

For Consideration By	Licensing Sub-Committee
Meeting Date	10th January 2023
Type of Application	Premises Licence
Address of Premises	Coffee and Cates, Ground Floor North Stables, 138 Kingsland Road, E2 8DY
Classification	Decision
Ward(s) Affected	Haggerston
Group Director	Rickardo Hyatt

1. **Summary**

- 1.1. Coffee and Cates Ltd have made an application for a premises licence under section 17 of the Licensing Act 2003.
- 1.2. The application seeks to authorise films, live music, recorded music and authorise the supply of alcohol for consumption on and off the premises.
- 1.3. The premises are not located within the special policy area.
- 1.4. The applicant is seeking authorisation for the following licensable activities and times:

Supply of Alcohol (On and Off sales)	Standard Hours: Mon 12:00-22:00 Tue 12:00-22:00 Wed 12:00-22:00 Thu 12:00-23:00 Fri 12:00-23:00 Sat 12:00-23:00 Sun 12:00-22:00
Films	Standard Hours: Wed 18:00-22:00 Sun 18:00-22:00
Recorded Music	Standard Hours: Mon 08:00-22:00 Tue 08:00-22:00 Wed 08:00-22:00 Thu 08:00-23:00 Fri 08:00-23:00

	Sat 08:00-23:00 Sun 10:00-22:00
Live Music	Standard Hours: Mon 18:00-22:00 Tue 18:00-22:00 Wed 18:00-22:00 Thu 18:00-22:00 Fri 18:00-22:00 Sat 18:00-22:00 Sun 18:00-22:00
The opening hours of the premises	Standard Hours: Mon 07:30-22:00 Tue 07:30-22:00 Wed 07:30-22:00 Thu 07:30-23:00 Fri 07:30-23:00 Sat 08:00-23:00 Sun 10:00-22:00

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

2. **Current Status/History**

2.1. The premises are not currently licensed for any activity.

2.2. Temporary Event Notices for the premises have been given in 2022 as follows:

Start date	end date	start time	end time
31/12/2022	01/01/2022	21:00	04:00
26/08/2022	26/08/2022	12:00	23:30
10/19/2022	11/09/2022	12:00	02:00
08/12/2022	08/12/2022	17:30	23:00
04/11/2022	04/11/2022	12:00	23:30
19/11/2022	19/11/2022	12:00	23:30

3. **Representations: Responsible Authorities**

From	Details
Environmental Health Authority (Environmental Protection) Appendix B	Representations received on the ground of the Prevention of Public Nuisance
Environmental Health Authority (Environmental Enforcement)	Presentation withdrawn following agreed conditions. See Para 8.1 below

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 following agreement of conditions
Licensing Authority	No representation received
Health Authority	No representation received

4. **Representations: Other Persons**

From	Details
Representations have been received including video evidence from and on behalf of the Other Persons against the proposal. Appendices C1 to C6	Representations have been received on the grounds of Public Safety and The Prevention of Public Nuisance and the Prevention of Crime and Disorder

5. **Guidance Considerations**

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

6. **Policy Considerations**

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

7. **Officer Observations**

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

Supply of Alcohol(On/Both)

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

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

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

Minimum Drinks Pricing

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

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

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

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

(i) P is the permitted price,

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

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

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

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

7.3 Where the permitted price given by Paragraph 8.2(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub- paragraph rounded up to the nearest penny.

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

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

Exhibition Of Films

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

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

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

Conditions derived from operating schedule

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 contactable when the premises are open to the public.

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

- 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.

11. There shall be clear and prominent signage asking all customers to leave quietly and respect local residents.

12. 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.

13. 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.

14. 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.

15. There shall be no open containers or drinks taken outside the premises at any time except to the designated external seating area.

16. Any off sales of alcohol will be in sealed containers.

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

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 receptacles 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 TheCoffee and Cates. 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

8. Reasons for Officer Observations

8.1. Conditions 9 to 16 have been derived from the applicants operating schedule and amended as agreed with the Police Authority and conditions 10 to 22 have been agreed with the Environmental Enforcement Authority.

9. Legal Comments

9.1. 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 licensing objectives;

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

9.2. 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.

10. Human Rights Act 1998 Implications

10.1. 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.

11. **Members Decision Making**

11.1. **Option 1**

That the application be refused

11.2. **Option 2**

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

12. **Conclusion**

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

Appendices:

Appendix A: Application for a premises licence and supporting documents

Appendix B: Representation from the 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: Sanaria Hussain Title: Senior Licensing Officer Email: sanaria.hussain@hackney.gov.uk Tel: 020 8356 4972
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Appendix A

↳ 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 Coffee and Cates Ltd

(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 Ground Floor North Stables 138 Kingsland Road			
Post town	London	Postcode	E2 8DY

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£9000

Part 2 - Applicant details

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

- | | | |
|--|-------------------------------------|-----------------------------|
| 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) |

- 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 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 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 Coffee and Cates Limited

Address 18 South Stables. 138 Kingsland Road, London, E2 8DY
Registered number (where applicable) 13153183
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional) <div style="background-color: black; width: 100px; height: 15px;"></div>

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
0	1	1 2 2 0 2 2

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)
 The property is located on the ground floor of 6 storey building (basement, ground, 1st, 2nd, 3rd and 4th) - build is late victorian build (brick, concrete and timber) The property has, inside and outside space, around 380sq ft usable inside and 144sq ft external land that is pavement side and designated by Hackney and TFL as belonging to the unit - building is mixed use (basement, ground, 1st and 2nd floors are commercial then the 3rd floor and the set back 4th floor are residential) - attached boundary plan, unit plan, elevation plan and copy of email from council for usage of external front pavement side space

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 checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" 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

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue			State any seasonal variations for performing plays (please read guidance note 5)		
Wed			Non-standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) we have thought about doing a film night for customers to offer something different within our community area, this is not confirmed yet as we can't until we apply so in a bit of a loop here - we would use a projector and ensure all regulations of showing films is met - groups of 20 would be maximum - sound would be through our café sound system, which is a home cinema system, and not be of high volume		
Mon					
Tue					
Wed	18:00	22:00			
Thur					
Fri					
Sat					
Sun	18:00	22:00			
			State any seasonal variations for the exhibition of films (please read guidance note 5)		
			Non-standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 5)
Tue			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 (please read guidance note 6)
Wed			
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
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 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	18:00	22:00	Please give further details here (please read guidance note 4) we would like to have the option of a singer/single musician to play small sets - the music might be amplified but only so all can hear within our small unit - we are thinking person with guitar, not amplified, or just a singer as we have a few friends that are singers, and again want to represent local community as the singers we know are Hackney or Tower hamlets residents. We have included a lot of times as for us it's the unknown but wouldn't look to do this kind of event more than twice a week.		
Tue	18:00	22:00			
Wed	18:00	22:00	State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur	18:00	22:00			
Fri	18:00	22:00	Non-standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	18:00	22:00			
Sun	18:00	22:00			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	08:00	22:00	Please give further details here (please read guidance note 4) We currently have background music playing in our café so have included early times - for evenings 18:00 we would like the option of a DJ (not every day and maybe not every week) - this music would be amplified but again only to acceptable levels and not so our customers can't hear each other while talking, as we have a small space this would not be loud and we would look to set an acceptable level and maintain this level with the DB reader which is stored under our counter for easy accessibility to ensure levels are kept		
Tue	08:00	22:00			
Wed	08:00	22:00	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	08:00	23:00			
Fri	08:00	23:00	Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	08:00	23:00			
Sun	10:00	22:00			

G

please read guidance note 3

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
			State any seasonal variations for the performance of dance (please read guidance note 5)		
Tue					
			Non-standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Wed					
Thur					
Fri					
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p>Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p>Please give further details here (please read guidance note 4)</p>		
Wed					
Thur			<p>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)</p>		
Fri					
Sat			<p>Non-standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)</p>		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors <input type="checkbox"/>	
				Outdoors <input type="checkbox"/>	
				Both <input type="checkbox"/>	
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed				State any seasonal variations for the provision of late night refreshment (please read guidance note 5)	
Thur					
Fri				Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)	
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) We wish to sell wine, bottled or canned beers and cocktails to our customers while seating inside or outside on our tables - we also wish to sell wine and bottled/canned beers for take away. During the summer we imagine people would like to use our outside seating more than inside, this is the only variation - our premises are camera covered and our staff will be fully trained on the sale of alcohol - we don't foresee any issues with selling takeaway as will only be selling a higher end product and there arent many places to drink and cause trouble as we are located on a main road added to the fact there are a large number of off-licenses in the area. 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)		
Mon	12:00	22:00			
Tue	12:00	22:00			
Wed	12:00	22:00			
Thur	12:00	23:00			
Fri	12:00	23:00			
Sat	12:00	23:00			
Sun	12:00	22:00			

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 Benjamin Cates	
Date of birth [REDACTED]	
Address [REDACTED]	
Postcode	E2 8DY
Personal licence number (if known) [REDACTED]	

Issuing licensing authority (if known)
Hackney Council

K

any seasonal variations

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).

L

any seasonal variations

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	07:30	22:00	<p>At this time we don't know this so have set opening hours to our maximum and will likely be less in winter or quiet days.</p>
Tue	07:30	22:00	
Wed	07:30	22:00	
Thur	07:30	23:00	
Fri	07:30	23:00	
Sat	08:00	23:00	
Sun	10:00	22:00	
			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)
			<div style="background-color: black; width: 20px; height: 15px; display: inline-block;"></div>

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)

All staff will be trained by the DPS personally before being allowed to serve alcohol - The shop has a manual ready available to all staff which hold all and every information possible regarding regulations, illegal requirement, good working practices and all the operational aspects of the shop (there is a hard copy in the shop and a digital copy sent to all employees with there starting contract - 24hr recorded surveyence is in operation - first aid procedures, and kit, are in place - security procedures for the staff and customers is in place - fire procedures are in place.

b) The prevention of crime and disorder

All staff will be trained fully by the DPS to meet the recommendations of opperating in a way to minimalise crime and report issues, if they wish we offer them the chance to obtain their own personal license (once emplyed for 3 months and the course is at our cost as long as they complete it) - 24hr recorded surveyence is in place and the staff know who to contact for access (both owners and tech support have access), the system is fully online so very easy to send or download content very quickly - if we open past 21:00 in the summer or 19:00 in the winter we always employ a doorman from 19:00 to 23:00

c) Public safety


We would ensure correct working practices in line with the DPS recommendations and training - we have fire safety procedures in place - first aid procedures in place - a doorman would be on site if later evening opening - always minimum of 2 staff present that would both be aware of what to do in any curcumstance but one would be senior to avoid confusion.

d) The prevention of public nuisance

We have 24hr recording surveyence in operation - we would work to the guidelines of the DPS and ensure drinks would stop being served 15 minutes before closing, tables are quickly cleared and politely ask those leaving to respect our neighbours should we believe they could be loud.


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	19 th Oct 2022
Capacity	DIRECTOR

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)			
Post town	LONDON	Postcode	E 

e) The protection of children from harm

We would ensure all staff had a criminal check carried out - that age verification was in place - that tables are cleared promptly - that times for children to be in the property are monitored dependent on reason (we are predominantly a café and not intending to be a bar if its food and a glass of wine with parents and children we would hope to allow as any restaurant would, however if a dj and possible cocktails no children after 19:00) - that persons with young children are not drunk and if we thought getting drunk we would stop selling to them.

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.

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

Sent via Email

Date: 20th October 2022

Dear Licensing Team

Re: Coffee and Cates Premises License application

We wanted to take some time via this letter and supply our views and hopes for our business, confirm details about the building and location and let you know about us as directors.

Directors of Coffee and Cates

I am the primary director of the business and have had hopes of being involved in food supply since an early age, having grown up with a grandad that had the impressive title of Professor of Flour for McDougalls, even attending cartearing college from 17 to nearly 19, however now 50 life clearly took a different path.

I have a property company, Cates London Ltd, www.cates.london that manages most of the building for the freeholder / landlord so am very familiar with occupants and the building as a whole.

I live within the building, flat 18 and my daughter attends Haggerston School, making us true local hackney people.

Anita Loddo is the second director, and the business would not be running without her, she is the flair and passion that drives the business, a real people person that our regulars from from college students to The WI to the nurses from St Leonard love.

Anita is also a Hackney resident, living in Boundary Street and a mother to an amazing 2 year old, showing true strength to succeed.

The Building

The building is a late Victorian build and very beautiful architecturally. The part that the café is in, is known as North Stables and has 4 floors of commercial and 2 of residential (basement, ground, 1st and 2nd commercial; 3rd and set back 4th Residential)

Occupants are primarily students as 3 floor are a college, and residents, 10 flats but there are also creative and architectural occupants with the building.

The unit is on the ground floor and has land in front which is formed joining the pavement so has inside and outside seating.

We have tried to keep the shop in style to the building and retained original features as continuity through evolving business and customer needs is import to us.

We have an awning application currently waiting with planning office which we believe would be in keeping to how the building was originally when built, and to help with any noise pollution and sun effects on the heat of our shop as SW/W facing.

Business Hopes and Dreams

As a young business started over a covid lockdown period (opened 9th October 2021) this type of business is new to both directors and the first year has definitely been a learning curve.

I have taken and passed a multitude of courses to help me understand the regulations of running a coffee shop / café and through self created manuals, and training passed this knowledge forward.

We take all our responsibilities very seriously as we plan to grow this business over the foreseeable future with community spirit, great product and comfortable surroundings.

The main reason to open the café was due to the strain of lockdowns and the realisation that in the area I live there were no, close, true coffee shops, places to eat healthy, drink, relax and work comfortably without being stressed to move on or buy something more (at least to my liking).

We want to provide to our community healthy food, as well as not, great coffee and a relaxed atmosphere, a European style café where you can sit outside and watch the world go by with a coffee, a cake, a salad or a glass of wine.

To grow we have realised, through customer requests, that we would like to have a premises license, hence this application.

We are often told, 'it would be nice to have a beer with a toasted ham and cheese', or 'what a lovely day I could sit here with a glass of wine'. After researching it seems most close café, even gallery, serve alcohol so it made us understand a normal thing.

If we obtain a premises license we would move our business forward and like to sell whole, unopened, bottles of wine and beer for take home as well as to our customers to enjoy either on its own or with food we provide.

We would also love to grow into being a relaxed spot for our community, having card nights (no gambling), quiz nights, film nights, local artists, music, all of course within regulations.

As someone that lived in central shoreditch for 15 years, and lives next door, we really do just want a fun local place that is quiet and relaxed to socialise, something I have realised so important after the damaging affects of the solitude of lockdowns .

Further Points to note

I am aware that the residents within the building are against our application for a premises license and I have spoken to a number of residents (some tenants not owners) as well as the managing agents, Silkra Limited and the freeholder, 138 Kingsland Road limited.

While we believe the points raised are based on conjecture and worry, and of course you will make your own decisions here, I feel it would be helpful to point out the following at the beginning to be open and clear.

Firstly everyone lives differently and has different views, I am fully in support of that, and always want to be a good, helpful, conscientious neighbour.

Issues raised to me;

- a) Noise pollution
 - 1) As the unit is directly on Kingsland Road, there is already a very high noise level, mainly from motor bikes, speeding cars and emergency vehicles – add this to the odd shouting person or blaring stereo – I have purchased a DB noise reader and have carried out tests throughout the building with the café sound system on full (which it never would be as you can't hear yourself talk) – the only times to raised beyond recommended levels while inside the building was when a motor bike went passed and there was no difference in readings from inside the building when music was on or off.
 - 2) The nearest residential units; 3 in North stables are 3rd and 4th floor and 2 of those have bedrooms on the 4th as well as my unit in south stables which has bedroom on the 3rd floor – with 2 to 3 floors of commercial units and in some cases across stair wells added to the tests we don't believe there could be issues.
- b) We have obtained a number of TEN licenses since we started our business, some into the morning from night time and are unaware of any complaints to the police, the environmental department, hackney council, the managing agent or freeholder – this shows a pattern of responsible operation
- c) We did receive two comments on occasions;
 - 1) The directors and friends had a meal and private drinks in the premises while closed and had the sound system loud – we apologised to the complaining person and set a path of communication as well as reduced our event times to 23:30 (as seen in latter TEN license requests and hopefully this shows us as understanding and conscientious)
 - 2) We had a 23:30 event and the owners directly above on the 3rd floor lounge of their apartment said they could feel the base a little but didn't care as stopped at 23:30.
- d) We will happily work with all residents and ensure that noise is not a problem, we intend to be shut by 23:00 on any night and have agreed to only apply for a maximum of 12 TEN licenses a year, with DJ nights being only once a month, at most and if we even still do them, customers seem to like them and lots of locals including residents attend.

Loss of value / unable to Mortgage;

I am believing this is a personal issue and would not be something the council would consider however as a property professional of 24 years and someone that has worked in Shoreditch for 16 years I feel I can answer;

- 1) Having a café in a building or close normally increases property value as it is considered a commodity and lots and lots of people look out for these sort of things close to home and convenient to them as important to their lives; it also shows an area to be vibrant and set up for community – I know all the renters in North and South Buildings (or at least I think I do) and most are customers.
- 2) The property would not be able to apply for a mortgage with some lenders if a café was below however there would be a lot of lenders that would not care as we are not a late night food place or a bar and there would be lenders that would lend at the same rate (I've checked this with 3 separate mortgage brokers) – the fact the property is already in a multi use building, containing a college and being of higher commercial sq ft than residential would mean it already does not have access to the best mortgages.

Crime impact;

Crime is already high in this area, in the last year there has been thefts and graffiti that as building manager I have had to deal with, and mobile and bike thefts ive witnessed (would of tried to help if closer)

I have evicted post thieves and helped a tenant that was pushed to the ground while having her mobile stolen so personally understand the area.

The building is fully camera covered and currently adding to this with further cameras, will be done by mid November as booked.

We would operate correctly and within the rules and guidelines of the sale of alcohol plus do everything possible to ensure crime prevention, as stated in the application.

I think to conclude we take responsibilities and regulations very seriously and can assure the council we would operate correctly while being conscientious to our neighbours and community.

Kind Regards

Ben Cates

Ben Cates

C O F F E E & C A T E S

Coffee and Cates Limited
138 Kingsland Rd
London
E2 8DY
UK
Company Reg No: 13153183

Tel: 07444282496
Info: anita@coffeeandcates.com
VAT Reg No: 391808863



Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

Re: Item shared with you: "IMG_1833.MOV"

1 message

Ben Cates <ben@cates.london>

29 November 2022 at 14:12

To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

Hi Sanaria,

Thanks for supplying this.

Its actually a photo from an old TEN license and agreed it did spill over on to the pavement as many places do in the summer in this area, while the doorman and myself asked people to move closer I can't stop people standing on the pavement and there was no aggressive problems, people always moved out the way of people walking, I'll point out that no known complaints were raised and the police did not attend, it was a very friendly crowd that stopped at 11:30pm and quickly and politely dispersed.

We have had several events since, and none have had this issue as we now have a barrier at the edge of our land to stop this.

I would happily agree within any accepted license to have a barrier at the edge of our land, in fact it's something I learnt while studying for my personal license as important that I was unaware of and not advised on beforehand. I would further like to point out that the event was a birthday party and not in any way normal trading.

Kind Regards

From: Sanaria Hussain (via Google Drive) <drive-shares-dm-noreply@google.com>**Date:** Tuesday, 29 November 2022 at 13:50**To:** Ben Cates <ben@cates.london>**Subject:** Item shared with you: "IMG_1833.MOV"

Sanaria Hussain shared an item

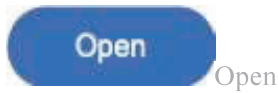


Sanaria Hussain (sanaria.hussain@hackney.gov.uk) has shared the following item:



Hi Ben,

Please see attached



If you don't want to receive files from this person, [block the sender](#) from Drive

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because sanaria.hussain@hackney.gov.uk shared a file or folder located in Google Drive with you.

Google Workspace

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

Ben Cates

Director
Cates London

+44 7920 279 465

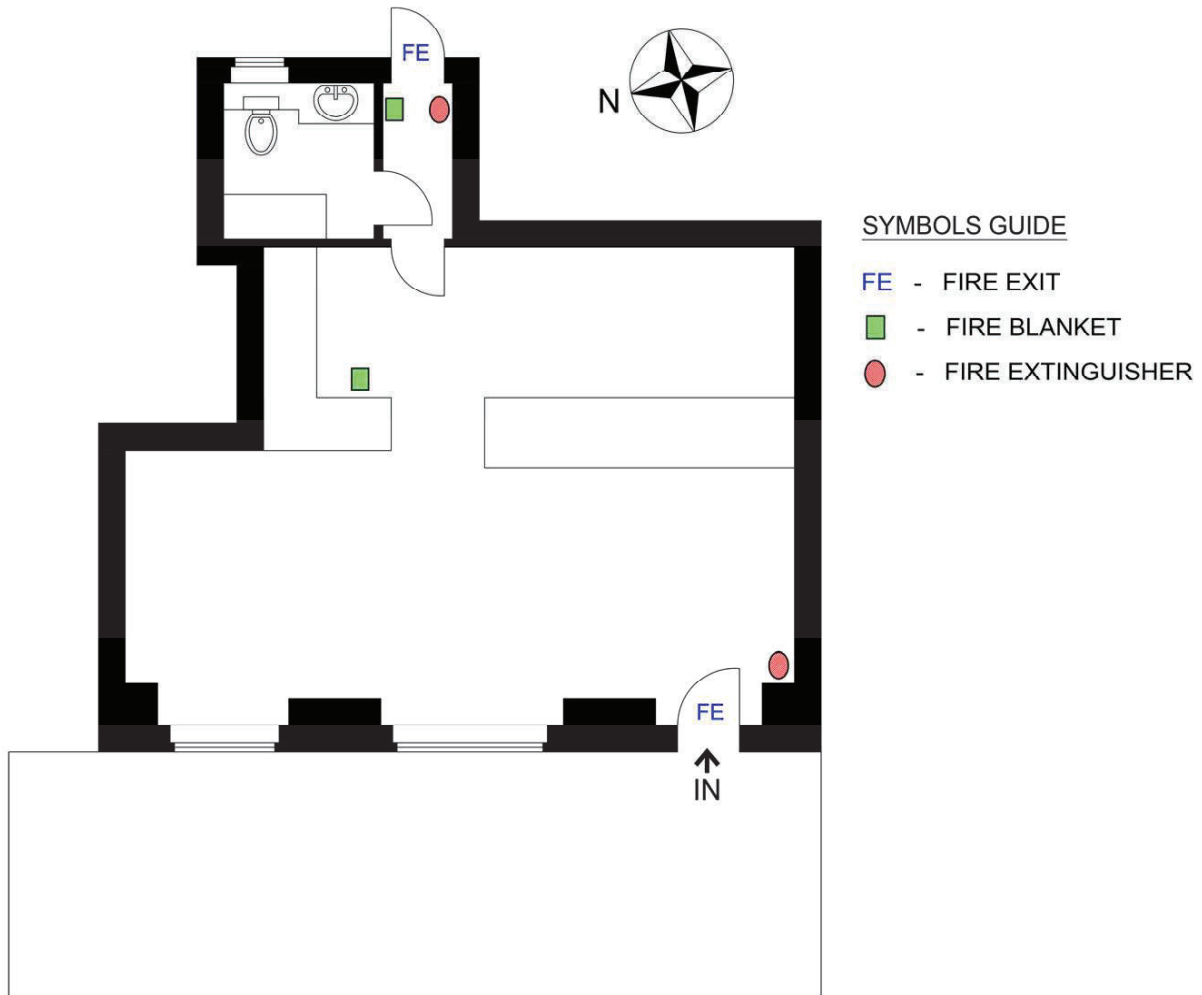
ben@cates.london

www.cates.london

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North Stables



Ground Floor

The floor plan is not to scale and measurements and are as shown are approximate and therefore should be used for illustrative purposes only. The plan has been prepared in accordance with the RICS code of measuring practice and whilst we have confidence in the information produced, it must not be relied on.

If there is any aspect of particular importance, you should carry out or commission your inspection of the property.

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Ben Jonson Court
1
2
3
4
5
6
7
8
9
10
11
12
13
14

John Parry Court

James Anderson Court
1
2
3
4
10
11
13

KINGSLAND ROAD

PEARSON STREET

GEFFRYE STREET

Dismantled Railway

HARE WALK

Surgery

PH
165

TCBS
Dfn

Sovereign
Mews

18.8m

18.7m

17.8m

1 to 15
17 to 33

83a

SP

2

91

138

138

138

1

4

5 to 7

8

10

11 to 13

14

17

to
35

102

9
20

5
19

1
15

10
24

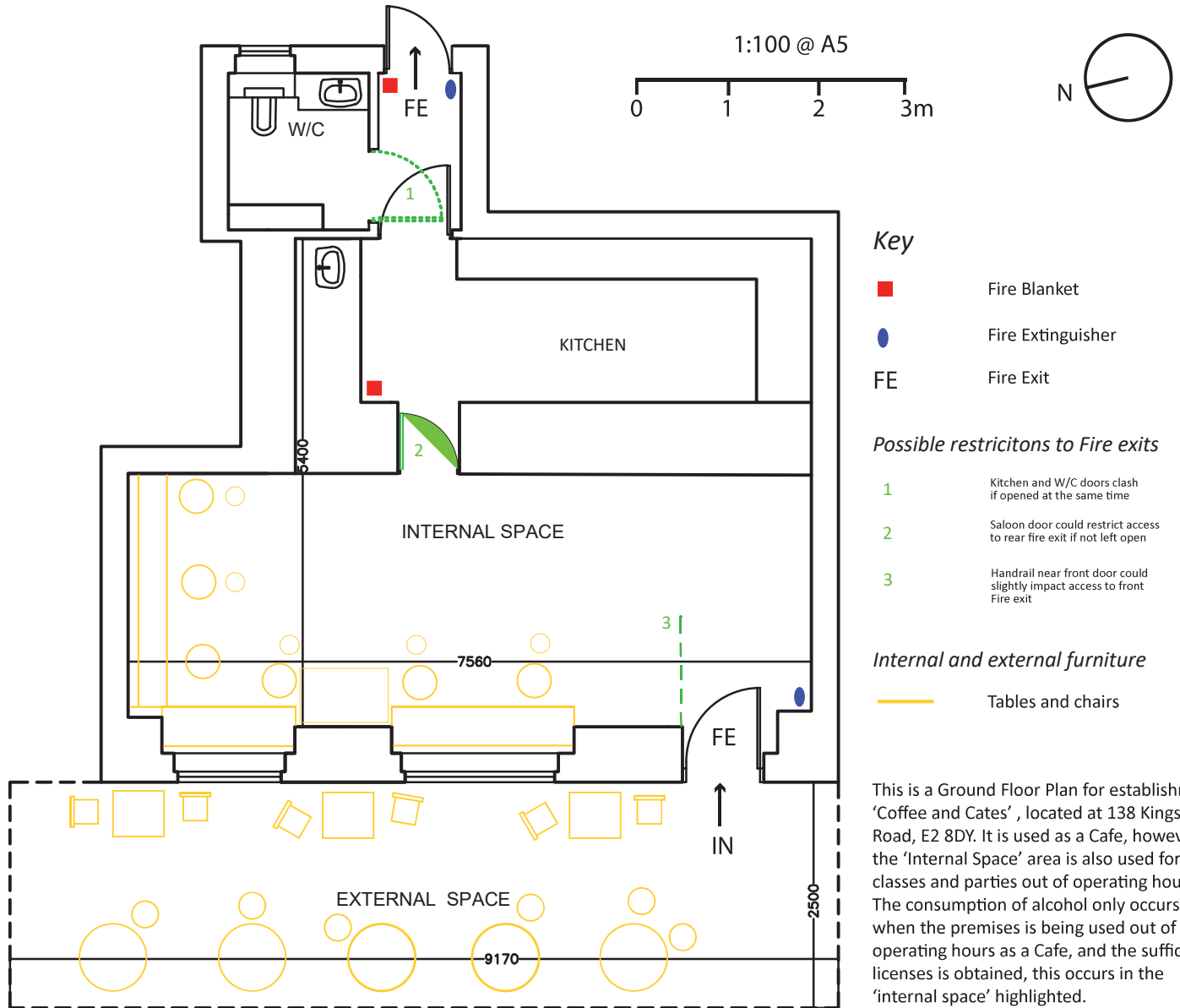
13
27

14
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Ground Floor Plan

Coffee and Cates , 138 Kingsland Road, E2 8DY



Key

- Fire Blanket
- Fire Extinguisher
- FE Fire Exit

Possible restrictions to Fire exits

- 1 Kitchen and W/C doors clash if opened at the same time
- 2 Saloon door could restrict access to rear fire exit if not left open
- 3 Handrail near front door could slightly impact access to front Fire exit

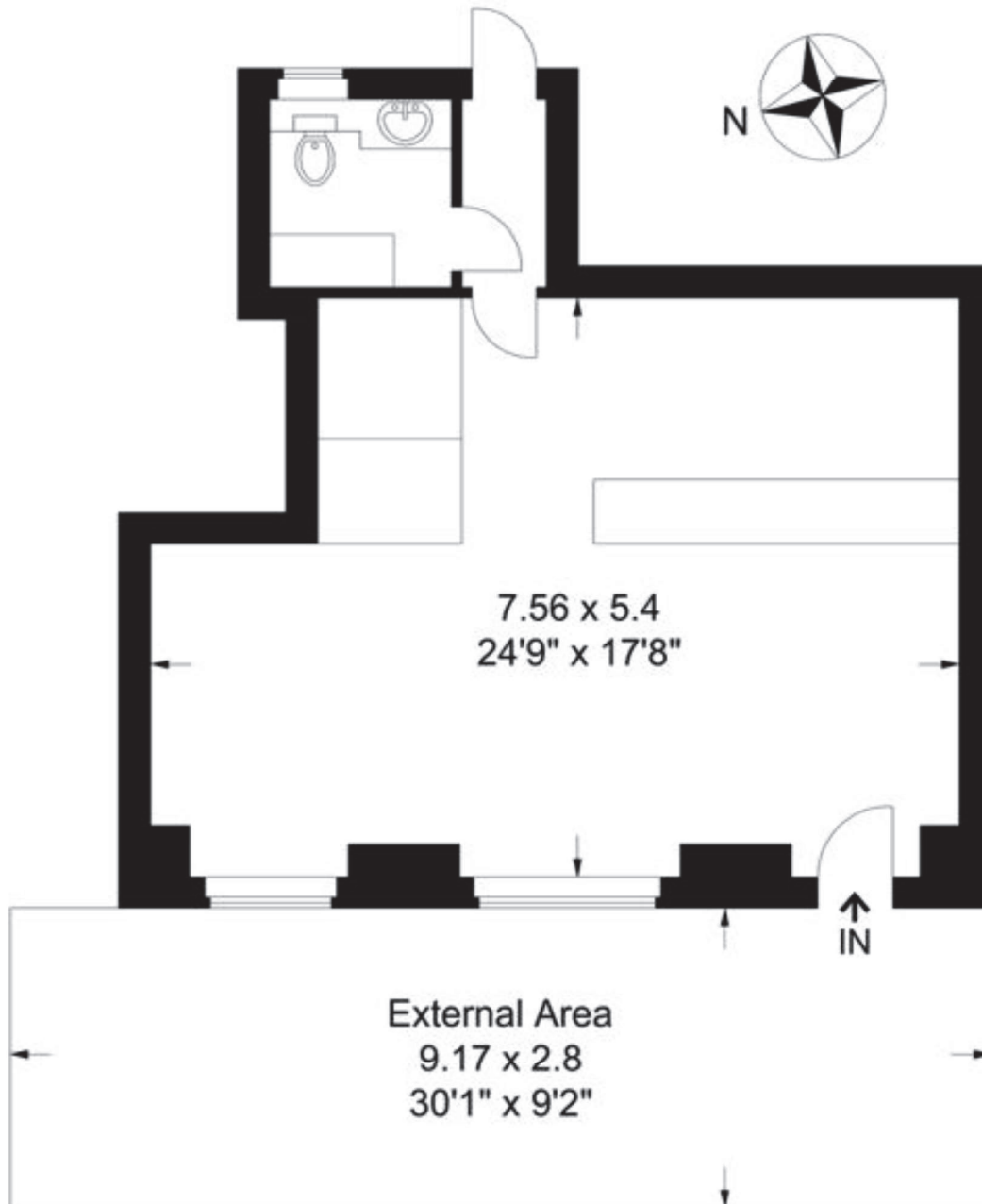
Internal and external furniture

- Tables and chairs

This is a Ground Floor Plan for establishment 'Coffee and Cates', located at 138 Kingsland Road, E2 8DY. It is used as a Cafe, however the 'Internal Space' area is also used for yoga classes and parties out of operating hours. The consumption of alcohol only occurs when the premises is being used out of its operating hours as a Cafe, and the sufficient licenses is obtained, this occurs in the 'internal space' highlighted.

North Stables

Approximate Gross Internal Area
41.97 sq m / 451.76 sq ft



Ground Floor

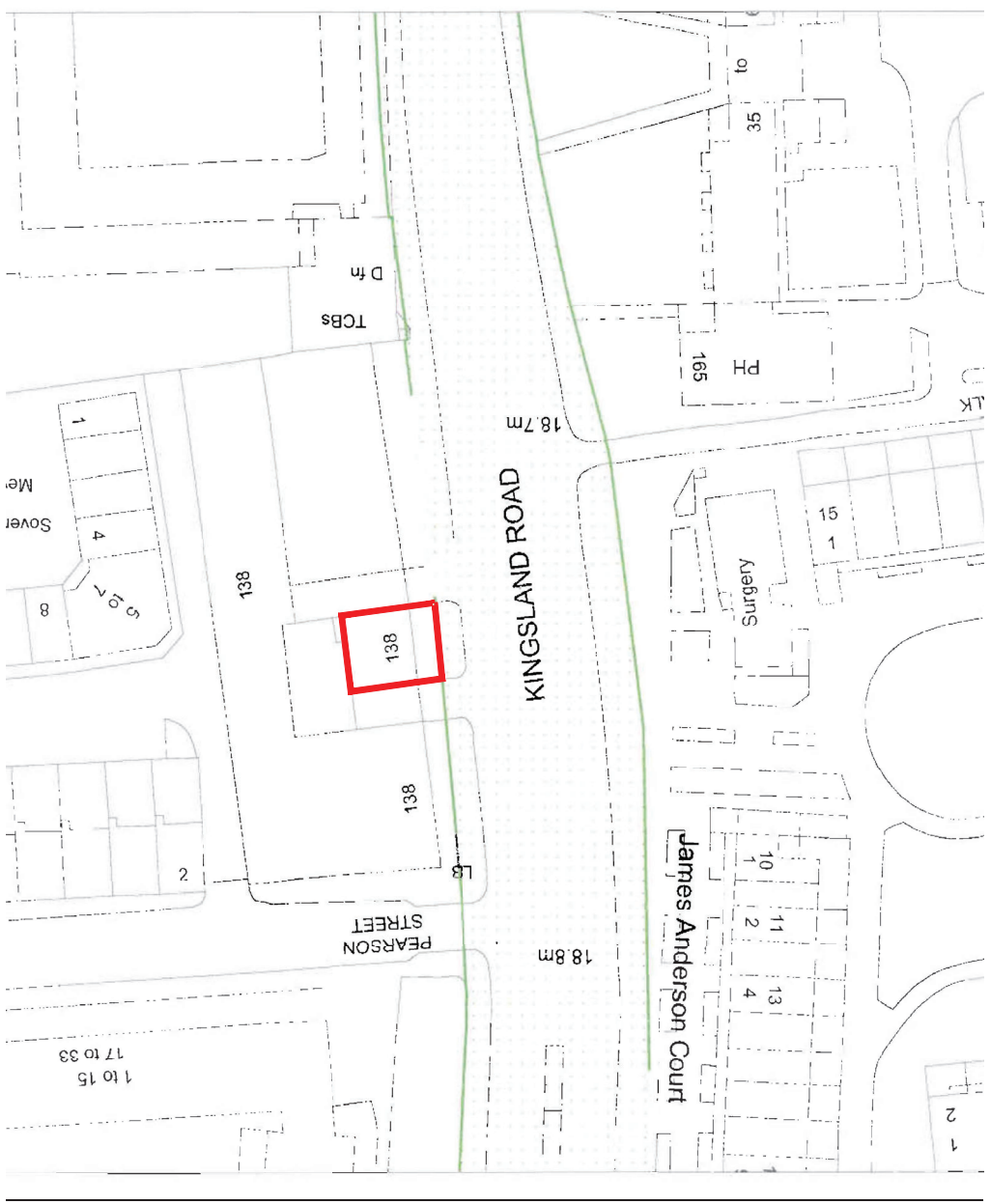
The floor plan is not to scale and measurements and are as shown are approximate and therefore should be used for illustrative purposes only. The plan has been prepared in accordance with the RICS code of measuring practice and whilst we have confidence in the information produced, it must not be relied on.

If there is any aspect of particular importance, you should carry out or commission your inspection of the property.

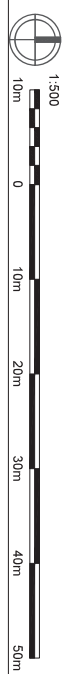
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KEY
 Site Outline



1 Site Location Plan
 1 : 500

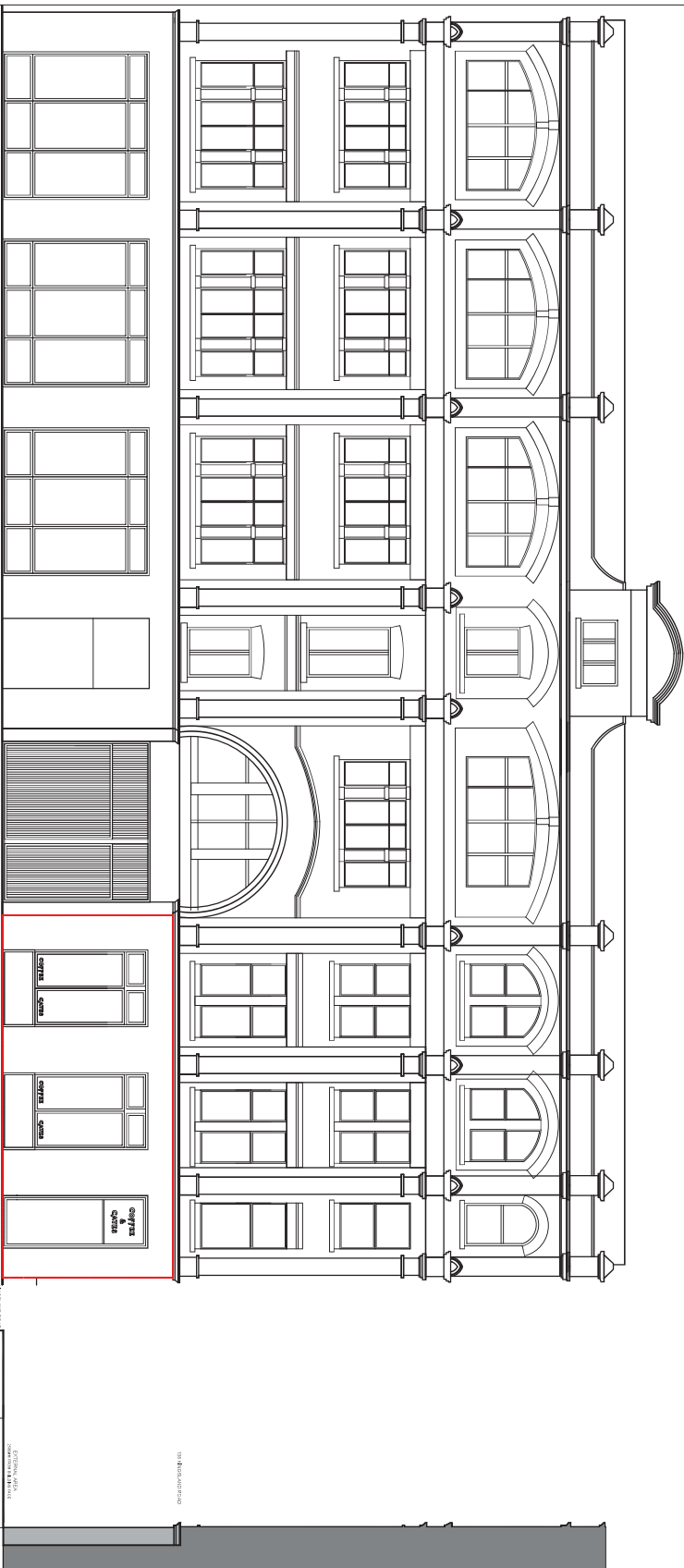


DATE	3/20/22
DRAWN BY	OB
CHECKED BY	TS/SC/TH/AMER
PROJECT	138 Imperial Road, London, E2 8JY
SCALE	1:500
DATE	22/03/21
PROJECT	138 Imperial Road, London, E2 8JY
SCALE	1:500
DATE	22/03/21
PROJECT	138 Imperial Road, London, E2 8JY
SCALE	1:500

Dale Architects
 1 Balmans Row
 London
 EC2A 3HH
 T: 020 7613 5702
 www.dalearchitects.co.uk

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KEY
Elevation Outline



1
Existing Elevation
1 : 100

2
Existing Section
1 : 100



DRAWN BY		CHECKED BY		DATE	
MB	EAJ	CB	TSR	30/07/22	
PROJECT		PROJECT NUMBER		REV	
138 Imperial Road, London, E2 8JY		22/031		1/0	
DRAWN		CHECKED		DATE	
1:100	1:100	1:100	1:100	1:100	1:100

Existing Elevation and Section

Duke Architects
1 Balmans Row
London
EC2A 3HH
T: 001 7513 5702

www.dukearchitects.co.uk



Appendix B

Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

Licensing Act 2003 - Application for a Premises Licence Re: Coffee and Cates , 138 Kingsland Road, E2 8DY

1 message

George Wokorach <george.wokorach@hackney.gov.uk>
To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

19 November 2022 at 20:10

I hope you are well

However, the EP team has concerns regarding noise from both live and recorded music, and also from noise in the external areas.

The applicant has not provided enough information regarding:

1. How they intend to manage noise from the external areas
2. The hours of use of the external areas
3. How they intend to carry out dispersal without causing disturbance to neighbours
4. The number of customers smoking outside and how they intend to minimise the noise
5. How the applicant intends to minimise the noise from live and recorded music

I will object to the application and ask the applicant to carry out a Noise Impact Assessment and furnish me with the information I have requested

Regards

George Wokorach
Environmental Protection Officer
Projects and Regulatory Services
Neighbourhoods & Housing Directorate
London Borough of Hackney
Hackney Service Centre
2 Hillman Street
London
E8 1FB

Tel: 0208 356 3403

Email: George.Wokorach@hackney.gov.uk

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Ground Floor Café at 138 Kingsland Road - Objection against the Application Premises

1 message

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

25 November 2022 at 17:44

To whom it may concern:

I am a leaseholder at [REDACTED], [REDACTED] 138 Kingsland Road, E2 [REDACTED].

I would like to register my objection regarding the Application for a Premises License at the same address mentioned above.

I strongly object to Coffee & Cates, and its applicant Mr Benjamin Cates, (referred from here on as the "Cafe") from selling alcohol on the premises, playing live or recorded music (including live DJ sets, band performances, etc.), provide late night food and drink, or any sort of entertainment (including but not limited to showcasing of films) within or outside the premises of 138 Kingsland Road, E2 8DY at any time but more specifically during late hours on weekdays or weekends.

It is my understanding that besides myself, many residents and leaseholders (business and residential) at 138 Kingsland Road, E2 8DY made several attempts to raise their concerns to (1) Hackney Council, (2) the police, and (3) the freeholder about the noise, smoking in non-designated areas (such as the building front), security, and other issues created by "Coffee & Cates" from their late night events (permitted from the temporary Premises License (Temporary Event Notice or "TEN") but those concerns were largely ignored.

Several of the residents attempted to discuss their concerns with Mr Benjamin Cates to see if some compromise or accommodation could be found but was arrogantly dismissed without any consideration given to the Cafe's neighbours.

To date, the events hosted by the Cafe have occurred without any consultation between Cafe's owner and the residents' community, neither the Cafe owner listened or addressed any of the noise, health or safety concerns expressed by the residents. The residents' concerns including (1) smoking in non-smoking designated area; (2) revellers gathering in front of the building and/or on public footpaths resulting in blocking entrances to the building (3) noise and loud music, (4) security and (5) unauthorised use of building communal spaces by the Cafe.

I am frustrated and alarmed that if the Cafe were granted a full premises license the problems raised within this objections would occur with greater regularity and become worse. The result in approving a full premises license to the Cafe would negatively impact not only the occupants of 138 Kingsland Road, but the surrounding neighbourhood as well.

Initially, following these disturbances, residents at 138 Kingsland Road submitted a formal complaint with the owner of the building (the freeholder at 138 Kingsland Road Limited). Please see attached for your reference a letter dated 26 July 2022, which was signed by all residential leaseholders and sent to the Freeholder. The letter provides further detail on the concerns raised by the residents.

Another reason I am registering my objection regarding the Cafe's Application for a Premises License is the building is listed, and it is my understanding within a designated conservation area. In my view the block consisting of Shoreditch Stables North and South, Graeae Theatre Company Bradbury Studios, and The Museum of the Home (formerly The Geffrye Museum) offers a transition (or buffer) north of Kingsland Road which is a residential neighbourhood of reasonable calm where families resided from the bars and clubs south along Kingsland Road. Approving the Application for a Premises License for the Cafe would likely set a precedence in the future for more development of bars and clubs in the area eroding the neighbourhood's liveability as a residential area.

I respectfully ask the Hackney Council do not approve this application on the basis that the proposed activities will have a significant detriment to the well-being of all residents in the building, and the neighbourhood.

Best Regards,

[REDACTED]

[REDACTED]

[REDACTED] Kingsland Road, [REDACTED]

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Gmail - 138 Kingsland Road - Leaseholders' Objection re_ Café Plans.pdf

133K



138 Kingsland Road - Leaseholders' Objection re: Café Plans

Tue, Jul 26, 2022 at 8:37 PM

FAC [REDACTED] on behalf of 138 Kingsland Road Limited

July 26, 2022

RE: Ground Floor Café

As the leaseholders of residential units, i.e. [REDACTED] at 138 Kingsland Road, E2 8DY we are writing to you as the representative of Freeholder (138 Kingsland Road Limited) to formally log our objection against any plans by the Ground Floor Café (i.e. Coffee & Cates) to sell alcohol, play live or recorded music (incl. live DJ sets, band performances etc.), provide late night refreshments or any sort of entertainment anywhere within the premises of 138 Kingsland Road, E2 8DY and operate during late hours on weekdays or weekends

We are categorically against such proposals by the Café owners on the grounds that this would result in undue financial detriment, unwarranted public nuisance, increased levels of alcohol related crime Moreover this would have a negative impact on residents' health, safety and well-being while in our own homes. We strongly believe that Café premises are not suitable for the above noted activities (incl. Café size, design and layout limitations, no suitable toilet facilities, close proximity to the residential entrances and units etc)

We are very concerned that should such permission be granted, it will seriously and adversely affect our quality of life, it will be a health hazard When you come home from a long day's work, the last thing you need is to be exposed to prolonged noise disturbance, which is known to contribute to a range of health problems, including stress, fatigue and lack of sleep. A licence permitting sale of alcohol and late night entertainment will also affect the value of our properties as well as the security in the building. We are already facing a number of issues related to the flow of students in and out of the building, often leaving the main door open, making noise etc. and the Café becoming a live music venue selling alcohol will add material new concerns, which will inevitably have an adverse effect on our wellbeing. In terms of financial detriment, some residents have already experienced difficulties in remortgaging their flats due to the building being 'mixed use' an addition of a venue selling alcohol and providing late night refreshments will only exacerbate the problem.

The Cafe had already been used for private events some lasted until the early hours of the morning. With insufficient space for large gatherings inside the Café, customers/drinkers were congregating and smoking in the area at the front of the building as well as using the inner courtyard as their smoking area (despite both frontside and inner courtyard being designated as non-smoking areas). At least on one occasion, a private party was held in the Café with customers being entertained, including music and singing, in the inner courtyard of the building, which alongside the front of the building, are communal spaces that are serviced and maintained by the service charges paid by all the leaseholders – it is not a space to be used by the Café to hold private events. While Café owner may have obtained Temporary Event Notice (TEN) authorizations from Hackney Council to hold small scale, one off events, we would like to discourage this practice due to concerns described above.

We are very thankful for your contribution in the revocation of the Plaza licence back in 2006. You might recall there being late night-violence and fighting on the road, which police dealt with, as well as multiple instances of anti-social behaviour, excessive car noise and much more - something none of us are willing to go through yet again.

On this particular occasion, we would like to seek your support once again and would be very grateful if you could exercise your Freeholder's authority to object the Café owner's plans to sell alcohol, provide late night refreshments or any sort of entertainment on the Premises and operate during late hours on either weekdays or weekends. We would also welcome the reinforcement of the message to the Café's owners that inner courtyard and the area in front of the building cannot be used for private events, nor should it be used as a smoking area in order to prevent any fire hazards.

Yours sincerely,

[Redacted]
[Redacted] 138 Kingsland Road, E2 8DY
[Redacted]

[Redacted]
[Redacted] 138 Kingsland Road, E2 8DY
[Redacted]

[Redacted]
[Redacted] 138 Kingsland Road, E2 8DY
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[Redacted] 138 Kingsland Road, E2 8DY
[Redacted]

[Redacted]
[Redacted] 138 Kingsland Road, E2 8DY

11/25/22, 11:55 AM

Gmail - 138 Kingsland Road - Leaseholders' Objection re: Café Plans

[Redacted]

[Redacted]

138 Kingsland Road, E2 8DY

[Redacted]

[Redacted]

138 Kingsland Road, E2 8DY

[Redacted]

[Redacted]

138 Kingsland Road, E2 8DY

[Redacted]

[Redacted]

138 Kingsland Road, E2 8DY

[Redacted]



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

RE: Ground Floor Café at 138 Kingsland Road - Objection against the Application Premises

1 message

25 November 2022 at 11:56

To: licensing@hackney.gov.uk

Dear Sir / Madam,

As the leaseholder of residential unit at the same address as the applicant [REDACTED] at **138 Kingsland Road, E2 8DY** I am writing to you as the Licensing Authority to log objection against any plans by the Ground Floor Café (i.e. Coffee & Cates) to sell alcohol on- and off- premises, play live or recorded music (incl. live DJ sets, band performances etc.), provide late night refreshments or any sort of entertainment (incl. showcasing of films) anywhere within the premises of **138 Kingsland Road, E2 8DY** and operate during late hours on weekdays or weekends.

This is because my tenants and other residents in the Building have already suffered from continuous noise, smoke fumes and disturbance due to parties and events held on the Cafe's premises during late hours either on weekdays or weekends. These have been held on the basis of obtaining and serving Temporary Event Notice (TEN). As these were ad-hoc events with limited frequency, I am deeply concerned if the Cafe were granted a full premises license, incl. sale of alcohol at all hours of day and night, such problems would only become worse and it would become a regular occurrence - all negatively impacting the wellbeing of all residents concerned. To date, these events have been hosted without any appropriate consultation between Cafe's owner and the residents' community, neither the Cafe owner listened or addressed any of the noise, health or safety concerns expressed by the residents (incl. i) smoking in non-smoking areas ; ii) revellers gathering in front of the Building and/or on public footpaths hence blocking entrances to the residential premises iii) noise and loud music iv) unauthorised use of communal spaces by the Cafe.

Following these disturbances, residents at 138 Kingsland Road have logged a formal complaint with the Freeholder (Building's landlord).

I kindly ask the Hackney Council to object to the application on the basis that proposed activities will have a significant detriment to the well-being of all residents in the Building. There are many alternative empty commercial premises in the council area more suitable for an establishment like this and the council should be encouraging business owners to use these empty premises rather than agreeing to applications such as this to the detriment to council tax payers.

Yours sincerely

[REDACTED]



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

138 Kingsland Road - Objection against the Application for a Premises License

1 message

25 November 2022 at 11:17

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

FAO: Hackney Council - Licensing Services

November 25, 2022

RE: Ground Floor Café at 138 Kingsland Road - Objection against the Application Premises

As the leaseholder of residential unit at the same address as the applicant (Flat [REDACTED] at 138 Kingsland Road, E2 8DY) I am writing to you as the Licensing Authority to log objection against any plans by the Ground Floor Café (i.e. Coffee & Cates) to sell alcohol on- and off- premises, play live or recorded music (incl. live DJ sets, band performances etc.), provide late night refreshments or any sort of entertainment (incl. showcasing of films) anywhere within the premises of 138 Kingsland Road, E2 8DY and operate during late hours on weekdays or weekends.

This is because I and other residents in the Building have already suffered from continuous noise, smoke fumes and disturbance due to parties and events held on the Cafe's premises during late hours either on weekdays or weekends. These have been held on the basis of obtaining and serving Temporary Event Notice (TEN). As these were ad-hoc events with limited frequency, I am deeply concerned if the Cafe were granted a full premises license, incl. sale of alcohol at all hours of day and night, such problems would only become worse and it would become a regular occurrence - all negatively impacting the wellbeing of all residents concerned. To date, these events have been hosted without any appropriate consultation between Cafe's owner and the residents' community, neither the Cafe owner listened or addressed any of the noise, health or safety concerns expressed by the residents (incl. i) smoking in non-smoking designated; ii) revellers gathering in front of the Building and/or on public footpaths hence blocking entrances to the residential premises iii) noise and loud music iv) unauthorised use of communal spaces by the Cafe.

Following these disturbances, residents at 138 Kingsland Road have logged a formal complaint with the Freeholder (Building's landlord). For your reference, I have **attached** a letter dated July 26, which was signed by all residential leaseholders and sent to the Freeholder for their attention. The letter provides further detail on the concerns raised by the Residents. On several occasions I have personally contacted Hackney Council to express concerns about the events hosted on the Cafe's premises but was advised to contact the Police; the Police then deemed this to be a civil matter and suggested this is to be addressed by the Hackney Council.

I kindly ask the Hackney Council to object to the application on the basis that proposed activities will have a significant detriment to the well-being of all residents in the Building.

Kind regards,

**Gmail - 138 Kingsland Road - Leaseholders' Objection re_ Café Plans.pdf**

133K



138 Kingsland Road - Leaseholders' Objection re: Café Plans

FAO: [REDACTED] on behalf of 138 Kingsland Road Limited

July 26, 2022

RE: Ground Floor Café

As the leaseholders of residential units, i.e. Flats [REDACTED] and [REDACTED] at 138 Kingsland Road, E2 8DY we are writing to you as the representative of Freeholder (138 Kingsland Road Limited) to formally log our objection against any plans by the Ground Floor Café (i.e. Coffee & Cates) to sell alcohol, play live or recorded music (incl. live DJ sets, band performances etc.), provide late night refreshments or any sort of entertainment anywhere within the premises of 138 Kingsland Road, E2 8DY and operate during late hours on weekdays or weekends

We are categorically against such proposals by the Café owners on the grounds that this would result in undue financial detriment, unwarranted public nuisance, increased levels of alcohol related crime Moreover this would have a negative impact on residents' health, safety and well-being while in our own homes. We strongly believe that Café premises are not suitable for the above noted activities (incl. Café size, design and layout limitations, no suitable toilet facilities, close proximity to the residential entrances and units etc)

We are very concerned that should such permission be granted, it will seriously and adversely affect our quality of life, it will be a health hazard When you come home from a long day's work, the last thing you need is to be exposed to prolonged noise disturbance, which is known to contribute to a range of health problems, including stress, fatigue and lack of sleep. A licence permitting sale of alcohol and late night entertainment will also affect the value of our properties as well as the security in the building. We are already facing a number of issues related to the flow of students in and out of the building, often leaving the main door open, making noise etc. and the Café becoming a live music venue selling alcohol will add material new concerns, which will inevitably have an adverse effect on our wellbeing. In terms of financial detriment, some residents have already experienced difficulties in remortgaging their flats due to the building being 'mixed use' an addition of a venue selling alcohol and providing late night refreshments will only exacerbate the problem.

The Cafe had already been used for private events some lasted until the early hours of the morning. With insufficient space for large gatherings inside the Café, customers/drinkers were congregating and smoking in the area at the front of the building as well as using the inner courtyard as their smoking area (despite both frontside and inner courtyard being designated as non-smoking areas). At least on one occasion, a private party was held in the Café with customers being entertained, including music and singing, in the inner courtyard of the building, which alongside the front of the building, are communal spaces that are serviced and maintained by the service charges paid by all the leaseholders – it is not a space to be used by the Café to hold private events. While Café owner may have obtained Temporary Event Notice (TEN) authorizations from Hackney Council to hold small scale, one off events, we would like to discourage this practice due to concerns described above.

We are very thankful for your contribution in the revocation of the Plaza licence back in 2006. You might recall there being late night-violence and fighting on the road, which police dealt with, as well as multiple instances of anti-social behaviour, excessive car noise and much more - something none of us are willing to go through yet again.

On this particular occasion, we would like to seek your support once again and would be very grateful if you could exercise your Freeholder's authority to object the Café owner's plans to sell alcohol, provide late night refreshments or any sort of entertainment on the Premises and operate during late hours on either weekdays or weekends. We would also welcome the reinforcement of the message to the Café's owners that inner courtyard and the area in front of the building cannot be used for private events, nor should it be used as a smoking area in order to prevent any fire hazards.

Yours sincerely,

[Redacted signature block]

11/25/22, 11:55 AM

Gmail - 138 Kingsland Road - Leaseholders' Objection re: Café Plans

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



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

Objection to license application - Cafe & Cates

1 message

24 November 2022 at 17:52

To: licensing@hackney.gov.uk

I am a leaseholder at Shoreditch Stables North, [REDACTED] [138 Kingsland Road](#), E2 8D.

I would like to register my objection against the application for a license by Cates London Ltd at [138 Kingsland Road, E2 8DY](#).

On multiple occasions residents and leaseholders (both business and residential) have expressed concerns and complained to the managing agent and freeholder of the building about the expansion of this existing business, "Coffee & Cates." The disruption to the building residents and the surrounding community in my view would generate more crime and nuisance to the area.

Additionally, the residents and leaseholders (both business and residential) have contacted Hackney Council and the police about the noise, smoking in non-designated areas (such as the building front) and other issues created by "Coffee & Cates" late night events permitted from a temporary Premises License to serve food & alcohol, and have live music. The installation of additional signage (and awnings) will only intensify the issues experienced and attract more people to drink, smoke and cause more noise outside the premises and in the community during at all hours of the day throughout the year.

A few years ago there was a licensed premises opposite which became a late night destination. The increase in noise was unbearable - from cars parking and doors slamming outside our building, relentless coming and going, people on the streets partying and often fighting late at night. Regardless of the intention of Mr. Cates it is inevitable that this will cause the same issues. I accept the property is on a main road however this section of Kingsland Road is almost exclusively residential and does not have a requirement for a bar. It's a much needed conservation area and I ask that the Kingsland Conservation Area Advisory Committee are consulted on this matter.

In my view, approval of this license would have a long term negative impact on the areas.

Regards

[REDACTED]



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

"Cates London Ltd" Premises Licence Application

1 message

17 November 2022 at 16:33

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

IMG_1833 zip.zip

Licensing Service
Hackney Service Centre
1 Hillman Street
E8 1DY
Tel: 020 8356 4970

Dear Licensing Team

Re "Cates London Ltd" Premises Licence Application

We are leaseholders and residents of **138 Kingsland Road, E2 8DY**. The building is located at the heart of a residential area where Cates London Ltd. runs a café. We are writing to express our objection against granting a premises licence to the Ground Floor Café - Coffee & Cates. We strongly oppose any plans by the Café to sell alcohol and provide any sort of entertainment anywhere at the premises of **138 Kingsland Road, E2 8DY** and operate during late hours on weekdays or weekends.

Our strong opposition against such proposals by the Café owners is based on the negative impact of the activities allowed under the premises licence on our life, health and safety as well as on the environment.

The Café premises are not suitable for the above noted activities. The Café is too small in size, and you will see for yourselves the layout limitations including the lack of suitable customer toilet facilities and that it is too close to the residential entrances and Flats. When the café has held TEN events, due to the limited space inside, customers have gathered drinking and smoking outside the café in front of the building, despite it being designated as non-smoking area (see attached video clip from one such event). The gatherings inside and outside generate noise disturbance for us who live in the building. At least on one occasion, a private party was held by the Café with customers being entertained, including music and singing, in the inner courtyard of the building, which alongside the front of the building, are part of the communal spaces and footpath that are serviced and maintained by the service charges paid by all the leaseholders.

The two rows of tables and chairs outside the café narrow the footpath in front of the building and restrict the free movement of the residents and pedestrians (see attached video).

Granting the Café a premises licence would result in unwarranted public nuisance, excessive pollution and increased levels of alcohol related crime and anti-social behaviour. Moreover, it would have a negative impact on our well-being while in our own homes.

We are very concerned that should such permission be granted, it will seriously and adversely affect our quality of life, it will be a health hazard. With our flat right above the ground floor café, coming home from a long day's work, the last thing you need is to be exposed to prolonged noise disturbance, which is known to contribute to a range of health problems, including stress, fatigue and lack of sleep.

A licence permitting sale of alcohol and late-night entertainment, with drinkers loitering in front of the block's entrances, will also affect the security in the building, adding new concerns, which will inevitably have an adverse effect on our safety and wellbeing.

If the café becomes an alcohol selling, live music and late-night entertainment venue it will attract more customers, thus increasing traffic. The lack of a designated parking space for the café, will lead to customers being dropped off and picked up in front of the building, thus significantly increasing noise and environment pollution.

The Café owner has already obtained Temporary Event Notices from Hackney Council for one-off events, but we would like to discourage this practice due to concerns described above.

The residents of the building have already logged their concerns directly with the Cafe owner, the building's managing agent as well as the Freeholder.

We are objecting to the granting of a premises licence to Cates London Ltd. because we do not want to face the same problems and go through the same bruising experiences we had with what was the Plaza bar ([161-165 Kingsland Road](#)) across the road back in 2005-6. It was then very distressing and we worked with the Council and the police to confront multiple instances of anti-social behaviour, late night alcohol related violence and fighting on the road, excessive noise and much more. Availing ourselves of this opportunity, we are very thankful for the Council's contribution in the revocation of the Plaza licence back in 2006.

On this particular occasion, we would like to seek your support in rejecting the premises licence application and the Café owner's plans to sell alcohol, provide late night entertainment on the Premises and operate during late hours on either weekdays or weekends.

We look forward to hearing from you in the hope that you will take account of our concerns when deciding on the above application.

Yours sincerely,

[Redacted signature]

28/11/2022, 09:17

London Borough of Hackney Mail - "Cates London Ltd" Premises Licence Application

138 Kingsland Road,

E2 8DY



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

Objection to Coffee and Cates, 138 Kingsland Alcohol license

1 message

9 November 2022 at 17:22

To: licensing@hackney.gov.uk

Objection to Coffee and Cates, 138 Kingsland Alcohol license

I am writing to firmly object Coffee and Cates, alcohol application at [138 Kingsland Rd](#)

I have lived in the building for 19 years and have logged my complaints directly with the cafe owner, who has only been in the area a couple of years.

We had many issues with Korsan Bar which was situated opposite [138 Kingsland Rd](#) which eventually got shut down due to the same issues I believe this would create.

It will create noise pollution, a fire safety issues with so many people surrounding the only entrance and exit we have to [138 Kingsland Rd](#).

However, one of the main issues will be general safety and not feeling safe from intruders to our building (the entrance door is literally next to the cafe) late at night

My girlfriend and female flatmate do not feel safe when entering the building late at night as sometimes people try to follow them and this will only be encouraged by drunken men and women.

The large mail packages are for all the residents are left at the bottom of the building by the main entrance and these are stolen when passer bys get access to our building - this will increase

We have several people with mental health issues and drunk issues in the area and this will encourage them to approach the drinkers and smokers on the street outside our building as well

It will increase litter, noise pollution, effect out safety and will not add to an area that already has far too many bars with late licensing - which we were assured were actively being discouraged over the past few years since it was oversaturated.

I suffer from depression and anxiety and have been on medication, as does my girlfriend and this will make things extremely worse if drunk people are allowed to situated outside our only door to our building and make noise below our flat when trying to sleep.

I cannot tell you how much this will impact my life and neighbours lives for the worse and if granted will make me consider moving and place me under great stress.

I would also feel deeply uncomfortable with my nieces and nephews who I baby sit for coming over to my property knowing all of the above

Granting alcohol licence to this venue would set a dangerous precedent and would leave me wanting to leave my home of 19 years

Please think of the people that live in the area

Regards

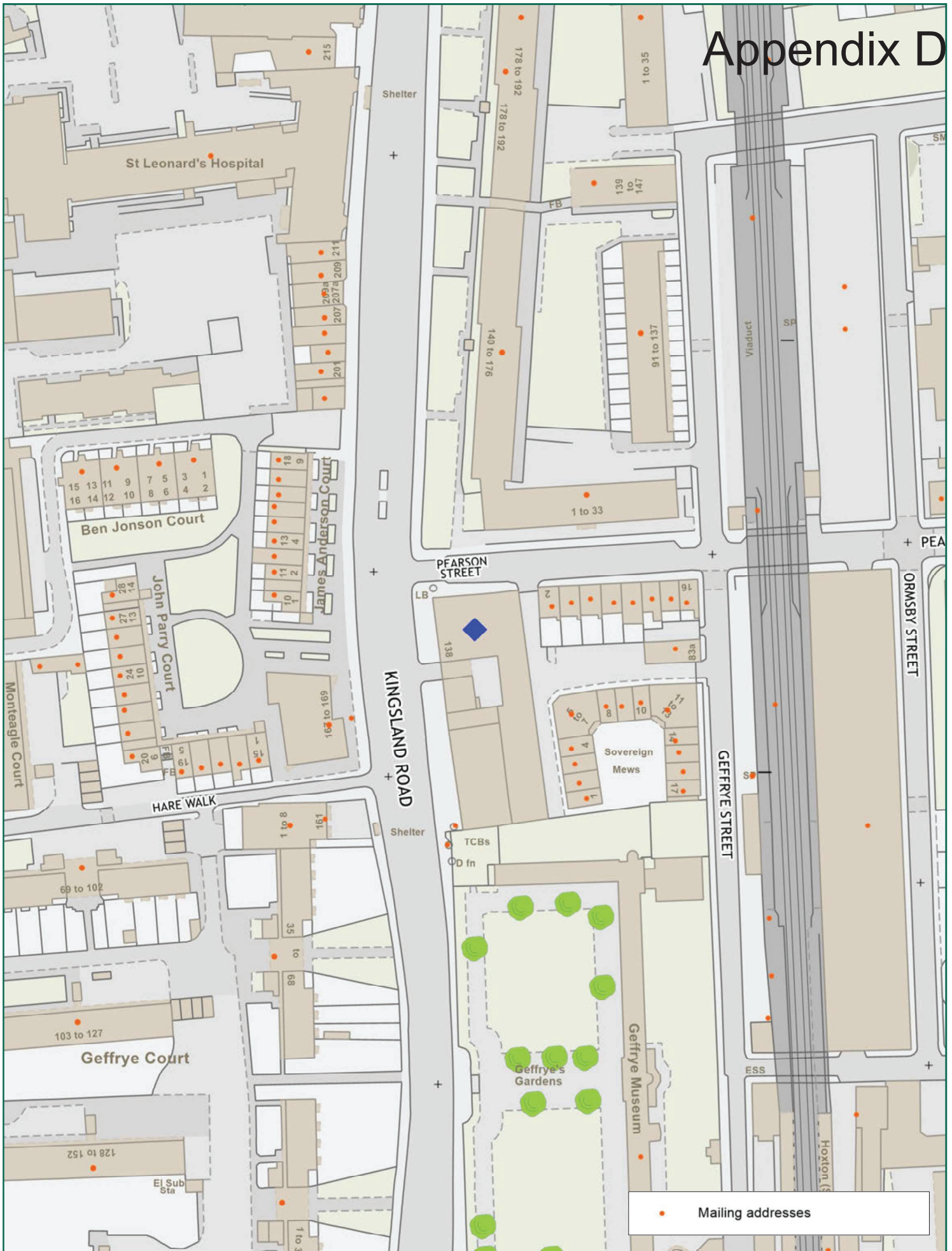
[Redacted]
[Redacted], [138 Kingsland Rd](#)
London
E2 8DY

Coffee and Cates

[Haggerston](#)Coffee and
Cates Ltd

Ground Floor North Stables 138 Kingsland Road London E2 8DY		
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Appendix D



Scale: 1:1250 at A4

138 Kingsland Road



Ref:
Thursday, October 27, 2022

Produced by: unspecified
email:

please specify copyright statement