year's Eve to the start of permitted hours on the following day</p>
Tue	10:00	00:00	
Wed	10:00	00:00	
Thur	10:00	00:00	
Fri	10:00	00:30	
Sat	10:00	00:30	
Sun	10:00	00:00	

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)

Please see schedule of conditions attached

b) The prevention of crime and disorder

Please see schedule of conditions attached

c) Public safety

Please see schedule of conditions attached

d) The prevention of public nuisance

Please see schedule of conditions attached

e) The protection of children from harm

Please see schedule of conditions attached

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 (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, if appropriate (please see note 15)
Signature	[REDACTED]
Date	15th February 2021
Capacity	APPLICANT'S SOLICITOR

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) DAVID DADDS [REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]
Telephone number (if any) [REDACTED]			

Annex 2 – Conditions Consistent with the Operating Schedule

- 1) The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer.
- 2) A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.
- 3) An incident log shall be kept at the premises and made available immediately to an authorised officer of the Hackney Borough Council or the Police which will record the following:
 - a) Any crimes reported to the venue
 - b) Any complaints received
 - c) Any incidents of disorder
 - d) Any faults in the CCTV system
 - e) Any refusal of the sale of alcohol
 - f) Any visit by a relevant authority or emergency service
- 4) Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.
- 5) The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm.
- 6) Adequate waste receptacles for use by customers will be provided in the local vicinity.
- 7) “Challenge 25” to operate at premises with signage displayed advertising that anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving licence or a passport) if they wish to buy alcohol.
- 8) The applicant shall adequately ventilate the premises to allow doors and windows to remain closed during licensed entertainment.
- 9) The applicant shall close all entrance doors and windows when regulated entertainment takes place except for immediate access and egress of persons.

- 10) The applicant shall install a sound limiter device set by a registered member of the Institute of Acoustics and maintain to ensure that the music does not give rise to a nuisance to nearby residents and in the vicinity.
- 11) The applicant shall prominently display clearly legible signage at all patron exits requesting that patrons leave the premises in a quiet and orderly manner that is respectful to the neighbours.
- 12) The applicant shall keep all the highway and public spaces in the immediate vicinity of the premises free from litter emanating from the premises while the premises are open.
- 13) There shall be no deliveries or collection between 22:00-07:00 hours Monday-Sunday.
- 14) The applicant shall properly present and place out all waste for collection no earlier than 30 minutes before collection times.
- 15) Light installation at the premises shall not give rise to light nuisance to nearby residents.
- 16) The extract system at the premises shall not give rise to noise and odour nuisance to nearby residents.
- 17) There shall be no more than five persons permitted to smoke outside the premises at any one time after 21:00 hours.
- 18) The smoking area is to be situated at the rear of the premises. The front of the venue is not to be used for smokers.
- 19) There shall be no glass, drinks or open containers taken outside of the premises after 21:00 hours.
- 20) There shall be no glass, drinks or open containers taken outside the front of the premises at any time.
- 21) A staff member from the premises who is conversant with the operation of CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.
- 22) There shall be "CCTV in Operation" signs prominently displayed.

- 23) All instances of crime or disorder to be reported by the Designated Premises Supervisor or responsible member of staff to an agreed Police contact point as agreed with the Police.
- 24) The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor/Duty Manager.
- 25) All staff will be given refresher training every twelve months on the legislation relating to the sale of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to the Police or other authorised officer upon request.
- 26) The premises shall adhere to Hackney Police Weapons and Drugs Policies and any updates thereof.
- 27) When the licensable area is being used for licensable activities, the capacity, including the rear outside area, be restricted to a maximum of 95 patrons at any one time.
- 28) The premises will implement a written dispersal policy and will provide a copy of the policy to the Police, Licensing Authority and Environmental Health. All staff will be trained in the implementation of the dispersal policy.
- 29) The Premises Licence Holder shall undertake a risk assessment prior to any pre-booked function, to determine whether they require a registered door supervisor(s). If required the premises licence holder, in consultation with the door security provider, shall determine the commensurate levels, timings and location of door supervision to be deployed.
- 30) The risk assessment shall be recorded in writing and retained for a minimum of 31 days and be made available to the Police or officers of the Council immediately upon request.
- 31) When engaged all security staff shall be clearly identifiable at all times and all door supervisors shall enter their full details in the premises daily register at the commencement of their work, including their SIA registration number.
- 32) If the door supervisor is provided by an agency the name, registered business address and contact telephone number of the agency shall be recorded and will be made available to police or authorised officer immediately upon request.

— Licensable area
● Fire Extinguisher

- ① outdoor garden space shaded blue to be used for consumption only
- ② moveable furniture for illustration purposes only

	EXISTING WALL
	UNIT 7 BOUNDARY LINE
	SUIT GENERIS AREA: 246sqm
	A4 USE AREA: 34sqm
	OUTDOOR GARDEN SPACE
TOTAL FLOOR AREA: 280sqm	

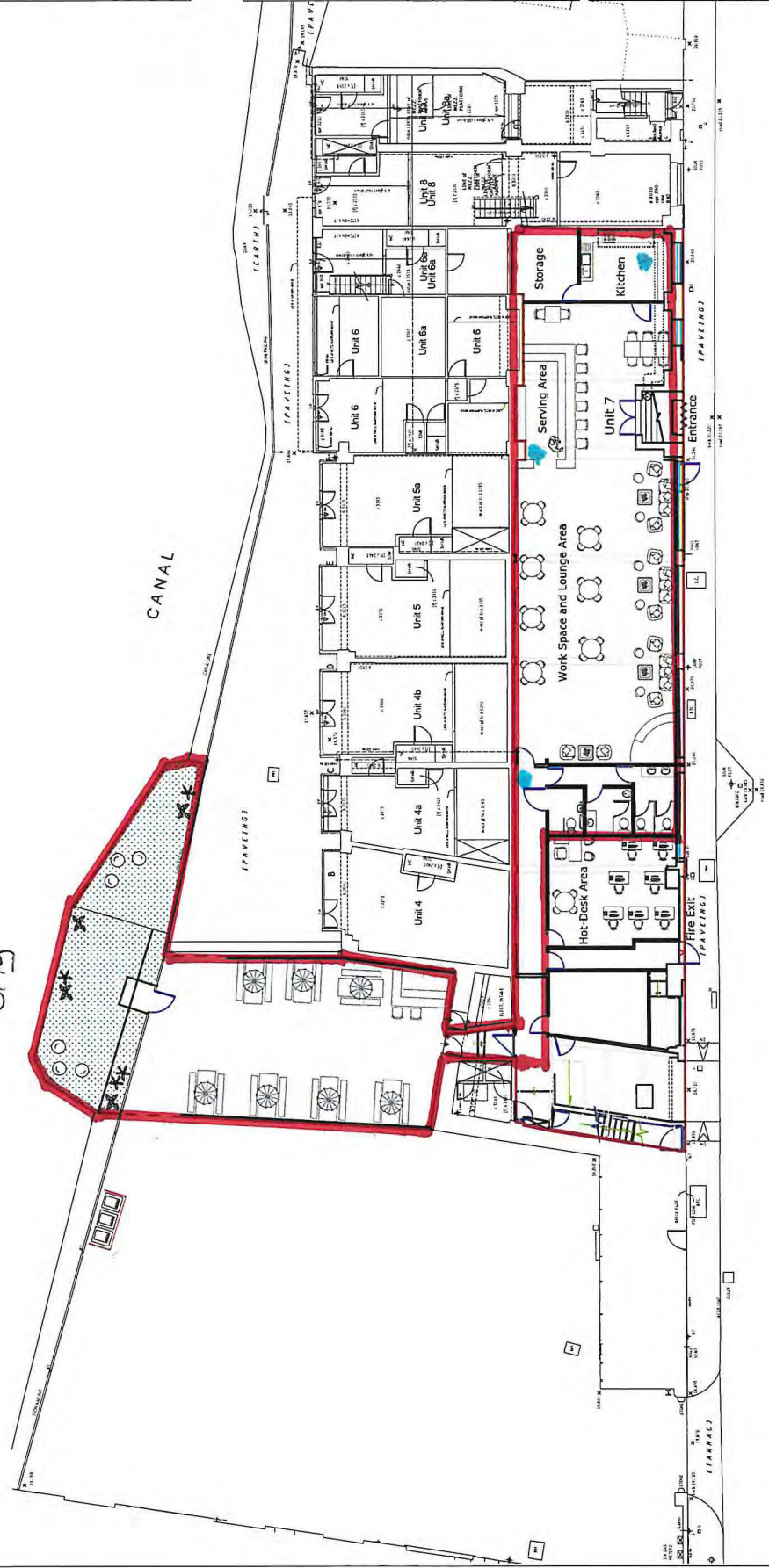
ADVANCE ARCHITECTURE
 ARCHITECTURE / PLANNING / LICENSING
 Unit 17, Ashley House, Ashby Road
 London N17 8JZ, 020 7599 178
 www.advancepl.co.uk
 info@advancepl.co.uk

PLEASE NOTE

- All dimensions to be verification site.
- All dimensions are in millimetres.
- No dimensions are in millimetres.
- All dimensions have been obtained. These include Planning, Building Regulations, Water and party Wall.
- The Copyright of this drawing belongs to Advance Planning and Licensing Limited.

Date	23/07/20
Scale (@ A3)	1 : 200
Edited by	EB
Checked by	KK

PROJECT STATUS	PLANNING PROPOSED
PROJECT	UNIT 7 Orsman Road N1 5QJ
SHEET	PLANS
JOB No.	19.021
DRAWING NUMBER	P203
REV	



ORSMAN ROAD
PROPOSED PLAN

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

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	U7 Lounge Unit 7, 2-4 Orsman Road N1 5QJ
NAME OF APPLICANT	U7 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 has sought a new premises licence to operate the premises as a licensed bar within the locality. The current premises licence permits the sale of alcohol with a substantial table meal.

The Licensing Authority are aware of resident concerns about the operation of the premises, these concerns are based on anti-social behaviour, noise and nuisance that they have experienced during the operation of the premises under the current premises licence. Given the premises proximity to residential addresses, the Licensing Authority are concerned that the Prevention of Public Nuisance licensing objective may be at risk of being undermined by the grant of this application.

The Licensing Authority has noted that this application is from a new individual, does the new applicant have any relationship with the current licensee? Can the new applicant demonstrate their interest in the premises by way of a leasehold agreement etc.

The Licensing Authority is seeking assurances that the new applicant is not simply seeking to act as a proxy for the current licensee with regards to previously refused applications. Should a licence be granted, it could easily be transferred to the current licensee and therefore circumvent the previous decisions of the Licensing Sub-Committee in relation to this premises. (A copy of the previous decision has been attached for reference).

Has the applicant spoken with local residents about the proposed activity at the premises?

What experience does the new applicant have in relation to the operation of a licensed premise?

Additionally, it has been noted that the hours sought on the application exceed the Planning permission hours, this is contrary to the Hackney Licensing Policy:

LP5 Planning Status

Licence applications should normally be from premises where:

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

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

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

The current Planning status for the premises states the following:

3 - The use hereby permitted may only be carried out between 08:00 to 22:00 Monday to Saturday and 08:00 to 21:00 on Sundays.

REASON: To ensure that the use is operated in a satisfactory manner and does not unduly disturb adjoining occupiers or prejudice local amenity generally

Would the new applicant be prepared to adjust the opening hours on the application to align with the Planning condition?

It is also noted that the hours sought for licensable activity also exceed the council's licensing policy in relation to core hours.

LP3 Core Hours

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 2016 and Guidance issued by the Home Office. The Licensing Authorities previous experience of the operation of the premises in this area.

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: 12/03/2021

Application for a Premises Licence – Unit 7 Lounge, Unit 7, 2 - 4 Orsman Road, Hackney, London, N1 5FB - REFUSAL

The decision of 21st January 2021

The Licensing Sub-Committee in considering this decision from the information presented to it within the report and at the hearing today has determined that having regard to the promotion of all the licensing objectives:

- The prevention of crime and disorder;
- Public safety;
- Prevention of public nuisance;
- The protection of children from harm,

the application for a premises licence has been refused in accordance with Licensing Policies LP1 and LP2 within the Council's Statement of Licensing Policy.

Reasons for the decision

The Licensing sub-committee, having heard from the Licensing Authority, considered that granting the application was likely to result in the licensing objectives being undermined.

The sub-committee took into consideration the fact that the Metropolitan Police Service had withdrawn its representations, and agreed conditions with the applicant before the hearing. It was also noted that there were no objections raised by other Responsible Authorities or Other Persons.

The sub-committee, when making its decision, took into consideration that the applicant was seeking a new premises licence to operate the premises as a licensed bar within a residential area. It was noted that the current premises licence permits the sale of alcohol with a substantial table meal. The sub-committee was concerned that there were fewer protections in the current licence than would normally be expected. The sub-committee took into consideration evidence that the licence holder had failed to comply with the conditions on the premises licence.

While the sub-committee noted that the premises licence had been revoked recently, it considered the present application on its own merits. The sub-committee took into consideration the Licensing Authority's concerns that the proposed application could lead to further resident complaints, and the licensing objective relating to public nuisance could be undermined. The Licensing Authority presented evidence that the applicant had, recently, operated the premises in a way as to cause public nuisance. While the weight to be attached to that evidence was disputed by the applicant, the sub-committee considered it appropriate to take it into account when arriving at its decision.

The sub-committee took into consideration when refusing this application the evidence before it of issues relating to the manner in which the applicant has run its business from the premises. The application was carefully considered on its own merits. The sub-committee was concerned that the applicant had been unable to demonstrate that it had engaged with the Licensing Authority to resolve its concerns. The sub-committee had concerns, based upon the evidence presented to it, about whether the applicant was able to manage the premises responsibly. Therefore, it was felt that the licensing objectives could not be promoted by granting this application, meaning that it was appropriate to refuse the application in its entirety.



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

Unit 7, 2-4 Orsman Road

1 message

Patrick O'Connor <patrick.oconnor@hackney.gov.uk>

8 March 2021 at 11:43

To: "Licensing (Shared Mailbox)" <licensing@hackney.gov.uk>, Channing Riviere <channing.riviere@hackney.gov.uk>, David Tuitt <david.tuitt@hackney.gov.uk>

Cc: John Tsang <john.tsang@hackney.gov.uk>

Dear Sir / Madam,

The Planning Service wishes to comment on the current licensing application for the above premises as follows:

Planning permission was granted for the material change of use of the premises to a mixed B1 office / A3 use. Planning permission 2019/1858 was subject to three conditions, and Condition 3 is relevant in this instance as it restricts the hours of operation at the premises as follows:

3 - The use hereby permitted may only be carried out between 08:00 to 22:00 Monday to Saturday and 08:00 to 21:00 on Sundays.

REASON: To ensure that the use is operated in a satisfactory manner and does not unduly disturb adjoining occupiers or prejudice local amenity generally

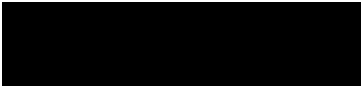
The planning enforcement team has no ongoing investigation at the site, as the previous breach ceased during tiered lockdowns.

With regards,

--

Patrick O'Connor
Planning Enforcement Team Leader
LB Hackney

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



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

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	London Borough of Hackney
ADDRESS OF AUTHORITY	Community Safety & Enforcement Service First Floor Hackney Service Centre 1 Hillman Street London E8 1DY
CONTACT NAME	Jacey Frewin
TELEPHONE NUMBER	020 8356 4567
E-MAIL ADDRESS	jacey.frewin@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Unit 7, 2-4 Orsman Road London N1 5FB
NAME OF APPLICANT	Mr Christopher Fields

COMMENTS

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

- 1) the prevention of crime and disorder •
- 2) public safety •
- 3) the prevention of public nuisance **x**
- 4) the protection of children from harm •

Representation in relation to:

ENVIRONMENTAL LICENCE CONDITIONS IN RESPECT OF

Unit 7, 2-4 Orsman Road, London N1 5FB

1. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their responsibility as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.
2. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.
3. In order to minimise the amount of time any waste remains on the public highway in readiness for collection, the Licensee will ensure the timeframe within which it may expect its waste carrier to collect is adhered to.
4. The Licensee shall instruct members of staff to make regular checks of the area immediately outside the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.
5. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacle being carefully placed so as not to cause an obstruction or trip.

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

We have received complaints in the past regarding littering and build-up of waste in the area. There have been instances in the past where Enforcement Officers have found evidence of the illegal disposal of waste from businesses in this area. Experience has also shown that there is the probability that there will be cigarette litter outside these premises due to the smoking ban.

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

contact Jacey Frewin by email

Name: Jacey Frewin

Date: 01/02/2021



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

U7, Unit 7, 2-4 Orsman Road | Premises Licence Objection

1 message

14 March 2021 at 19:05

To: licensing@hackney.gov.uk

To whom it may concern,

I'd like to put forward a formal objection to Mr Ozturk's new premises license application for U7 (Unit 7, 2-4 Orsman Road, N15FB).

I have been a resident of the Canalside Studios/2-4 Orsman Road estate for over 5 years and sadly during the comparatively short time in which the business has been operating nearby, I have witnessed countless licence breaches and/or serious disturbances to the surrounding neighbours. These resulted in U7 having its original premises license revoked and still I do not feel that the business owners are fit to run the establishment as they have proposed in the new application. Therefore, granting them another license will only result in a repeat of the problems.

I have witnessed many breaches in U7's outside area that joins the property to the canal. Last summer, the bar did not have a license to serve customers alcohol in this space (they had applied for a take-away license extension to allow it which was rightfully denied) but, prior to having their entire license revoked, still served alcohol in the area for a prolonged period of time. I also believe that they were investigated by the local authorities for similar licence breaches relating to the serving of alcohol and were again found to be breaking them. It seriously concerns me that either the owners do not understand basic licencing rules or alternatively see no issues in ignoring them and breaking the law on a regular basis. I notice that this application has been made by Mr Ozturk on this occasion, as the previous license holder was presumably deemed unfit to run the establishment, but I don't see how his actions will differ seeing as the business is a jointly-managed venture by the couple.

In regards to disturbances, I have needed to speak to the bar on a number of occasions about noise and/or a lack of security accompaniment for customers for when they are outside of the building. The most recent example of these disturbances being an incompetently-handled private event in which the police had to be called in the early hours of 12th September to break up antisocial behaviour from a large group who were emptied from the bar and onto the street, unattended by adequate security or staff. The result was loud shouting, fights, broken glass (which was not cleared) and damage to a parked car - demonstrating a bewildering lack of understanding and preparation of how to manage the event/customers and the inability to foresee such an occurrence happening. Both of which raise more worries as to the owner's capacity to run the establishment.

On top of the issues outlined above as direct results from the bar's activities, the inept handling of customers also leads to a very serious security threat to the residents of the surrounding buildings. 2-4 Orsman Road is a gated community and with the bar having positioned its smoking area in the middle of those properties, the security of the gate (which is there with good reason) is entirely bypassed as any member of the public can move through the bar and have access to the properties. Going by previous experiences, I have no reason to believe that the bar would have any form of adequate system in place to stop customers walking around the small fence that line the smoking area/benches and gain easy access to the houses - many of which are converted warehouses which can be broken into easily, hence the need for the gate.

I hope that this objection is considered and would ask that my details be carefully omitted from any supporting evidence - I understand that this is the standard policy, but I have been confronted by the two owners in the past for making previous objections which they claim to have seen.

Regards,

2-4 Orsman Road, N1



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

Unit 7 licence objection, Orsman Road N1

1 message

13 March 2021 at 12:47

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

Hello,

I'm writing to object to Unit 7's latest attempt to secure a late-night alcohol license. This venue has already breached restrictions imposed on it before now, several times, as you are already aware, having refused the same application for this license twice before. But I would reiterate that, even during the Covid restrictions of summer 2020, the manager of Unit 7 continued to put on events till the early hours – one of which was stopped by the police, resulting in drunken fighting between people who had decided to continue the party in the street till 4am (this was the event on the night of 11th September).

I have to say, I sympathise with Hackney council here. Presumably, the law as it stands permits Unit 7 to make applications for the late alcohol license as often as it likes, despite having been twice refused. Indeed, it seems that his most recent application made under a different name is an attempt to make the council think it's a new application. You'll also be aware of the fact that Unit 7 has regularly breached the Planning regulations and Licencing agreements, opening later than the license permits. The space inside and outside has also been changed without planning consent, in the following ways:

1. air conditioning unit attached to the side of the building on Orsman rd
2. Unit 7 bar light and awning installed on Orsman Rd
3. The same owner has also installed a rooftop terrace overlooking the canal, as part of his other operation, the cafe on nearby Kingsland Rd (has Hackney council investigated whether this development was legal?)

The wider issue here, however, is that there shouldn't really be any kind of drinking venue on those premises at all. My understanding is that Unit 7's operation was constructed in completely *ad hoc* fashion, without any prior permission. This sets a worrying precedent. It shows a disrespect for the council, but above all doesn't take account of the fact that the area is now mainly residential, not commercial. And even when it was commercial, in the 90s, it was light industrial, not entertainment-based.

Best regards



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

Re: Objections for Unit 7, 2-4 Orsman Road N1 5FB

1 message

Shan Uthayasangar <shan.uthayasangar@hackney.gov.uk>

12 March 2021 at 12:30

To: "Kam Adams (Cllr)" <kam.adams@hackney.gov.uk>, David Tuitt <david.tuitt@hackney.gov.uk>

Cc: Sanaria Hussain <Sanaria.Hussain@hackney.gov.uk>, Subangini Sriramana <subangini.sriramana@hackney.gov.uk>, "Licensing (Shared Mailbox)" <licensing@hackney.gov.uk>

Dear Cllr Adams,

Thank you for forwarding objection email from a resident, which has been passed to the relevant officers (cc'd in this email) for action.

Kind Regards,

Shan Uthayasangar
Licensing Officer
London Borough of Hackney

On Fri, 12 Mar 2021 at 12:17, Kam Adams (Cllr) <kam.adams@hackney.gov.uk> wrote:

Hi Shan and David,

Hope you are well and healthy.

Please find below a written statement from one of the residents from [REDACTED] at 2-4 Orsman Road objecting to the new licence application from Mr Ozturk for a late night bar/live music/recorded music/films/performance dance and to authorise the supply of alcohol and consumption on the premises until late-night hour.

The residents don't want their identities revealed to the owners of U7 Lounge.

Some of the residents have emailed their objections directly to the Licensing team.

They want the points raised in their emails to be taken into consideration in determining the outcome of this application.

Thank you very much for your support as always.

Have a good weekend.

Kind regards,

Kam.

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

From: [REDACTED]
Date: Wed, 10 Mar 2021 at 16:15
Subject: Objections for [Unit 7, 2-4 Orsman Road N1 5FB](#)
To: Kam Adams (Cllr) <kam.adams@hackney.gov.uk>

Hi Kam,

██████ here again. Just sending you the objection letter that we put together as a building. We don't need to have the application number, just the address so I've put all the relevant information at the top.

Can you please send this to the council on behalf of all Canalside Studio residents as an official objection against the newest application that U7 has filed?

Much appreciated as always!!
Canalside Studio residents

Application address and reference information:

Premises: Unit 7 Canalside Studios, [2-4 Orsman Road London N1 5FB](#)

Ward: Hoxton and East Shoreditch

Applicants: Mr. Ozturk

All residents of Canalside Studios and adjacent properties adamantly object this planning application based on the following points:

U7 is located on the ground floor of a residential building and has continually and completely interfered with tenants' rights to live peacefully in their own homes. This is due to significant noise pollution – despite multiple attempts at soundproofing the bar, tenants are always disturbed by noise pollution whether it be bass, music or indoor and outdoor crowd noise. Every time the venue is active or tests the soundproofing, the noise pollution is at best loud enough to keep all tenants up until the early hours of the morning, and at worst loud enough to literally shakes the walls and kitchenware in the surrounding tenants' homes. The venue hired a sound engineer who confirmed with a resident that there is no proper way to soundproof the building as it is so old and the beams and concrete construction inhibit proper sound insulation. Moreover, the sound disruption causes additional issues considering the fact that tenants are working and living at home 24/7 home during the pandemic. If the planning department considers this application, we believe they should act in the interest of both parties and request a full soundproofing planning submission carried out by a third party to ensure tenants can live peacefully in their own homes.

An example of an especially bad event that created an unsafe and disruptive environment occurred on the 12th of September, 2020 when the venue hosted an event that led to mass disruption throughout the whole building. A fire alarm was pulled in the venue and woke up the entire building at 12am, at which point tenants evacuated the building as per protocol. Outside on the street, party goers were exiting the bar in groups of 15-20, all extremely drunk and aggressive, causing an unsafe environment. Eight police cars showed up and stayed until 1am, at which point they assessed the situation and deemed it uncontrollable and aggressive, so they left. The bar did nothing to disperse the crowds to the high street, instead they hid out in the venue and the crowds stayed outside yelling and fighting each other until they moved to the high street, where multiple tenants witnessed them participating in bottle fights and using street signs to fight each other.

Tenants would be happy to have a restaurant and workspace that closes at a reasonable hour. However, the historic construction of the building and the types of events the venue holds are not suitable for a building that is 99% residential. The idea that the bar would be open until 23:30 to 0:00 throughout the week is unacceptable, and it's a certain bet that it will completely disrupt and hinder tenant's abilities to live peacefully and safely in their own homes.

As far as potential for an application for additional outdoor seating or sale or consumption of alcohol off-premises is concerned, it should be seriously considered that the venue illegally served alcohol throughout summer in the proposed outdoor area without a

license to do so. The space outside that the bar uses as a beer garden is private property on which they are selling food and alcohol. They have taken the space away from tenants and placed the outdoor bar directly next to residential units. Over summer, while the bar was illegally operating a beer garden, tenants were subjected to large groups of drunk people who were left unsupervised and wandered past the beer garden area into residential homes multiple times due to lack of security, supervision and barrier signage. On more than one occasion, bar goers went past the barricades and wandered into people's homes in the middle of a global pandemic, as the location of the outdoor area allows guests to have direct access to the front doors of every ground floor unit facing the canal. One customer went far past the outdoor seating to ask a tenant for a phone charger, while others directly entered flats with open doors without permission and sat in an outdoor space designated for residents outside the beer garden.

The only other issue that tenants have with the bar is the way the bar owners interact with tenants. On more than one occasion they have exhibited intimidating behaviour that has left residents feeling displaced and unsafe in their own homes. They somehow have access to tenant's phone numbers and know us by name, despite us ever having introduced ourselves. The owners and workers often watch the CCTV footage they record outside the premises or observe tenants going about their private lives and approach tenants in a manner that makes us feel monitored and unable to live our lives in a private way. Tenants are prohibited from accessing the bar's designated garden space, but the owner often comes and sits out front of tenants' homes making conversation, resulting in residents feeling as if we have no space to call our own. The proximity of the bar to the apartments is far too close and the bar owners have effectively forced themselves into tenants' private lives in a manner that leaves us no personal space or sense of privacy or safety.

It should also be noted that no tenant received a notification in the post for the application, nor did the bar post a license application notice on the street as they are required to do. The bar owners know that residents are opposed to their activities and we are certain this is why they did not fulfil their obligation to post notice as they hoped to have their application approved with no one knowing.

Many thanks in advance for considering our serious objections to this application.

Sincerely,

Residents of Canalside Studios

--

Cllr Kam Adams

Speaker of Hackney

Councillor, Hoxton East & Shoreditch

020 8356 3373

kam.adams@hackney.gov.uk



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



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

Objections for Unit 7, 2-4 Orsman Road N1 5FB

1 message

10 March 2021 at 16:23

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

Application address and reference information:

Premises: Unit 7 Canalside Studios, [2-4 Orsman Road London N1 5FB](#)

Ward: Hoxton and East Shoreditch

Applicants: Mr. Ozturk

All residents of Canalside Studios and adjacent properties adamantly object this planning application based on the following points:

U7 is located on the ground floor of a residential building and has continually and completely interfered with tenants' rights to live peacefully in their own homes. This is due to significant noise pollution – despite multiple attempts at soundproofing the bar, tenants are always disturbed by noise pollution whether it be bass, music or indoor and outdoor crowd noise. Every time the venue is active or tests the soundproofing, the noise pollution is at best loud enough to keep all tenants up until the early hours of the morning, and at worst loud enough to literally shakes the walls and kitchenware in the surrounding tenants' homes. The venue hired a sound engineer who confirmed with a resident that there is no proper way to soundproof the building as it is so old and the beams and concrete construction inhibit proper sound insulation. Moreover, the sound disruption causes additional issues considering the fact that tenants are working and living at home 24/7 home during the pandemic. If the planning department considers this application, we believe they should act in the interest of both parties and request a full soundproofing planning submission carried out by a third party to ensure tenants can live peacefully in their own homes.

An example of an especially bad event that created an unsafe and disruptive environment occurred on the 12th of September, 2020 when the venue hosted an event that led to mass disruption throughout the whole building. A fire alarm was pulled in the venue and woke up the entire building at 12am, at which point tenants evacuated the building as per protocol. Outside on the street, party goers were exiting the bar in groups of 15-20, all extremely drunk and aggressive, causing an unsafe environment. Eight police cars showed up and stayed until 1am, at which point they assessed the situation and deemed it uncontrollable and aggressive, so they left. The bar did nothing to disperse the crowds to the high street, instead they hid out in the venue and the crowds stayed outside yelling and fighting each other until they moved to the high street, where multiple tenants witnessed them participating in bottle fights and using street signs to fight each other.

Tenants would be happy to have a restaurant and workspace that closes at a reasonable hour. However, the historic construction of the building and the types of events the venue holds are not suitable for a building that is 99% residential. The idea that the bar would be open until 23:30 to 0:00 throughout the week is unacceptable, and it's a certain bet that it will completely disrupt and hinder tenant's abilities to live peacefully and safely in their own homes.

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It should also be noted that no tenant received a notification in the post for the application, nor did the bar post a license application notice on the street as they are required to do. The bar owners know that residents are opposed to their activities and we are certain this is why they did not fulfil their obligation to post notice as they hoped to have their application approved with no one knowing.

Many thanks in advance for considering our serious objections to this application.

Sincerely,

Residents of Canalside Studios



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

Objection : UNIT 7, 2-4 Orsman Road

1 message

5 March 2021 at 13:06

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

I'm a resident and home owner in Orsman Rd, i have been living here for the past 18 years, since Unit 7 opened it had a very bad influence on the street, its residents and my personal my well being, i know that i share this with other residents around the premisses. the owner has time and time again applied for a licence for what is essentially a night club! he does not **understand that there are working residents living right next to his premisses** and we simply cannot continue living next to a noisy night club!

In the light of all we have gone through (residents, the council, the police, higher authorities...) for over 2 years as result of Unit 7 misconducts, as presented in the attached committee report, I find it extremely hard to understand why the council allows unit 7 to continually re-apply and re-appeal.

we are residents that just want to live in piece in our street, and do not wish to have to deal with late-night club opening every night!! dealing with a drinking establishment outside our door and costumers drinking smoking and shouting under our windows in a narrow busy street.

the owner -constantly in breech of every rule in the book, repetitively trying to get away with pushing the boundaries in every possible way. not adhering to Covid regulations ether- endangering his staff and the surrounding residents.

we had many sleepless nights, our windows bashed, our street left dirty, large un-managed angry unit 7 crowd in the streets till the early mornings. we have hundreds of emails sent to the various authorities with pictures of bouncers outside our windows on the narrow street blocking the parking slots for 'VIP', fliers advertising night club event open till 4 AM etc...

this has caused anxiety and stress, and affected our mental health and our work and livelihood.

we ask to be able to live our lives in piece and it is unthinkable that because of one person's (who does not live in the neighbourhood- not even in the borough) wish to profit out of selling alcohol, a huge amount of local residents have to suffer.

the owner dominates our street! he never consulted or listened to us - the residents of the street.

there is a **pub just a few meters away from unit 7** (surely we don't need another drinking establishment in that small square meter) the venue - **the Glory's** owner is very respectful towards us residents and works together with us to assure well managed area.

we really suffer from Unit 7 misconduct.

the thought of late night opening hours and gathering of people under our windows, is very threatening to us! and threatening our livelihood. the street is too narrow to hold crowds drinking and smoking with residents living meters apart trying to live in piece. We wish to live and function as human beings in our homes. the street is not built for this kind of activity and the owner has no consideration for any rules and anyone other than his selfish want to make money out of alcohol sales. from the experience of the past 2.5

years I do not trust that the owner of unit7 will keep to any of the rules. he has breeched every rule so far and also planning regulations on his premisses on Kingsland rd.

[REDACTED]
Sent: 05 March 2021 09:53

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

Cc: [REDACTED]

Subject: Objection : [UNIT 7, 2-4 Orsman Road](#)

****OBJECTION****

to Licence Application for

[UNIT 7, 2-4 ORSMAN ROAD, N1 5FB](#)

The reason for my objection is from past experience :

- 1.The entrance of the venue is on a narrow pavement and near parked cars, causing issues with general public getting past the people going in and out of the venue or standing around smoking and drinking outside creating excessive noise, litter, vandalism and disruption to us residents. The owner will employ bouncers to stand outside the entrance with cones and barriers on the pavement, this obstructs the usual route for people to pass and often people are seen crossing the road to avoid going past.
- This section of Orsman Road is not suitable being extremely narrow, when there is an event car dropping off customers or picking people up making it difficult for flow of traffic to continue - it has resulted in traffic jams with angry drivers and cyclists and cars parking illegally on the double yellow section and the red route causing major disruption.
- 3.The noise from customers standing outside smoking, drinking, talking on their mobile phones, with the noise from the venue of music which is loud and goes on after hours when neighbours are trying to sleep.
- The litter and debris after each event is never cleaned up by the owner and the vandalism of the parked cars occur on a regular basis.

To be clear- the new application for Unit 7 'drinking establishment' is admitted by the SAME PERSON! who has broken the licencing rules, has been disrespectful and threatening. I do not trust that he will change his behaviour.

This new application has more potential to disrupt and disturb the local community than the previous applications, as it includes every form of music, (live and recored) and entertainment, there is no concessions or considerations mentioned in the application towards the people living in the area.

If it is approved I fear that the owner will operate as a club and nightclub which in the area will cause major upset for the local community.

So I object to this proposal

best wishes



Decision Letter Refusal Re_ Unit 7 , Orsman Road - Google Docs.pdf

239K



Licensing Service
Hackney Service Centre
1 Hillman Street
London
E8 1DY
Tel 020 8356 2431
licensing@hackney.gov.uk

Date: 26/01/2021

Dear Sir/Madam,

Licensing Act 2003

Application for a Premises Licence: – Unit 7 Lounge, Unit 7, 2 - 4 Orsman Road, Hackney, London, N1 5FB - REFUSAL

I write to confirm the decision of the Licensing Sub-Committee dated 21st January 2021 in respect of the above application.

The Licensing Sub-Committee in considering this decision from the information presented to it within the report and at the hearing today has determined that having regard to the promotion of all the licensing objectives:

- The prevention of crime and disorder;
- Public safety;
- Prevention of public nuisance;
- The protection of children from harm,

The decision was that the application be REFUSED in accordance with Licensing Policies LP1 and LP2 within the Council's Statement of Licensing Policy.

Reasons for the decision

The Licensing sub-committee, having heard from the Licensing Authority, considered that granting the application was likely to result in the licensing objectives being undermined.

The sub-committee took into consideration the fact that the Metropolitan Police Service had withdrawn its representations, and agreed conditions with the applicant before the hearing. It was also noted that there were no objections raised by other Responsible Authorities or Other Persons.

The sub-committee, when making its decision, took into consideration that the applicant was seeking a new premises licence to operate the premises as a licensed bar within a residential area. It was noted that the current premises licence permits the sale of alcohol with a substantial table meal. The sub-committee was concerned that there were fewer protections in the current licence than would normally be expected. The

sub-committee took into consideration evidence that the licence holder had failed to comply with the conditions on the premises licence.

While the sub-committee noted that the premises licence had been revoked recently, it considered the present application on its own merits. The sub-committee took into consideration the Licensing Authority's concerns that the proposed application could lead to further resident complaints, and the licensing objective relating to public nuisance could be undermined. The Licensing Authority presented evidence that the applicant had, recently, operated the premises in a way as to cause public nuisance. While the weight to be attached to that evidence was disputed by the applicant, the sub-committee considered it appropriate to take it into account when arriving at its decision.

The sub-committee took into consideration when refusing this application the evidence before it of issues relating to the manner in which the applicant has run its business from the premises. The application was carefully considered on its own merits. The sub-committee was concerned that the applicant had been unable to demonstrate that it had engaged with the Licensing Authority to resolve its concerns. The sub-committee had concerns, based upon the evidence presented to it, about whether the applicant was able to manage the premises responsibly. Therefore, it was felt that the licensing objectives could not be promoted by granting this application, meaning that it was appropriate to refuse the application in its entirety.

I confirm that, if you are aggrieved by any term, condition or restriction attached to this decision, you have the right to appeal to Thames Magistrates at **Thames Magistrates Court, 58 Bow Road, London E3 4DJ** within 21 days of the date of this letter.

If you have any queries, please do not hesitate to contact me.

Yours faithfully
Sanaria Hussain
Senior Licensing Officer



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

Objection to U7's application for a license

1 message

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

5 March 2021 at 12:51

To whom it may concern,

This is to express our strong objection to the premise, U7, on Orsman Rd obtaining any other licensing.

They have been throwing illegal gatherings during the pandemic and show zero respect for the residents on the street.

Their regulars, whoever they are, flout the rules constantly and smash bottles and keep the whole street up screaming and drinking.

It is scary and unpleasant and it means no one can get to sleep at all, even during the week.

Please let me know if you need further information.

[REDACTED] (resident opposite U7)

Sent from my iPhone



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

Objection : UNIT 7, 2-4 Orsman Road

1 message

5 March 2021 at 09:53

To: licensing@hackney.gov.uk

****OBJECTION******to Licence Application for
UNIT 7, 2-4 ORSMAN ROAD, N1 5FB**

The reason for my objection is from past experience :

- 1.The entrance of the venue is on a narrow pavement and near parked cars, causing issues with general public getting past the people going in and out of the venue or standing around smoking and drinking outside creating excessive noise, litter, vandalism and disruption to us residents. The owner will employ bouncers to stand outside the entrance with cones and barriers on the pavement, this obstructs the usual route for people to pass and often people are seen crossing the road to avoid going past.
- This section of Orsman Road is not suitable being extremely narrow, when there is an event car dropping off customers or picking people up making it difficult for flow of traffic to continue - it has resulted in traffic jams with angry drivers and cyclists and cars parking illegally on the double yellow section and the red route causing major disruption.
- 3.The noise from customers standing outside smoking, drinking, talking on their mobile phones, with the noise from the venue of music which is loud and goes on after hours when neighbours are trying to sleep.
- The litter and debris after each event is never cleaned up by the owner and the vandalism of the parked cars occur on a regular basis.


To be clear- the new application for Unit 7 'drinking establishment' is admitted by the SAME PERSON! who has broken the licencing rules, has been disrespectful and threatening. I do not trust that he will change his behaviour.

This new application has more potential to disrupt and disturb the local community than the previous applications, as it includes every form of music, (live and recored) and entertainment, there is no concessions or considerations mentioned in the application towards the people living in the area.

If it is approved I fear that the owner will operate as a club and nightclub which in the area will cause major upset for the local community.

So I object to this proposal

best wishes





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

Objection to application by Mr. Ozturk

1 message

To: licensing@hackney.gov.uk

15 March 2021 at 14:37

Premises: Unit 7 Canalside Studios, [2-4 Orsman Road London N1 5FB](#)

Ward: Hoxton and East Shoreditch

Applicants: Mr. Ozturk

I am writing to add my objection to this planning application in conjunction with other objections filed previously by other Canalside Studios residents.

I currently reside in the unit that is in most direct proximity to the proposed activities. I have lived there since the beginning of December 2020. When I first was shown the unit by the agent, the tables outside U7 were described to me as a "cafe that serves breakfast and lunch". I specifically asked if there was late night noise, and I was told it was not an issue. There was no mention of live performance, late-night service, or alcoholic beverages being consumed in the outdoor area. After I moved in, I was told by other residents about U7's history of disruption and interference in their rights to live peacefully in their own homes, due to noise pollution and an unsafe and disruptive environment caused by patrons of U7.

Due to the government lockdowns, I have not directly experienced an unsafe or disruptive environment due to U7 because it has been closed. However, I was informed of an event on September 12th, 2020, when the venue hosted an event that led to mass disruption throughout the building and visibly drunk, loud, and aggressive U7 patrons were disorderly and violent in the street. I am greatly concerned about the possibility of future activity like this near my home, and if U7 were to be granted this application, I would be fearful for my security and safety.

Similarly, I was told of multiple instances last summer that the venue was illegally serving alcohol in the outdoor area without a license to do so. Patrons of the bar would wander outside of that area and try to enter people's homes along the canal. The location of the outdoor area allows patrons to have direct and unrestricted access to the front doors of every unit facing the canal. My [redacted] is the very [redacted] on this pathway. I am fearful that I will be subject to trespassing, unwanted attention, and intrusion on a nightly basis if this application is granted. We are currently in a pandemic, and the intrusion of unknown people into my living space is dangerous, unhealthy, and puts me at risk.

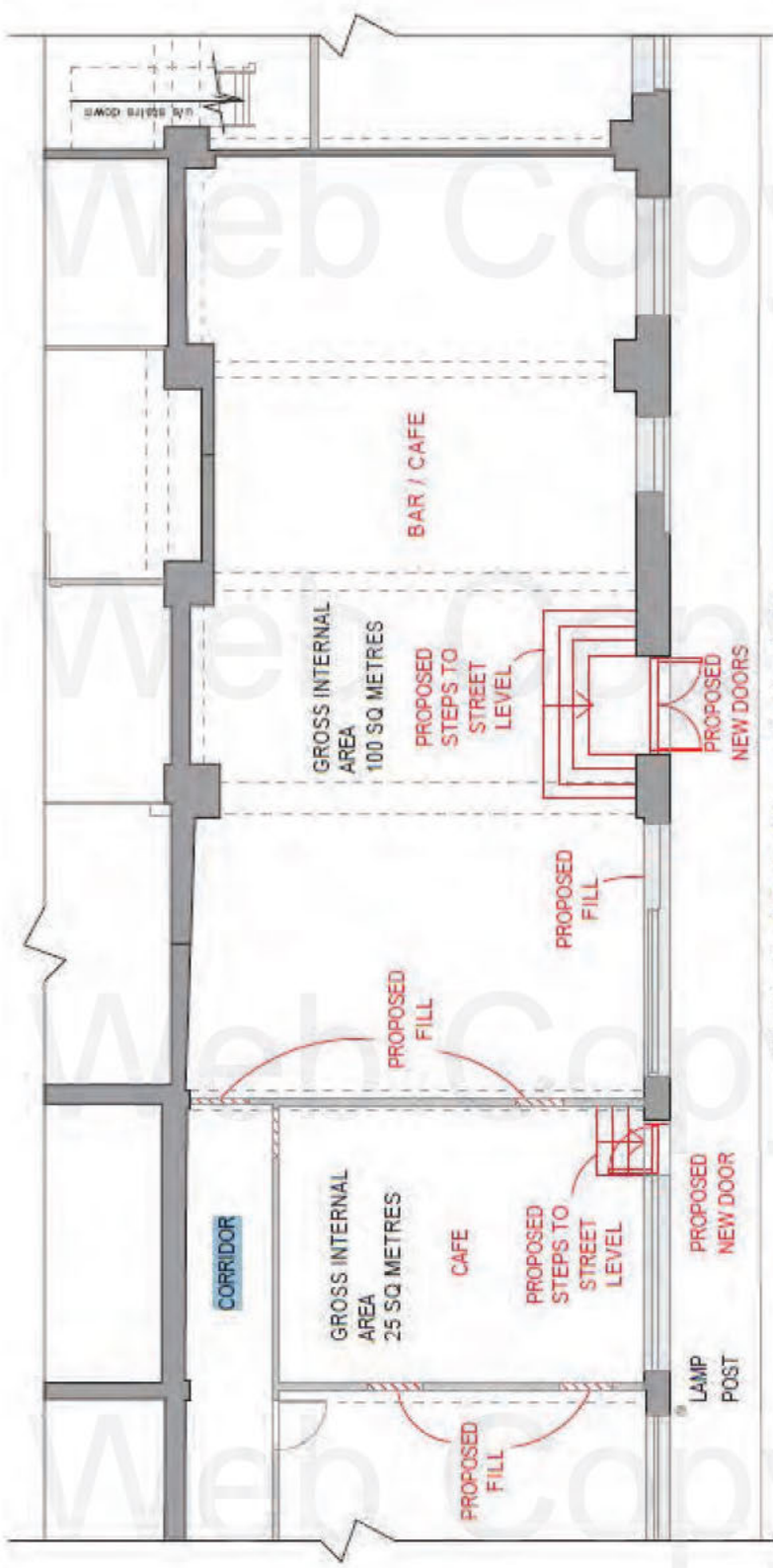
One of my neighbors told me about a soundproofing survey done by an engineer hired by U7 last year, who told them that there is no proper way to soundproof the building due to its age and its construction. My [redacted] shares [redacted] with U7. I will be directly impacted by noise pollution, music, speaker systems, and crowd noise. I am currently studying from home due to the pandemic. I am afraid this noise pollution will disturb my peace, impact my studies, and create an unhealthy living environment for me.

I object to the late night hours and alcohol service outdoors proposed in this application because I wish to prevent the certain possibility of criminal activity and violence, disorder, and public nuisance. I wish to protect my own personal safety. My right to a peaceful and healthy living environment is at stake. I believe granting this application will completely disrupt and hinder my ability to be safe and secure in my own home.

Thank you for seriously considering my objection, and the objections of my neighbors.

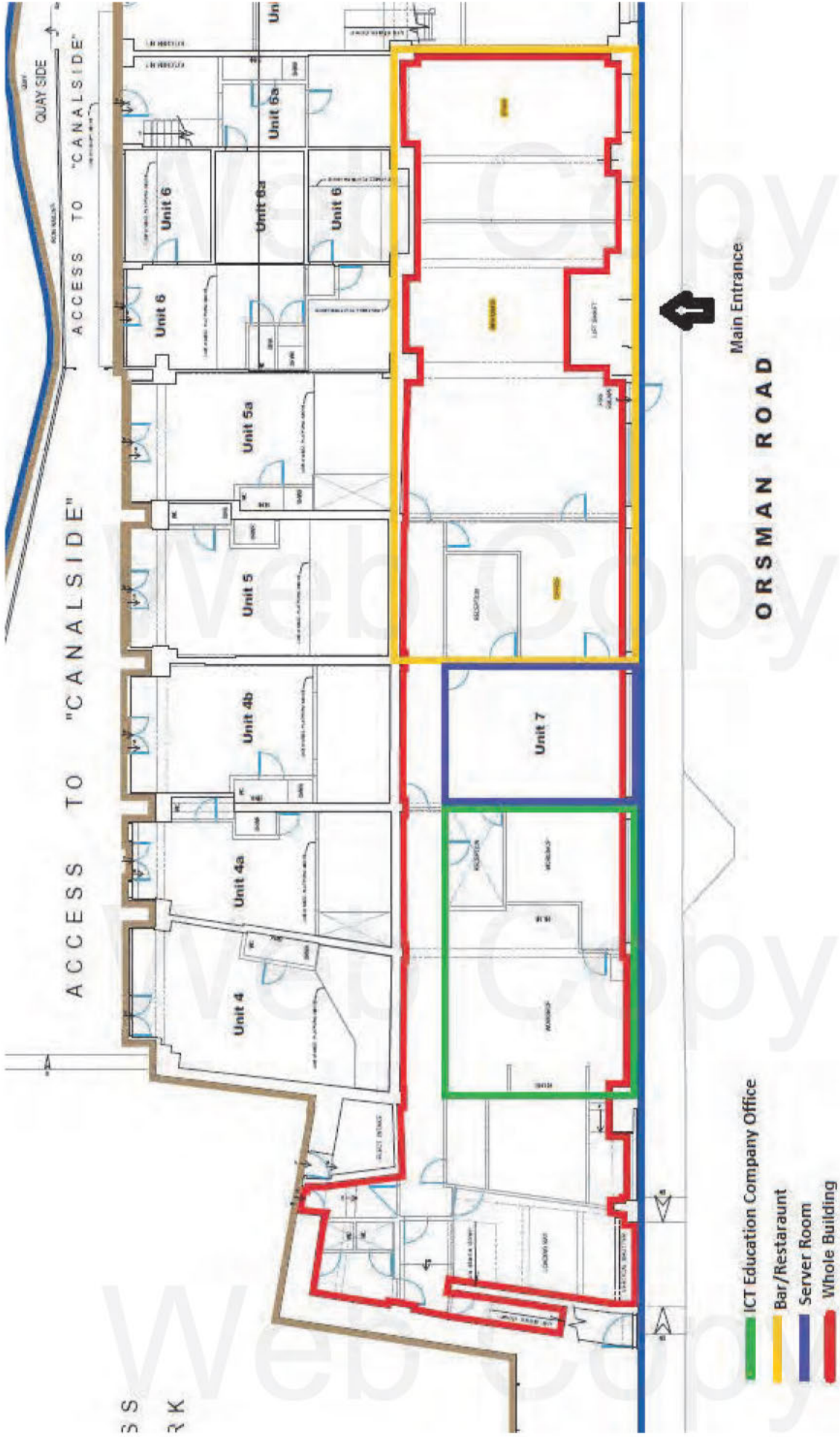
Sincerely,

Canalside Studios
N1 [redacted]



ORSMAN ROAD

PROPOSALS SHOWN IN RED



MINUTES OF A MEETING OF THE LICENSING SUB COMMITTEE B REMOTE MEETING

THURSDAY, 22 APRIL 2021

Councillors Present: Councillor Margaret Gordon in the Chair
Cllrs Sem Moema and Harvey Odze

Officers in Attendance: Subangini Sriramana (Principal Licensing Officer),
Amanda Nauth (Legal Services Officer) and
Rabiya Khatun (Governance Services Officer).

Also in Attendance:

David Dadds - Applicant's Legal Representative
Channing Riviere - LB Hackney Licensing Service
Patrick O'Connor - LB Hackney Planning Service

Other Persons

Ms JJ - attended the meeting at approximately 19.39 hours
Cllr Kam Adams – representing residents of 2-4 Orsman
Road

1 Election of Chair

1.1 Councillor Gordon was duly elected to Chair the meeting.

2 Apologies for Absence

2.1 There were no apologies for absence.

3 Declarations of Interest - Members to declare as appropriate

3.1 There were no declarations of interest.

4 Minutes of the meetings

4.1 Members considered and

RESOLVED that the following minutes of the meetings be approved:

- 25 August 2020
- 13 October 2020
- 12 November 2020
- 11 February 2021

5 Licensing Sub-Committee Hearing Procedure

5.1 The Chair outlined the Licensing Sub-Committee hearing procedure.

6 Premises Licence: U7 Lounge, Unit 7, 2-4 Orsman Road, N1 5FB

6.1 Subangini Sriramana, Principal Licensing Officer, introduced the report in respect of a new premises licence application seeking to authorise regulated entertainment comprising plays, films, live music and recorded music, and anything of a similar description; late night refreshment; and the supply of alcohol for consumption on and off the premises. Ms Sriramana reported that the Metropolitan Police and LBHackney Environmental Health Service had withdrawn their representations following an agreement of conditions, which included the removal of non-standard hours and the rear outside area closing at 21.00 hours except for five smokers. Representations remained from the Licensing Authority, Environmental Enforcement, Planning Services and Other Persons.

6.2 David Dadds, the applicant's legal representative outlined the application and made the following points:

- The rear outside area within the application was amenity land;
- Residents were unhappy that the outside area which they had enjoyed in the past would be developed into a beer garden and had made these vexatious representations; and
- The Police and Environment Health had made no representations relating to crime and disorder or noise nuisance. The incident on 12 September 2020 had been an isolated incident.

6.3 In response to questions from Members seeking further clarification regarding the application, Mr Dadds stated that the freeholder owned the rear outside area which would be included in the lease granted to the applicant. The applicant had attempted to engage with local residents and was happy for them to contact him with any concerns about the premises.

6.4 Channing Riviere, Licensing Service, objected to the application on the grounds of the prevention of public nuisance and made the following points:

- Licensing Services had received many complaints about the operation of the premises under the current licence holder, including breaches of the licensing conditions and the Covid-19 regulations resulting in public nuisance and anti-social behaviour. The licence had been revoked in October 2020 but the premises was allowed to continue operating until the appeal against the revocation had been determined;
- If the licence were granted, the applicant could transfer it into the name of the current licensee and therefore circumvent the previous decisions of the Licensing Sub-Committee in relation to the premises;
- Concern was expressed about the applicant's lack of experience in managing a licensed premises ;
- The proposed hours exceeded those hours permitted within the planning permission, contrary to the Council's Licensing Policy (LP5), together with those being sought for licensable activity also exceeded the core hours within the Council's LP3; and
- clarification was sought regarding the applicant's relationship with the current licence holder Mr Sezgin and whether he would be involved in the management of

the premises.

6.5 Patrick O'Connor, Planning Services, objected to the application on the grounds of the

prevention of crime and disorder and prevention of public nuisance, and made the following points:

- Since the enforcement notices had been issued, planning permission had been granted for the material change of use of the premises to a mixed B1 office/ A3 use subject to condition 3 restricting the hours of operation at the premises between 08.00 to 22.00 hours Monday to Saturday and 08.00 to 21.00 hours on Sundays. The proposed opening hours being sought exceeded those hours permitted within the planning permission;
- Confirmation that the café use was a lawful use of the premises; and
- The planning application submitted in 2019 did not grant the use of the outside area

6.6 Due to unforeseen circumstances the Environmental Enforcement Officer had been unable to attend the hearing. The sub-committee noted that Environmental Enforcement had proposed waste conditions as set out in the report.

6.7 Cllr Kam Adams, representing Other Persons on behalf of the local residents at 2-4 Orsman Road objected to the application based on the grounds of the prevention of public nuisance, public safety and prevention of crime and disorder. He made the following points in his submission:

- The premises was located close to a residential area with residents living above and opposite, including at Canalside Studios ;
- Many events had been held till the early hours during the summer in 2020. The Police had visited the premises twice on 12 September 2020 during a wedding event to deal with a serious disturbance that had lasted until the early hours.;
- Residents had witnessed many breaches of the licensing conditions and Covid-19 regulations at the premises;
- Residents had no confidence in the applicant to run the premises responsibly;
- Residents had made a number of complaints regarding public nuisance relating to the premises especially loud music being played in a residential area and from people congregating outside the premises;
- The premises was not adequately soundproofed to prevent noise escaping from inside the premises and when people entered the bar. An engineer hired the previous year had informed residents there was no proper way of soundproofing the building due to its age and construction.;
- The proposal for a late-night alcohol licence would turn the venue into a destination for people extending their drinking into the early hours. The bar would result in an increase in noise nuisance, anti-social behaviour and disorder for the local residents living in close proximity;
- There were dispersal issues relating to premises;
- A likely traffic increase relating to the premises if granted ; and
- Pedestrians were being forced onto the road due to the railings and traffic cones on pavement at the entrance of the premises

6.8 Ms JJ, Other Persons, made the following points in her submission against the application:

- The premises was operating as a nightclub and the proposals including a bar open

till late every day were not suitable for a premises located within a residential area. This could potentially lead to noise nuisance and anti-social behaviour in the area late at night from customers leaving the premises;

- The premises was not adequately soundproofed to minimise noise nuisance from the proposed film shows and music;
- The premises were not well managed and there had been many incidents of public and noise nuisances when it was open. Concern was expressed about how the premises would be run when Covid-19 restrictions were not being observed, and whether the licence conditions would be breached in the future;
- Local residents were willing to engage with the applicant regarding his intentions for the premises. The applicant needed to communicate with local residents to address their concerns;
- The Police had been called to the wedding event on 12th of September 2020, which had been attended by over 30 people and the disturbance from this event had not ended until 04:00 hours;
- There had been no Coronavirus protection used during the lockdown period; and staff and patrons had been breaching Covid-19 regulations by not wearing face masks inside the premises and social distancing;
- Allegations of alcohol being sold at the premises without a licence; and
- In terms of other similar establishments the management at another pub in the area had a positive relationship with the local residents and addressed any issues that arose.

6.9 In response to Members seeking further clarification regarding the application, Mr Dadds responded as follows:

- If the sub-committee were minded to grant the licence and to address the concerns raised, Mr Dadds proposed an additional condition to exclude the current licence holder from the premises and from undertaking any activities related to licensable activities or management of the business;
- It was confirmed that the applicant was related to the current premises licence holder;
- The applicant was not responsible for any management issues relating to the premises under the previous premises licence holder;
- that the premises was not located within a residential area but in a mixed use area with residential and other premises;
- Clarified that the event on 12th of September 2020 had been a travelling community wedding reception and that the party of approximately 30 people had refused to leave the premises at 22:00 hours - the current license holder had called the police and no alcohol had been sold or music played after 21:00 hours, and it was emphasised this had been an isolated incident and the Police had also made no representation regarding crime and disorder for the new application; .
- Confirmed that the applicant intended to take over the ownership and running of the premises if the appeal of the current licence was unsuccessful, with the applicant having no intention of running the premises as a nightclub;
- The applicant had agreed with the Police to reduce the core hours for alcohol;
- Local residents above the premises and those residents with a garden had not objected to the application, and the Other Persons' representations were vexatious representations due to a conflict of interest as those residents were also enjoying the use of the outside area;
- Residents could not produce any evidence of the alleged incidents of intimidations and these incidents had not been reported to the Police;
- Discussion ensued on working with local residents and Mr Dadds agreed on behalf

of the applicant to an additional condition 'to hold and publicise quarterly liaison meetings with local councillors to address any concerns or complaints about the premises from local residents.';

- The applicant had sound proofed the premises to minimise noise nuisance and agreed to install a noise limiter when playing music to prevent noise breakout, which the LB Hackney Noise Team had been satisfied with;
- It was highlighted that there were no representations from the Noise Team and the Police regarding noise nuisance at the premises;
- The applicant agreed to core hours with regulated entertainment ending 30 minutes before the premises closing hours;
- There would be provision of food inside the premises as well as alcohol
- A dispersal policy had been submitted to the Licensing Authority to manage the outside area
- The maximum capacity is 95 patrons, with a maximum of five smokers permitted in the rear outside area after 21.00 hours

6.10 In response to a query regarding the proposed hours, Mr O'Connor emphasised that if the use of the premises extended beyond the permitted hours, Planning Services could take enforcement action. Any complaints or breaches of the planning conditions would be investigated and enforcement action considered.

(The meeting adjourned at 20.03 hours for a break and reconvened at 20.08 hours.)

6.11 In response to a question regarding the hours in the application exceeding those hours permitted by Planning Services, Ms Nauth, Legal Services, confirmed that the sub-committee could include a planning informative in the decision to regularise the hours however, the applicant would not be able to operate until the planning application seeking to amend the hours had been determined.

6.12 In response to further points of clarification from Members, Mr Dadds replied as follows:

- Planning and Licensing were two separate regimes and confirmed that the applicant had submitted a planning application and was awaiting a determination;
- The owner had erected a fence around the outside area to clearly define the boundary;
- The outside area would close at 21.00 hours to minimise public and noise nuisance;
- The issue of noise nuisance was historic and there had been no noise break out after the soundproofing works at the premises; and
- The premises was not located within the Special Policy Area and there was no evidence to support cumulative impact in the area.

6.13 Mr Riviere indicated that he did not have any information regarding negative cumulative impact available at the meeting.

6.14 All parties made their closing remarks. Mr Dadds emphasised that this was a new licensee and that the measures in place intended to address the concerns raised at the meeting

The decision

The Licensing Sub-Committee in considering this decision from the information presented to it within the report and at the hearing today has determined that having regard to the promotion of all the licensing objectives:

- The prevention of crime and disorder;
- Public safety;
- Prevention of public nuisance; and
- The protection of children from harm,

the application for a premises licence has been approved in accordance with the Council's Statement of Licensing Policy and the proposed conditions set out in paragraph 8.1 of the report, with the following amendments:

- The opening hours and the hours for licensable activity are:

Opening Hours:

Monday to Thursday 10:00 - 23:30 hours
 Friday to Saturday 10:00 - 00:30 hours
 Sunday 10:00 – 23:00 hours

Plays

Monday to Thursday 10:00 - 23:00 hours
 Friday to Saturday 10:00 - 00:00 hours
 Sunday 10:00 - 22:30 hours

Films

Monday to Thursday 10:00 - 23:00 hours
 Friday to Saturday 10:00 - 00:00 hours
 Sunday 10:00 - 22:30 hours

Live Music

Monday to Thursday 10:00 - 23:00 hours
 Friday to Saturday 10:00 - 00:00 hours
 Sunday 10:00 - 22:30 hours

Recorded Music

Monday to Thursday 10:00 - 23:00 hours
 Friday to Saturday 10:00 - 00:00 hours
 Sunday 10:00 - 22:30 hours

Performance of Dance

Monday to Thursday 10:00 - 23:00 hours
 Friday to Saturday 10:00 - 00:00 hours
 Sunday 10:00 - 22:30 hours

Anything of a similar description

Monday to Thursday 10:00 - 23:00 hours
 Friday to Saturday 10:00 - 00:00 hours

Sunday 10:00 - 22:30 hours

Late Night Refreshment

Friday to Saturday 23:00 - 00:00 hours

Sunday 23:00 – 23:30 hours

Supply of Alcohol (on the premises):

Monday to Thursday 10:00 - 23:00 hours

Friday to Saturday 10:00 - 00:00 hours

Sunday 10:00 - 22:30 hours

Supply of Alcohol (off the premises):

Monday to Saturday 10:00 – 23:00 hours

Sunday 10:00 - 22:30 hours

- Remove non-standard hours from the application.

- Condition 40 to be amended and read as follows:

“The Licensee shall ensure that all relevant staff are fully trained and made aware of the legal requirement of businesses to comply with their responsibility as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff”.

And the following additional conditions:

- Hande Sezgin shall be excluded from the premises and shall not undertake any activities related to the management of the business. This shall include but shall not be limited to any directorship, shareholding, direct employment, employment as a contractor, advisor or supplier.
- The applicant to hold and publicise quarterly liaison meetings with local councillors to address any concerns or complaints about the premises from local residents.

Reasons for the decision

The application has been approved, with the above amendments, because the Licensing sub-committee was satisfied that the licensing objectives would not be undermined.

The sub-committee took into consideration that the Metropolitan Police Service had withdrawn their representations and agreed reduced hours and conditions in advance of the hearing with the applicant. The sub-committee took into consideration that the Licensing Authority, Environmental Enforcement, Planning Services, and Other Persons (local residents) maintained their representations.

The sub-committee noted that Environmental Enforcement had proposed waste conditions set out in the report. However, due to unforeseen circumstances the Environmental Protection officer was unable to attend the hearing. These conditions were not discussed during the hearing. After the hearing the applicant's representative was contacted, and asked whether the applicant would agree to the suggested conditions 40 - 44 of the report. The applicant subsequently accepted the conditions with an amendment to condition 40.

The sub-committee took into consideration that the Other Persons were objecting to the late hours, and the potential for noise late at night and anti-social behaviour from customers leaving the premises. It was noted that the premises is located close to the residential area.

The sub-committee were disappointed that the applicant did not appear before the sub-committee to participate in the hearing.

The sub-committee heard the applicant's submissions, from the applicant's representative, that the application was made by the applicant who will take over the ownership and running of the premises if the appeal against revocation of the current licence is not successful. The applicant does not intend to run the premises as a nightclub. The applicant has proposed and agreed to a number of conditions on the licence including conditions that put restrictions on noise. The applicant has now agreed to core hours with regulated entertainment ending 30 minutes before the premises closes. The sub-committee heard that food will be provided with alcohol at the premises.

The sub-committee took into consideration the applicant's submissions made by the applicant's representative that recorded music will be played with a noise limiter which the Noise Team are satisfied with. The sub-committee noted from the applicant's submissions that there were no objections from the local residents above the premises. The sub-committee took into consideration from the applicant's submissions that there is no longer any noise break out following sound proofing work that has been carried out at the premises. The applicant's representative confirmed that the applicant had submitted a Planning Application which they are waiting to be determined.

The sub-committee heard that the applicant has attempted to engage with local residents and they are happy for local residents to contact them with concerns about the premises. The sub-committee noted that a condition has been agreed to reflect this. The applicant's representative made submissions that apart from the crime and disorder that occurred on 12 September 2020 there have been no other crime and disorder issues or noise nuisance at the premises.

The sub-committee took into consideration the representations made by the Licensing Authority on the grounds of public nuisance. The sub-committee heard submissions that the Licensing Authority had a number of concerns about the operation of the premises that led to the licence being revoked in October 2020, and has subsequently been appealed. The sub-committee noted that the premises is permitted to continue operating because the current licence holder has lodged an appeal against the revocation.

The sub-committee heard submissions that the Licensing Authority had concerns about previous incidents, and the current licence holder's failure to comply with the conditions of their licence and the Coronavirus Regulations. The Licensing Authority

also had concerns about the applicant's ability to maintain the licensing objectives. After hearing from the applicant the Licensing Authority's objections were not resolved and they maintained their objections to the application because nothing they heard reassured them that public nuisance would not occur at the premises.

The sub-committee heard the Planning Services representations that a cafe use is the lawful use of the premises, and if the use extends beyond the permitted hours Planning Services can take enforcement action. The sub-committee noted that the Planning Application submitted in 2019 did not grant the use of the outside area.

The sub-committee took into consideration that any complaints or breach of the Planning conditions will be investigated and enforcement action will be considered.

The sub-committee took into consideration representations made by the Ward Councillor on behalf of the local residents of Orsman Road (Other Persons), who had made a number of complaints relating to loud music in the residential area, and the local residents were not confident that the position would improve under the current application. The local residents had concerns about the application for a bar which they felt would be disruptive to the area, and there were concerns that late night drinking is likely to make the premises a destination venue.

The sub-committee took into consideration representations made by one local resident (Other Persons), who attended and made representations that the proposed application does not fit alongside the residential area, and if the applicant communicated with local residents to address their concerns that would help make a difference. The sub-committee noted that the applicant's representative did not accept that the premises is in a residential area. The applicant's representative made submissions that the premises was in a mixed use area with residential and other premises in the area.

The sub-committee heard submissions from the local resident that the proposal to open till late every day will cause a disturbance, and anti-social behaviour in the area. The local resident confirmed that the event that took place in September 2020 did not end until 04:00 hours and over 30 people attended which resulted in a fight on Kingsland Road, and there was no Coronavirus protection used during the lockdown period. There are concerns about how the premises will be run, and whether the licence conditions will be breached in the future in addition to the Coronavirus Regulations not being observed. The sub-committee also noted from the local resident's representations that there is another pub in the area and they have a positive relationship with the local residents who deal with any issues arising.

After hearing from the applicant's representative, the Licensing Authority, the Planning Service, the Ward councillor on behalf of local residents and from the local resident (Other Persons), the sub-committee was satisfied that the applicant had offered a number of conditions to regularise the operation of the premises to promote the Licensing objectives, and that would help mitigate any negative impact that granting the licence would have on the area. The sub-committee took into consideration that measures had been taken to control the noise by sound proofing the premises and the use of a noise limiter when playing music to prevent noise breakout.

The sub-committee took into consideration the condition agreed by the applicant that there will be no use of the rear outside area after 21:00 hours save for the maximum of 5 smokers permitted in the outside area. The sub-committee felt this would help prevent noise nuisance late at night and would reduce any impact on local residents.

The sub-committee took into consideration the previous incident that occurred in September 2019 and how the premises were previously operated that led to the licence being revoked. To ensure the premises are run responsibly they decided to add a condition to the licence excluding the current licence holder from managing, operating, and being involved in the premises. The sub-committee took into consideration that the Metropolitan Police Service did not object to the proposed Designated Premises Supervisor.

The sub-committee took into consideration that the applicant is willing to work with local residents and have quarterly meetings to deal with any issues relating to the premises from local residents. It was noted that the applicant has submitted a Dispersal Policy to the Licensing Authority to manage the outside area. The sub-committee took into consideration that there were no representations from the Noise Team and the Metropolitan Police Service regarding noise nuisance at the premises.

Having taken all of the above factors into consideration, the Licensing Sub-Committee was satisfied, when granting the application, that the licensing objectives would not be undermined, particularly in relation to the prevention of public nuisance.

PLANNING INFORMATIVE

The applicant is reminded of the need to operate the premises according to any current planning permission relating to its user class, conditions, hours and consents.

It also should be noted for the public record that the local planning authority should draw no inference or be bound by this decision with regard to any future planning application which may be made.

The applicant is encouraged to engage in meaningful dialogue with the local residents regarding issues relating to the premises, and for the applicant to play their part in reducing any impacts of noise emanating from the premises, particularly during the evening and late at night.

6 Temporary Event Notices - Standing Item

6.1 There were no temporary event notices.

Duration of the meeting: 7.00- 9.10pm

Contact:

Governance Services
Tel 020 8356 8407

This premises licence has been issued by:
Licensing Service
1 Hillman Street
London
E8 1DY

Premises licence number PREM/2021/0014

Part 1 - Premises Details

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

Unit 7
2 – 4 Orsman Road

Post town

London

Postcode

N1 5FB

Telephone number

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Plays
Films
Live Music
Recorded Music
Anything of a similar description
Late Night Refreshment
Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Plays

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 10:00-22:30

Films

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 10:00-22:30

Live Music

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 10:00-22:30

Recorded music

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 10:00-22:30

Performance of dance

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 10:00-22:30

Anything of a similar description

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 10:00-22:30

Late Night Refreshment

Standard Hours:

Fri 23:00-00:00
Sat 23:00-00:00
Sun 23:00-23:30

**Supply of Alcohol
On 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 10:00-22:30

**Supply of Alcohol
Off premises**

Standard Hours:

Mon 10:00-23:00
Tue 10:00-23:00
Wed 10:00-23:00
Thu 10:00-23:00
Fri 10:00-23:00
Sat 10:00-23:00
Sun 10:00-22:30

The opening hours of the premises

Standard Hours:

Mon 10:00 - 23:30
Tue 10:00 - 23:30
Wed 10:00 - 23:30
Thur 10:00 - 23:30
Fri 10:00 - 00:30
Sat 10:00 - 00:30
Sun 10:00 - 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 email (where relevant) of holder of premises licence

Haci Ozturk
10 Westmorland Road
Walthamstow
E17 8JA

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

N/A

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

Alican Tilkidagi

[REDACTED]

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

Personal licence number: 1 [REDACTED]

Issuing Authority: Hackney

Date of grant: 22/04/2021



David Tuitt
Team Leader - Licensing

Annex 1 - Mandatory Conditions Supply Of Alcohol (On/Both)

1. No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. 5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.

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

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

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

6. The responsible person shall ensure that:

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

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

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

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

Minimum Drinks Pricing

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

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

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

(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.

Mandatory Condition - Door Supervision

8.Each individual who is to carry out a security activity at the premises must be licensed by the Security Industry Authority.

Mandatory Condition - Exhibition Of Films

9. Admission of children (under 18) to the exhibition of any film must be restricted in accordance with: -

(a) Recommendations made by the film classification body where the film classification body is specified in the licence, or

(b) Recommendations made by the licensing authority where the film classification body is not specified in the licence, or the relevant licensing authority has not notified the holder of the licence that this subsection applies to the film in question.

"film classification body" means person('s) designated under s4 of the Video Recordings Act 1984 (c.39).

Annex 2 - Conditions consistent with the Operating Schedule

10. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, 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 a Police or authorised officer.

11. A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.

12. An incident log shall be kept at the premises and made available immediately to an authorised officer of the Hackney Borough Council or the Police which will record the following:

- a) Any crimes reported to the venue
- b) Any complaints received
- c) Any incidents of disorder
- d) Any faults in the CCTV system
- e) Any refusal of the sale of alcohol
- f) Any visit by a relevant authority or emergency service

13. Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.

14. The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm.

15. Adequate waste receptacles for use by customers will be provided in the local vicinity.

16. "Challenge 25" to operate at premises with signage displayed advertising that anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving licence or a passport) if they wish to buy alcohol.

17. The applicant shall adequately ventilate the premises to allow doors and windows to remain closed during licensed entertainment.

18. The applicant shall close all entrance doors and windows when regulated entertainment takes place except for immediate access and egress of persons.

19. The applicant shall install a sound limiter device set by a registered member of the Institute of Acoustics and maintain to ensure that the music does not give rise to a nuisance to nearby residents and in the vicinity.

20. The applicant shall prominently display clearly legible signage at all patron exits requesting that patrons leave the premises in a quiet and orderly manner that is respectful to the neighbours.
21. The applicant shall keep all the highway and public spaces in the immediate vicinity of the premises free from litter emanating from the premises while the premises are open.
22. There shall be no deliveries or collection between 22:00-07:00 hours Monday-Sunday.
23. The applicant shall properly present and place out all waste for collection no earlier than 30 minutes before collection times.
24. Light installation at the premises shall not give rise to light nuisance to nearby residents.
25. The extract system at the premises shall not give rise to noise and odour nuisance to nearby residents.
26. The rear outside area shall not be used after 2100hours save for a maximum of 5 Smokers.
27. The smoking area is to be situated at the rear of the premises. The front of the venue is not to be used for smokers.
28. There shall be no glass, drinks or open containers taken outside the front of the premises at any time.
29. A staff member from the premises who is conversant with the operation of CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.
30. There shall be "CCTV in Operation" signs prominently displayed.
31. All instances of crime or disorder to be reported by the Designated Premises Supervisor or responsible member of staff to an agreed Police contact point as agreed with the Police.
32. The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor/Duty Manager.
33. All staff will be given refresher training every twelve months on the legislation relating to the sale of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to the Police

or other authorised officers upon request.

34. The premises shall adhere to Hackney Police Weapons and Drugs Policies and any updates thereof.

35. When the licensable area is being used for licensable activities, the capacity, including the rear outside area, be restricted to a maximum of 95 patrons at any one time.

36. The premises will implement a written dispersal policy and will provide a copy of the policy to the Police, Licensing Authority and Environmental Health. All staff will be trained in the implementation of the dispersal policy.

37. The Premises Licence Holder shall undertake a risk assessment prior to any pre-booked function, to determine whether they require a registered door supervisor(s). If required the premises licence holder, in consultation with the door security provider, shall determine the commensurate levels, timings and location of door supervision to be deployed.

38. The risk assessment shall be recorded in writing and retained for a minimum of 31 days and be made available to the Police or officers of the Council immediately upon request.

39. When engaged all security staff shall be clearly identifiable at all times and all door supervisors shall enter their full details in the premises daily register at the commencement of their work, including their SIA registration number.

40. If the door supervisor is provided by an agency the name, registered business address and contact telephone number of the agency shall be recorded and will be made available to police or authorised officers immediately upon request.

41. The Licensee shall ensure that all relevant staff are fully trained and made aware of the legal requirement of businesses to comply with their responsibility as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.

42. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.

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

44. The Licensee shall instruct members of staff to make regular checks of the area immediately outside the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.

45. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacle being carefully placed so as not to cause an obstruction or trip.

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

46. Hande Sezgin shall be excluded from the premises and shall not undertake any activities related to the management of the business. This shall include but shall not be limited to any directorship, shareholding, direct employment, employment as a contractor, advisor or supplier.

47. The applicant to hold and publicise quarterly liaison meetings with local councillors to address any concerns or complaints about the premises from local residents.

APPENDIX D

Licensing Department
London Borough of Hackney
1 Hillman Street
LONDON E8 1DY

Our Ref: mm/cw/OZT001-1

2nd August 2021

By email only: [REDACTED]

Without prejudice save as to costs

Dear Sirs

Licensing Appeal – Unit 7 Lounge, Unit 7, 2-4 Orsman Road, Hackney, London N1 5FB
Next Hearing – 6th August 2021 at 2pm at Highbury Corner Magistrates’ Court

We write in relation to the above and thank you for the notification that the local residents have withdrawn their appeal against the Council’s Licensing Sub-Committee decision dated 22nd April 2021.

As you are aware, this appeal is limited to the imposition of a condition on the premises licence that:

“Hande Sezgin shall be excluded from the premises and shall not undertake any activities related to the management of the business. This shall include, but not be limited to, any directorship, shareholding, direct employment, employment as a contractor, advisor or supplier”.

We would ask you to take instructions as to whether your Client would be agreeable to this condition being amended so that Ms Sezgin is excluded from the management of the business but not the premises in its entirety.

The premises licence holder will promote the licensing objectives by reason of the conditions added to the premises licence and that excluding Ms Sezgin from the management of the premises goes far enough. We submit that excluding her from the premises completely is not necessary and not reasonable in all the circumstances. Furthermore, reasons have not been given as to why Ms Sezgin should be completely excluded from the premises rather than just any managerial position.

Dadds Solicitors

[REDACTED]

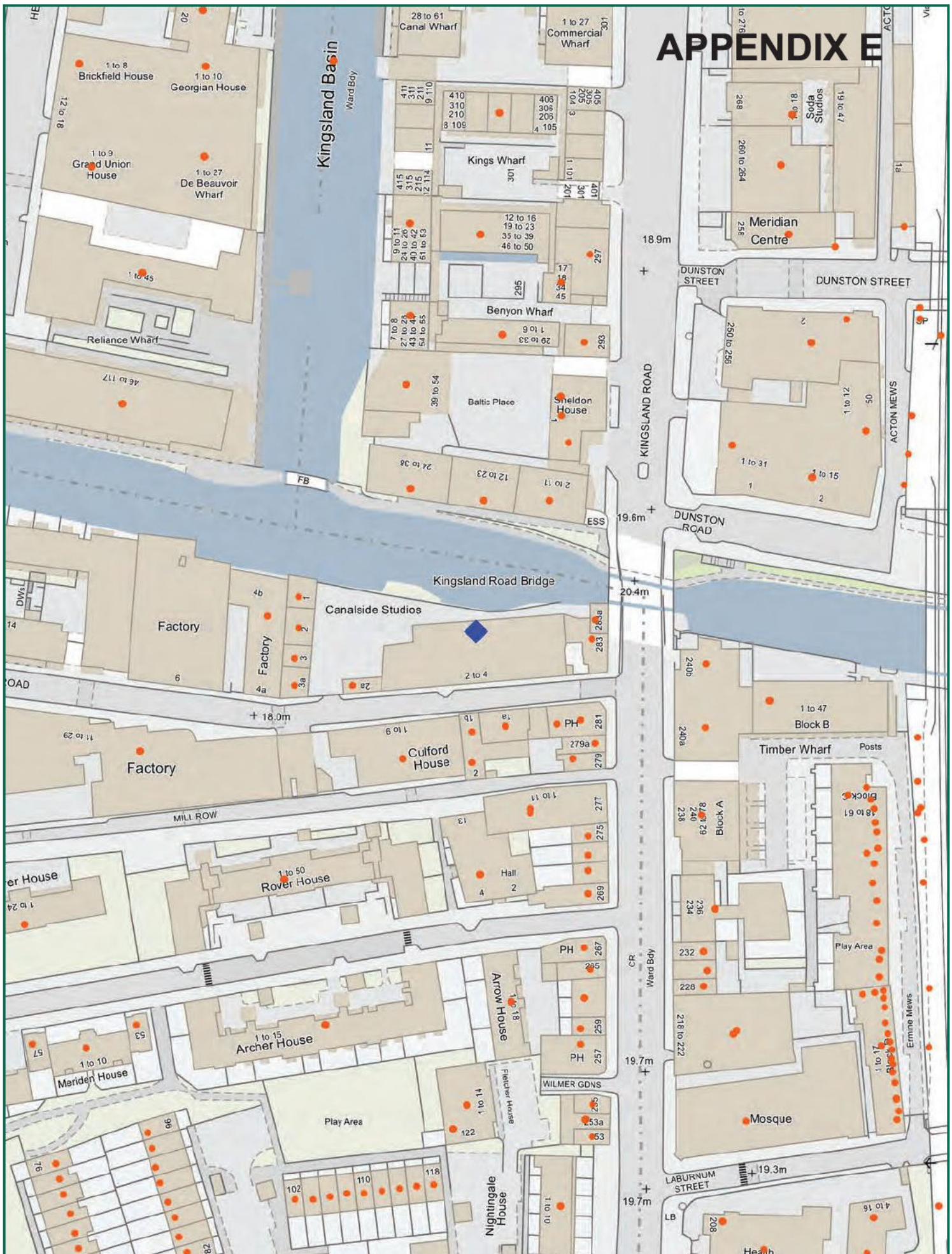
We wonder whether you are able to take instructions upon this matter prior to the CMH on 6th August 2021 because if the parties can agree this position, then it will be in all parties' interests to save the time and expense of attending court on Friday. We look forward to hearing from you.

Yours faithfully

Dadds LLP

DADDS LLP

APPENDIX E



Scale: 1:1250 at A4

U7 Lounge, Unit 7, 2-4 Orsman Road, N1 5FB



Ref:

21 September 2020

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