

For Consideration By	Licensing Sub-Committee
Meeting Date	25 October 2022
Type of Application	Premises Licence
Address of Premises	Wavey, 9 Hackney Road, London, E2 7NX
Classification	Decision
Ward(s) Affected	Hoxton East and Shoreditch
Director	Rickardo Hyatt

1. **Summary**

- 1.1. This is an application for a premises licence to allow authorisation for sale of alcohol on Monday to Sunday.

2. **Application**

- 2.1. Miss Ozlem Has has made an application for a premises licence under section 17 of the Licensing Act 2003.
- 2.2. The premises is not located within the special policy area.
- 2.3. The applicant has amended the current application for the following licensable activities and times:

Supply of Alcohol (Off sales)	Standard Hours: 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 08:00-02:00
The opening hours of the premises	Standard Hours: 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 08:00-02:00
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2.4. The application is attached as Appendix A. The applicant has proposed measures that could be converted to conditions (see paragraph 8.1 below).

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 current year.

4. **Representations: Responsible Authorities**

From	Details
Environmental Health Authority (Environmental Protection)	Have confirmed no representation on this application
Environmental Health Authority (Environmental Enforcement)	Representation has been withdrawn based on agreed conditions as set out in para 8.1
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	Have confirmed no representation based on agreed conditions as set out in para 8.1
Planning Authority (Appendix B1)	Informative
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application
Police (Appendix B2)	Representation received on the grounds of The Prevention of Crime and Disorder and Prevention of Public Nuisance
Licensing Authority (Appendix B3)	Representation received on the grounds of The Prevention of Public Nuisance
Health Authority	No representation received

5. **Representations: Other Persons**

From	Details
2 representations received from and on behalf of local residents. (Appendices C1&C2)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and The Protection of Children from Harm.

6. **Guidance Considerations**

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

7. **Policy Considerations**

- 7.1. Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy) adopted by the Licensing Authority.
- 7.2. The Policy applies to applications where relevant representations have been made. With regard to this application, policies, LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP4 (Off Sales of Alcohol) and LP11 (Cumulative Impact-General) are relevant.

8. **Officer Observations**

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

Mandatory Conditions

Supply Of Alcohol(Off)

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 consistent with the Operating Schedule

5. Any incidents of a criminal nature that may occur on the premises will be reported to the Police. The Licensee will install comprehensive CCTV coverage at the premises and it is operated and maintained at the premises. The CCTV system shall conform to the following points:
 - (a) Cameras must be sited to observe the entrance and exit doors both inside and outside.
 - (b) Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification.
 - (c) Cameras viewing till areas must capture frames not less than 50% of screen.
 - (d) Cameras overlooking floor areas should be wide angled to give an overview of the premises.
 - (e) Be capable of visually confirming the nature of the crime committed.
 - (f) Provide a linked record of the date, time and place of any image.
 - (g) Provide good quality images –colour during opening times.
 - (h) Operate under existing light levels within and outside the premises.
 - (i) Have the recording device located in a secure area or locked cabinet.
 - (j) Have a monitor to review images and recorded picture quality.
 - (k) Be regularly maintained to ensure continuous quality of image capture retention.
 - (l) Have signage displayed in the customer area to advise that CCTV is in operation.
 - (m) Digital images must be kept for 31 days.
 - (n) Police will have access to images at any reasonable time.
 - (o) The equipment must have a suitable export method, e.g. CD/DVD writer so that the police can make an evidential copy of the data they require. This data should be in the native file format, to ensure that no image quality is lost when making the copy, if this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a standard computer. Copies must be made available to Police on request.
6. All emergency exits shall be kept free from obstruction at all times.
7. Clear and legible notices will be prominently displayed to remind customers to leave quietly and have regard to our neighbours.
8. A register of refused sales shall be kept and maintained on the premises.

9. The Licensee shall ensure that all staff will undertake training in their responsibilities in relation to the sale of alcohol, particularly with regard to drunkenness and underage persons, records will be kept of training and refresher training.
10. No beer, lagers or ciders exceeding 6.5% ABV shall be sold or supplied at the premises.
11. No single cans or bottles of beer, lager or cider shall be sold or supplied at the premises after 23.00 hours.
12. No miniature bottles of sprits of 50cl or less shall be sold or supplied at the premises after 23.00 hours.
13. 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 as a minimum record the following:
 - a. all crimes reported to the venue
 - b. all ejections of patrons
 - c. any complaints received
 - d. any incidents of disorder
 - e. seizures of drugs or offensive weapons
 - f. any faults in the CCTV system or searching equipment or scanning equipment
 - g. any refusal of the sale of alcohol
 - h. any visit by a relevant authority or emergency service.

Conditions derived from Responsible Authority representations

14. Signage clearly displayed around premises and at till points indicating that the premises operate a challenge 25 policy.
15. The licensee and staff will ask persons who appear to be under the age of 25 for photographic ID, the only acceptable forms of identification are a passport, driving licence, national ID card or PASS/Citizen with the bearer's Photograph and Date of birth clearly displayed.
16. A training record for all staff is maintained on the premises including details of the training provided and the time/date and signature of staff trained and trainer, and this training is completed on a 6 monthly basis.
17. The Licensee shall ensure that all relevant staff are fully trained and made aware of the legal requirement of businesses to comply with their responsibility as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.
18. 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.

19. 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.
20. 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.
21. 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.
22. 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 Wavey. 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**

Conditions 5 to 13 are derived from the applicant's operating schedule, conditions 14 to 16 have been agreed with Trading Standards and conditions 17 to 22 have been 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**

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: Location map

Background documents

Licensing Act 2003

LBH Statement of Licensing Policy

Report Author	Name: Shan Uthayasangar Title: Licensing Officer Email: shan.uthayasangar@hackney.gov.uk Tel: 02083562431
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Comments for the Group Director of Finance and Corporate Resources prepared by	Name Title Email Tel
Comments for the Director of Legal, Democratic and Electoral Services prepared by	Name Title Email Tel

Hackney

LA01

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I Ozlem Has

(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			
Wavey 9 Hackney Road			
Post town	London	Postcode	E2 7NX

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 10,750

Part 2 - Applicant details

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

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

- iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- 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 type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input checked="" type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Has			First names Ozlem		
Date of birth ██████████		I am 18 years old or over <input checked="" type="checkbox"/>		Please tick yes	
Nationality ██████████					
Current residential address if different from premises address		██████████ ██████████ ██████████			
Post town		██████████		Postcode	██████████

Daytime contact telephone number		██████████
E-mail address (optional)	████████████████████	
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)		

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name

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

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
1	2	09/2022

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

This premises is a Grocery Store.

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

In all cases complete boxes K, L and M

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	00:00	23:59			
Tue	00:00	23:59			
Wed	00:00	23:59			
Thur	00:00	23:59			
Fri	00:00	23:59			
Sat	00:00	23:59	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun	00:00	23:59			

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

Name	Ozlem Has
Date of birth	██████████
Address	██████████ ██████████████████ ██████████████████ ██████████
Postcode	██████████
Personal licence number (if known)	██████████████████
Issuing licensing authority (if known)	██████████████████████████████

K

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

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	N/A
Mon	00:00	23:59	
Tue	00:00	23:59	
Wed	00:00	23:59	
Thur	00:00	23:59	
Fri	00:00	23:59	
Sat	00:00	23:59	
Sun	00:00	23:59	
Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)			
N/A			

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 Licensee, that is the person in whose name the premises licence is issued, shall ensure that all times when the premises are for any licensable activity, there are sufficient competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder. The Licensee shall ensure that all staff will undertake training in their responsibilities in relation to the sale of alcohol, particularly with regard to drunkenness and underage persons. Records will be kept of training and refresher training.

b) The prevention of crime and disorder

Any incidents of a criminal nature that may occur on the premises will be reported to the Police. The Licensee will install comprehensive CCTV coverage at the premises and it is operated and maintained at the premises. The CCTV system shall conform to the following points: 1. Cameras must be sited to observe the entrance and exit doors both inside and outside. 2. Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification. 3. Cameras viewing till areas must capture frames not less than 50% of screen. 4. Cameras overlooking floor areas should be wide angled to give an overview of the premises. 5. Be capable of visually confirming the nature of the crime committed. 6. Provide a linked record of the date, time and place of any image. 7. Provide good quality images –colour during opening times. 8. Operate under existing light levels within and outside the premises. 9. Have the recording device located in a secure area or locked cabinet. 10. Have a monitor to review images and recorded picture quality. 11. Be regularly maintained to ensure continuous quality of image capture retention. 12. Have signage displayed in the customer area to advise that CCTV is in operation. 13. Digital images must be kept for 31 days. 14. Police will have access to images at any reasonable time. 15. The equipment must have a suitable export method, e.g. CD/DVD writer so that the police can make an evidential copy of the data they require. This data should be in the native file format, to ensure that no image quality is lost when making the copy, if this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a standard computer. Copies must be made available to Police on request.

c) Public safety

Appropriate fire safety procedures are in place including fire extinguishers, internally illuminated fire exit signs, numerous smoke detectors and emergency lighting (see enclosed plan for details of locations). All appliances are inspected annually. All emergency exits shall be kept free from obstruction at all times.

d) The prevention of public nuisance

All customers will be asked to leave quietly. Clear and legible notices will be prominently displayed to remind customers to leave quietly and have regard to our neighbours.

e) The protection of children from harm

The licensee and staff will ask persons who appear to be under the age of 25 for photographic ID such as proof of age cards, the Connexions Card and Citizen Card, photographic driving licence or passport, an official identity card issued by HM Forces or by an EU country, bearing the photograph and date of birth of bearer. All staff will be trained for UNDERAGE SALES PREVENTION regularly. A register of refused sales shall be kept and maintained on the premises.

Checklist:

Please tick to indicate agreement

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


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

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF

THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.




Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none">• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	15/08/2022
Capacity	Manager (Authorised Agent)

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Atlas Licensing 			
Post town		Postcode	

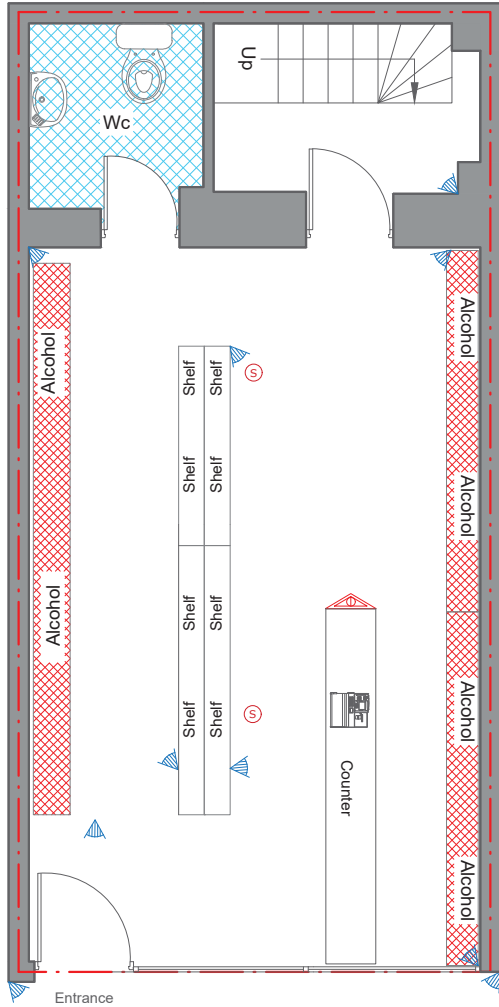
Telephone number (if any)	██████████
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)	████████████████████

Notes for Guidance

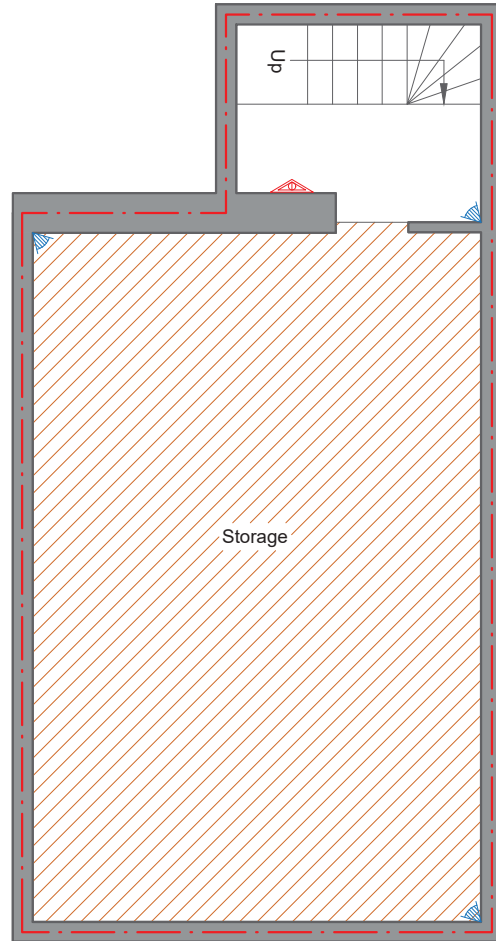
1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, 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 audience does not exceed 500, and (b) the organiser gets

Notes

- 1- This drawing is not for construction.
- 2- All dimensions are to be checked on site and the architect is to be informed of any discrepancies before construction commences.
- 3- All references to drawings refer to current revision of that drawing.
- 4- The drawings are ADA GROUP property and should not be copied, reproduced or disclosed without written permission.



GROUND FLOOR PLAN



BASEMENT PLAN

DRAWING SYMBOL KEY

- AMBIT OF PREMISES
- ALCOHOL
- STORAGE
- WC AREA
- SMOKE DETECTOR
- CCTV
- FIRE EXTINGUISHER

ADDRESS
9 Hackney Road, London, E2 7NX

PROJECT
Ground Floor Plan & Basement Plan

CLIENT

REV

SHEET

1/1

DATE
12/08/2022

REFERENCE NUMBER
HR-1208-GFBP

SCALE
1/100 @A3

DRAWN BY
G.G.

CHECKED BY

ADA GROUP
453 West Green Road
London N15 3PW
info@adagroup.org.uk
0208 881 7466



Wavey, 9 Hackney Road, London E2 7NX - Licensing Authority Objection

29 September 2022 at 13:45

From: Nigel Carter**Sent:** 14 September 2022 10:47**To:** david.tuitt@hackney.gov.uk; jacey.frewin@hackney.gov.uk; hackneylicensing@metpolice.uk**Cc:** [REDACTED]**Subject:** Wavey, 9 Hackney Road, London E2 7NX - Licensing Authority Objection

Dear David, Jacey & Pc Griggs

I have been instructed to act on behalf of Miss Ozlem Has, in relation to her premises licence application.

I note your representations in relation to it's proximity to the SPA; violence and disorder, as well as extreme drunkenness in the vicinity, and in particular the fact that the application is not in line with the council's Licensing Policy LP4.

Having consulted with my client, and taken on board the concerns expressed by Licensing; Police; Environmental Health and the member of public, she would like to propose the following:-

1. An amendment to the hours for Sale by Retail of Alcohol from 24 hours, to 08.00 to 02.00 hours (off sales)
2. Acceptance of all the conditions proposed by Jacey Frewin (EHO)
3. Additional conditions to those already offered in the Operating Schedule are proposed to further promote the Licensing Objectives:
 - A1 No beer, lagers or ciders exceeding 6.5% AbV shall be sold or supplied at the premises.
 - A2 No single cans or bottles of beer, lager or cider shall be sold or supplied at the premises after 23.00 hours.
 - A3 No miniature bottles of sprits of 50cl or less shall be old or supplied at the premises after 23.00 hours.
 - C4 Incident Log (as per wording in Appendix E Licensing Policy)

My client wishes to avoid the need to go before the Licensing Sub Committee, but hopes that these reduced hours together with the proposed conditions from the EHO, will allow the Licensing Authority to grant this premises licence application under delegated authority.

Could I also ask that you relay the above to the member of the public who has objected, as we are not privy to his/her contact details?

I await your response.

Kind regards

Nigel

Nigel Carter (Cert. Ed. Licensing Law)

Carter Consultancy
[REDACTED]

APPENDIX B1

Planning Authority Representation: Application under the Licensing Act 2003

Details of Authority	1 Hillman Street, Hackney, London, E8 1FB
Officer contact name	Claudette Abraham
Officer telephone number	020 8356 4870
Officer's email address	claudette.abraham@hackney.gov.uk

APPLICATION PREMISES

Name and address of premises	Wavey, 9 Hackney Road, Hackney, London, E2 7NX
Applicant name	Ozlem Has

COMMENTS

I make the following relevant representation in relation to the above application at the above address.

- Prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

Please supply any relevant evidence/information to support the above representation.

The application proposes for a new premises licence as a grocery store under the Licensing Act 2003.

The licensable activities are:

Supply of Alcohol Mon - Sun 00:00 23:59

Hours of Opening Mon-Sun 00:00-23:59

No record could be found for the approval for the use of the premises as a grocery store. Therefore the applicant is advised that planning permission may be required for the usage of the premises. Operation of the premises without appropriate planning permission is unlawful and may result in enforcement action.

No representation with informatives

Please provide the following information (if applicable)

Area (that permission applies to)	Ground Floor
Permitted use	Class A3
Permitted hours	N/A
Specific/restrictive conditions	N/A

Recent applications	N/A
Decisions	N/A
Pending Decisions	N/A
Reasons for refusal	N/A
Relevant Conditions/discharges	N/A

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

No representation with Informatives

The applicant is advised that these comments do not represent a formal decision of the Local Planning Authority as to the acceptability or otherwise of the proposed use and that the decision of the Licensing Authority is not prejudicial to the determination of any subsequent planning application.

Signed	
Name	Gareth Barnett
Date	22.08.22

APPENDIX B2

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	Wavey 9 Hackney Road London E2 7NX
NAME OF PREMISES USER	Ozlem Has

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
- 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 for a Premises Licence at WAVEY, 9 HACKNEY ROAD, E2 7NX for the following reason(s);

This premises is located in a central location within the Shoreditch Area, and on the border of the Special Policy Area (SPA) It is on a junction with a busy main road, which is one of the main egress routes out of the area, experiencing an extremely high footfall throughout the days and evening, especially at weekends.

Police have seen a vast increase in serious violence and disorder in Shoreditch over the past several months – year, as the footfall has increased to unprecedented levels since the easing of Coronavirus Restrictions. Behaviours and attitudes to drinking seem to have changed and we have seen a big increase in levels of extreme drunkenness and illness due to intoxication on the streets of Shoreditch. There are crowds of people on the streets after midnight in Shoreditch and police regularly receive complaints from residents in relation to ASB, violence, litter and noise. Granting a licence in an area already saturated with late night venues has the potential to increase numbers hanging around the area. Pre-loading and street drinking is particularly prevalent in the area, and significantly contributes to the ASB, crime and disorder experienced in Shoreditch.

This application requests off sales of alcohol 24hrs a day, 7 days a week, considerably outside core hours as defined in the council's licensing policy. LP4 of the policy states that off sales will generally be restricted to 0800-2300hrs.

Considering that the venue is on the border of the SPA police respectfully request that this application be refused.

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)

**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	Wavey 9 Hackney Road London E2 7NX
Applicant	Ozlem Has

COMMENTS

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

The Licensing Authority are concerned that the availability of alcohol up to 24 hours daily could lead to the Prevention of Public Nuisance licensing objective being undermined.

The premises are in close proximity to the busy night time economy area of Shoreditch and is also close to residential premises. Customers purchasing alcohol from this site, most notably late at night and in the early hours of the morning may increase the potential that the licensing objectives could be undermined. The Licensing Authority are concerned that the alcohol sales, particularly to persons who may have already been consuming alcohol in the area, creates a further risk to the Licensing objectives.

The applicants attention is also drawn to the Council's Licensing Statement. This states the following:

LP4 'Off' Sales of Alcohol

Hours for the supply of alcohol will generally be restricted to between 08:00 and 23:00.

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.

The Licensing Authority is happy to discuss the application with the applicant. However, the Licensing Authority feels that the applicant should consider a significant reduction in the proposed hours sought given the characteristics of the surrounding area.

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

12 September 2022

Representation against application (Hoxton East and Shoreditch)

1 message

8 September 2022 at 11:06

[REDACTED]
To: Licensing <licensing@hackney.gov.uk>

I wish to object to the application for a premises licence to authorise the supply of alcohol for consumption off the premises 24 hours daily as submitted by Wavey, [9 Hackney Road E2 7NX](#),

As a nearby resident, I am well aware of the antisocial behaviour generated by excess alcohol in the area. Allowing the purchase of alcohol for consumption off the premises any hour of the day and night will surely lead to more drinkers on the pavements and in the streets, with associated problems of noise, littering and public urination and defecation. Too often throngs of drinkers in the street or any open public space leads to fights. I therefore ask you to reject this application which does not uphold Licensing's objectives of public safety or the prevention of public nuisance and of crime and disorder.

I understand this representation must be shared with the applicant but I would ask that my specific contact details be kept private if possible.

Thank you for the opportunity to comment.

Kind regards,

[REDACTED]

[REDACTED] [Hoxton Square](#)
[REDACTED] [N1](#)
[REDACTED]

objection to 24 hours off licence at Wavey, 9 Hackney Road

1 message

8 September 2022 at 13:29

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

Dear Sir/Madam,

RE: application for 24 hour supply of alcohol off the premises 9 Hackney Road (Wavey)

I am writing to object strongly to the above application for the following reasons.

Prevention of public nuisance:

Shoreditch is increasingly a problematic area in respect of the night economy. The increasing abuse of public spaces and streets by drinkers and clubbers and create an extremely negative impact on residents, their health and amenity. 24 hour supply of alcohol will exacerbate the cumulative impact of public nuisance including anti-social behaviours not only in the area of the premises but further along in other streets as people buy alcohol before going to clubs and disperse and congregate further in other areas in Shoreditch. Those who buy alcohol there are likely to drink it on our doorsteps. The premises are at the edge of the current Special Policy Area and will be within the proposed SPA. 24 hours opening will also increase traffic of delivery motorbikes in the area at all hours in the night.

Protection of children from harm:

The applicant requests off site sale of alcohol. This area of Shoreditch has seen numerous underage people drinking in the street and creating a public nuisance. There is already a saturation of off-site alcohol sale in the area and this would further exacerbate the issues.

Crime & Disorder prevention:

Crime statistics for the area, show that crime has been increasing as new licenced premises have been added to the area.

Same for ambulance services, which have seen increased demand in the area. The crime and medical issues are usually prevalent after late closing time until about 3am. There is plenty of evidence of illegal substance usage in the surrounding streets and additional night time licences will only increase this considerable impact on everyone and on already stretched police and emergency services.

Public safety:

The increase of drinking people in the area is very threatening for local residents. As a female resident I feel very threatened by the behaviour of some patrons or groups of drunken people roaming late at night. People coming out of bars are urinating or vomiting regularly on our doorsteps and this is also a public health hazard. A 24 hour supply of alcohol will increase these threats.

I therefore request that the application is refused.

Please keep my details confidential. Please keep me informed of any decision or development regarding this application.

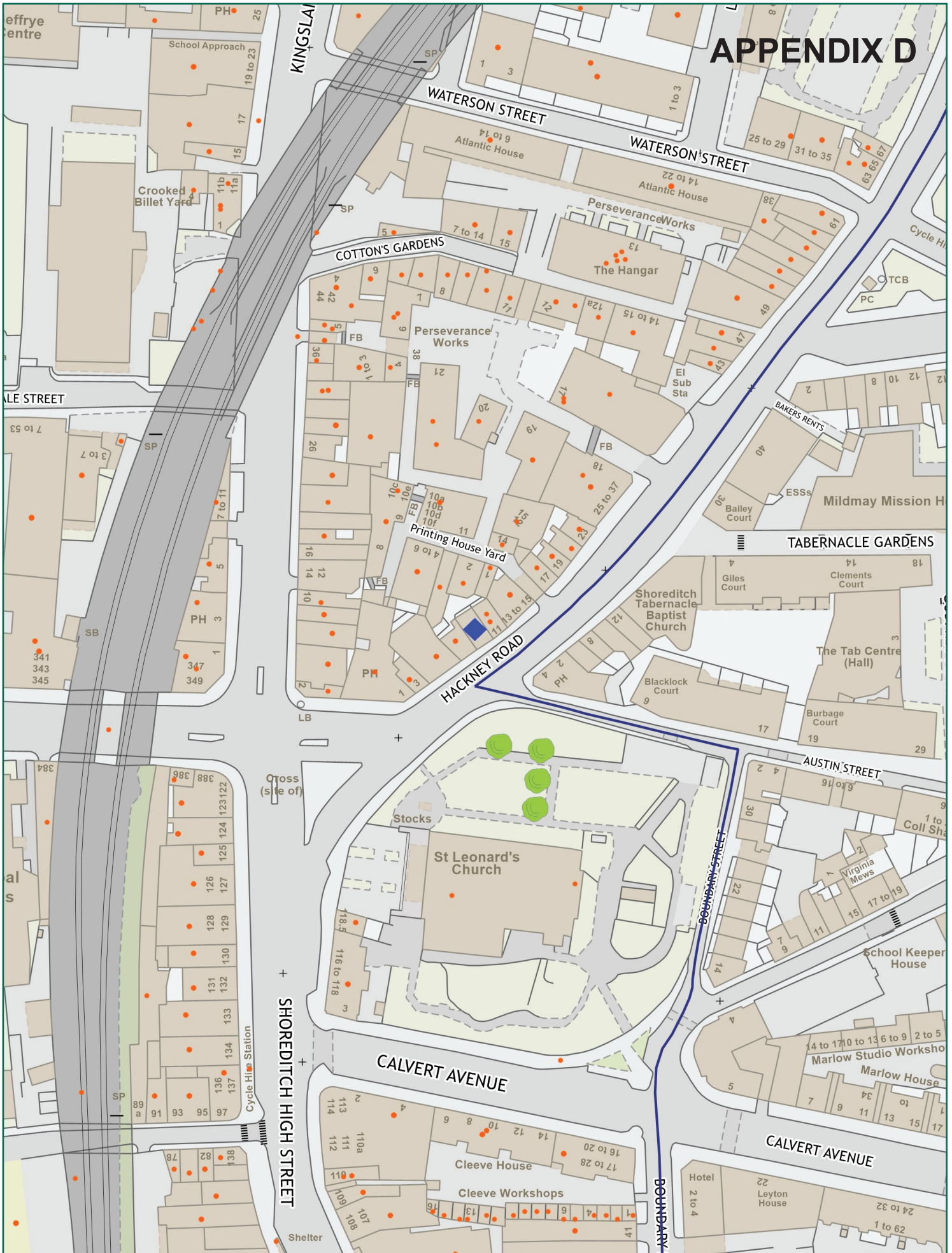
Yours sincerely,



Charlotte Road
London EC2A



APPENDIX D



Scale: 1:1250 at A4

Wavey, 9 Hackney Road, E2 7NX



Ref:
Friday, October 14, 2022

Produced by: unspecified
email:

please specify copyright statement