

For Consideration By	Licensing Sub-Committee
Meeting Date	24th January 2023
Type of Application	Premises Licence
Address of Premises	Edit, Ground Floor, 217 Mare Street, E8 3QE
Classification	Decision
Ward(s) Affected	London Fields
Group Director	Rickardo Hyatt

1. **Summary**

- 1.1. Both / And Limited have made an application for a premises licence under section 17 of the Licensing Act 2003.
- 1.2. The application seeks to authorise provision of late night refreshment and 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:

Late Night Refreshment	Standard Hours: Mon 23:00-00:00 Tue 23:00-00:00 Wed 23:00-00:00 Thu 23:00-00:00 Fri 23:00-00:00 Sat 23:00-00:00 Sun 23:00-00:00
Supply of Alcohol (On and Off sales)	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 08:00-00:00

Tue 08:00-00:00 Wed 08:00-00:00
Thu 08:00-00:00
Fri 08:00-00:00 Sat 08:00-00:00
Sun 08:00-00:00

1.5. The application is attached as Appendix A. .

2. **Current Status/History**

- 2.1. The premises are not currently licensed for any activity. The previous premises licence issued in respect of 217 Mare Street, E8 3QE lapsed due to the licence holder ("Plant Hub Limited") which went into liquidation on 24 February 2022.
- 2.2. No TENs have been submitted in respect of the premises in the current calendar year

3. Representations: Responsible Authorities

From	Details
Environmental Health Authority (Environmental Protection) Appendix B	Presentation received on the grounds of the Prevention of Public Nuisance
Environmental Health Authority (Environmental Enforcement)	Presentation withdrawn following agreement of conditions.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	Have confirmed no representation to this application following agreement of conditions. See Para 8.1 below
Licensing Authority	No representation received
Health Authority	No representation received

4. Representations: Other Persons

From	Details
Representations from and on behalf of	None
the Other Persons	

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), LP4 ('Off' Sales of Alcohol) and LP6 (External Areas and Outdoor Events) 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.
- 5.1. 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+(DxV) 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.

Conditions agreed with the responsible authorities:

- 8. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. 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 the Police or authorised officer.
- 9.A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.
- 10.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 seating area immediately in front of the premises.
- 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. The Licensee's premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the Licensee's waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as his/her waste carrier arrives to collect the refuse.
- 20. The Licensee shall instruct members of staff to make regular checks of the area immediately outside the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.
- 21. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacle being carefully placed so as not to cause an obstruction or trip.

8. Reasons for Officer Observations

8.1. Conditions 8 to 16 have been agreed with the Police Authority. Conditions 17 to 21 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. <u>Members Decision Making</u>

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: 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



↔ 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

additio	onal	sheet	s if necessary.				
You m	nay v	vish to	keep a copy of the comple	ted for	m for	your records	3.
apply premi applic section	(Inse for ises catio on 12	ert nar a prei desci on to y 2 of th	cimited ne(s) of applicant) mises licence under section ribed in Part 1 below (the produce as the relevant licensing Act 2003 res details	premis	ses) a	ind I/we are	making this
desc	riptio		of premises or, if none, ord	Inance	surve	ey map refere	ence or
Post	t tow	/n	London			Postcode	E8 3QE
Tele	phor	ne nun	nber at premises (if any)	Non	e		
Non-	-dom	estic	rateable value of premises	£ 29,5	00		
	e sta	ite wh	int details ether you are applying for a	premi	ses li	cence as	Please tick as
a)	an	individ	lual or individuals *			please com (A)	plete section
b) a person other than an individual *					(7 1)		
	i ii iii	partr as a liabili	limited company/limited liab ership partnership (other than limit ty) n unincorporated association	ted		(B) please com (B)	plete section plete section plete 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) yes to one box below): I am carrying on or proposing to carry on a busin 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 Maje	ess which involves the use
(A) INDIVIDUAL APPLICANTS (fill in as applicable	le)
Mr Mrs Miss Ms	Other Title (for example, Rev)
Surname First r	names
Date of birth I am 18 years old or	r over 🔲 Please tick yes
Nationality	
Current residential address if different from premises address	
Post town	

				1				
Daytime co	ontact	tele	phone					
E-mail add (optional)	ress							
online righ	t to wo	ork c	demonstrati checking se service (ple	rvice)	, the 9-d	igit '	share code	e' provided to
SECOND IN	DIVIDU	JAL	APPLICAN	Γ (if ap	oplicable))		
Mr 🗌	Mrs [Miss		Ms 🗌		ner Title r example, v)	
Surname					First n	ame	es	
Date of bir	th		I am 1	8 yeaı	rs old or	over	☐ Ple	ase tick yes
Nationality	,							
Current pos address if d from premis address	ifferen	t						
Post town							Postcode	
Daytime co	ontact	tele	phone					
E-mail add (optional)	ress							
online righ	t to wo	ork c	demonstrati hecking se service (ple	rvice)	, the 9-d	igit '	share code	e' provided to
(B) OTHER	APPLIC	CAN	тѕ					
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 Both / And L	imited							

Address 198 Hackney Road
Registered number (where applicable) 11056226
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any)
E-mail address (optional)
Part 3 Operating Schedule
When do you want the premises licence to start? DD MM YYYY 0 1 0 1 2 0 2 3
If you wish the licence to be valid only for a limited period, when do you want it to end?
Please give a general description of the premises (please read guidance note 1) A restaurant and bar on the ground floor/street level at 217 Mare Street comprising of various seating areas: a private dining room with anticiated capacity for a maximum of 16; a bar with high tables with anticipated capacity of maximum of 12 seated and 12 standing; a general restaurant area with anticipated capacity for maximum of 32 seated; a courtyard area at the rear which is only accessible from inside the restaurant with anticipated capacity of of 28 seated and 12 standing, and a pending application for tables with antipated maximum capacity 6 seated on the street outside. We anticipate a more mature and refined customer profile to whom we will be serving fine natural and organic wines, beers, spirits and cocktails. Our customers will be primarily seated and dining with limited space for vertical drinking or dining.
If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

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

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

Pro 2)	vision of regulated entertainment (please read guidance note	Please that app	all
a)	plays (if ticking yes, fill in box A)		
b)	films (if ticking yes, fill in box B)		
c)	indoor sporting events (if ticking yes, fill in box C)		
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)		
e)	live music (if ticking yes, fill in box E)		
f)	recorded music (if ticking yes, fill in box F)		
g)	performances of dance (if ticking yes, fill in box G)		
h)	anything of a similar description to that falling within (e), (f) o (if ticking yes, fill in box H)	r (g)	
Pro	vision of late night refreshment (if ticking yes, fill in box I)		\boxtimes
Sup	oply of alcohol (if ticking yes, fill in box J)		\boxtimes

In all cases complete boxes K, L and M $\,$

Plays Standard days and timings (please read guidance note 7)		ead	Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors		
guidai				Outdoors		
Day	Start	Finish		Both		
Mon			Please give further details here (please note 4)	read guidanc	e	
Tue						
Wed			State any seasonal variations for performing plays (please read guidance note 5)			
Thur						
Fri			Non-standard timings. Where you interpremises for the performance of plays a times to those listed in the column on the list (please read guidance note 6)	at different		
Sat						
Sun						

Films Standard days and timings (please read quidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
guidance note 7)				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please r note 4)	ead guidance	
Tue					
Wed			State any seasonal variations for the extended (please read guidance note 5)	hibition of file	ms
Thur					
Fri			Non-standard timings. Where you inten premises for the exhibition of films at di those listed in the column on the left, ple read guidance note 6)	fferent times	
Sat					
Sun					

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			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed			
Thur			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)
Fri			
Sat			
Sun			

Boxing or wrestling entertainments Standard days and timings (please read		and	Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
timings (please read guidance note 7)			read galdanes note of	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please ronote 4)	ead guidance	9
Tue					
Wed			State any seasonal variations for boxing entertainment (please read guidance note		9
Thur					
Fri			Non-standard timings. Where you intend premises for boxing or wrestling enterta different times to those listed in the colu please list (please read guidance note 6)	inment at	eft,
Sat					
Sun					

Live music Standard days and timings (please read		read	Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
guidai	guidance note 7)		guidance note 3)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (pleas note 4)	e read guida	nce
Tue					
Wed			State any seasonal variations for the live music (please read guidance note 5		e of
Thur					
Fri			Non-standard timings. Where you int premises for the performance of live a different times to those listed in the c left, please list (please read guidance n	music at olumn on th	
Sat				,	
Sun					

Recorded music Standard days and timings (please read quidance note 7)		nd ead	Will the playing of recorded music take place indoors or outdoors or both – please tick (please read	Indoors	
guidar	uidance note 7)		guidance note 3)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please note 4)	read guidanc	e
Tue					
Wed			State any seasonal variations for the plane recorded music (please read guidance no		
Thur					
Fri			Non-standard timings. Where you interpremises for the playing of recorded me times to those listed in the column on the list (please read guidance note 6)	usic at differ	ent
Sat					
Sun					

Performances of dance Standard days and timings (please read		and	Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
	nce note 7			Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please note 4)	e read guida	nce
Tue					
Wed			State any seasonal variations for the particle (please read guidance note 5)	performance	e of
Thur					
Fri			Non-standard timings. Where you into premises for the performance of dance times to those listed in the column on list (please read guidance note 6)	e at differen	ıt
Sat					
Sun					

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of you will be providing	entertainme	ent
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please	Indoors	
Mon			tick (please read guidance note 3)	Outdoors	
				Both	
Tue			Please give further details here (please note 4)	read guidanc	e
Wed					
Thur			State any seasonal variations for enters similar description to that falling within (please read guidance note 5)		
Fri					
Sat			Non-standard timings. Where you interpremises for the entertainment of a sime to that falling within (e), (f) or (g) at different those listed in the column on the left, properties (please read guidance note 6)	nilar descript erent times t	ion
Sun					

Late night refreshment Standard days and timings (please read			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	\boxtimes
timings (please read guidance note 7)			(please read guidance note 3)	Outdoors	
Day	Start	Finish		Both	
Mon	22:00	00:00	Please give further details here (please note 4) Supply of alcohol	read guidan	се
Tue	23:00	00:00			
Wed	23:00	00:00	State any seasonal variations for the position night refreshment (please read guidance None		late
Thur	23:00	00:00			
Fri	23:00	00:00	Non-standard timings. Where you into premises for the provision of late nigh at different times, to those listed in the left, please list (please read guidance no	t refreshme column on	nt
Sat	23:00	00:00	None	,	
Sun	23:00	00:00			

Supply of alcohol Standard days and timings (please read		and	Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	
	nce note 7		read guidance note o)	Off the premises	
Day	Start	Finish		Both	
Mon	12:00	23:00	State any seasonal variations for the alcohol (please read guidance note 5)	supply of	
			None		
Tue	12:00	23:00			
Wed	12:00	23:00			
Thur	12:00	23:00	Non-standard timings. Where you int premises for the supply of alcohol at		
			to those listed in the column on the le		
Fri	12:00	23:00	(please read guidance note 6) None		
Sat	12:00	23:00			
Sun	12:00	23:00			

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 Eleanor Ward
Date of birth
Address
Postcode Postcode
Issuing licensing authority (if known)

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).
None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5) None
Day	Start	Finish	
Mon	08:00	00:00	
Tue	08:00	00:00	
Wed	08:00	00:00	
			Non-standard timings. Where you intend the
Thur	08:00	00:00	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)
Fri	08:00	00:00	None
Sat	08:00	00:00	
Sun	08:00	00:00	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

The supply of alcoholic beverages are for consumption primarily with a full meal with customers seated with limited space for vertical drinking and dining. We anticipate a more mature and refined customer profile and our products are priced towards the higher end. accordingly. The opportunity for public distrurbance or nuisance is minimal. The anticipated risk to public safety and harm to children is low. Our staff are fully trained to monitor the premises and customer behaviour continually. We carry out a continuous review of our practices and procedures with regard to all licensing matters. We have existing good relations with our neighbouring tenants which we intend to maintain and uphold.

b) The prevention of crime and disorder

Our customers will be primarily seated and dining with limited space for vertical drinking. We anticipate a more mature and refined customer profile. The interior design, lighting and layout will reinforce this. Overall capacity is limited. We do not promote excessive drinking. We provide free filtered drinking water. Dispersal at the end of trading hours will naturally be staggered and limited to small groups. There will be CCTV installed at the premises which will shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All staff are trained to carry out regular internal and external checks throughout operating hours. We will operate a zero tolerance policy to drugs and fully comply with any local policies where appropriate.

c) Public safety

We will ensure there are always sufficient floor staff in relation to the number of customers at all times. We do not anticipate a risk of overcrowding as customers will primarily be seated. We do no anticipate the need for customers to queue outside in large numbers or for long periods at any time. There are no known installations which may casue concern for safety. All staff are trained to carry out regular internal and external safety checks throughout operating hours. We have sufficient levels of both Public Liability and Employers Liability Insurance cover in place.

d) The prevention of public nuisance

Recorded music shall be played at background level only. Noise levels will be continuously monitored. All activities will begin to wind down one hour before closing. Large groups will not be encouraged and dipersal will be naturally limited to small numbers. No glasss, plastic or other open containers of food or drink are offered and we do not offer takeaway in disposable containers so any litter left outside our premises will be minimal and continally monitored by our staff. Any complaints of noise or other public disturbances will be investigated thoroughly and practices and procedures fro prevention continously reviewed as necessary.

e) The protection of children from harm

The supply of alcoholic beverages are aimed at mature customers for consumption primarily with a full meal and are priced towards the higher end. The Challenge 25 policy will be fully implemented and we will insist that all children under the age of 18 must be accompanied by an adult. There is no form of gambling or adult entertainment offered. It is not anticipated that the style of acolohic beverage available or the pricing will be attractive towards children under drinking age or young adults. As far as are aware there is no history of problems with underage drinking on the premises.

Checklist:

Please tick to indicate agreement

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

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

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

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

	 [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). 	
Declaration		
	 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 licesable 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	25/10/2022	
Capacity	Applicant / Business Owner	

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

Notes for Guidance

- 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 consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.

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

 (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
- 3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
- 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
- 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.

- 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
- 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
- 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
- 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
- 10. Please list here steps you will take to promote all four licensing objectives together.
- 11. The application form must be signed.
- 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
- 14. This is the address which we shall use to correspond with you about this application.

15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensing activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified) or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the
 passport as the child of the holder, is a British citizen or a citizen of the UK
 and Colonies having the right of abode in the UK [please see note below about
 which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.

- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit)
 issued by the Home Office to the holder indicating that the person named is
 allowed to stay indefinitely in the UK, or has no time limit on their stay in the
 UK.
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A full birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, when
 produced in combination with an official document giving the person's
 permanent National Insurance number and their name issued by a
 Government agency or a previous employer.
- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.

- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A current Immigration Status Document containing a photograph issued by
 the Home Office to the holder with an endorsement indicating that the named
 person may stay in the UK, and is allowed to work and is not subject to a
 condition preventing the holder from doing work relating to the carrying on of
 a licensable activity when produced in combination with an official document
 giving the person's permanent National Insurance number and their name
 issued by a Government agency or a previous employer.
- A Certificate of Application, less than 6 months old, issued by the Home
 Office under regulation 17(3) or 18A (2) of the Immigration (European
 Economic Area) Regulations 2006, to a person who is not a national of a
 European Economic Area state or Switzerland but who is a family member of
 such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary
 their permission to be in the UK with the Home Office such as the Home
 Office acknowledgement letter or proof of postage evidence, or reasonable
 evidence that the person has an appeal or administrative review pending on
 an immigration decision, such as an appeal or administrative review reference
 number.
- Reasonable evidence that a person who is not a national of an EEA state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
 - o evidence of the applicant's own identity such as a passport,
 - evidence of their relationship with the EEA family member e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the EEA national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii)studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv)self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

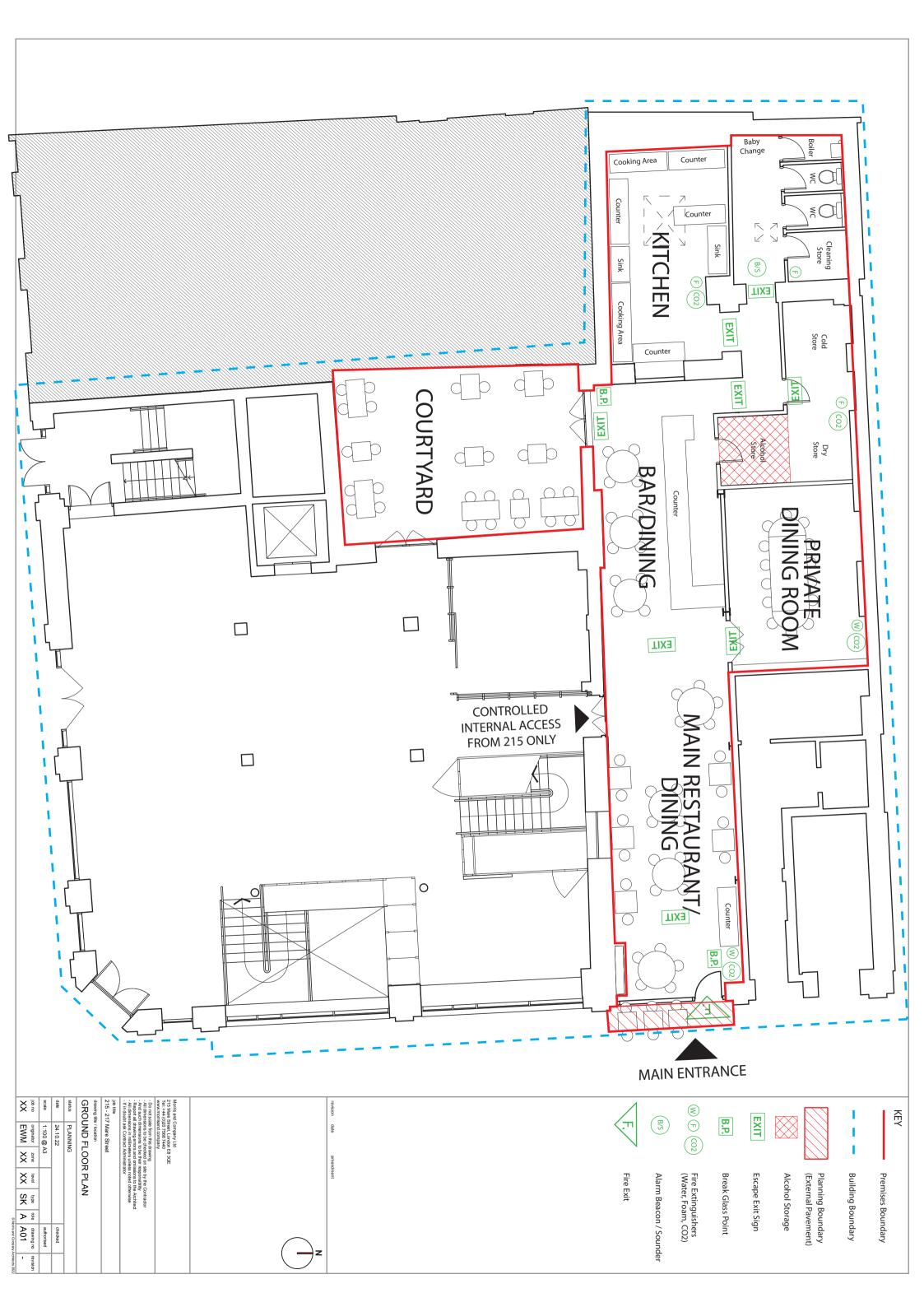
Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at https://www.gov.uk/prove-right-to-work) which, along with the applicant's date of birth (provided within his application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code form the service should submit copy documents as set out above.





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



Licensing Act 2003- Application for a Premises Licence Re: EDIT, 217 Mare Street, E8 3QE

1 message

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

19 November 2022 at 19:42

Dear Sanaria

Dear Sanaria

I hope you are well

However, the EP team has concerns regarding noise from the courtyard and external seating area. The applicant has stated the following:seated:

"a courtyard area at the rear which is only accessible from inside the restaurant with anticipated capacity of of 28 seated and 12 standing, and a pending application for tables with anticipated maximum capacity 6 seated on the street outside. We anticipate a more mature and refined customer profile to whom we will be serving fine natural and organic wines, beers, spirits and cocktails. Our customers will be primarily seated and dining with limited space for vertical drinking or dining"

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

I will object to the application and ask the applicant to 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

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

