

For Consideration By	Licensing Sub-Committee
Meeting Date	25th April 2023
Type of Application	Premises Licence
Address of Premises	263-265 Hackney Road, E2 8NA
Classification	Decision
Ward(s) Affected	Haggerston
Group Director	Rickardo Hyatt

1. **Summary**

- 1.1. Baran Yavuz has made an application for a premises licence under section 17 of the Licensing Act 2003.

2. **Application**

- 2.1. The application seeks to authorise live music , recorded music and the supply of alcohol for consumption on the premises on Monday to Saturday.
- 2.2. The premises are not located in the Special Policy Area.
- 2.3. The applicant is seeking authorisation for the following licensable activities and times:

Live Music	Standard Hours: Mon 18:00 - 23:00 Tue 18:00 - 23:00 Wed 18:00 - 23:00 Thu 18:00 - 23:00 Fri 18:00 - 23:00 Sat 18:00 - 23:00 Sun 18:00 - 23:00
Recorded Music	Standard Hours: Mon 07:00 - 00:00 Tue 07:00 - 00:00 Wed 07:00 - 00:00 Thu 07:00 - 00:00 Fri 07:00 - 00:00 Sat 07:00 - 00:00 Sun 07:00 - 00:00

Supply of Alcohol Off the premises	Standard Hours: Mon 10:00 - 00:00 Tue 10:00 - 00:00 Wed 10:00 - 00:00 Thu 10:00 - 00:00 Fri 10:00 - 00:00 Sat 10:00 - 00:00 Sun 10:00 - 00:00
Supply of Alcohol on premises	Standard Hours: Mon 12:00 - 00:00 Tue 12:00 - 00:00 Wed 12:00 - 00:00 Thu 12:00 - 00:00 Fri 12:00 - 00:00 Sat 12:00 - 00:00 Sun 12:00 - 00:00
The opening hours of the premises	Standard Hours: Mon 07:00 - 00:00 Tue 07:00 - 00:00 Wed 07:00 - 00:00 Thu 07:00 - 00:00 Fri 07:00 - 00:00 Sat 07:00 - 00:00 Sun 07:00 - 00:00

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

3. **Current Status/History**

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

3.2. No Temporary Event Notices were submitted for the premises in this calendar year.

4. **Representations: Responsible Authorities**

From	Details
Environmental Health Authority (Environmental Protection)	Representation received on the grounds of the prevention of public nuisance
Appendix B1 Environmental Health Authority (Environmental Enforcement)	Representation withdrawn following agreed conditions.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 received on the grounds of The Prevention of Crime and Disorder and The Prevention of Public Nuisance
Appendix B2	
Licensing Authority	Representation received on the grounds of The Prevention of Crime and Disorder and The Prevention of Public Nuisance
Appendix B3	
Health Authority	Representation withdrawn following applicant's agreement to start On Sale at 12noon

5. **Representations: Other Persons**

From	Details
Representation received from and on behalf of the Other Persons	None

6. **Guidance Considerations**

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

7. **Policy Considerations**

- 7.1. Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy) adopted by the Licensing Authority.
- 7.2. The Policy applies to applications where relevant representations have been made. With regard to this application, policies, LP1 (General Principles), LP2 (Licensing Objectives) , LP3 (Core Hours) and LP6(External Areas and Outdoor Events) are relevant.

8. **Officer Observations**

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

Mandatory Conditions-Supply of Alcohol (On and Off Premises)

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 must ensure that:

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

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

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

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

Minimum Drinks Pricing

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

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

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

(b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

(i) P is the permitted price,

(ii) D is the rate 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 7.2(b) above would (apart from

this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

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

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

Conditions derived from operating schedule

8. Staff training will be implemented with guidance and information provided to each employee.

9. The premises will have a fully functional CCTV system.

10. Customers will not be allowed to take bottles or glass drinks outside the premises.

11. Challenge 25 will be implemented strictly I.D and will be requested.

12. 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.

13. 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.

14. 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.

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

16. 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.

17. 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.

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

19. All staff will be given refresher training every six months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officers upon request.

20. There shall be no open containers or drinks taken outside the premises at any time.

21. Any off sales of alcohol will be in sealed containers only.

22. Alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are taking substantial table meals and that the consumption of alcohol by such persons is ancillary to taking such meals. The supply of alcohol shall be by waiter or waitress service only.

23. Alcohol supplied for Off Sales shall be in sealed containers and sold in conjunction with Take away delivery meals only.

24. There shall be no "bottomless brunch" events and/or promotions , this includes events and/or promotions where unlimited alcohol is supplied.

25. Challenge 25 scheme.

26. 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.

27. 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.

28. 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.

29. 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.

30. 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.

31. 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 263-265 Hackney Road. 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

9. **Reasons for Officer Observations**

8.1. Conditions 8 to 11 are derived from the applicant's operating schedule. Conditions 12 to 21 have been suggested by the Police Authority . Conditions 22 to 25 have been suggested by the Licensing Authority. Conditions 26 to 31 have been suggested by the Environmental Enforcement Authority and agreed by the Applicant.

10. **Legal Comments**

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

- Public Safety
- Prevention of Public Nuisance
- The Protection of Children from Harm

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

11. **Human Rights Act 1998 Implications**

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

12. **Members Decision Making**

12.1. **Option 1**

That the application be refused

12.2. **Option 2**

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

13. **Conclusion**

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

Appendices:

- Appendix A: Application for a premises licence and supporting documents
- Appendix B: Representations from Responsible Authorities.
- Appendix C: Location map

Background documents

Licensing Act 2003
LBH Statement of Licensing Policy

Report Author	Name: Sanaria Hussain Title: Senior Licensing Officer Email: sanaria.hussain@hackney.gov.uk Tel: 020 8356 4972
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Appendix A

Hackney
LA01

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We BARAN YAVUZ

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description 263 - 265 HACKNEY ROAD			
Post town	HACKNEY	Postcode	E2 8NA
Telephone number at premises (if any)		N/A	
Non-domestic rateable value of premises		£31,750	

Part 2 - Applicant details

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

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
- i as a limited company/limited liability partnership please complete section (B)
 - ii as a partnership (other than limited liability) please complete section (B)
 - iii as an unincorporated association or please complete section (B)

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

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

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/>		Other Title (for example, Rev)	
Surname YAVUZ		First names BARAN	
Date of birth XXXXXXXXXX		I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes	
Nationality BRITISH CITIZEN			
Current residential address if different from premises address		41 KINGSFIELD DRIVE	
Post town	ENFIELD	Postcode	EN3 6TY

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

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		<input type="checkbox"/>	Please tick yes
Nationality					
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

(B) OTHER APPLICANTS

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

Name

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	MM	YYYY
3	1	03 2023

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)
 PREMISES IS A COMBINED TWO UNIT RETAIL UNIT, WHICH IS BEING RE-BRANDED TO A LOCAL BRUNCH SPOT. THE UNIT WILL CATER A RANGE OF AGE GROUPS AND GROUPS AND INDIVIDUALS, THE UNIT WILL BE ABLE TO CATER FOR APPROX 70 PEOPLES SEATING AT ONE GIVEN TIME.

IT WILL BE OF INTEREST TO HAVE A RANGE OF OPTIONS ON THE MENU IN-ORDER TO GAIN INTEREST FROM DIFFERENT SOCIAL GROUPS.

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

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

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

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

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

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

B

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

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 5)
Tue			Non-standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)
Wed			
Thur			
Fri			
Sat			
Sun			

D

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

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 4)					
Mon	18:00	23:00						
Tue	18:00	23:00						
Wed	18:00	23:00				State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur	18:00	23:00						
Fri	18:00	23:00	Non-standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)					
Sat	18:00	23:00						
Sun	18:00	23:00						

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	07:00	00:00			
Tue	07:00	00:00	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Wed	07:00	00:00	Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Thur	07:00	00:00			
Fri	07:00	00:00			
Sat	07:00	00:00			
Sun	07:00	00:00			

G

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

H

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 entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed					
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					
Sat			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					

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) N/A					
Mon	10:00	00:00						
Tue	10:00	00:00						
Wed	10:00	00:00						
Thur	10:00	00:00				Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) N/A		
Fri	10:00	00:00						
Sat	10:00	00:00						
Sun	10:00	00:00						

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 BARAN YAVUZ	
Date of birth [REDACTED]	
Address [REDACTED]	
Postcode [REDACTED]	
Personal licence number (if known) [REDACTED]	
[REDACTED] authority (if known) [REDACTED]	

K

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

N/A

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) N/A
Day	Start	Finish	
Mon	07:00	00:00	Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6) N/A
Tue	07:00	00:00	
Wed	07:00	00:00	
Thur	07:00	00:00	
Fri	07:00	00:00	
Sat	07:00	00:00	
Sun	07:00	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)

STAFF TRAINING WILL BE IMPLEMENTED WITH GUIDANCE AND INFORMATION PROVIDED TO EACH INDIVIDUAL. CERTIFICATION WILL BE A MUST WHERE APPLICABLE TO THE INDIVIDUAL.

A BOOK WILL BE APPOINTED TO THE TEAM TO LOG ENTRIES OF INCIDENTS, PROBLEMS OR ALTERCATIONS, RELATIVE TO THE PREMISES LICENCE AND OPERATION.

b) The prevention of crime and disorder

ALCOHOL CONSUMPTION ON PREMISES WILL BE INTACT AND STRICTLY FOLLOW GOVERNMENT GUIDANCE AND RECOMMENDATION PER INDIVIDUAL. THE PREMISES WILL HAVE A FULLY FUNCTIONAL CCTV SYSTEM WHICH THE CUSTOMER WILL BE AWARE OF. THE LIMITED CONSUMPTION AND CCTV OPERATION SHOULD MAKE ANY INDIVIDUAL WITH A HARMFUL INTENTION TO RE-THINK AND BE HESITANT. IT IS A CONTROLLED ENVIRONMENT WITH A CUSTOMER BASE OF FAMILIES IN MAJOR.

c) Public safety

PUBLIC SAFETY WILL BE PROMOTED AND ENSURED FOLLOWED THROUGH WITH CORRECT MEASUREMENTS IN PLACE TO DO SO.

d) The prevention of public nuisance

THE CAFÉ WILL HAVE A GOOD RELATIONSHIP WITH THE LOCAL BOROUGH AND THE COMMUNITY ITSELF, AND WILL ALSO PROMOTE AND GUARD THE COMMUNITY SAFETY AS MUCH AS POSSIBLE.

IN ORDER TO PREVENT NUISANCE THE CAFÉ WILL ENSURE ALL MEMBERS WHOM DRINK WITHIN THE PREMISES LEAVE ALL GLASSES/BOTTLES WITHIN THE BUSINESS. AND ANY BEVERAGES BOUGHT FOR A TAKEAWAY WILL ONLY BE BOUGHT FOR THE USE OF DRINKING OUTDOORS AND NOT TO BE OPENED FROM BEFORE.

e) The protection of children from harm

THE PROTECTION OF CHILDREN RELATIVE TO THE ALCOHOL LICENCE WILL BE WITHIN GUIDANCE AS ONLY AGE APPROPRIATE CONSUMPTION WILL TAKE PLACE, AND OR OTHERWISE WITH GUARDIANS/CAREERS WHERE APPLICABLE.

THE CHALLENGE 25 RULE WILL BE IMPLEMENTED STRICTLY AND I.D WILL BE REQUESTED IF THERE IS SUCH DOUBT.

Checklist:

Please tick to indicate agreement


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

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


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


Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none">• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	27/02/2023
Capacity	70 PERSONS SEATING

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	27/03/2023
Capacity	70 PERSONS SEATING

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)


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

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.

NOTES:
DRAWINGS ARE TO SHOW ALL DIMENSIONS, SPACING AND GENERAL CONDITIONS ON SITE BEFORE WORKS COMMENCE AND WORK SHALL BE ARCHITECTS IMMEDIATELY UPON ALL WORKS ARE TO BE CARRIED OUT IN ACCORDANCE WITH CURRENT BUILDING REGULATIONS, BRITISH STANDARDS CODES OF PRACTICE AND RELEVANT LOCAL AUTHORITY REQUIREMENTS. THE CONTENTS OF THIS PLAN INCLUDING THE PRINTED NOTES ARE COPYRIGHT AND REPRODUCTION IN WHOLE OR PART IS NOT PERMITTED WITHOUT THE WRITTEN CONSENT OF STUDIO 7 ARCHITECTS IN WRITING.

DRAWING STATUS

PRELIMINARY	<input type="checkbox"/>	TENDER	<input type="checkbox"/>
PLANNING	<input type="checkbox"/>	BILLS OF QUANTITIES	<input type="checkbox"/>
BUILDING REGULATIONS	<input type="checkbox"/>	CONSTRUCTION	<input type="checkbox"/>
COMMENTS/REVISIONS	<input type="checkbox"/>	AS BUILT	<input type="checkbox"/>

REFERENCE
20221002-P105

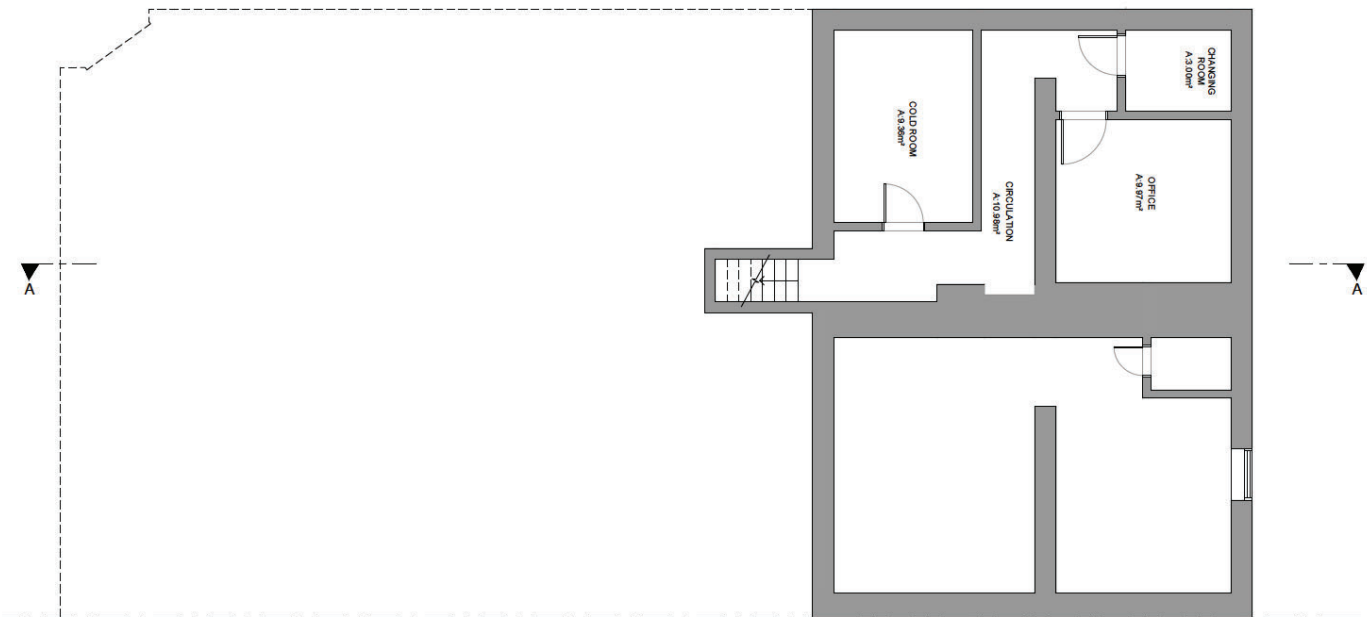
REVISION
R00

PROJECT
263-265 Hackney Road
Hackney, London
E2 8NA

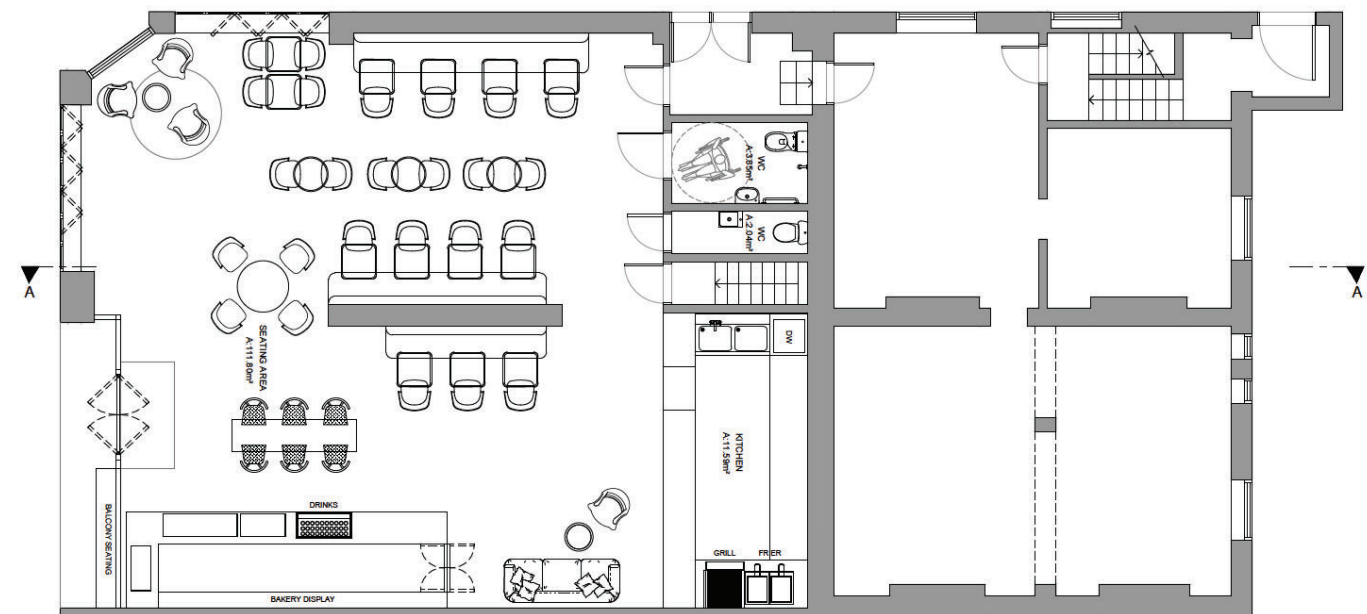
TITLE
Proposed Basement and
Ground Floor Plans

SCALE
A3 1:100
A1 1:50

DATE
13.10.22



Proposed Basement Plan



Proposed Ground Floor Plan

Appendix B1

Dear All,

[Quoted text hidden]
[Quoted text hidden]

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

NOTICE - This email and any attachments are solely for the intended recipient and may be confidential. If you have received this email in error, please notify the sender and delete it from your system. Do not use, copy or disclose the information contained in this email or in any attachment without the permission of the sender. Metropolitan Police Service (MPS) communication systems are monitored to the extent permitted by law and any email and/or attachments may be read by monitoring staff. Only specified personnel are authorised to conclude binding agreements on behalf of the MPS by email and no responsibility is accepted for unauthorised agreements reached with other personnel. While reasonable precautions have been taken to ensure no viruses are present in this email,

[Redacted]



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

28 March 2023 at 22:24

Good evening Sanaria

Hope you are well

The EP Team have concerns about live and recorded music and noise from patrons in the external areas. The applicant has not provided information to support the application on how they intend to manage the noise from both internal and external areas. The applicant is advised to contact me with more information on they will adhere to the Public Nuisance objective of the Licensing Act 2003

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

[Redacted]

Appendix B2

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Metropolitan Police service
ADDRESS OF AUTHORITY	Licensing Unit, Stoke Police Station 33 Stoke Newington High Street London N16 8DS
CONTACT NAME	PC 3288CE Amanda GRIGGS
TELEPHONE NUMBER	07884 561085
E-MAIL ADDRESS	hackneylicensing@met.police.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	263-265 Hackney Road London E2 8NA
NAME OF PREMISES USER	Baran Yavuz

COMMENTS

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

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

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

Police make the following representations in relation to the application for a Premises Licence at 263-265 Hackney Road, E2 for the following reason(s);

Police would like to meet with the applicant to discuss his plans and how the venue will operate in accordance with the Licensing Objectives.

Police would also like to discuss some conditions with the applicant that would hopefully be agreed to ensure he promotes the Licensing objectives at all times.

1.

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

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

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

Visit to the premises and agreement to conditions

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

Proposed Conditions for 263-265 Hackney Road

- 1) The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and

time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer.

- 2) 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.
- 3) An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:
 - all crimes reported to the venue
 - any complaints received
 - any incidents of disorder
 - any faults in the CCTV system
 - any refusal of the sale of alcohol
 - any visit by a relevant authority or emergency service.
- 4) There shall be clear and prominent signage asking all customers to leave quietly and respect local residents.
- 5) 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.
- 6) 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.
- 7) The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor.
- 8) All staff will be given refresher training every six months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request.
- 9) There shall be no open containers or drinks taken outside the premises at any time.
- 10) Any off sales of alcohol will be in sealed containers only.

*** ADDITIONAL CONDITIONS MAY BE ADDED
FURTHER TO DISCUSSIONS WITH THE APPLICANT ***

Appendix B3

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Licensing Authority
ADDRESS OF AUTHORITY	Licensing Service 1 Hillman Street London E8 1FB
CONTACT NAME	Channing Riviere
TELEPHONE NUMBER	020 8356 4622
E-MAIL ADDRESS	Channing.riviere@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	263-265 Hackney Road Hackney London E2 8NA
NAME OF APPLICANT	Baran Yavuz

COMMENTS

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

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

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

The Licensing Authority has considered the application and raise the following points.

The application seeks hours for licensable activity beyond those set out in the Licensing Policy LP3. The Licensing Authority are concerned that this may lead to the Prevention of Public Nuisance Licensing objective being undermined.

The Licensing Authority notes "Off sales" of alcohol are also being applied for, the application suggests that the sales will only be in a sealed container. Would the applicant be prepared to regulate this activity via condition.

The application describes the premises as "Brunch spot", with this in mind would the applicant consider limiting alcohol sales to table meals and takeaway meals only. The Licensing Authority would also like the applicant to consider the non-promotion of bottomless brunches in order to promote the licensing objectives.

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

- *Alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are taking substantial table meals and that the consumption of alcohol by such persons is ancillary to taking such meals. The supply of alcohol shall be by waiter or waitress service only.*
- *Alcohol supplied for Off Sales shall be in sealed containers and sold in conjunction with Take away delivery meals only.*
- *There shall be no "bottomless brunch" events and/or promotions , this includes events and/or promotions where unlimited alcohol is supplied.*
- *Challenge 25 scheme.*
- *The hours sought in the application should be brought into alignment with the LP3 Core Hours Licensing Policy.*

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

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

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

The applicant should consider reducing the hours sought to hours that fit within the Core Hours Policy LP3.

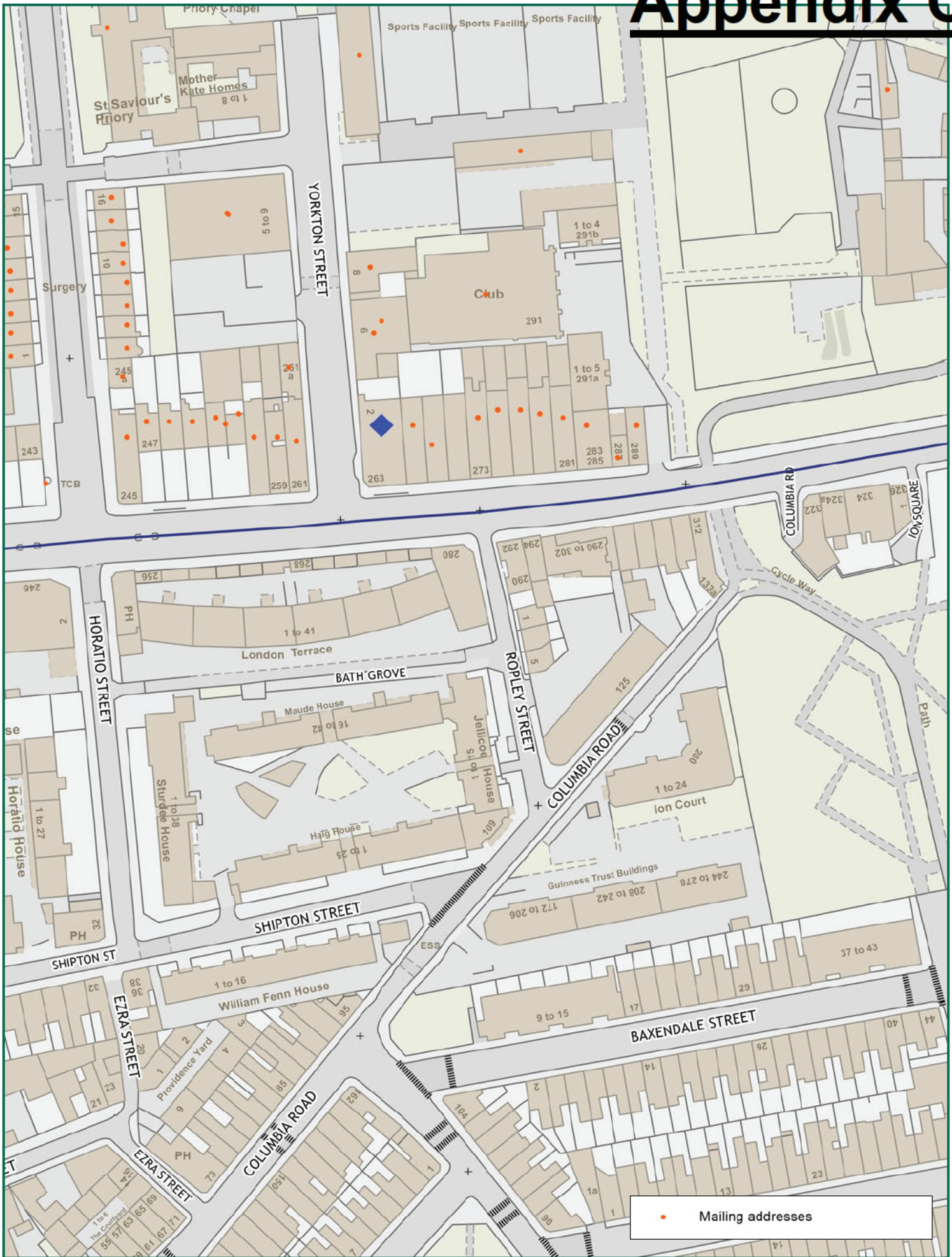
The applicant should consider if they would be prepared to amend the application to include the suggestions of the Licensing Authority.

The Licensing Authority is happy to discuss the application with the applicant.

Name: Channing Riviere (Principal Licensing Officer)

Date: 28/03/2023

Appendix C



● Mailing addresses

<p>NORTH</p>	<h2>263-265 Hackney Road</h2>		
<p>Scale: 1:1250 at A4</p>			
	<p>Ref: Tuesday, February 28, 2023</p>	<p>Produced by: unspecified email:</p>	<p>please specify copyright statement</p>