

<b>For Consideration By</b>	Licensing Sub-Committee
<b>Meeting Date</b>	13 October 2022
<b>Type of Application</b>	Variation to a Premises Licence
<b>Address of Premises</b>	King of Falafel, 297 Old Street, EC1V 9LA
<b>Classification</b>	Decision
<b>Ward(s) Affected</b>	Hoxton East and Shoreditch
<b>Group Director</b>	Rickardo Hyatt

1. **Summary**

- 1.1. This is an application to vary a premises licence to extend the hours for late night refreshment on Monday to Sunday.

2. **Application**

- 2.1. Mr Mohammed Samman has made an application to vary a premises licence under section 34 of the Licensing Act 2003.
- 2.2. The Premises are located in the Special Policy Area.
- 2.3. The applicant is seeking variation to vary licensable activities and times, as follows:-

<b>Late Night Refreshment</b>	<b>Standard Hours:</b> Mon 23:00-02:00 Tue 23:00-02:00 Wed 23:00-02:00 Thu 23:00-02:00 Fri 23:00-02:00 Sat 23:00-02:00 Sun 23:00 -02:00
<b>The opening hours of the premises</b>	<b>Standard Hours:</b> Mon 08:00-02:00 Tue 08:00-02:00 Wed 08:00-02:00 Thu 08:00-02:00 Fri 08:00-02:00 Sat 08:00-02:00 Sun 10:00-02:00

- 2.4. The application is attached as Appendix A.

3. **Current Status/History**

3.1. The current premises licence was granted on 22 January 2019. The licence was transferred to the current licensee in July 2022 (attached as Appendix D).

3.2. No Temporary Event Notices were submitted for the premises in 2022.

4. **Representations: Responsible Authorities**

<b>From</b>	<b>Details</b>
Environmental Health Authority (Environmental Protection)	Have confirmed no representation on this application
Environmental Health authority (Environmental Enforcement)	Have confirmed no representation on this application
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	No representation received
Planning Authority	Have confirmed no representation on this application
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application
Police	Representation on the ground of the Prevention of Crime and Disorder, The Prevention of Public Nuisance and Special Policy Area
<b>Appendix B1</b>	
Licensing Authority	Representation on the ground of The Prevention of Public Nuisance and Special Policy Area
<b>Appendix B2</b>	
Health Authority	No representation received

5. **Representations: Other Persons**

<b>From</b>	<b>Details</b>
2 Representations have been received from and on behalf of local residents. <b>(Appendices C1-C2)</b>	Representation received on the grounds of The Prevention of Crime and Disorder, The Prevention of Public Nuisance and the Special Policy Area

## 6. Guidance Considerations

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

## 7. Policy Considerations

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

## 8. Officer Observations

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

None.

## 9. Reasons for Officer Observations

- 9.1. Not Applicable

## 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**

### 12.1. **Option 1**

**That the application be refused**

### 12.2. **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.

### **Appendices:**

Appendix A: Application for a premises licence and supporting documents

Appendix B: Representations from Responsible Authorities

Appendix C: Representations from Other Persons

Appendix D: Current Licence

Appendix E: Location map

### **Background documents**

Licensing Act 2003

LBH Statement of Licensing Policy

<b>Report Author</b>	Name: Sanaria Hussain Title: Senior Licensing Officer Email: sanaria.hussain@hackney.gov.uk Tel: 02083562431
<b>Comments for the Group Director of Finance and Corporate Resources prepared by</b>	Name Title Email Tel
<b>Comments for the Director of Legal, Democratic and Electoral Services prepared by</b>	Name Title Email Tel

# Appendix A

Hackney

LA07

Application to vary a premises licence under the Licensing Act 2003

## PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

~~Mr~~ MOHAMMED SAMMAN

(Insert name(s) of applicant)

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

Premises licence number

098268

### Part 1 – Premises Details

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

297 OLD STREET

HACKNEY - LONDON

Post town

Postcode

EC1Y 9LA

Telephone number at premises (if any)

N/A

Non-domestic rateable value of premises

£ 2,500

### Part 2 – Applicant details

Daytime contact telephone number

E-mail address (optional)

Current postal address if different from premises address		[REDACTED]	
Post town		Postcode	[REDACTED]

**Part 3 – Variation**

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

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

DD	MM	YYYY

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

**Please describe briefly the nature of the proposed variation** (Please see guidance note 2)

I wish to make an application for the licene times to be extended to 2AM for the sale of falafel and shawanma

Thank you

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

#### Part 4 Operating Schedule

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

**Provision of regulated entertainment (Please see guidance note 3)**

**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**

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day				Start	Finish
Mon				Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>	
Mon			<b>Please give further details here</b> (please read guidance note 5)		
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 6)		
Thur					
Fri			<b>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</b> (please read guidance note 7)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 8)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	-----	-----	<b>Please give further details here</b> (please read guidance note 5)		
Tue	-----	-----			
Wed	-----	-----	<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 6)		
Thur	-----	-----			
Fri	-----	-----	<b>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</b> (please read guidance note 7)		
Sat	-----	-----			
Sun	-----	-----			

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 8)			<b>Please give further details</b> (please read guidance note 5)
Day	Start	Finish	
Mon	-----	-----	<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 6)
Tue	-----	-----	
Wed	-----	-----	
Thur	-----	-----	<b>Non-standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</b> (please read guidance note 7)
Fri	-----	-----	
Sat	-----	-----	
Sun	-----	-----	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	-----	-----	Please give further details here (please read guidance note 5)	Both	<input type="checkbox"/>
Tue	-----	-----			
Wed	-----	-----	State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)		
Thur	-----	-----			
Fri	-----	-----	Non-standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat	-----	-----			
Sun	-----	-----			

**E**

<b>Live music</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 5)		
Mon	-----	-----			
Tue	-----	-----			
<b>Wed</b>	-----	-----	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 6)		
<b>Thur</b>	-----	-----			
<b>Fri</b>	-----	-----	<b>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</b> (please read guidance note 7)		
<b>Sat</b>	-----	-----			
<b>Sun</b>	-----	-----			

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	-----	-----	Please give further details here (please read guidance note 5)	Both	<input type="checkbox"/>
Tue	-----	-----			
Wed	-----	-----	State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Thur	-----	-----			
Fri	-----	-----	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 7)		
Sat	-----	-----			
Sun	-----	-----			

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5)		
Mon	-----	-----			
Tue	-----	-----	<b>State any seasonal variations for the performance of dance</b> (please read guidance note 6)		
Wed	-----	-----			
Thur	-----	-----	<b>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</b> (please read guidance note 7)		
Fri	-----	-----			
Sat	-----	-----			
Sun	-----	-----			

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			<b>Please give a description of the type of entertainment you will be providing</b>		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon	-----	-----		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	-----	-----	<b>Please give further details here</b> (please read guidance note 5)		
Wed	-----	-----			
Thur	-----	-----	<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 6)		
Fri	-----	-----			
Sat	-----	-----	<b>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</b> (please read guidance note 7)		
Sun	-----	-----			



<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	23.00	2 AM	<b>Please give further details here</b> (please read guidance note 5)		
Tue	23.00	2 AM			
Wed	23.00	2 AM	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 6)		
Thur	23.00	2 AM			
Fri	23.00	2 AM	<b>Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 7)		
Sat	23.00	2 AM			
Sun	23.00	2 AM			



**K**

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

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 6)
<b>Day</b>	<b>Start</b>	<b>Finish</b>	
Mon	08	02:00	
Tue	08	02:00	
Wed	08	02:00	
Thur	08	02:00	
Fri	08	02:00	
Sat	08	02:00	
Sun	10	02:00	
			<b>Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 7)

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

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

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

**c) Public safety**

**d) The prevention of public nuisance**

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

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

Please tick as appropriate

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

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

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

--

Checklist:

Please tick to indicate agreement

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

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

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

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

Signature	[REDACTED]
Date	28/07/22
Capacity	

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

Signature	
Date	
Capacity	

<b>Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)</b>			
<b>Post town</b>		<b>Post code</b>	
<b>Telephone number (if any)</b>			
<b>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</b>			

### Notes for Guidance

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

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:

- o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
- o 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.
- o 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.
- o 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.
- o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded 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.
  - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;



- o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
  6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
  9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
  10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
  11. Please list here steps you will take to promote all four licensing objectives together.
  12. The application form must be signed.
  13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
  14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
  15. This is the address which we shall use to correspond with you about this application.



# Appendix B1

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

### RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Metropolitan Police service
ADDRESS OF AUTHORITY	Licensing Unit, Stoke Police Station 33 Stoke Newington High Street London N16 8DS
CONTACT NAME	PC 3288CE Amanda GRIGGS
TELEPHONE NUMBER	07796 183078
E-MAIL ADDRESS	hackneylicensing@met.police.uk

### APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	<b>Falafel House</b> <b>297 Old Street</b> <b>London</b> <b>EC1V 9LA</b>
NAME OF PREMISES USER	<b>Mohammed Samman</b>

### COMMENTS

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

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

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

**Police make the following representations in relation to the application to vary the Premises Licence at for The Falafel House, 297 Old Street, EC1V 9LA for the following reason(s);**

This premises is located in the middle of the Shoreditch Special Policy Area on an extremely busy stretch of a road that forms part of the 'Shoreditch Triangle'. Recent months have seen a distinctive rise in the incidents of violence and disorder. During the early hours of the morning both the pavements and the roads are extremely busy. Cars are queued, with drivers often becoming agitated as drunk people walk in front of their cars in an attempt to pass the groups loitering outside bars and food establishments as they are unable to pass on the blocked footways. The Shoreditch SPA was introduced as the council recognised that this area has a high level and density of licensed premises and suffers high levels of nuisance and disorder. Although this venue will not be selling alcohol, it will be dealing with the effects of the alcohol consumed over several hours in other venues. Police have serious concerns regarding the effect that this premises could have on the cumulative impact and the promotion of the licensing objectives should the hours here be extended.

They have offered no additional conditions or measures in order to mitigate their impact on the SPA and show how they will not add to the cumulative impact.

In the past the venue has been seen by police operating after hours, some of these prior to there being a licence at the venue, and a great deal more after a licence to sell hot food until midnight was issued. The venue has consistently shown a complete disregard of the licensing legislation, and the decision of the sub-committee in issuing them a licence.

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

Personal knowledge of the local area and issues in the area.

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

None

Signed  
PC 3288CE GRIGGS  
(By E-mail)  
Name (printed)

# Appendix B2

## 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	King of Falafel 297 Old Street EC1V 9LA
NAME OF APPLICANT	Mohammed Samman

### 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 application seeks to extend the hours of operation for the premises by an additional 2 hours each day. The current licence already authorises licensable activity beyond the core hours outlined in the LP3 Core Hours section of the council's licensing policy for late night refreshment.

The hours sought are as follows;

#### Late Night Refreshment

Mon:23:00 - 02:00

Tue:23:00 - 02:00

Wed:23:00 - 02:00

Thur:23:00 - 02:00

Fri:23:00 - 02:00

Sat:23:00 - 02:00

Sun:23:00 - 02:00

#### Opening Hours

Mon:12:00 - 02:00

Tue:12:00 - 02:00

Wed:12:00 - 02:00

Thur:12:00 - 02:00

Fri:12:00 - 02:00

Sat:12:00 - 02:00

Sun:12:00 - 02:00

The premises are situated within the Shoreditch Special Policy Area (Shoreditch SPA); the Shoreditch SPA has been designated as such due to the impact of the number of premises within the area and their impact on the licensing objectives as well as the local amenity.

#### *"LP10 Special Policy Areas – Dalston and Shoreditch*

*It is the Council's policy that where a relevant representation is made to any application within the area of the Dalston SPA or Shoreditch SPA, the applicant will need to demonstrate that the proposed activity and the operation of the premises will not add to the cumulative impact that is currently being experienced in these areas. This policy is to be strictly applied.*

*It should also be noted that the;*

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

*May not be in itself sufficient.*

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

The presence of a further late night premises in the area increases the probability that persons are likely to remain in the area and not disperse, this leads to the further potential that the licensing objectives could be undermined. Additionally, there is no mention of how the premises would deal with late night deliveries/take-aways and the potential nuisance of idling vehicles. This is surprising as the premises are already limited to take away only from 22:00 hours.

No additional conditions have been offered to support the application. No management plans and/or dispersal policies in relation to potential crowds outside the premises have been included. Considering that the premises is situated in a particularly busy part of the Shoreditch SPA, with residential properties located directly above and adjacent. it appears that the applicant has not had regard to the Shoreditch SPA within the application.

The Licensing Authority is not persuaded that the application, whilst limiting the activity to Late Night Refreshment, will have no impact on the Licensing Objectives.

The Licensing Authority also has additional concerns regarding matters raised by Police colleagues in relation to non-compliance with the current authorisation.

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.

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

The applicant should consider reducing the hours sought to a 1 hour extension on Thursday, Friday and Saturday only as well as addressing the matters outlined above. However, it should be noted that the Licensing Authority are still not persuaded by the content of the application.

**Name:** Channing Riviere (Principal Licensing Officer)

**Date:** 26/08/2022



Sanaria Hussain &lt;sanaria.hussain@hackney.gov.uk&gt;

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**Fwd: 297 Old Street London EC1V 4DA**

1 message

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

12 August 2022 at 08:39

Kind Regards,

Licensing Service  
London Borough of Hackney  
Tel: 020 8356 2431  
Email: [licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk)  
[www.hackney.gov.uk/licensing](http://www.hackney.gov.uk/licensing)

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

From: [REDACTED]  
Date: Sun, 7 Aug 2022 at 18:30  
Subject: [297 Old Street London EC1V 4DA](#)  
To: Licensing (Shared Mailbox) <[licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk)>

To Whom it may concern,

We are writing to oppose the application by [297 Old Street, London, EC1V 4DA](#) for permission to extend late night refreshment sales until 2.00am from Monday to Sunday.

This extension would lead to further overcrowding of the Shoreditch area late at night, when noise pollution, anti-social behaviour, drinking in the streets, nitrous oxide consumption, and other behaviours (including criminal offences such as assaults and sexual offences) are already disrupting residents' ability to sleep and creating a threatening atmosphere. Allowing any additional sales will only add to these issues, which are currently slipping out of control again, after a few months of improvement between late 2021 and June 2022. In particular sales for consumption off-premises directly encourage groups to congregate and loiter in residential streets drinking through the night. We are objecting to all aspects of this proposal, however, it ought to be especially obvious that a blanket extension to cover every night of the week (Monday to Sunday) is particularly unreasonable and, in our opinion, impossible to justify for any venue.

We oppose the application on the following specific grounds:

The premises are located in the Shoreditch Special Policy Area. We are not aware of any information provided by the applicant as to how this application avoids any negative impact on this area. We understand that it is the applicant's responsibility to demonstrate why the license should be granted. Arguments based on concerns about recent increases in prices, pressures on customers due to inflation, etc. apply to all hospitality business of this kind and do not therefore constitute an acceptable reason to extend any individual licence.

The prevention of crime, disorder, anti-social behaviour and noise pollution ought to be the top priority in Shoreditch, which is heavily residential and where a proper balance needs to be struck between the Council's duty to its residents and the wishes of late night economy venues. Additional late night hours will by definition contribute to the cumulative impact on crime, disorder, anti-social behaviour and noise pollution, and risks undermining the SPA/saturation zones in the area. Longer sales hours will deepen the problems already being experienced.

Public safety is also at risk with this new application. The neighbourhood already has significant issues with violence, vomiting, urination, defecation and drug use late into the night, presenting real safety, security and nuisance issues. This is not limited to the immediate vicinity of any venue, but spreads to the streets such as ours where groups gather throughout the night.

This extension of hours will only add to the crowding issue. Consumption of refreshments will create significant noise from the venue, the noise created by groups coming and going, and drunk and disorderly crowds gathering underneath bedroom windows.

The protection of residents, including children, from harm is an important consideration. Residents cannot be expected to put up with the disruption caused by extended hours, as the existing amount of venues, alcohol and



refreshments consumed are already stretching the resources of the police and Hackney enforcement to manage and control the late night economy to breaking point. We have just submitted a report to the police about the situation over the last two weekends in our street, which reflects the deterioration already occurring this summer (CAD reference 4989 07/08/2002; BOS-33494-22-0101-B2). Adding to this will only make a difficult situation worse.

We can be contacted at the address below. We wish to be notified of any hearing. We do not consent to the release of any personally identifiable information.

[REDACTED]  
Flat [REDACTED] Cleeve House, Calvert Avenue, London E2 [REDACTED]

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

# Appendix C2

Sanaria Hussain &lt;sanaria.hussain@hackney.gov.uk&gt;



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## Fwd: Application from Mr. Saman, 297 Old Street, London EC1V 4DA

1 message

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

12 August 2022 at 08:40

Kind Regards,

Licensing Service  
London Borough of Hackney  
Tel: 020 8356 2431  
Email: [licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk)  
[www.hackney.gov.uk/licensing](http://www.hackney.gov.uk/licensing)

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

From: [REDACTED]  
Date: Fri, 5 Aug 2022 at 17:18  
Subject: Application from Mr. Saman, 297 Old Street, London EC1V 4DA  
To: [licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk) <[licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk)>

As a local resident I strongly object to the extension of a licence in these premises which are situated in the SSPA. For the usual reasons: increase in noise, increase in anti-social behaviour, increase in public drinking in the immediate area (a controlled drinking zone) and the fact that the immediate area is already saturated with such premises. Not only that but a premises only a few yards down the street recently lost its licence due to high levels of physical violence occurring outside it. The SSPA states that there should be a presumption against extended such licences, which should only be allowed under special circumstances. The circumstances all indicate that this should be refused.

[REDACTED], N1 [REDACTED]

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

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

Premises licence number 098268

## Part 1 - Premises Details

Postal address of premises, or if none, ordnance survey map reference of description  
King of Falafel  
297 Old Street

Post town	London	Postcode	EC1V 9LA
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Telephone number	
------------------	--

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Late Night Refreshment

The times the licence authorises the carrying out of licensable activities

Late Night Refreshment	<b>Standard Hours:</b> Mon 23:00-00:00 Tue 23:00-00:00 Wed 23:00-00:00 Thu 23:00-00:00 Fri 23:00-00:00 Sat 23:00-00:00 Sun 23:00-00:00
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**The opening hours of the premises**

**Standard Hours:**

Mon 08:00-00:00

Tue 08:00-00:00

Wed 08:00-00:00

Thu 08:00-00:00

Fri 08:00-00:00

Sat 08:00-00:00

Sun 10:00-00:00

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

N/A

**Part 2**

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

Mohammed Samman  
362 Camden Road  
Islington  
London  
N7 0LG

**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**

N/A

**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: N/A

Issuing Authority: N/A

**Date of grant: 22 January 2019**



**Gerry McCarthy**

**Head of Community Safety, Enforcement and Business Regulation**

**Document re-issued : 11/09/2022**

## **Annex 1 - Mandatory Conditions**

### **Door Supervision**

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

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

2. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry, exit points and public areas 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 officers throughout the preceding 31-day period.
3. A staff member from the premises who is conversant with the operation of the CCTV system shall be 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.
4. Signs will be prominently displayed at all exit points reminding customers to leave quietly and respect local residents.
5. The premises will have a venue management policy, approved by the police licensing officer and/or Crime prevention officer, detailing the following;
  - a. Dispersal Policy
  - b. Drugs Policy
  - c. Weapons Policy
  - d. Smoking Policy
6. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following.
  - a. All crimes reported:
  - b. All ejections of patrons
  - c. Any complaints received.
  - d. Any incidents of disorder.
  - e. Seizure of drugs or offensive weapons.
  - f. Any faults in the CCTV system or searching equipment or scanning equipment.
  - g. Any visit by a relevant authority or emergency service.
  - h. All and any concerns about the welfare of children
7. Signs will be prominently displayed by entry and exit points reminding customs:
  - a) CCTV in operation.
  - b) Drugs policy.
  - c) Weapons policy.
8. The licence holder shall maintain a dedicated telephone number of the Premises Licence Holder or Duty Manager for use by any Responsible Authority or any person who may wish to make a complaint. This contact number shall be provided to licensing authority, police and to any local residents upon request.

9. Also the licence holder and all staff shall be aware and familiar of the means of safeguarding children and the relevant Authorities to contact e.g. police and Local Authority's Emergency Children Services.

10. Patrons of the premises shall be encouraged, by signs within the premises visible at all exit points, to disperse from the area of the premises quietly.

11. The premises shall ensure that the front of the premises and the curtilage of the building is kept tidy and free of litter.

12. All tables and chairs shall be rendered unusable after 22:00 hours each night. All food orders after 22:00 hours shall be for takeaway only.

13. After 22:00hrs there shall be a maximum of 8 customers in the shop at any one time. This shall be monitored by at least one staff/door supervisor.

14. SIA registered door supervisors shall be employed at the premises on an ongoing risk assessment basis. All security staff and stewards shall be clearly identifiable at all times. All door supervisors shall enter their full details in a premises daily register at the commencement of work. They shall record their full name, home address and contact telephone number, their SIA registration number and the time they commence and conclude working. If the supervisor was provided by an agency, the name, registered business address and contact telephone number shall also be recorded. This register will be available to police or other authorised officers upon request.

15. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their duty of care 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 297 Old Street. This should remain unobstructed at all times and should clearly identify:-

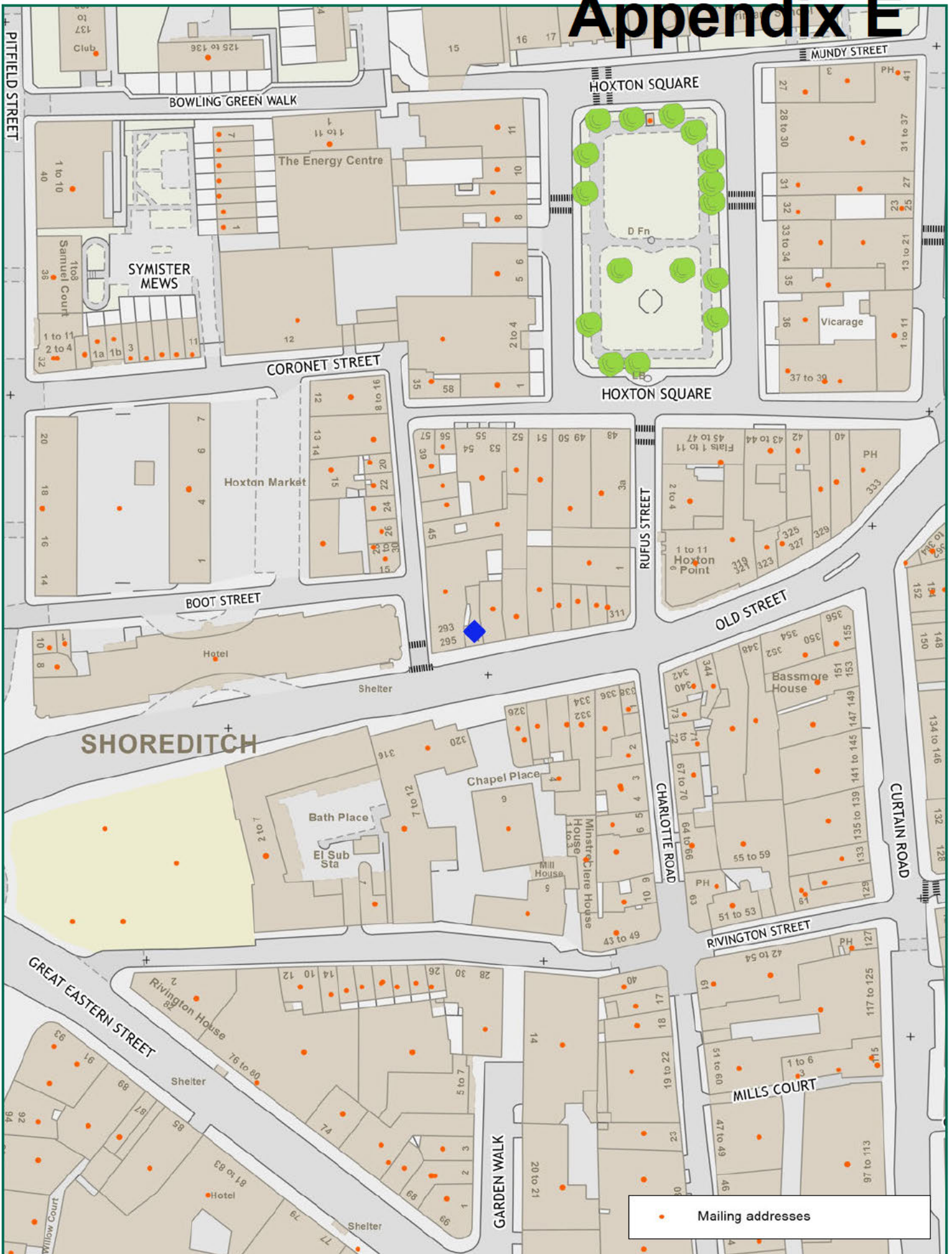
- a) the name of the registered waste carrier
- b) the date of commencement of trade waste contract
- c) the date of expiry of trade waste contract
- d) the days and times of collection
- e) the type of waste including the European Waste Code

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

**Annex 4 - Plans**

PLAN/098268/22012019

# Appendix E



• Mailing addresses

**NORTH**

Scale: 1:1250 at A4

**Hackney**

**297 Old Street**

Ref: \_\_\_\_\_ Produced by: unspecified please specify copyright statement

Monday, October 3, 2022 email: \_\_\_\_\_