

For Consideration By	Licensing Sub-Committee
Meeting Date	12 January 2023
Type of Application	Vary a Premises Licence
Address of Premises	Faulkners, 424-426 Kingsland Road, London, E8 4AA
Classification	Decision
Ward(s) Affected	London Fields
Group Director	Rickardo Hyatt

1. **Summary**

- 1.1. This is an application to vary a premises licence to allow authorisation for
- To extend the hours for the sale of alcohol (on and off-sales)
 - To extend the hours for the late night refreshment
 - To include the hours for the regulated entertainment

2. **Application**

- 2.1. Mr Murat Erdogan has made an application to vary a premises licence under section 34 of the Licensing Act 2003.
- 2.2. The premises is not located within a special policy area.
- 2.3. The applicant is seeking authorisation for the following licensable activities and times:

Plays	Standard Hours: Mon 08:00-02:00 Tue 08:00-02:00 Wed 08:00-02:00 Thu 08:00-03:00 Fri 08:00-03:00 Sat 08:00-03:00 Sun 08:00-02:00
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Live Music	Standard Hours: Mon 08:00-02:00 Tue 08:00-02:00 Wed 08:00-02:00 Thu 08:00-03:00 Fri 08:00-03:00 Sat 08:00-03:00 Sun 08:00-02:00
Recorded Music	Standard Hours: Mon 08:00-02:00 Tue 08:00-02:00 Wed 08:00-02:00 Thu 08:00-03:00 Fri 08:00-03:00 Sat 08:00-03:00 Sun 08:00-02:00
Performance of Dance	Standard Hours: Mon 08:00-02:00 Tue 08:00-02:00 Wed 08:00-02:00 Thu 08:00-03:00 Fri 08:00-03:00 Sat 08:00-03:00 Sun 08:00-02:00
Anything of a similar description	Standard Hours: Mon 08:00-02:00 Tue 08:00-02:00 Wed 08:00-02:00 Thu 08:00-03:00 Fri 08:00-03:00 Sat 08:00-03:00 Sun 08:00-02:00
Late Night Refreshment	Standard Hours: Mon 23:00-02:30 Tue 23:00-02:30 Wed 23:00-02:30 Thu 23:00-03:30 Fri 23:00-03:30 Sat 23:00-03:30

	Sun 23:00-02:30
Supply of Alcohol (On sales)	Standard Hours: Mon 12:00-02:00 Tue 12:00-02:00 Wed 12:00-02:00 Thu 12:00-03:00 Fri 12:00-03:00 Sat 12:00-03:00 Sun 12:00-02:00
Supply of Alcohol (Off sales)	Standard Hours: Mon 08:00-02:00 Tue 08:00-02:00 Wed 08:00-02:00 Thu 08:00-03:00 Fri 08:00-03:00 Sat 08:00-03:00 Sun 08:00-02:00
The opening hours of the premises	Standard Hours: Mon 08:00-02:30 Tue 08:00-02:30 Wed 08:00-02:30 Thu 08:00-03:30 Fri 08:00-03:30 Sat 08:00-03:30 Sun 08:00-02:30

2.4. The application is attached as Appendix A. The applicant has proposed some additional measures to address the licensing objectives.

3. **Current Status/History**

3.1. The current premises licence was granted on 9 April 2020(attached as Appendix C).

3.2. No temporary event notices have been given for this premises in last twelve months.

4. **Representations: Responsible Authorities**

From	Details
Environmental Health Authority(Environmental Protection) (Appendix B1)	Representation received on the grounds of The Prevention of Public Nuisance
Environmental Health Authority (Environmental Enforcement)	Have confirmed no representation on this application
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	No representation received
Planning Authority	No representation received
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application
Police (Appendix B2)	Representation received on the grounds of The Prevention of Crime and Disorder and Prevention of Public Nuisance
Licensing Authority (Appendix B3)	Representation received on the grounds of The Prevention of Public Nuisance
Health Authority	Have confirmed no representation on this application based on amend the start timings of on sales alcohol hours as above

5. **Representations: Other Persons**

From	Details
None	No representations received

6. **Guidance Considerations**

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

7. **Policy Considerations**

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

8. Officer Observations

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

None.

9. Reasons for Officer Observations

- 9.1. No new conditions have been proposed by the applicant or responsible authorities.

10. Legal Comments

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

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

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

11. Human Rights Act 1998 Implications

- 11.1. There are implications to;

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

12. Members Decision Making

- 12.1. **Option 1**

That the application be refused

- 12.2. **Option 2**

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

13. **Conclusion**

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

Appendices:

Appendix A: Application to vary a premises licence and supporting documents

Appendix B: Representations from responsible authorities

Appendix C: Current licence

Appendix D: Location map

Background documents

Licensing Act 2003

LBH Statement of Licensing Policy

Report Author	Name: Shan Uthayasangar Title: Licensing Officer Email: shan.uthayasangar@hackney.gov.uk Tel: 02083562431
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
LA07

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We MURAT ERDOGAN
(Insert name(s) of applicant)

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

Premises licence number	107396
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
424-426 KINGSLAND ROAD E8-4AA			
Post town	LONDON	Postcode	E8-4AA

Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	£ 24750

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]
E-mail address (optional)	[REDACTED]
Current postal address if different from premises address	

Post town		Postcode	
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Part 3 – Variation

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

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

DD	MM	YYYY

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

<p>Please describe briefly the nature of the proposed variation (Please see guidance note 2)</p> <p>Since our closing hours are pretty early compared to other businesses in the vicinity, we cannot benefit from the natural human traffic of the region. For this reason, we demand that a fair competition environment be created at least by being able to provide service at the same hours as the surrounding businesses.</p> <p>In this way, we can at least regain hope for our business, which has suffered significant wounds during the covid period and still resists not being shutdown shutdown.</p>

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

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Part 4 Operating Schedule

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

- | Provision of regulated entertainment (Please see guidance note 3) | Please tick all that apply |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input 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 checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |
| Provision of late night refreshment (if ticking yes, fill in box I) | <input checked="" 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 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	08.00	02.00	Please give further details here (please read guidance note 5) <i>amplified live music-performance. etc.</i>		
	0				
Tue	08.00	02.00			
Wed	08.00	02.00	State any seasonal variations for performing plays (please read guidance note 6)		
Thur	08.00	03.00			
Fri	08.00	03.00	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 7)		
Sat	08.00	03.00			
Sun	08.00	02.00			

B

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

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 6)
Wed			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 7)
Thur			
Fri			
Sat			
Sun			

D

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

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	08.00	02.00	Please give further details here (please read guidance note 5) <i>amplified Live music - Performance. etc.</i>		
Tue	08.00	02.00			
Wed	08.00	02.00	State any seasonal variations for the performance of live music (please read guidance note 6)		
Thur	08.00	03.00			
Fri	08.00	03.00	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 7)		
Sat	08.00	03.00			
Sun	08.00	02.00			

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	08.00	02.00	Please give further details here (please read guidance note 5) <i>Live music, meyhane music.</i> <i>Recorded music</i>		
Tue	08.00	02.00			
Wed	08.00	02.00	State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Thur	08.00	03.00			
Fri	08.00	03.00	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 7)		
Sat	08.00	03.00			
Sun	08.00	02.00			

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	08.00	02.00	Please give further details here (please read guidance note 5)		
Tue	08.00	02.00	State any seasonal variations for the performance of dance (please read guidance note 6)		
Wed	08.00	02.00			
Thur	08.00	03.00	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 7)		
Fri	08.00	03.00			
Sat	08.00	03.00			
Sun	08.00	02.00			

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)</p>			<p>Please give a description of the type of entertainment you will be providing <i>Karaoke event; Hosted by singer or m.c. which will include some of our guests singing.</i></p>		
Day	Start	Finish	<p>Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)</p>	Indoors	<input checked="" type="checkbox"/>
Mon	08.00	02.00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	08.00	02.00	<p>Please give further details here (please read guidance note 5)</p>		
Wed	08.00	02.00			
Thur	08.00	03.00	<p>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6)</p>		
Fri	08.00	03.00			
Sat	08.00	03.00	<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 7)</p>		
Sun	08.00	02.00			

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	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 5) <i>regular refreshment process.</i>		
Mon	02.00 23.00	02.30			
Tue	02.00 23.00	02.30			
Wed	02.00 23.00	02.30	State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Thur	02.00 23.00	03.30			
Fri	02.00 23.00	03.30	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 7)		
Sat	02.00 23.00	03.30			
Sun	02.00 23.00	02.30			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	08.00	02.00	State any seasonal variations for the supply of alcohol (please read guidance note 6)	Both	<input checked="" type="checkbox"/>
Tue	08.00	02.00			
Wed	08.00	02.00			
Thur	08.00	03.00	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 7)		
Fri	08.00	03.00			
Sat	08.00	03.00			
Sun	08.00	02.00			

On the premises
α
off the premises-

K

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

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	08.00	02.30	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 7)
Tue	08.00	02.30	
Wed	08.00	02.30	
Thur	08.00	03.30	
Fri	08.00	03.30	
Sat	08.00	03.30	
Sun	08.00	02.30	

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

Please tick as appropriate

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

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

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

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

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

We aim to follow all the required objectives (to prevent crime and disorder, to look after public safety, to protect children from harm and to prevent public nuisance).
if more needs to be done we would do it.

b) The prevention of crime and disorder

The premises is covered by CCTV all around. There are cameras all around.

c) Public safety

The restaurant is under surveillance with all the cameras and this is to ensure the safety of the public. The behaviour of all customers will be monitored and dealt with appropriately.

d) The prevention of public nuisance

The place will be ventilated properly so that there is no need to open windows. The speakers will be kept within the premises and not positioned outside or near openings.

e) The protection of children from harm

Children are allowed to the restaurant till 22.00 children are supervised by the parents and are not left unattended. Proof of age is asked and there is visible signs on the premises showing that underage drinking is not allowed.

Checklist:


Please tick to indicate agreement

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

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

Part 5 – Signatures (please read guidance note 12)

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

Signature	
Date	26-10-2022
Capacity	owner

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

Signature	
Date	
Capacity	

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

Notes for Guidance

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

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

Fwd: Licensing Act 2003: Application to vary a premises licence- Faulkners, 424-426 Kingsland Road, Hackney, London, E8 4AA

1 message

Sanaria Hussain <sanaria.hussain@hackney.gov.uk>
To: Shan Uthayasangar <shan.uthayasangar@hackney.gov.uk>

25 November 2022 at 11:25

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

From: **George Wokorach** <george.wokorach@hackney.gov.uk>

Date: Sat, 19 Nov 2022 at 19:57

Subject: Licensing Act 2003: Application to vary a premises licence- Faulkners, [424-426 Kingsland Road, Hackney, London, E8 4AA](#)

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

Dear Sanaria

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

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

APPENDIX B2

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

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

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Faulkners 424-426 Kingsland Road London E8 4AA
NAME OF PREMISES USER	Murat Erdogan

COMMENTS

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

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

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

Police make the following representations in relation to the application to vary the Premises Licence at Faulkners, 424-426 Kingsland Road, E8 4AA for the following reason(s);

The premises is situated on Kingsland Road within the boundaries of the Dalston Special Policy Area. It therefore falls to the applicant to demonstrate that the proposed activity and the operation of the premises will not add to the cumulative impact on the area. Police do not believe that the applicant has adequately done so in this application. The hours requested by the applicant are also far outside that of the councils core hours, again without measure from the applicant to mitigate any impact these may have.

Police would like to know why the applicant is requesting the range of Regulated Entertainment that is included on the application, as the venue is a restaurant. The applicant has included plays, live and recorded music, and performance of dance and anything of a similar description to the previous. Police would understand the request for music, either background and therefore ancillary to the operation as a restaurant, or for occasional special nights, however more explanation is required regarding this.

Police would like more information regarding the venue's dispersal policy and how this would alter and be implemented should later hours be granted. Police would also like a visit to the premises and a discussion with the applicant about the operation of the venue.

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

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

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

A reduction in hours, a discussion over conditions and information as requested.

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

APPENDIX B3

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	Faulkners 424-426 Kingsland Road Hackney London E8 4AA
NAME OF APPLICANT	Murat Erdogan

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 Dalston Special Policy Area (Dalston SPA), the Dalston 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 applicant has proposed an extension to the hours for licensable activity that includes earlier opening hours as well as later closing hours. The applicant is seeking to open at 08:00 everyday and close the premises at 02:30 Sunday to Wednesday and 03:30 Thursday to Saturday.

The hours sought are a considerable extension beyond the LP3 Core Hours set out in the Statement of Licensing Policy.

Given the premises location in the Dalston SPA, the applicant does not appear to have taken the Licensing Policy and Dalston SPA into consideration in the application, they have not offered any conditions and/or mitigations that would promote the Licensing objectives. No conditions have been offered in relation to the potential extension for “Off Sales”, the potential frequenting of delivery vehicles for takeaways late at night or security measures that may be required for the extended hours sought.

The applicant is also seeking the provision of additional licensable activities that are not currently on the premises licence, including Live Music, Recorded Music, Plays, Performance of Dance, Similar activities to Dance, Recorded and Live Music. The applicant has not offered any conditions and/or information regarding how the premises would operate in order to mitigate any potential risk to the Prevention of Public Nuisance licensing objectives whilst carrying out these activities.

The matters outlined above raise significant concerns for the Licensing Authority, the lack of detail in the application has done little to convince the Licensing Authority that the Licensing Objectives would not be at risk of being undermined.

The applicant has not demonstrated an understanding of the locality, Licensing Policy, Licensing Objectives or the Special Policy Area.

Instead of offering a robust set of conditions and/or possible mitigations to the risk to the Licensing Objectives, the applicant has used the application to demand the hours are granted.

See part 3 of the application form:

"Since our closing hours are pretty early compared to the other businesses in the vicinity, we cannot benefit from the natural human traffic of the region. For this reason we demand that a fair competition environment be created at least by being able to provide at the same hours as the surrounding businesses."

The Licensing Authority takes the view that this demonstrates a lack of understanding by the applicant with regards to the Licensing Objectives and the cumulative impact of late night premises within the Special Policy Area.

Whilst we may be sympathetic to the strain experienced by businesses in the current economic climate, pecuniary interests of applicants are not a consideration for the Licensing Authority.

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

The Licensing Act 2003, Statement of Licensing Policy 2016 and Guidance issued by the Home Office.

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

The applicant should consider the matters outlined above and propose a robust set of conditions and mitigations to promote the Licensing Objectives.
The applicant should consider if they are prepared to reduce the hours sought.
Further discussion with the applicant may be required, the Licensing Authority are prepared to discuss the application with the applicant.

Name: Channing Riviere (Principal Licensing Officer)

Date: 22/11/2022



This premises licence has been issued by:

Licensing Service
1 Hillman Street
London E8 1DY

PART A – PREMISES LICENCE

Premises Licence Number

107396

Part 1 – Premises details

Faulkners
424-426 Kingsland Road
Hackney
E8 4AA

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Late Night Refreshment
Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Late Night Refreshment

Standard Hours:

	Mon 23:00-23:30
Indoors and Outdoors	Tue 23:00-23:30
	Wed 23:00-23:30
	Thu 23:00-23:30
	Fri 23:00-23:30
	Sat 23:00-23:30
	Sun 23:00-23:30

Supply of Alcohol

Standard Hours:

	Mon 12:00-23:00
	Tue 12:00-23:00
	Wed 12:00-23:00
	Thu 12:00-23:00
	Fri 12:00-23:00

Sat 12:00-23:00
Sun 12:00-23:00

The opening hours of the premises

Standard Hours:

Mon 12:00-00:00
Tue 12:00-00:00
Wed 12:00-00:00
Thu 12:00-00:00
Fri 12:00-00:00
Sat 12:00-00:00
Sun 12:00-00:00

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

On and Off Premises

Part 2 –

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

Mr Erdogan Murat
44 Dorset Road
Tottenham
London
N15 5AJ

Registered number of holder, for example company number, charity number (where applicable)

Not Applicable

Name, address and telephone number of designated premises supervisor where the premises authorises the supply of alcohol

Mr Erdogan Murat

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

Date of Grant: 9 April 2020

Signed:

**David Tuitt
Team Leader - Licensing**

Annex 1 - Mandatory Conditions

Supply of Alcohol

1. No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (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
 - (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.

Annex 2 – Conditions consistent with the Operating Schedule

Not Applicable

Conditions derived from Responsible Authority representations

8. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police. All public areas and each entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or other authorised officer.
9. There shall be a staff member from the premises who is conversant with the operation of the CCTV system on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage when requested.

10. Signs will be prominently displayed at all entrance and exit points reminding customers to leave quietly and respect local residents.
11. An incident log shall be kept at the premises, and made available on request by an authorised officer of the council or a police officer, which will record the following;
 - a. All crimes reported
 - b. All ejections of patrons
 - c. Any complaints received.
 - d. Any incidents of disorder.
 - e. Seizure of drugs or offensive weapons.
 - f. Any faults in the CCTV system.
 - g. Any visit by a relevant authority or emergency service.
12. Premises to operate zero tolerance policy to drugs and comply with Hackney Police Drugs and Weapons policy where appropriate.
13. All instances of crime and disorder to be reported by a responsible member of staff to an agreed police contact point, as agreed with the police.
14. All staff shall receive training on the legislation relating to the sales of alcohol to underage persons and drunken persons and shall have refresher training every 12 months. There shall be written records of such training which will be kept on the premises and produced to a police officer or other authorised officer upon request.
15. There shall be no glass, drinks or open containers taken outside the premises at any time, except drinks bought with a meal for consumption off the premises.
16. Alcohol shall not be sold, supplied or consumed otherwise than to persons who are taking a substantial meal from the menu and that the consumption of such alcohol is ancillary to taking such meals. The supply of alcohol shall be by waiter/waitress service only.
17. There shall be a written dispersal at the premises. This policy shall be kept on the premises and produced to a police officer or other authorised officer upon request.
18. A 'Challenge 25' proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence or passport.
19. There shall be a personal licence holder on the premises whenever licensable activity is taking place.
20. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their responsibility as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be

in writing and displayed in a prominent place where it can be referred to at all times by staff.

21. 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.
22. 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.
23. 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.
24. 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.
25. 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.










Annex 3 – Conditions attached after a hearing by the licensing authority

Not Applicable.

Annex 4 – Plans

PLAN/107396/140220

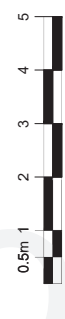
LEGEND

-  AMBIT OF PREMISES
-  LIQUOR SALES
-  SAFETY LIGHTING
-  SMOKE DETECTOR
-  CARBON DIOXIDE FIRE EXTINGUISHER
-  9 LT. WATER FIRE EXTINGUISHER
-  INTERNALLY ILLUMINATED FIRE ESCAPE SIGN (BS 5266)
-  30min FIRE RESISTANCE DOOR (FIRE DOOR TO HAVE INTUMESCENT STRIPS AND SELF CLOSER)
-  CCTV OPERATING SYSTEM

ADVANCE ARCHITECTURE
 ARCHITECTURE / PLANNING / LICENSING
 302 Great Eastern Place, Green
 London N13 5TJ
 020 8801 6801 / 0 7879 899 178
 www.advancearchitecture.co.uk
 info@advancearchitecture.co.uk

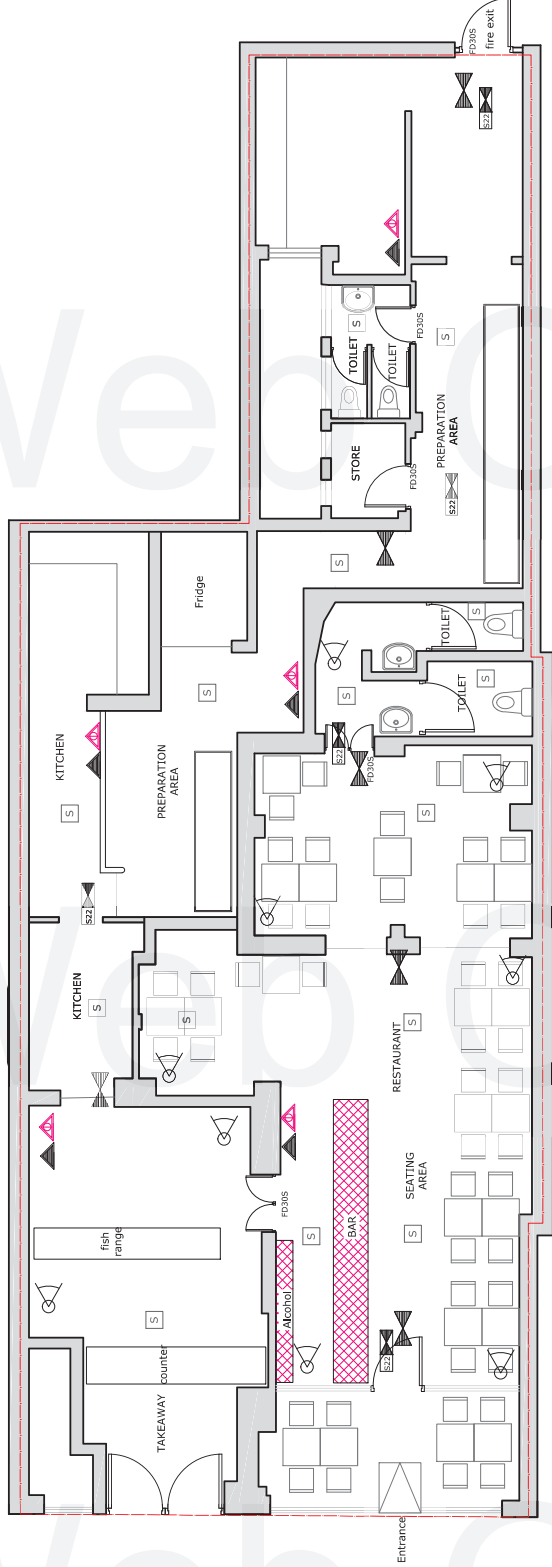
PLEASE NOTE

1. All dimensions to be verification site.
2. All dimensions are in millimeters.
3. No work shall commence until all approvals and agreements have been obtained. These include: Planning, Building Regulations, Water and party Wall.
4. The Copyright of this drawing belong to Adv Planning Limited.

Date	06/02/2020
Scale (@ A3)	1 : 100
	

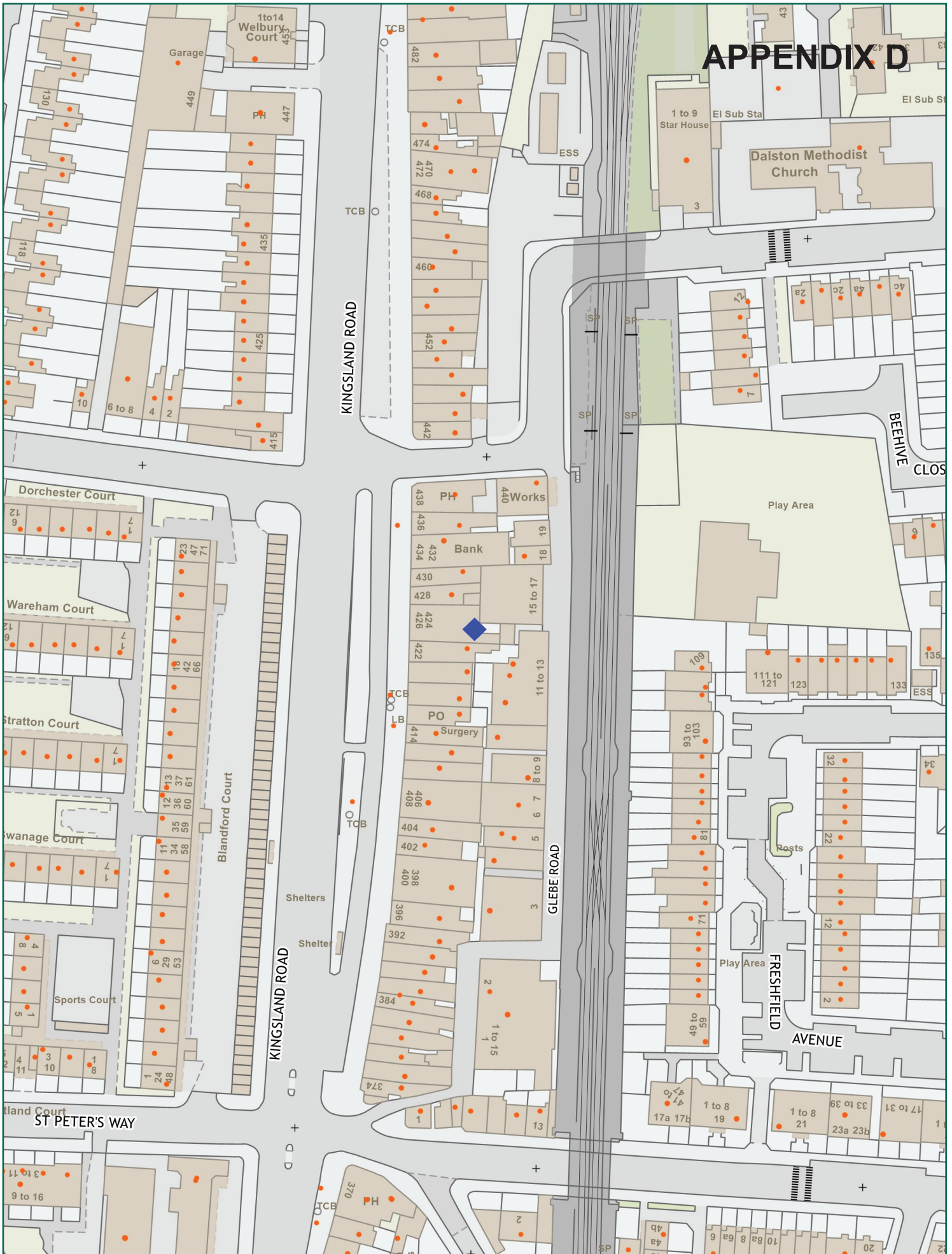
Drawn by	KK
Checked by	-

LICENSING	
PROJECT STATUS	PROPOSED
PROJECT	424-426 Kingsland Road, E8 4AA
SHEET	FLOOR PLAN
JOB No.	20.005
DRAWING NUMBER	L100
REV	



GROUND FLOOR PLAN

APPENDIX D



Scale: 1:1250 at A4

Faulkners, 424-426 Kingsland Road, E8 4AA



Ref:
Friday, December 23, 2022

Produced by: unspecified
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