

<b>For Consideration By</b>	Licensing Sub-Committee
<b>Meeting Date</b>	30 May 2023
<b>Type of Application</b>	Variation to a Premises Licence
<b>Address of Premises</b>	King of Falafel, 297 Old Street, EC1V 9LA
<b>Classification</b>	Decision
<b>Ward(s) Affected</b>	Hoxton East and Shoreditch
<b>Group Director</b>	Rickardo Hyatt

1. **Summary**

- 1.1. This is an application to vary a premises licence to extend the hours for late night refreshment on Monday to Sunday.

2. **Application**

- 2.1. Mr Mohammed Samman has made an application to vary a premises licence under section 34 of the Licensing Act 2003.
- 2.2. The Premises are located in the Special Policy Area(SPA).
- 2.3. The applicant is seeking variation to vary licensable activities and times, as follows:-

<b>Late Night Refreshment</b>	<b>Standard Hours:</b> Mon 00:01-03:00 Tue 00:01-03:00 Wed 00:01-03:00 Thu 00:01-03:00 Fri 00:01-03:00 Sat 00:01-04:00 Sun 00:01 -03:00
<b>The opening hours of the premises</b>	<b>Standard Hours:</b> Mon 08:00-03:00 Tue 08:00-03:00 Wed 08:00-03:00 Thu 08:00-03:00 Fri 08:00-03:00 Sat 08:00-04:00 Sun 10:00-03:00

- 2.4. The application is attached as Appendix A.

3. **Current Status/History**

3.1. The current premises licence was granted on 13 October 2022. The licence was transferred to the current licensee in July 2022 (Attached is a copy of the Summary decision - Appendix C).

3.2. No Temporary Event Notices were submitted for the premises in 2023.

4. **Representations: Responsible Authorities**

<b>From</b>	<b>Details</b>
Environmental Health Authority (Environmental Protection)	Have confirmed no representation on this application
Environmental Health authority (Environmental Enforcement)	Have confirmed no representation on this application
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	No representation received
Planning Authority	No representation received
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application
Police	Representation on the ground of the Prevention of Crime and Disorder and The Prevention of Public Nuisance
<b>Appendix B1</b> Licensing Authority	Representation on the ground of The Prevention of Public Nuisance
<b>Appendix B2</b> Health Authority	No representation received

5. **Representations: Other Persons**

<b>From</b>	<b>Details</b>
Representations received from and on behalf of local residents.	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) , LP10 (Special Policy Areas – Dalston and Shoreditch) are relevant.

## 8. **Officer Observations**

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

None.

## 9. **Reasons for Officer Observations**

- 9.1. Not Applicable

## 10. **Legal Comments**

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

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

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

## 11. **Human Rights Act 1998 Implications**

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

Appendix D: Location map

**Background documents**

Licensing Act 2003

LBH Statement of Licensing Policy

<b>Report Author</b>	Name: Sanaria Hussain Title: Senior Licensing Officer Email: sanaria.hussain@hackney.gov.uk Tel: 02083562431
<b>Comments for the Group Director of Finance and Corporate Resources prepared by</b>	Name Title Email Tel
<b>Comments for the Director of Legal, Democratic and Electoral Services prepared by</b>	Name Title Email Tel

# Appendix A

**Hackney**  
LA07

**Application to vary a premises licence under the Licensing Act 2003**

## PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Mohammad Samman

*(Insert name(s) of applicant)*

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

Premises licence number 098268

### Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

King of Falafel,  
297 Old Street,  
EC1V 9LA

Post town

Postcode

EC1V 9LA

Telephone number at premises (if any)

Non-domestic rateable value of premises

£

### Part 2 – Applicant details

Daytime contact telephone number

E-mail address (optional)

Current postal address if different from premises address

362 Camden Road, N7 0LG

Post town		Postcode	N7 0LG
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**Part 3 – Variation**

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

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

<p><b>Please describe briefly the nature of the proposed variation</b> (Please see guidance note 2)</p> <p>We require an extension of current opening hours only. We do not intend to change anything else other than opening hours, and intend to keep all other conditions set by the council the same as the initial hour extension which was granted on 14th October 2022. None of the conditions previously set would be affected by the hour extension</p>
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If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

#### Part 4 Operating Schedule

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

- | <b>Provision of regulated entertainment (Please see guidance note 3)</b>                                    | <b>Please tick all that apply</b> |
|---|-----------------------------------|
| a) plays (if ticking yes, fill in box A)  | <input type="checkbox"/>          |
| b) films (if ticking yes, fill in box B)  | <input type="checkbox"/>          |
| c) indoor sporting events (if ticking yes, fill in box C)   | <input type="checkbox"/>          |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)  | <input type="checkbox"/>          |
| e) live music (if ticking yes, fill in box E)   | <input type="checkbox"/>          |
| f) recorded music (if ticking yes, fill in box F)   | <input type="checkbox"/>          |
| g) performances of dance (if ticking yes, fill in box G)  | <input type="checkbox"/>          |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/>          |
| <b>Provision of late night refreshment</b> (if ticking yes, fill in box I)                                  | <input type="checkbox"/>          |
| <b>Supply of alcohol</b> (if ticking yes, fill in box J)  | <input type="checkbox"/>          |

**In all cases complete boxes K, L and M**

**A**

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



**B**

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

**C**

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

**D**

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

**E**

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

**F**

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

**G**

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

H

<p><b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)</p>			<p><b>Please give a description of the type of entertainment you will be providing</b></p>		
Day	Start	Finish	<p><b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><b>Please give further details here</b> (please read guidance note 5)</p>		
Wed					
Thur			<p><b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 6)</p>		
Fri					
Sat			<p><b>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</b> (please read guidance note 7)</p>		
Sun					

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	00:01	03:00	<b>Please give further details here</b> (please read guidance note 5) Food and drink will only be served inside the premises according to the conditions already set by the council from the initially granted hour extension.		
Tue	00:01	03:00			
Wed	00:01	03:00		<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 6) No seasonal variations	
Thur	01:01	03:00			
Fri	01:01	03:00		<b>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</b> (please read guidance note 7) Same as proposed hours. No non standard timings.	
Sat	01:01	04:00			
Sun	00:01	03:00			



**J**

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

K

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

NA

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon		3.00	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 7)
Tue		3.00	
Wed		3.00	
Thur		3.00	
Fri		3.00	
Sat		4.00	
Sun		3.00	

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

We do not intend on changing/removing any other condition already set on the license other than opening hours. All other conditions would remain the same. The extension of opening hours would not affect the current conditions set.

Please tick as appropriate

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

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

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

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

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

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

**c) Public safety**

**d) The prevention of public nuisance**

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

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Checklist:

**Please tick to indicate agreement**

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

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

**Part 5 – Signatures** (please read guidance note 12)

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

Signature	Mohammad Samman
Date	29/03/2023
Capacity	

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

Signature	
Date	
Capacity	

**Contact name (where not previously given) and address for correspondence associated with this application** (please read guidance note 15)

**Post town**

**Post code**

**Telephone number (if any)**

**If you would prefer us to correspond with you by e-mail, your e-mail address (optional)**

### Notes for Guidance

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

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

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

- any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  5. For example state 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.
  6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  8. 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.
  9. 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'.
  10. 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.
  11. Please list here steps you will take to promote all four licensing objectives together.
  12. The application form must be signed.
  13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
  14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
  15. This is the address which we shall use to correspond with you about this application.



# Appendix B1

## RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

### RESPONSIBLE AUTHORITY DETAILS

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

### APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	<b>Falafel House</b> <b>297 Old Street</b> <b>London</b> <b>EC1V 9LA</b>
NAME OF PREMISES USER	<b>Mohammed Samman</b>

### COMMENTS

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

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

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

**Police make the following representations in relation to the application to vary the Premises Licence at for The Falafel House, 297 Old Street, EC1V 9LA for the following reason(s);**

This premises is located in the middle of the Shoreditch Special Policy Area on an extremely busy stretch of a road that forms part of the 'Shoreditch Triangle'. The Shoreditch SPA was introduced as the council recognised that this area has a high level and density of licensed premises and suffers high levels of nuisance and disorder. Although this venue will not be selling alcohol, it will be dealing with the effects of the alcohol consumed over several hours in other venues. Police have serious concerns regarding the effect that this premises could have on the cumulative impact and the promotion of the licensing objectives should the hours here be extended.

They have offered no additional conditions or measures in order to mitigate their impact on the SPA and show how they will not add to the cumulative impact despite wanting a large extension, far outside core hours.

In the past the venue has been seen by police operating after hours, some of these prior to there being a licence at the venue, and a great deal more after a licence to sell hot food until midnight was issued.

Since they were granted hours at a sub-committee hearing on 13<sup>th</sup> October 2022 there have still been occasions when police have found them operating after their hours. Most recently on 18<sup>th</sup> February @ 0230hrs, 26<sup>th</sup> February @ 0155hrs and 11<sup>th</sup> March @ 0110hrs. On this last occasion a colleague walked into the venue, seeing only 2 members of staff behind the counter and no security in sight.

It is clear that despite being granted later hours the venue are still content to operate with a complete disregard of the licensing legislation, and the decision of the sub-committee in issuing them a licence.

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.

None

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

# Appendix B2

## 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	King of Falafel 297 Old Street EC1V 9LA
NAME OF APPLICANT	Mohammed Samman

### 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 application seeks to extend the hours of operation for the premises by an additional 3 hours on Sunday to Wednesday, 2 hours on Thursday and Friday and 3 Hours on Saturday.

The current licence already authorises licensable activity beyond the core hours outlined in the LP3 Core Hours section of the council's licensing policy for late night refreshment.

#### Current Authorisation - Late Night Refreshment

Mon:23:00 - 00:00

Tue:23:00 - 00:00

Wed:23:00 - 00:00

Thur:23:00 - 01:00

Fri:23:00 - 01:00

Sat:23:00 - 01:00

Sun:23:00 - 00:00

#### Applied For Authorisation - Late Night Refreshment

Mon:23:00 - 03:00

Tue:23:00 - 03:00

Wed:23:00 - 03:00

Thur:23:00 - 03:00

Fri:23:00 - 03:00

Sat:23:00 - 04:00

Sun:23:00 - 03:00

The premises are situated within the Shoreditch Special Policy Area (Shoreditch SPA); the Shoreditch SPA has been designated as such due to the impact of the number of premises within the area and their impact on the licensing objectives as well as the local amenity.

#### *"LP10 Special Policy Areas – Dalston and Shoreditch*

*It is the Council's policy that where a relevant representation is made to any application within the area of the Dalston SPA or Shoreditch SPA, the applicant will need to demonstrate that the proposed activity and the operation of the premises will not add to the cumulative impact that is currently being experienced in these areas. This policy is to be strictly applied.*

*It should also be noted that the;*

- quality and track record of the management;*
- good character of the applicant; and*
- extent of any variation sought*

*May not be in itself sufficient.*

*It should be noted that if an applicant can demonstrate that they will not add to the cumulative impact in their operating schedule and at any hearing, then the Core Hours Policy within LP3 will apply."*

The extension of authorised hours in the area increases the probability that persons are likely to remain in the area and not disperse, this leads to the further potential that the licensing objectives could be undermined, in particular the Prevention of Public Nuisance.

The Licensing Sub-Committee approved a variation of the premises licence on 13/10/2022. Since that time, colleagues in the Metropolitan Police have informed us that they have observed the premises operating beyond the current authorised hours of operation. The Licensing Authority was made aware of this activity in April 2023.

The Licensing Authority are concerned that, if the operator cannot comply with the current authorisation, how can we have confidence that they will comply with the hours of an extended authorisation.

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

The Licensing Act 2003, Statement of Licensing Policy 2018 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 if the hours sought are appropriate for the locality, opening until 03:00 on Sunday to Friday and 04:00 on Saturday seems excessive in the view of the Licensing Authority.

**Name:** Channing Riviere (Principal Licensing Officer)

**Date:** 02/05/2023



## LSC - 13.10.22 - Variation - King of Falafel, 297 Old Street, EC1V 9LA

6 messages

**Amanda Nauth** <amanda.nauth@hackney.gov.uk>  
To: Subangini Sriramana <Subangini.Sriramana@hackney.gov.uk>  
Cc: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>, Rabiya Khatun <rabiya.khatun@hackney.gov.uk>

13 October 2022 at 18:43

Hi Suba,

I confirm that the Licensing Sub-committee decided to grant the variation of the premises licence with the following amendments:

Late Night Refreshment

Sunday - Wednesday 23:00 - 00:00  
Thursday - Saturday 23:00 - 01:00

And the following conditions

- Food deliveries are not permitted. Pre-orders and collection only.
- Non-standard hours are not permitted.

Condition 12 amended to read as follows:

"12. All tables and chairs shall be rendered unusable after 23:00 hours each night. All food orders after 23:00 hours shall be for takeaway only".

Condition 13 amended to read as follows:

"13. After 23:00 hrs there shall be a maximum of 8 customers in the shop at any one time. This shall be monitored by at least one staff/door supervisor".

The decision will be issued as soon as possible.

Thank you for your help today.

Kind regards

**Amanda Nauth**

**Licensing and Corporate Lawyer**

For and on behalf of the Director of Legal, Democratic and Electoral Services

Chief Executive's Directorate

The London Borough of Hackney

1 Reading Lane

London E8 1GQ

Tel: 0208 356 6345

Fax: 0208 356 6174

Email: [amanda.nauth@hackney.gov.uk](mailto:amanda.nauth@hackney.gov.uk)

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

**Amanda Nauth** <amanda.nauth@hackney.gov.uk>  
To: Subangini Sriramana <Subangini.Sriramana@hackney.gov.uk>  
Cc: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>, Rabiya Khatun <rabiya.khatun@hackney.gov.uk>

13 October 2022 at 19:16

Hi Suba,

Following my last email today I omitted to add the following conditions to the conditions that I quoted to be added to the premises licence:

- An SIA Licensed Door Supervisor shall be on duty at the premises from 23.00 to 15 minutes after close on Friday, Saturday & Bank Holiday Sundays. The Door Supervisor shall clearly display their SIA Licence while on duty at the premises. The Door Supervisor must record details of their employment at the premises in the relevant section of the Incident Book including, name and full SIA Licence Number, phone number, dates & times of attendance, signature, and if employed by a Security Company the name & phone number of the Company.

- A minimum of three members of staff shall be on duty Friday & Saturday evenings after 23.00.

These conditions will be added to the decision also.

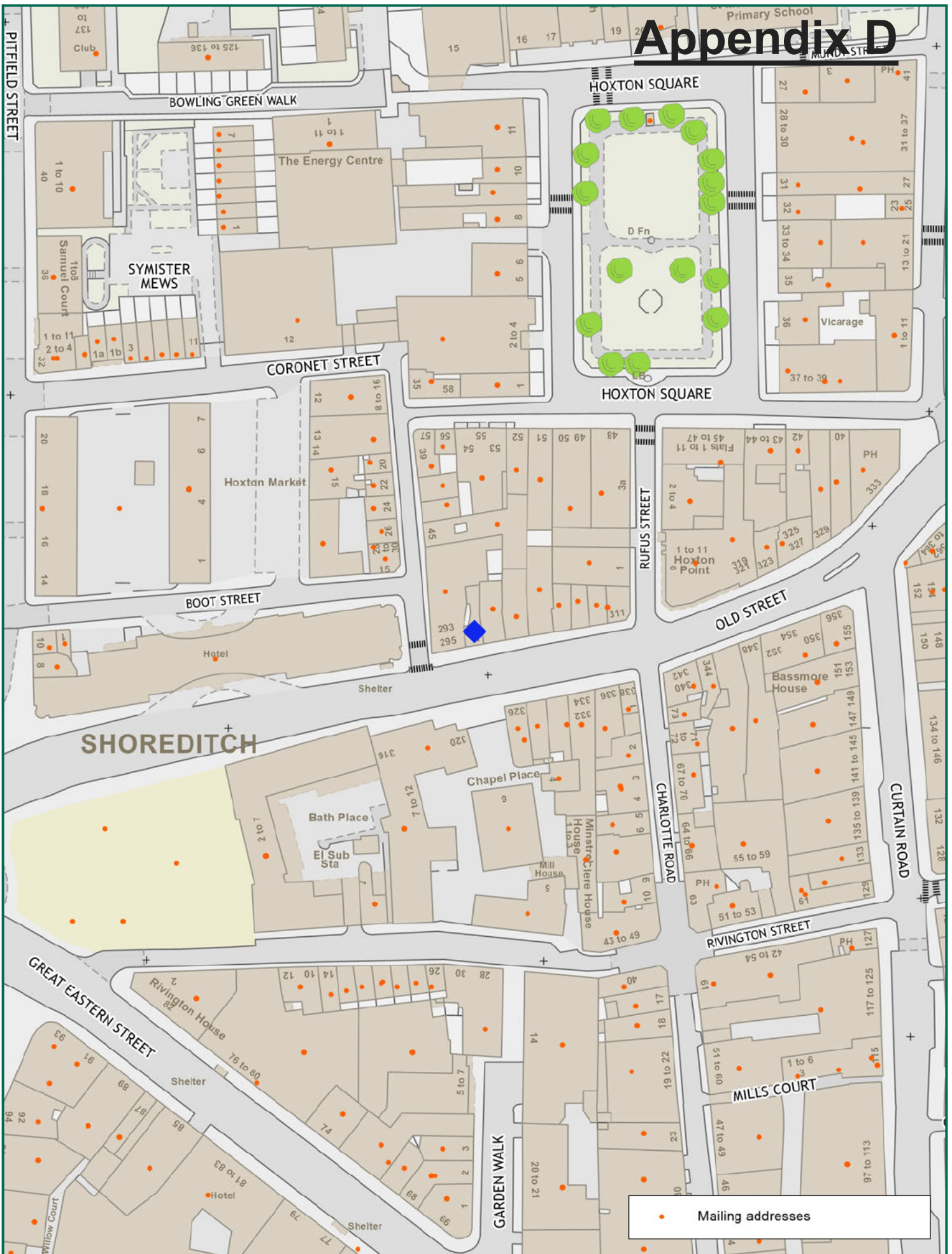
Kind regards

**Amanda Nauth**

**Licensing and Corporate Lawyer**

For and on behalf of the Director of Legal, Democratic and Electoral Services

# Appendix D



Scale: 1:1250 at A4

## 297 Old Street



Ref:  
Monday, October 3, 2022

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