

For Consideration By	Licensing Sub-Committee
Meeting Date	10 November 2022
Type of Application	Premises Licence
Address of Premises	La Pesa, 73 Rivington Street, London, EC2A 3AY
Classification	Decision
Ward(s) Affected	Hoxton East and Shoreditch
Group Director	Rickardo Hyatt

1. **Summary**

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

2. **Application**

- 2.1. Established Coffee Limited has made an application for a premises licence under section 17 of the Licensing Act 2003.
- 2.2. The premises is located within a Shoreditch Special Policy Area.
- 2.3. The applicant is seeking authorisation for the following licensable activities and times:

Supply of Alcohol (On sales)	Standard Hours: Mon 11:00-23:00 Tue 11:00-23:00 Wed 11:00-23:00 Thu 11:00-23:00 Fri 11:00-23:00 Sat 10:00-23:00 Sun 10:00-23:00
The opening hours of the premises	Standard Hours: Mon 08:00-23:30 Tue 08:00-23:30

	Wed 08:00-23:30 Thu 08:00-23:30 Fri 08:00-23:30 Sat 08:00-23:30 Sun 08:00-23:30
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3. The application is attached as Appendix A. The applicant has proposed some additional measures to address the licensing objectives.

4. **Current Status/History**

4.1. The premises is not currently licensed for any activity.

4.2. No temporary event notices have been given for this premises in current year.

5. **Representations: Responsible Authorities**

From	Details
Environmental Health Authority (Environmental Protection)	No representation based on agreed conditions as set out in para 8.1
Environmental Health Authority (Environmental Enforcement)	Representation withdrawn based on agreed conditions as set out in para 8.1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)	No representation received
Planning Authority	No representation received
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application
Police	Representation withdrawn based on agreed conditions as set out in para 8.1
Licensing Authority (Appendix B)	Representation received on the grounds of The Prevention of Public Nuisance and proposed conditions as set out in para 8.1
Health Authority	No representation received

6. **Representations: Other Persons**

From	Details
None	No representation received

7. **Guidance Considerations**

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

8. **Policy Considerations**

- 8.1. 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.
- 8.2. 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) and LP10 (Special Policy Areas-Dalston and Shoreditch) are relevant.

9. **Officer Observations**

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

Supply of Alcohol(On/Both)

1. No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -

 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. 5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.
5.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
5.3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
 - A. a holographic mark or
 - B. an ultraviolet feature.
6. The responsible person shall ensure that:
 - a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - beer or cider: 1/2 pint;
 - gin, rum, vodka or whisky: 25ml or 35ml; and
 - still wine in a glass: 125ml; and
 - a. these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - b. where a customer does not in relation to a sale of alcohol specify

the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

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

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

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

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

(i) P is the permitted price,

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

(c) 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;

(d) “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;

(e) “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

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

7.3 Where the permitted price given by Paragraph 7.2(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub- paragraph rounded up to the nearest penny.

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

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

Door Supervision

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

Conditions derived from Responsible Authority representations

9. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer.
10. 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 shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.
11. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:
 - all crimes reported to the venue
 - any complaints received
 - any incidents of disorder
 - any faults in the CCTV system
 - any refusal of the sale of alcohol
 - any visit by a relevant authority or emergency service.
12. There shall be clear and prominent signage asking all customers to leave quietly and respect local residents.
13. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.
14. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.
15. The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor.
16. All on sales of alcohol shall be to people seated inside the venue.

17. SIA door supervisors shall be employed on a risk assessment basis. When employed, all SIA staff shall wear a high visibility armband or vest to be easily identifiable. They shall enter their name, address, SIA number and times they begin and finish their shift in a daily register. If employed by an agency all agency contact details shall be recorded also.
18. All staff engaged in the sale of alcohol shall be fully trained and made aware of the legal requirements relating to underage sales and other legal requirements relating to the sale and supply of alcohol. Such training must take place on a 12 monthly basis and written records of the training must be maintained on the premises for inspection by the Police or Authorities. This training is to include the WAVE (Welfare And Vulnerability Engagement) training.
19. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
20. Patrons permitted to temporarily leave and then re-enter the premises, eg. to smoke, shall not be permitted to take drinks or glass containers with them.
21. The number of persons in the smoking area (Front side of the venue) on Rivington Street is restricted to 5 people at any one time from 22:00 hours.
22. Notices shall be prominently displayed at any area used for smoking, requesting patrons to respect the needs of local residents and use the area quietly.
23. 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.
24. 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.
25. 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.
26. 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.

27. 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.
28. 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 La Pesa. 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
29. Alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are taking substantial table meals and that the consumption of alcohol by such persons is ancillary to taking such meals. The supply of alcohol shall be by waiter or waitress service only.
30. There shall be no “bottomless brunch” events and/or promotions, this includes events and/or promotions where unlimited alcohol is supplied.

10. **Reasons for Officer Observations**

- 10.1. Conditions 9 to 18 have been agreed with Police, conditions 19 to 22 have been agreed with Environmental Protection and conditions 23 to 28 have been agreed with Environmental Enforcement. Conditions 29 & 30 have been proposed by the Licensing Authority.

11. **Legal Comments**

- 11.1. 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
- 11.2. 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.

12. **Human Rights Act 1998 Implications**

- 12.1. 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.

13. **Members Decision Making**

13.1. **Option 1**

That the application be refused

13.2. **Option 2**

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

14. **Conclusion**

14.1. 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: 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
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/We ESTABLISHED COFFEE LIMITED
(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 <u>73 RIUINGTON STREET</u>			
Post town	<u>LONDON</u>	Postcode	<u>E2A 3AY</u>

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ <u>15,500</u>

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 * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | 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	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		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	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth	I am 18 years old or over		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	ESTABLISHED COFFEE LIMITED
Address	11 ST BRIDE STREET EC4A, 4AS LONDON
Registered number (where applicable)	12 13 53 82
Description of applicant (for example, partnership, company, unincorporated association etc.)	LIMITED COMPANY
Telephone number (if any)	
E-mail address (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start? DD MM YYYY
 13 10 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)
I HAVE INCLUDED A SEPARATE PAPER SHEET WITH OUR OPERATING SCHEDULE

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

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

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

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

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 checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish	Both		
Mon	11 AM	23 PM	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Tue	11 AM	23 PM			
Wed	11 AM	23 PM			
Thur	11 AM	23 PM	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) SATURDAY AND SUNDAY WE WOULD LIKE TO SERVE ALCOHOL EARLIER AS WE ARE PLANNING ON DOING BRUNCH.		
Fri	11 AM	23 PM			
Sat	10 AM	23 PM			
Sun	10 AM	23 PM			

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	EMANUELE COSSARO
Date of birth	[REDACTED]
Address	[REDACTED]
Postcode	[REDACTED]
Personal licence number (if known)	[REDACTED]
Issuing licensing authority (if known)	[REDACTED]

K

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

THERE WILL BE NONE OF THE ABOVE
ACTIVITY

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	8:00	23:30	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)
Tue	8:00	23:30	
Wed	8:00	23:30	
Thur	8:00	23:30	
Fri	8:00	23:30	
Sat	8:00	23:30	
Sun	8:00	23:30	

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)

ON A SEPARATE ATTACHMENT

b) The prevention of crime and disorder

ON A SEPARATE ATTACHMENT

c) Public safety

ON A SEPARATE ATTACHMENT

d) The prevention of public nuisance

ON A SEPARATE ATTACHMENT

e) The protection of children from harm

ON A SEPARATE ATTACHMENT

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	06/09/22
Capacity	HEAD OF OPERATIONS

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)

EMANUELE COSSARO

[REDACTED]

Post town

[REDACTED]

Postcode

[REDACTED]

Telephone number (if any)

[REDACTED]

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

[REDACTED]

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

Operating schedule draft

Operating schedule for La Pesa London, 73 Rivington Street, EC2A 3AY:

We are opening a small restaurant and we are seeking a licence in order to sell alcohol by retail to our dining guests.

The restaurant has about 30 seats between 3 tables, a breakfast bar and the main bar counter.

We are planning in operating as a specialty coffee shop with homemade baked goods from 8:00 in the morning until 16:00 Monday to Sunday, and we are planning on selling alcohol by retail while serving lunch, brunch and dinner from 11:00 until 23:00 Monday to Sunday all prepared by Marco, a Michelin Star Chef with worldwide experience and Francesca, our Pastry Chef, with the business closing time at 24:00.

The drinking menu will be composed of a small, bespoke cocktail list, with alcoholic as well as non alcoholic options, a wine list with the option by bottle, small and large measurement glass.

In order to adhere to the Licensing Objectives we are planning on make sure to refuse entry to intoxicated people as well as installing a CCTV and having the staff trained in how to deal with intoxicated people from our Designated Supervisor, the training will also include the understanding of the serving measurement of alcohol, having menus stating the volume of alcohol present in each item as well as providing the possibility of a small glass and using the "challenge 18 or 21" so that staff will required an approved form of ID when needed. In order to tackle the prevention of public nuisance along as not serving intoxicated people and make sure they are leaving the premisses quietly we will not aloud customer staying outside the premises with drinks

Four general licensing objectives attachment from the application

As a small restaurant with around 30 seats covering lunch and dinner we are planning on prevent:

1 & 2: Crime & disorder and Public Safety

- We will install CCTV inside of the premisses to be able to have recordings in case of something happening
- Free tap water will be available
- There will be no drinking encouragement or promotions of any kind
- Being a restaurant drinks will be served to seated guests, no drinks and standing at the bar without food consumption
- No open containers or drinks to be taken outside
- Staff will be trained in how to interact with intoxicated members of the public as well as how to refuse to serve them without escalating the situation
- A landline will be installed to make sure staff will be able to call any emergency service if needed to.

3: Public Nuisance

- Signs will be added to ask customer to leave the premises quietly
- By not doing take aways or delivery and encouraging a reservation system there will be no crowding on the outside of the premisses
- As we are a coffee shop in the morning and restaurant for the remaining of the day music will be ambient therefore will be always on a low setting
- We've installed air extractor system with filters for the whole shop, along with a kitchen hood with filters so no noxious smell will be made

4: the protection of children from harm

- Being a small restaurant there won't be any licensable activity other than the sell of alcohol by retail with food, staff will be trained in requesting a proof of age for anyone looking under the age of 18, enforcing the no prof, no sale rule.
- Children under the age of 18 will be able to consume an alcoholic drink only if aged 16 or 17, the drink (beer, wine or cider) has been bought by the accompanying adult and is been served with a substantial meal.

General Notes

1. Do not scale; work to figured dimensions only.
2. All dimensions are in millimeters unless noted otherwise.
3. Contractor to check all dimensions.
4. All errors and omissions to be reported to the architect.
5. All dimensions should be verified on site before proceeding with the work.
6. Any areas indicated on this sheet are approximate and indicative only.

Drawings Notes

Rev	Description	Date

CODE 220006

STATUS For Leasing



Ovrll. Architecture
Octagon House,
81-83 Fulham High St,
London SW6 3JF,
+44 (0) 746242651

PROJECT

La Pesa - 73 Rivington Street

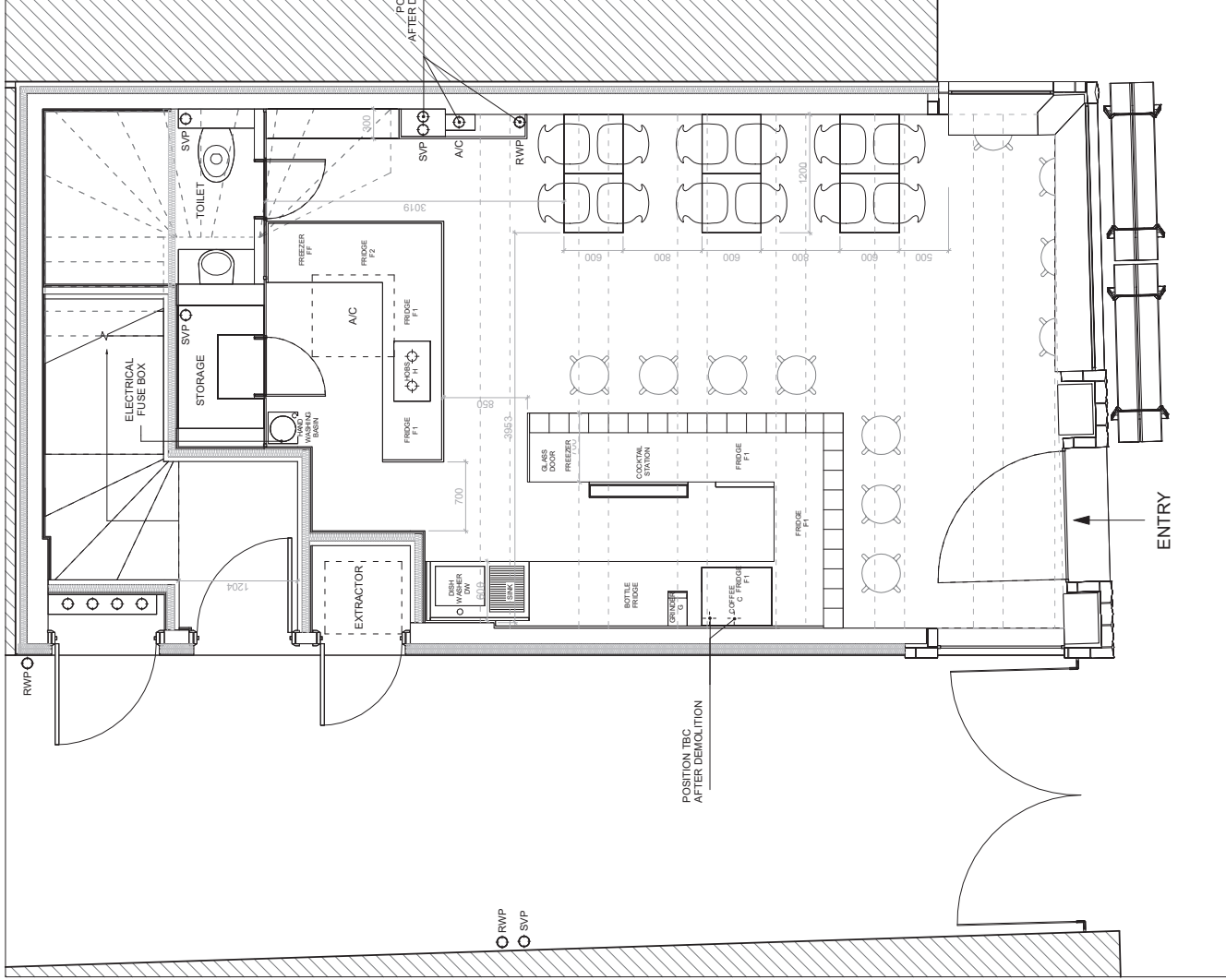
TITLE

Proposed Plan

DRAWN BY	CHECKED BY	DATE
GO	SC	19/05/2022

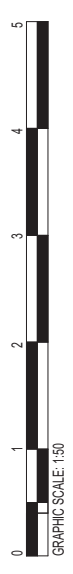
SCALE (@A3)	PROJECT NUMBER
1: 50	220006

DRAWING NUMBER	REV
A100	



2 3D Top view

1 Proposed Plan
1:50



APPENDIX B

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	La Pesa 73 Rivington Street Hackney London EC2A 3AY
NAME OF APPLICANT	Established Coffee Ltd.

COMMENTS

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

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance **x**
- the protection of children from harm

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

The premises is located in 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 Licensing Authority notes the attached conditions supplied with the application. However, the hours of the operation sought are beyond the LP3 Core hours policy.

“LP3 Core Hours

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

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

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

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

It should be noted that this policy does not apply to those who are making an application within a special policy area (see section 3) unless they have been able to demonstrate that the proposed activity or operation of the premises will not add to the cumulative impact that is already being experienced.”

The premises is located along a busy thoroughfare in the heart of the Shoreditch SPA, the Licensing authority would like clarification on the management of delivery drivers to and from the premises considering the location. Has a plan for the management of the drivers/riders been drawn up? Has the applicant considered the use of non motorised vehicles only?

The applicant should clarify if the premises will have a smoking area, and if so what will its capacity be and how will it be managed.

The applicant should clarify what the intended operation is with regards to “Brunch”, is this intended to include bottomless brunch promotions? Given the locality, the Licensing Authority does not believe that the potential introduction of this type of activity would promote the licensing objectives. Additionally, the applicant has not proposed to limit alcohol sales as ancillary to food, is the applicant seeking to establish a vertical drinking establishment.

The Licensing Authority believes the applicant should consider the addition of the following condition(s)/amendments.

- *Alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are taking substantial table meals and that the consumption of alcohol by such persons is ancillary to taking such meals. The supply of alcohol shall be by waiter or waitress service only.*
- *There shall be no “bottomless brunch” events and/or promotions , this includes events and/or promotions where unlimited alcohol is supplied.*
- *Challenge 25 scheme.*

Whilst the applicant has attempted to provide some indication as to the nature of the premises, overall, the applicant has not demonstrated in the application that they would not add to the cumulative impact already experienced in the area.

The applicant should provide a detailed and robust set of proposed conditions that reflect the needs of the locality and the intended operation. The applicant has not demonstrated sufficient regard to the Licensing Policy or Special Policy area in the application.

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.

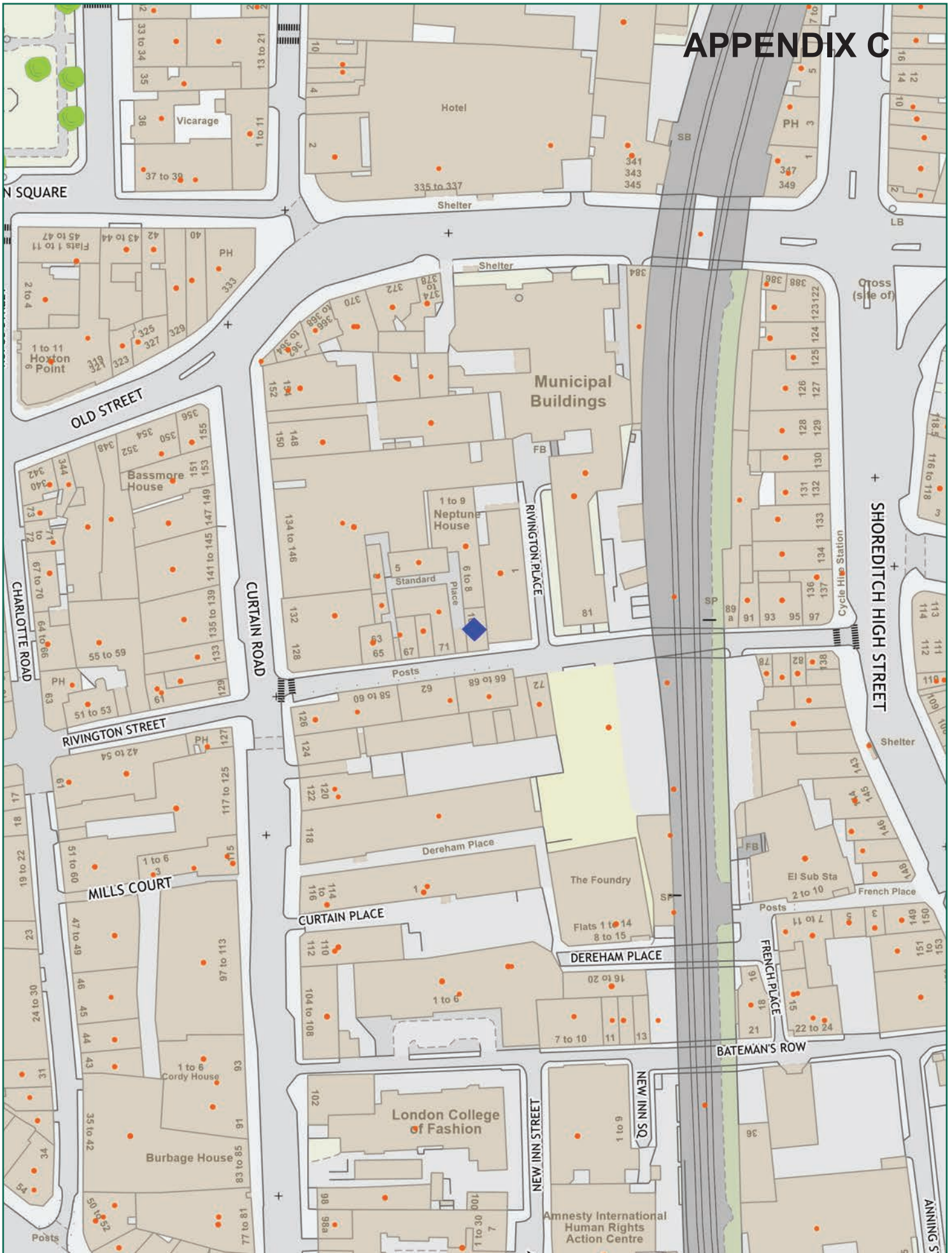
Are there any actions or measures that could be taken to allay concerns or objections? If so, please explain.

N/A

Name: Channing Riviere (Principal Licensing Officer)

Date: 04/10/2022

APPENDIX C



Scale: 1:1250 at A4

La Pesa, 73 Rivington Street, EC2A 3AY



Ref:
Monday, October 31, 2022

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