

<b>REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING</b>		
<b>LICENSING SUB-COMMITTEE:</b> 03/02/2022	<b>Classification</b> DECISION	<b>Enclosure</b>
<b>Application for a Premises Licence</b>  2 Chatsworth Road, London, E5 0LP	<b>Ward(s) affected</b>  King's Park	

## 1. SUMMARY

<b>Applicant(s):</b> Niyazi Erdogan	<b>In SPA:</b> Not Applicable
<b>Date of Application</b> 08/11/2021	<b>Period of Application</b> Permanent
<b>Proposed licensable activity</b>  Supply of Alcohol (Off Premises)	
<b>Proposed hours of licensable activities</b>	
<b>Supply of Alcohol:</b> <b>(Off sales)</b>	<b>Standard Hours:</b>  Mon 08:00-23:00 Tue 08:00-23:00 Wed 08:00-23:00 Thu 08:00-23:00 Fri 08:00-00:00 Sat 08:00-00:00 Sun 10:00-22:30
<b>The opening hours of the premises</b>	
	<b>Standard Hours:</b>  Mon 08:00-23:00 Tue 08:00-23:00 Wed 08:00-23:00 Thu 08:00-23:00 Fri 08:00-00:00 Sat 08:00-00:00 Sun 10:00-22:30
<b>Capacity:</b> Not known	
<b>Policies Applicable</b>	LP1 (General Principles), LP2 (Licensing Objectives), LP4 ('Off' Sales of Alcohol) and LP11 (Cumulative Impact - General)
<b>List of Appendices</b>	A – Application for a premises licence and supporting documents B – Representations from responsible authorities C – Representations from other persons D – Location map

<b>Relevant Representations</b>	<ul style="list-style-type: none"> <li>• Licensing Authority</li> <li>• Other Persons</li> </ul>
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## 2. APPLICATION

- 2.1 Niyazi Erdogan has made an application for a premises licence under the Licensing Act 2003:
- To authorise the supply alcohol for consumption off the premises
- 2.2 The application is attached as Appendix A. The applicant has agreed to remove on sales of alcohol from the application. The applicant has proposed some additional measures to address the licensing objectives.

## 3. CURRENT STATUS / HISTORY

- 3.1 The premises is not currently licensed for any activity.
- 3.2 No Temporary Event Notices have been given for this premises in the last twelve months.

## 4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

<b>From</b>	<b>Details</b>
Environmental Health Authority (Environmental Protection)	No representation received
Environmental Health Authority (Environmental Enforcement)	Representation has been withdrawn on the basis of the agreed conditions as set out in para 8.1
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	No representation received
Planning Authority	No representation received
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application
Police	Representation has been withdrawn on the basis of the agreed conditions as set out in para 8.1 and amend the hours for alcohol as set out above.
Licensing Authority (Appendix B)	Representation received on the grounds of The Prevention of Public Nuisance.
Health Authority	Have confirmed no representation on this application

## 5. REPRESENTATIONS: OTHER PERSONS

From	Details
3 Representations opposing the application received from and on behalf of local residents. (Appendices C1-C3).	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and The Protection of Children from Harm.

## 6. GUIDANCE CONSIDERATIONS

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

## 7. POLICY CONSIDERATIONS

- 7.1 Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy") adopted by the Licensing Authority.
- 7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies, LP1 (General Principles), LP2 (Licensing Objectives), LP4 ('Off' Sales of Alcohol) and LP11 (Cumulative Impact - General).

## 8. OFFICER OBSERVATIONS

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

### Supply Of Alcohol(Off)

#### Supply of Alcohol

1. No supply of alcohol may be made under the premises licence:
  - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
  - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3.
  - 3.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.
  - 3.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - 3.3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served

alcohol, identification bearing their photograph, date of birth and either:-

- (a) a holographic mark or
- (b) an ultraviolet feature.

#### Minimum Drinks Pricing

4. 4.1 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

4.2 For the purposes of the condition set out in paragraph 4.1 above -

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

4.3 Where the permitted price given by Paragraph 4.2(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4.4 (1) Sub-paragraph 4.4(2) below applies where the permitted price given by Paragraph 4.2(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

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

## Conditions derived from Responsible Authority representations

5. The premises shall install and maintain a comprehensive CCTV System. All public areas and each entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer.
6. There shall be a staff member from the premises who is conversant with the operation of the CCTV system on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage when requested.
7. Notices will be prominently displayed by the entry/ exit door and point of sale (as appropriate) advising customers:
  - a. That CCTV & challenge 25 are in operation;
  - b. Advising customers of the provisions of the licensing act regarding underage & proxy sales;
  - c. Of the permitted hours for licensable activities & the opening times of the premises;
  - d. Not to drink in the street;
  - e. To respect residents, leave quietly, not to loiter outside the premises or in the vicinity and to dispose of litter legally.
8. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following.
  - a. All crimes reported;
  - b. All ejections of patrons
  - c. Any complaints received.
  - d. Any incidents of disorder.
  - e. Seizure of drugs or offensive weapons.
  - f. Any faults in the CCTV system.
  - g. Any refusal of the sale of alcohol.
  - h. Any visit by a relevant authority or emergency service.
9. All instances of crime and disorder witnessed or reported to staff to be reported by the Designated Premises Supervisor or responsible member of staff to an agreed police contact point, as agreed with the police.
10. All staff shall receive training on the legislation relating to the sales of alcohol to underage persons and drunken persons and shall have refresher training every 12 months. There shall be written records of such training which will be kept on the premises and produced to a police officer or other authorised officer upon request.
11. No beer, lagers or ciders exceeding 6.5% alcohol by volume (ABV) shall be sold or supplied at the premises.
12. Signs will be prominently displayed at all entrance and exit points reminding customers to leave quietly and respect local residents.

13. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence or passport.
14. All off sales of alcohol shall be in sealed containers for consumption away from the premises.
15. 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.
16. 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.
17. The Licensee's premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the Licensee's waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as his/her waste carrier arrives to collect the refuse.
18. 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.
19. 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.
20. The current trade waste agreement/duty of care waste transfer document shall be conspicuously displayed and maintained in the window of the premises where it can be conveniently seen and read by persons standing in 2 Chatsworth Road. This should remain unobstructed at all times and should clearly identify:-
  - the name of the registered waste carrier
  - the date of commencement of trade waste contract
  - the date of expiry of trade waste contract
  - the days and times of collection
  - the type of waste including the European Waste Code

## 9. REASONS FOR OFFICER OBSERVATIONS

- 9.1 Conditions 5 to 14 agreed with the Police and conditions 15 to 20 agreed with environmental enforcement.

## 10. LEGAL COMMENTS

- 10.1 The Council has a duty as a Licensing Authority under the Licensing Act 2003 to carry out its functions with a view to promoting the following 4 licensing objectives;

- The Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- The Protection of Children from Harm

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

## 11. HUMAN RIGHTS ACT 1998 IMPLICATIONS

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

## 12. MEMBERS DECISION MAKING

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

### 13. CONCLUSION

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

<b>Group Director, Neighbourhoods and Housing</b>	Ajman Ali
<b>Lead Officer (holder of original copy):</b>	Shan Uthayasangar Licensing Officer Licensing Service 1 Hillman Street E8 1DY Telephone: 020 8356 2431

#### LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

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

<b>Description of document</b>	<b>Location</b>
<b>Office File:</b> 2 Chatsworth Road, London, E5 0LP	Licensing Service 1 Hillman Street London E8 1DY

#### **Printed matter**

Licensing Act 2003

LBH Statement of Licensing Policy



# APPENDIX A

↳ Hackney

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

LA01

## 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 Niyazi Erdogan

(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 2 Chatsworth Road E5 0LP			
<b>Post town</b>	London	<b>Postcode</b>	E5 0LP

Telephone number at premises (if any)	
Non-domestic rateable value of premises	<b>£22250</b>

### 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)
- iii as an unincorporated association or  please complete section (B)
- iv other (for example a statutory corporation)  please complete section (B)

- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a statutory function or
- a function discharged by virtue of Her Majesty's prerogative

**(A)INDIVIDUAL APPLICANTS** (fill in as applicable)

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

**Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)**

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>		I am 18 years old or over		<input type="checkbox"/> Please tick yes	
<b>Nationality</b>					
Current postal address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					
<b>Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)</b>					

**(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
0	3	1 2 2 0 2 1

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)  The subject property is the existing ground floor of a terraced building. The property is currently vacant.</p> <p>The premises is proposed to be used as a commercial unit (Organic Food Store)</p>
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If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

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

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

Provision of regulated entertainment (please read guidance note 2) Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)
- Provision of late night refreshment** (if ticking yes, fill in box I)
- Supply of alcohol** (if ticking yes, fill in box J)

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

**A**

<b>Plays</b> Standard days and timings (please read	<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
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**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (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	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	0700	2300			
Tue	0700	2300			
Wed	0700	2300			
Thur	0700	2300			
Fri	0700	0200			
Sat	0700	0200			
Sun	0700	2300			
			<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 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):**

<b>Name</b> Niyazi Erdogan	
<b>Date of birth</b> [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).**  
 None

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon	0700	2300	<b>Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 6)
Tue	0700	2300	
Wed	0700	2300	
Thur	0700	2300	
Fri	0700	0200	
Sat	0700	0200	
Sun	0700	2300	

**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)

The management is to be to work in a partnership with neighbouring businesses, as well as local authorities such as police, council, fire brigade and all the other relevant ones. The premises is to undertake all necessary fire risk assessments and precautions. The layout of the premises provides users a quick and easy escape to the exit. All the proposed equipment is to be installed by qualified/competent persons. An electrically operated fire alarm system that complies with BS 5839: part 1 is to be installed to warn of any fire at its earliest stage, together with the regulated emergency lighting systems complying with BS52266. The premises will open and shut at its permitted hours and the sale of alcohol or any other permitted licensing activity will not be carried out at any other time than its permitted opening hours.

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

The management will be alert to any crime and disorder, as it is aimed to exercise the best possible management with its trained and experienced staff. The proposal includes coloured, high quality CCTV cameras operating in the entrance of the premises whose recordings will be available for (at least 31 days of recording) to the police at any time.

**c) Public safety**

All necessary fire risk assessments and precautions are to be installed by qualified persons and the management is also to carry out a fire risk assessment and emergency plan to reduce the fire risk/get prepared. All fire fighting equipment to be maintained on a regular basis and all the safety certificates and inspection reports will be kept on site and made available for inspection by relevant statutory bodies. The management will also make sure that any control measures identified or introduced remain effective by testing and maintaining them regularly. An incident log shall be kept at the premises and made available on request to the Police, which will record crimes, complaints and any other type of incidents.

**d) The prevention of public nuisance**

The management aims the followings:

- Whilst there is slight potential for noise nuisance to be caused as patrons leave the premises, particularly later in the evening, the Operating Schedule includes the display of signs at the door requesting that patrons leave the premises quietly.
- If the premises falls within the 'Drinking Control Area' sign shall be displayed to inform the patrons that they are in a 'Drinking Controlled Area'. However, the premises are not able to prevent customers consuming alcohol purchased at the premises in the street.
- Deliveries to the premises shall only be made during normal working hours.
- Bins shall not be emptied outside the premises in the late evening, night or early morning.
- Rubbish from the premises shall be securely stored in a bin in a designated area.



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

The staff of the business is to fully comply with "Challenge25" scheme to make sure no alcohol sold to any under age person. The practice includes asking for appropriate photographic identification. This must be either a passport; photographic driving licenses or an identity card with the P.A.S.S logo (Proof of Age Standards Scheme).

Children under the age of 14 years shall not be allowed to enter the premises after 21:00 hours unless accompanied by a person over the age of 18 years.

A method of documenting refused sales for example a "refusal book or diary" must be kept at the point of sale, or one at each point of sale where necessary, or recorded electronically on the till.

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

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

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.**

**Part 4 – Signatures**(please read guidance note 11)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"><li>• [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).</li><li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office right to work checking service which confirmed their right to work (please see note 15)</li></ul>
Signature	
Date	
Capacity	

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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)

Niyazi Erdogan



Post town	██████	Postcode	██████
Telephone number (if any)		██████████	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
██████████			

### Notes for Guidance

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



KEY	
	SMOKE DETECTOR
	EMERGENCY EXIT LIGHT
	EMERGENCY EXIT SIGN
	FIRE ALARM BUTTON
	CCTV CAMERA
	FIRE EXTINGUISHER
	WATER EXTINGUISHER
	HEAT DETECTOR
	ALCOHOL STORAGE AND DISPLAY

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 Hackney E5 8JA  
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 +44 208510 9572  
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Project Title  
 2 Chatsworth Road  
 E5 0LP

Date  
 October 2021

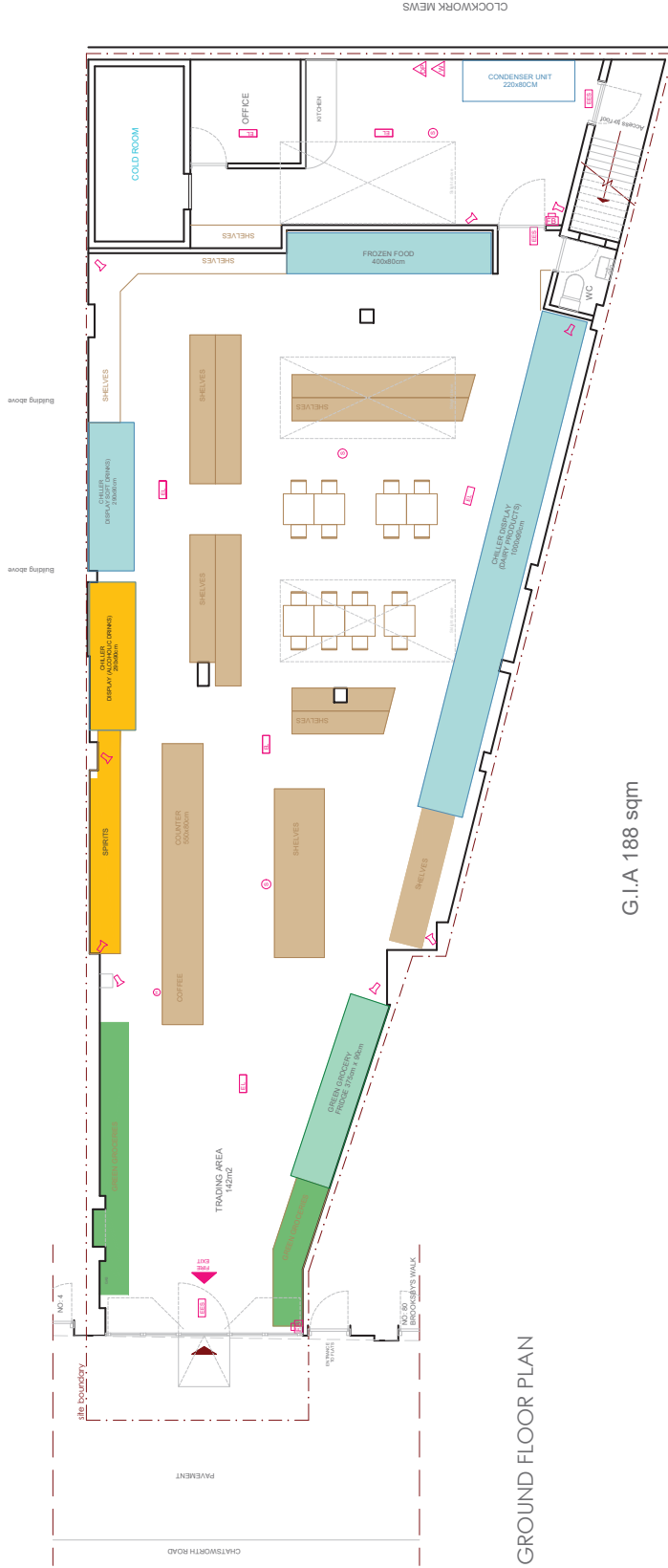
Drawing Title  
 Proposed drawings

Reference  
 Chatsworth012

Revision

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Scale  
 1/100 at A3



GROUND FLOOR PLAN

G.I.A 188 sqm

# APPENDIX B

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

### RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Licensing Authority
ADDRESS OF AUTHORITY	Licensing Service Hackney Service Centre 1 Hillman Street London E8 1DY
CONTACT NAME	David Tuitt
TELEPHONE NUMBER	020 8356 4942
E-MAIL ADDRESS	david.tuitt@hackney.gov.uk

### APPLICATION PREMISES

Premises	2 Chatsowrth Road London E5 0LP
Applicant	Niyazi Erdogan

### COMMENTS

I make the following relevant representations in relation to the above application for a premises licence at the above address.

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

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

I write in relation to the application for a new premises licence.

The proposed hours of operation are excessive given the characteristics of the surrounding area and as a result are likely to have a negative impact on the promotion of the licensing. The applicant should therefore have regard to the following extract from the Council's Licensing Policy:

**LP3 - Core Hours**

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

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

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

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

The premises is described as an organic food store. However, the application seeks to authorise the sale of alcohol for consumption on the premises as well as off the premises. The attached plan also shows tables and chairs within the licensed area. The applicant may wish to provide further background on this particular point.

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

The Licensing Act 2003, guidance issued by the Home Office under s182 of the Licensing Act 2003

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

Further discussion in relation to the points raised above.

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

7 December 2021

**2 Chatsworth Road E5 0LP**

1 message

**Lynne Troughton (Cllr)** <lynne.troughton@hackney.gov.uk>  
To: "Licensing (Shared Mailbox)" <licensing@hackney.gov.uk>  
Cc: "Rebecca Rennison (Cllr)" <rebecca.rennison@hackney.gov.uk>, "Sharon Patrick (Cllr)" <sharon.patrick@hackney.gov.uk>

5 December 2021 at 19:24

Dear Colleagues

I am a King's Park ward councillor.

I wish to object to the application for a licence until 2am on Fridays and Saturdays and ask the Council to restrict the licence to 11pm, which is Council policy. No licences have been granted beyond 11pm in Chatsworth Road: there are many residential properties nearby and over the shops whose residents' lives could be negatively impacted by the granting of a late night licence, plus once there is one licence there, other establishments may attempt to follow suit and before we know it there will be another unmanageable situation that causes a public nuisance.

I should mention also that the premises is near a controlled parking zone with double-yellow lines along Chatsworth Road. At that point in Chatsworth Road (where it meets Brooksby's Walk) there are repeated parking infringements such as pavement parking, parking on double-yellow lines, car doors being slammed, plus it is a bus route and these inconsiderate motorists parking on double-yellow lines while they stop for a chat to their friends, already causes issues along an already difficult bus route (the 242) on this very narrow street, which is a public safety issue.

I don't know what sort of establishment is proposed for 2 Chatsworth Road but I do know that residents will not appreciate the parking and car door slamming that the area at 2am at night, any day of the week and the 242 night bus will also be carrying home some very tired people who will not appreciate their journeys home being disrupted by inconsiderate vehicles (taxis and the like) picking people up from a late night venue.

So please reject the application. Thank you.

Cllr Lynne Troughton

--

Councillor Lynne Troughton  
King's Park Ward  
Tel 020 8356 2072

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

**END VIOLENCE AGAINST  
WOMEN AND GIRLS**



You are in Hackney. Here men and boys should help keep women and girls safe. If you see harassment or violence, get help.

In an emergency call **999** or report to the police on **101**



Hackney  
Safer  
Neighbourhood  
Board



**Objection to application - 2 Chatsworth Road, London, E5 0LP**

1 message

6 December 2021 at 22:45

To: licensing@hackney.gov.uk

Dear Sir/Madam

I would like to object to the license application for 2 Chatsworth Road [London, E5 0LP](#). I believe that the conditions of the license will result in public nuisance for residents who are in close proximity. Specifically:

1. The premise is located in a dense residential area with a number of flats surrounding the premise. The sale of alcohol late at night, particularly on Friday and Saturday night, is likely to lead to an increase in drunk, disorderly behaviour and noise on the footpath directly outside and below living rooms and bedrooms until very late in the evening.
2. The rear of the premise is directly next to residential gardens and bedrooms, which based on recent building works may have some form of open space or windows leading out to the rear. This means having patrons on premise drinking until 11pm on weeknights and 2am on Friday and Saturday evenings and the associated behaviour and noise will have a negative impact on residents lives, including sleep deprivation. The recent noise from building works at the premise have been extremely loud and provide an example of how much noise travels from the premise and impacts neighbours.

I believe that the conditions of the license should be altered to only cover off sales and should be limited to 10pm on weekdays and 11pm on weekends. This would be more compatible with the residential nature of the surrounding neighbours.

Kind regards

[Brooksby's Walk](#)  
E9



**2 chatsworth road**

1 message

7 December 2021 at 10:43

[REDACTED]  
To: licensing@hackney.gov.uk  
Cc: meghilliermp@parliament.uk

Dear Sir/Madam,

I am writing with regards to the licensing application for :

2 Chatsworth Road  
London E5 0LP  
King's Park  
Mr Erdogan

Application for a premises licence to authorise the supply of alcohol for consumption on and off the premises from 07:00 to 23:00 Sun to Thurs and from 07:00 to 02:00am Fri and Sat.

Please be aware of my opposition to this application for the late licence for the sale of alcohol.

As local residents and neighbours to this address

We as a household and I myself am very concerned with negative health implications this will have on my family, neighbours and the community as a whole.

Health guidelines for the use of alcohol has made us all aware that the problems of alcohol abuse and over consumption can cause and that it is ne of the biggest health risks to Hackney citizens. Health risks including heart & liver disease, mental health issues including anxiety and depression. The increase in antisocial behaviour and accidents that caused by over indulgence due to occasional circumstance and addiction.

The building the application is for, has children living in it and neighbouring flats also have young children who need their sleep.

We have high concerns about the behaviour of customers who may have over consumed alcohol. Evidence of antisocial behaviour due to overconsumption is bountiful putting local residents and their property at risk.

The road has become more residential over the years with more and more young families moving into the area hoping to live healthy lives.

This particular stretch of the road has children and babies living in flats surrounding the property.

We are also deeply concerned with the poss excess noise pollution levels the establishment will create having gained a late license.

Please I request for the application not to be granted.

And I speak for my family and immediate neighbours when we ask kindly for the application to be denied.

We love our community and would like to see business thrive, but people's health must come first. Perhaps the business owner could find a more appropriate location for a late license to sell alcohol. Preferably one that doesn't have people and specifically young people in the building or living beside it.

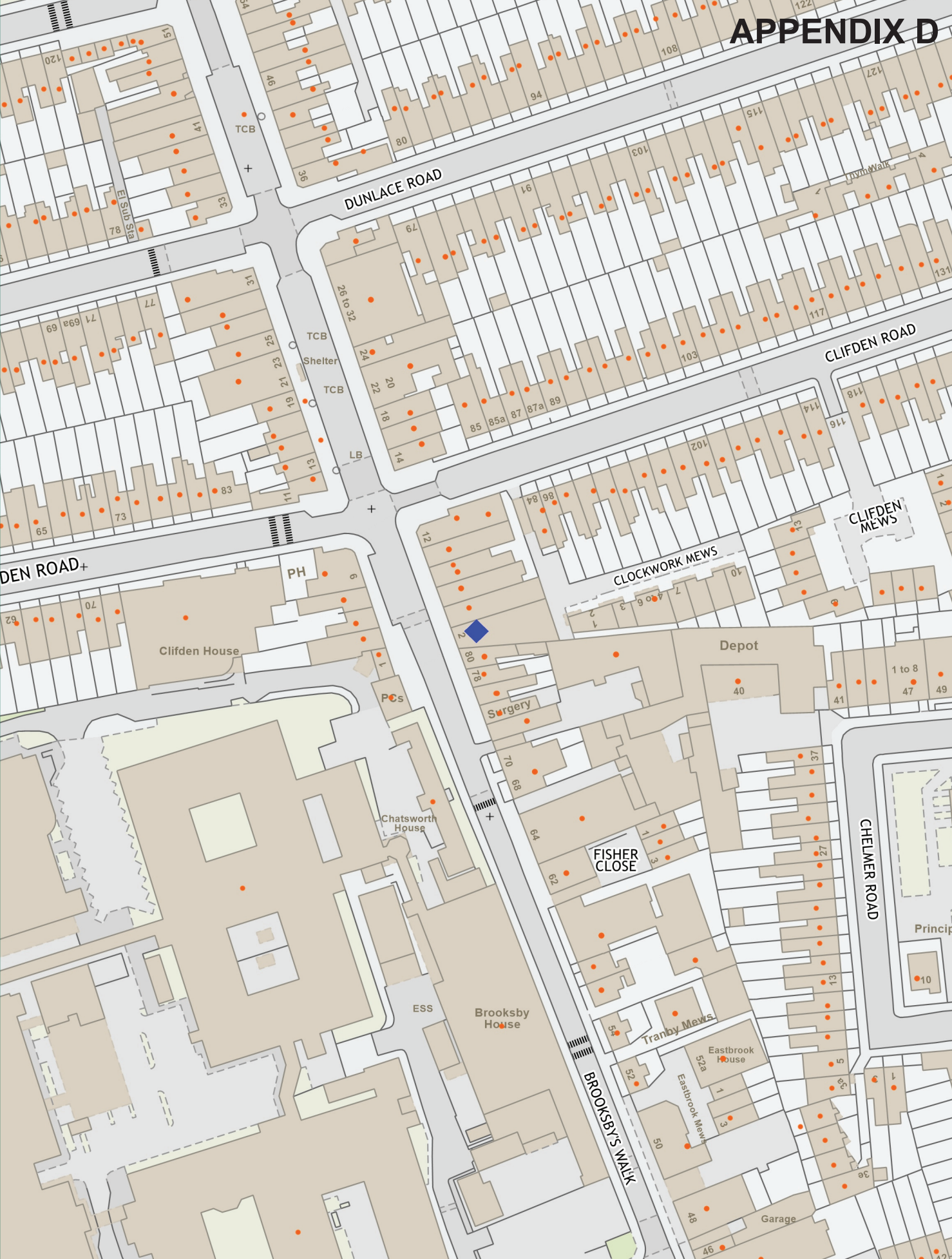
We hope you make the right and best decision for the community.

Yours sincerely,

[REDACTED]

[REDACTED]  
Brooksby's walk  
Homerton  
Hackney

# APPENDIX D



  
Scale: 1:1250 at A4



**2 Chatsworth Road, E5 0LP**

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Monday, January 24, 2022	email:	