

For Consideration By	Licensing Sub-Committee
Meeting Date	31st January 2023
Type of Application	Premises Licence
Address of Premises	The Barrel Boulangeria, 6 Whitmore Road, N1 5DT
Classification	Decision
Ward(s) Affected	Hoxton East and Shoreditch
Group Director	Rickardo Hyatt

#### 1. Summary

- 1.1. Mustafa Aslan has made an application for a premises licence under section 17 of the Licensing Act 2003.
- 1.2. The application seeks to authorise the supply of alcohol for consumption on and off the premises. The hours have been amended as agreed with the Public Health Authority.
- 1.3. The premises are not located within the special policy area.
- 1.4. The applicant is seeking authorisation for the following licensable activities and times:

Supply of Alcohol (On 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
Supply of Alcohol (Off sales)	Standard Hours:         Mon 07:00-23:00         Tue 07:00-23:00         Wed 07:00-23:00         Thu 07:00-23:00         Fri 07:00-23:00         Sat 07:00-23:00         Sun 07:00-23:00
The opening hours of	Standard Hours:

the premises	Mon 07:00-23:00
the premises	
	Tue 07:00-23:00
	Wed 07:00-23:00
	Thu 07:00-23:00
	Fri 07:00-23:00
	Sat 07:00-23:00
	Sun 07:00-23:00

1.5. The application is attached as Appendix A.

# 2. <u>Current Status/History</u>

- 2.1. The premises are not currently licensed for any activity.
- 2.2. No Temporary Event Notices were submitted for the current calendar year.

# 3. <u>Representations: Responsible Authorities</u>

From	Details
Environmental Health Authority (Environmental Protection)	Representation withdrawn following agreement of conditions. See Para 8.1 below
Environmental Health Authority (Environmental Enforcement)	Presentation withdrawn following agreed conditions. See Para 8.1 below
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	No representation received
Planning Authority	No representation received
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application
Police	Representation withdrawn following agreement of conditions. See Para 8.1 below
Licensing Authority	No representation received
Health Authority	Representation withdrawn following agreement of conditions

# 4. <u>Representations: Other Persons</u>

From	Details
2 Representations have been	Representations have been received on the
received from and on behalf of the	grounds of Public Safety and The Prevention of
Other Persons	Public Nuisance and the Prevention of Crime

Appendices **B1** and **B2**. and Disorder

#### 5. **Guidance Considerations**

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

#### 6. **Policy Considerations**

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

#### 7. Officer Observations

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

Supply of Alcohol(On/Both)

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

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

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or

supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or (ii) drink as much alcohol as possible (whether within a time limit or otherwise); (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

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

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

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

- 4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 5. 5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.

5.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

5.3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-

A. a holographic mark or

B. an ultraviolet feature.

6. The responsible person shall ensure that:

a. where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:

- beer or cider:1/2 pint;
- gin, rum, vodka or whisky: 25ml or 35ml; and
- still wine in a glass: 125ml; and

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

premises; and

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

#### **Minimum Drinks Pricing**

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

7.2 For the purposes of the condition set out in paragraph 7.1 above - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
(b) "permitted price" is the price found by applying the formula - P = D+(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 derived from operating schedule

8. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of 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. There shall be 'CCTV in operation' signs prominently displayed.

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

- all crimes reported to the venue
- any complaints received
- any incidents of disorder
- any faults in the CCTV system
- any refusal of the sale of alcohol
- any visit by a relevant authority or emergency service.

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

13.All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.

14.Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.

15.The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor.

16.All 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.

17. All off sales of alcohol are to be only with orders of food.

18. Notices shall be prominently displayed at any area used for smoking, requesting patrons to respect the needs of local residents and use the area quietly.

19. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.

20. Patrons permitted to temporarily leave and then re-enter the premises, eg. to smoke, shall not be permitted to take drinks or glass containers with them and restricted to a maximum of 4 people from 22:00 hours.

21. 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.

22. 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.

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 receptacles being carefully placed so as not to cause an obstruction or trip.

26. The current trade waste agreement/duty of care waste transfer document shall be conspicuously displayed and maintained in the window of the premises where it can be conveniently seen and read by persons standing in the Barrel Boulangeria. This should remain unobstructed at all times and should clearly identify:-

- the name of the registered waste carrier
- the date of commencement of trade waste contract
- the date of expiry of trade waste contract
- the days and times of collection
- the type of waste including the European Waste Code

# 8. **Reasons for Officer Observations**

8.1. Conditions 8 to 17 have been agreed with the Police Authority. Conditions 18 to 20 have been agreed with the Environmental Protection Authority and 21 to 26 have been agreed with the Environmental Enforcement Authority.

# 9. Legal Comments

- 9.1. The Council has a duty as a Licensing Authority under the Licensing Act 2003 to carry out its functions with a view to promoting the following licensing objectives;
  - The Prevention of Crime and Disorder
  - Public Safety
  - Prevention of Public Nuisance
  - The Protection of Children from Harm
- 9.2. It should be noted that each of the licensing objectives have equal importance and are the only grounds upon which a relevant representation can be made and for which an application can be refused or terms and conditions attached to a licence.

# 10. Human Rights Act 1998 Implications

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

# 11. Members Decision Making

11.1. **Option 1** 

That the application be refused

11.2. **Option 2** 

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

# 12. <u>Conclusion</u>

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: Representations from Other Persons 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

opendix A

#### 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 Mustafa Aslan

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with

section 12 of the Licensing Act 2003

#### Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description								
The Barrel Boulangeria 6 Whitmore Road								
Post town Hoxton Postcode N1 5DT								

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£4,300

#### Part 2 - Applicant details

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

- b) a person other than an individual \*
  - i as a limited company/limited liability partnership
  - ii as a partnership (other than limited liability)
- (B) d please complete section (B) or please complete section

(A)

 $\square$ 

- iii as an unincorporated association or
- ] please complete section (B)

please complete section

	iv other (for example a statutory corporation)	please complete section (B)
c)	a recognised club	please complete section (B)
d)	a charity	please complete section (B)
e)	the proprietor of an educational establishment	please complete section (B)
f)	a health service body	please complete section (B)
g)	a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales	please complete section (B)
ga)	a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England	please complete section (B)
h)	the chief officer of police of a police force in England and Wales	please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or  $\checkmark$ 

I am making the application pursuant to a

statutory function or

a function discharged by virtue of Her Majesty's prerogative

#### (A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr 🗹 Mrs 🗌	Miss 🗌 I	Ms 🗌 (fo	ther Title or example, ev)				
Surname: Aslan		First name	e <b>s:</b> Mustafa				
Date of birth:	l am 18 yea	rs old or ove	er 🗸 Plea	ase tick yes			
Nationality: British Citiz	en						
Current residential address if different from premises address							
Post town	London		Postcode	N1 5SR			

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

#### SECOND INDIVIDUAL APPLICANT (if applicable)

Mr 🗌	Mrs		Miss			Ms			er Title example, /)		
Surname First names											
Date of bir	th		١a	am 18	8 yea	ars ol	d or d	over	🗌 Ple	eas	e tick yes
Nationality	/										
Current por address if of from premi address	differen	t									
Post town									Postcode		
Daytime con number	ontact	tele	ohone								
E-mail add (optional)	Iress										
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)											

#### (B) OTHER APPLICANTS

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

Name

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

#### Part 3 Operating Schedule

When do you want the premises licence to start?

DD MN			Л		YΥ	ΥY	,
0	5	1	2	2	0	2	2

YYYY

MM

DD

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)

This premises is a organic market & cafe. The store will target customers looking for organic fruits and vegetables, craft beers, speciality wines, various high-end bakery and other such products. There is also seating area in front of the store where customers can sit down and have their meal & drinks.

This premises will be providing online deliveries such as Uber Eats and the off sale of alcohol will be only with food orders.

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 tic that apply	k 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) or (g) (if ticking yes, fill in box H)	
Pro	ovision of late night refreshment (if ticking yes, fill in box I)	
Su	pply of alcohol (if ticking yes, fill in box J)	$\checkmark$
In al	I cases complete boxes K, L and M	

Α

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 guidance	e
Tue					
Wed	·		State any seasonal variations for perfor (please read guidance note 5)	ming plays	
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			list (please read guidance note 6)		
Sun					

в

Films Standard days and timings (please read guidance note 7)		ead	Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
guidar	guidance note 7)			Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please renoted to a second please renoted please renoted to a second please renoted pl	ead guidance	
Tue			-		
Wed	•		State any seasonal variations for the ext (please read guidance note 5)	nibition of filr	ns
Thur					
Fri			Non-standard timings. Where you inten- premises for the exhibition of films at dir those listed in the column on the left, pla read guidance note 6)	fferent times	
Sat					
Sun					

С

Indoor sporting events Standard days and timings (please read guidance note 7)		ind read	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			

D

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	
	s (please nce note 7		Teau guidance note 3)	dance note 3) Outdoors	
Day	Start	Finish		Both	
Mon		<b>-</b>	Please give further details here (please r note 4)	ead guidance	<del>.</del>
Tue					
Wed			State any seasonal variations for boxing entertainment (please read guidance note		g
Thur					
Fri			Non-standard timings. Where you inten premises for boxing or wrestling enterta different times to those listed in the colu please list (please read guidance note 6)	inment at	
Sat	,				
Sun					

Live music Standard days and timings (please read guidance note 7)		read	Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
guiuai	nce 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	g	•			
Fri	<b>.</b>	•	Non-standard timings. Where you interpremises for the performance of live r different times to those listed in the c left, please list (please read guidance n	nusic at olumn on th	
Sat	<b>.</b>	•			
Sun		•			

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F

<b>Recorded music</b> Standard days and timings (please read guidance note 7)		nd ead	Will the playing of recorded music take place indoors or outdoors or both – please tick (please read	Indoors	
guidar	nce note 7)		guidance note 3)	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 playing of recorded music (please read guidance note 5)		
Thur	•				
Fri			Non-standard timings. Where you inten premises for the playing of recorded mu times to those listed in the column on the list (please read guidance note 6)	usic at differe	
Sat	•		nsi (please lead guidance hole 0)		
Sun					

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

G

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

Н

I

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	Indoors	
· · ·	timings (please read guidance note 7)		(please read guidance note 3)	Outdoors	
Day	Start	Finish		Both	
Mon		•	Please give further details here (please note 4)	e read guidan	ce
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur					
Fri			Non-standard timings. Where you interpremises for the provision of late nigh at different times, to those listed in the left, please list (please read guidance not state)	t refreshmer column on	nt
Sat					
Sun					

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	
	guidance note 7)			Off the premises	
Day	Start	Finish		Both	$\checkmark$
Mon	07:00	23:00	State any seasonal variations for the alcohol (please read guidance note 5)	supply of	
Tue	07:00	23:00	This premises will be providing online of as Uber Eats and the off sale of alcoho with food orders.		
Wed	07:00	23:00			
Thur	07:00	23:00	Non-standard timings. Where you interpremises for the supply of alcohol at to those listed in the column on the le	different tim	es
Fri	07:00	23:00	(please read guidance note 6) N/A		
Sat	07:00	23:00			
Sun	07:00	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: Mustafa	Aslan	
Date of birth:		
Address		
Postcode Personal licence	e number (if known)	
Issuing licensing	g authority (if known)	

J

# Κ

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

N/A

L

Hours	Hours premises are State any seasonal variations (please read guidance				
open to the public Standard days and timings (please read guidance note 7)			note 5)		
Day	Start	Finish			
Mon	07:00	23:00			
Tue	07:00	23:00			
Wed	07:00	23:00			
			Non-standard timings. Where you intend the		
Thur	07:00	23:00	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	07:00	23:00	N/A		
Sat	07:00	23:00			
Sun	07:00	23:00			

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

#### b) The prevention of crime and disorder

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

#### c) Public safety

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

#### d) The prevention of public nuisance

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

#### e) The protection of children from harm

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

#### Checklist:

#### Please tick to indicate agreement

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

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

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED. **Part 4 – Signatures** (please read guidance note 11)

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

	<ul> <li>[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).</li> </ul>	
Declaration		
	<ul> <li>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)</li> </ul>	
Signature	Ozlem Has	
Date	07/11/1022	
Capacity	Authorised Agent	

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)				
Atlas Licensing 453 West Green Road				
Post town	London	Postcode	N15 3PW	

Telephone number (if any)	02088817466
	espond with you by e-mail, your e-mail address
(optional) admin@atlaslice	nsing.co.uk

#### **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 23.1 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:-
  - 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.

Please find attached the new modified drawing that we believe will address the concerns raised.

The applicant has reduced the alcohol shelving space. He is also happy to have a condition attached that restricts sales of alcohol with food orders only. This is to apply to all sales of alcohol, on and off the premises. I would like to note that for a café, this store is not expected to have high volumes of deliveries, nowhere near to what a pizza deliveries or other businesses that fully rely on take-away sales normally have. Nor is it expected to have large numbers of customers in the late hours. It is a café, concentrating predominantly on breakfast and lunch trade. Dinner sales will be minimal. They will only be enough to cover the bills. Shortening those hours will only lead to shortening the employees shifts and as a result affecting their wages. Nothing else will be achieved by it.

The applicant is happy to maintain a good relationship with the residents as he is well aware that they – residents – will be his main customers. He has no incentive in alienating the people his business will rely on. The applicant will welcome any of the resident to contact him at any point for any concerns they may have, now or any time in the future.

We would be grateful if this information is relayed back to the objectors and hope to move on following their withdrawal from representations.





Kind Regards,

Ozlen Has

02088817466 admin@atlaslicensing.co.uk 453 West Green Road, London, N15 3PW Company Reg. 13463174

[Quoted text hidden]

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

BEW WR-0211-GFP.pdf

#### DRAWING SYMBOL KEY

# **GROUND FLOOR PLAN**



# Notes This drawing is not for construction. All dimensions are to be checked on site and the architect is to be informed

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



	AMBIT OF PREMISES
$\boxtimes$	ALCOHOL
	STORAGE
$\otimes$	WC AREA
s	SMOKE DETECTOR
Ą	CCTV
	FIRE EXT NGUISHER
S22	INTERNALLY ILLUMINATED FIRE ESCAPE SIGN

	PROJECT Ground Floor Plan	CL ENT		REV	
SHEET 1/1		DATE 02/11/2022	REFERENCE NUMBER WR-0211-GFP	ADA GROUP	
SCALE 1/100 @A3		DRAWN BY		453 West Green Road London N15 3PW	
0 1m 2m 3m 4m 5m	10m	CHECKED BY		info@adagroup.org.uk 0208 881 7466	ADAGROUP





# Fwd: Application under the Licensing Act 2003 - N1 5DT

1 message

Licensing (Shared Mailbox) licensing@hackney.gov.uk> To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk> 1 December 2022 at 11:14

Kind Regards,

Licensing Service London Borough of Hackney Tel: 020 8356 2431 Email: licensing@hackney.gov.uk www.hackney.gov.uk/licensing

- Forwarded message -From:

Date: Mon, 28 Nov 2022 at 20:47 Subject: Application under the Licensing Act 2003 - N1 5DT To: <licensing@hackney.gov.uk>

Dear Sir/Madam

We are writing to show our concern regarding the application made by; The Barrel BoulAngeria 6 Whitmore Road Hoxton N1 5DT

The application is to serve alcohol on and off the premises and our concern is that the area is a quiet residential area and this might cause some noise problems in the evening. Are there any possibilities to restrict the hours they can serve alcohol? Would be appreciated if this is taken into account when the application is reviewed.

Flat Whitmore Road Hoxton N1 5DT

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



Appendix B2

19 November 2022 at 17:13

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

# **Representations - The Barrel Boulangeria N1 5DT**

1 message

To: licensing@hackney.gov.uk

Hello

I would like to express my concerns over the present application by Mustafa Asian to the Licensing Authority of London Borough of Hackney

for a Premises Licence in respect of the premises known as The Barrel Boulangeria at 6 Whitmore road, Hoxton, N1 %DT for the licensable activities:

the sale by retail of alcohol on and off premises from 7am to 23.00 Monday to Sunday.

Sale of alcohol after 7pm would encourage noise, disorder and public nuisance in a residential area. The premises is based on the ground floor of a residential building and the noise late at night would cause great nuisance.

I would limite the sale of alcohol to not later than 7pm.

Thank you

Whitmore road N15DT

