

For Consideration By	Licensing Sub-Committee
Meeting Date	22 August 2023
Type of Application	Variation to a Premises Licence
Address of Premises	Artist Café, 311 Old Street, EC1V 9LA
Classification	Decision
Ward(s) Affected	Hoxton East and Shoreditch
Group Director	Rickardo Hyatt

1. **Summary**

- 1.1. This is an application to vary a premises licence to extend hours for late night refreshment on Monday to Sunday, to add supply of alcohol for consumption on and off the premises on Monday to Sunday and to remove condition 8 on the current licence.

2. **Application**

- 2.1. Mr Erol Sengul has made an application to vary a premises licence under section 34 of the Licensing Act 2003.
- 2.2. The applicant is seeking to remove condition 8 on the existing licence “all late night refreshment shall be for consumption off the premises only” and to extend hours for the following activities:

Late Night Refreshment	Standard Hours: Mon 23:00-01:00 Tue 23:00-01:00 Wed 23:00-01:00 Thu 23:00-04:00 Fri 23:00-04:00 Sat 23:00-04:00 Sun 23:00-01:00
Supply of Alcohol On and Off Premises	Standard Hours: Mon 10:00-23:00 Tue 10:00-23:00 Wed 10:00-23:00 Thu 10:00-23:00 Fri 10:00-23:00 Sat 10:00-23:00 Sun 10:00-23:00
The opening hours of	Standard Hours:

the premises	Mon 07:00-01:00
	Tue 07:00-01:00
	Wed 07:00-01:00
	Thu 07:00-04:00
	Fri 07:00-04:00
	Sat 07:00-04:00
	Sun 07:00-01:00

2.3. The application is attached as Appendix A. The applicant has not proposed any additional measures to address the licensing objectives

3. **Current Status/History**

3.1. The current premises licence was granted on 16th August 2011 (attached as attached Appendix C).

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

4. **Representations: Responsible Authorities**

From	Details
Environmental Health Authority (Environmental Protection)	Have confirmed no representation on this application
Environmental Health authority (Environmental Enforcement)	No representation received
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 ground of The Prevention of Crime and Disorder and The Prevention of Public Nuisance
Appendix B Licensing Authority	No representation received
Health Authority	No representation received

5. **Representations: Other Persons**

From	Details
5 representations received from and on behalf of local residents. Appendices D1 to D5	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and The Protection of Children from Harm.

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) and LP3 (Core Hours) 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: Current Licence
Appendix D: Representations from Other Persons
Appendix E: 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: 02083562431
Comments for the Group Director of Finance and Corporate Resources prepared by	Name Title Email

	Tel
Comments for the Director of Legal, Democratic and Electoral Services prepared by	Name Title Email Tel

Hackney
LA07

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Mr Erol Sengul

(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

LBH-PRE-T-1225

Part 1 – Premises Details

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

Artist Café
311 Old Street

Post town

London

Postcode

EC1V 9LA

Telephone number at premises (if any)

Non-domestic rateable value of premises

£17500

Part 2 – Applicant details

Daytime contact telephone number

E-mail address (optional)

Current postal address if different from premises address

[Redacted]

[Redacted]

[Redacted]

Post town	██████	Postcode	██████
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Part 3 – Variation

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

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

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

<p>Please describe briefly the nature of the proposed variation (Please see guidance note 2)</p> <p>Extending the late night refreshment hours Sun to Wed from 00:00 to 01:00 hours Thur to Saturday from 03:00 to 04:00 hours</p> <p>and</p> <p>Add alcohol consumption on/off the premises Monday to Sunday From 10:00 to 23:00 (framework hours)</p> <p>and</p> <p>removal of condition no:8 all late night refreshment shall be for consumption off the premises only.</p>

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

Part 4 Operating Schedule

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

- | Provision of regulated entertainment (Please see guidance note 3) | Please tick all that apply |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input 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"/> |
| Provision of late night refreshment (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| Supply of alcohol (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |

In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

E

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

F

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

G

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

H

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

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Mon	23:00	01:00	Please give further details here (please read guidance note 5) N/A		
Tue	23:00	01:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 6) N/A		
Wed	23:00	01:00	Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7) N/A		
Thur	23:00	04:00			
Fri	23:00	04:00			
Sat	23:00	04:00			
Sun	23:00	01:00			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>			
				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 6) N/A					
Mon	10:00	23:00						
Tue	10:00	23:00						
Wed	10:00	23:00						
Thur	10:00	23:00				Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7) N/A		
Fri	10:00	23:00						
Sat	10:00	23:00						
Sun	10:00	23:00						

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).

N/A

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) N/A
Day	Start	Finish	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) N/A
Mon	07:00	01:00	
Tue	07:00	01:00	
Wed	07:00	01:00	
Thur	07:00	04:00	
Fri	07:00	04:00	
Sat	07:00	04:00	
Sun	07:00	01:00	

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.

Condition No 8:

all late night refreshment shall be for consumption off the premises only.

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)

All the existing conditions will remain, apart from condition 8

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
<input type="checkbox"/>	I have made or enclosed payment of the fee; or	<input checked="" type="checkbox"/>
<input type="checkbox"/>	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.	<input checked="" type="checkbox"/>
<input type="checkbox"/>	I have sent copies of this application and the plan to responsible authorities and others where applicable.	<input checked="" type="checkbox"/>
<input type="checkbox"/>	I understand that I must now advertise my application.	<input checked="" type="checkbox"/>
<input type="checkbox"/>	I have enclosed the premises licence or relevant part of it or explanation.	<input checked="" type="checkbox"/>
<input type="checkbox"/>	I understand that if I do not comply with the above requirements my application will be rejected.	<input checked="" type="checkbox"/>

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

Part 5 – Signatures (please read guidance note 12)

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

Signature	
Date	16/06/2023
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 B

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	Artist Café 311 Old Street London EC1V 9LA
NAME OF PREMISES USER	Erol Sengul

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 Artist Café, 311 Old Street, EC1V 9LA for the following reason(s);

The venue is situated in the middle of the current Shoreditch Special Policy Area, and whilst there may be some time when the area is not strictly covered by this policy, there is no doubt that the area is one of a highly concentrated number of late night venues, which have a substantial negative impact on the area. The s.182 guidance highlights that in areas where the number, type or density of licensed premises, such as those selling alcohol or providing late night refreshment, is high or exceptional, serious problems of nuisance and disorder may arise outside or some distance from those premises. Such problems generally occur as a result of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times or when queuing at fast food outlets or for public transport. Police would therefore ask that if the applicant wishes to extend the hours in an area that has such a high concentration of licensed premises, that additional conditions are offered and measures are implemented to minimise their impact on this. At the time of the application and representations being made, the SPA is still in force and as such is applicable to this application.

The removal of condition 8 would allow customers to eat in the venue, as opposed to it operating purely as a takeaway once Late Night Refreshment hours are applicable. Police believe this will encourage people to continue to stay in the area late into the night rather than making their way home. The longer people congregate for, the more increased the risk of crime and disorder.

Police wholly object to the venue being granted a licence for off sales of alcohol. The area as previously mentioned is saturated with venues selling alcohol, another venue selling alcohol for people to drink on the streets of Shoreditch can only have a negative impact. Police are currently seeing an increase in numbers on the streets from earlier in the night, many of which are loitering without going into venues, and having off sales of alcohol can only encourage this. People drinking in the streets impacts on the levels of public nuisance with an increase in urination and littering on one end of the scale leading to disorder and violence at the other.

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.

Information as requested, reduction of hours, conditions as appropriate

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



This premises licence has been issued by:

Licensing Service
1 Hillman Street
London E8 1DY

PART A – PREMISES LICENCE

Premises Licence Number

LBH-PRE-T-1225

Part 1 – Premises details

Artist Cafe
311 Old Street
Hackney
London
EC1V 9LA

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Late Night Refreshment

The times the licence authorises the carrying out of Licensable activities

Late Night Refreshment	Standard Hours: Mon 23:00-00:00 Tue 23:00-00:00 Wed 23:00-00:00 Thu 23:00-00:00 Fri 23:00-03:00 Sat 23:00-03:00 Sun 23:00-00:00
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 07:00-03:00 Sat 07:00-03:00 Sun 07:00-00:00

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

Not Applicable

Part 2 –

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

Mr Erol Sengul
156 Worcester Point
Central Street
London
EC1V 8BJ

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

Not Applicable

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

Not Applicable

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

Licence No: Not Applicable
Issuing Authority: Not Applicable

Date of Grant: 4 October 2011

Signed:



**David Tuitt
Team Leader – Licensing**

Annex 1 - Mandatory Conditions

Not Applicable

Annex 2 – Conditions consistent with the Operating Schedule

1. All incidents of public disorder shall be reported to police.
2. No glass bottles shall be sold from the premises.
3. Facilities for the disposal of litter shall be provided within the premises.
4. Signage shall be displayed and maintained reminding patrons to leave the premises quietly and respect neighbours.

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

5. The premises shall maintain a CCTV system, covering the entrance/exit 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 on request of the Police or an authorised officer of the Licensing Authority. 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 the police recent data or footage with the absolute minimum of delay when requested.
6. All trade refuse is to be kept within the premises after 23.00 hours and there shall be no waste or recycling collections between 23.00 and 07.00 hours.
7. There shall be no use of the basement area for licensable activities.
8. All Late Night Refreshment shall be for consumption off the premises only.

Annex 4 – Plans

PLAN/LBH-PRE-T-1225/160811



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

Fwd: objection: Artist Cafe- 311 Old Street EC1V 9LA

1 message

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>
To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

4 July 2023 at 15:43

FYA

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: [REDACTED]
Date: Tue, 4 Jul 2023 at 15:13
Subject: objection: Artist Cafe- 311 Old Street EC1V 9LA
To: Licensing (Shared Mailbox) <licensing@hackney.gov.uk>
Cc: [REDACTED]

Dear Sir/Madam,

RE: Objection to the variation of premises licence at the Artist Cafe, 311 Old Street, London EC1V 9LA

I strongly object to the above application to extend late night refreshment hours Mon-Fri from 00:00 to 01:00hours, Thursday to Saturday from 03:00 to 04:00, Sunday from 0:00 to 04:00, Bank Holiday Mondays, New Year Eve 23:00 to 0:400. They are also applying for the supply of alcohol consumption on/off the premises Monday to Sunday 10.00 to 23.00. They are also asking for removal of condition no 8: all late-night refreshment shall be for consumption off the premises only.

As a resident, I object on the following grounds:



Special Policy Area and prevention of public nuisance and prevention of crime and disorder:

I believe the premises are in the current Special Policy Area (SPA) and so there should be a presumption that any licensing application beyond core hours should be rejected. There is already a saturation of licensed premises in the area and this will only increase the cumulative impact of late-night activities on residents. The current opening hours till 03:00 are already creating a nuisance by attracting people late into our streets. There should not be the possibility of consuming alcohol off premises at all.

The extended hours and the supply of alcohol will add to the pressure on residents with people gathering at the premises and then dispersing in the nearby streets. There are enough premises supplying alcohol in the area. Especially off-licences. Too many people in our area are buying alcohol and then drinking in the street with anti-social and rowdy behaviour, urinating, screaming, singing, using nitrous oxide in the street, playing loud music on portable loud speakers and dancing in the street late at night, etc. It would also attract cars passing by to buy alcohol or refreshments and then park late in my street as they do before going to clubs. They then play loud music in the car when they arrive, when they wait for their friends, when they leave etc. It makes it very difficult to sleep late at night. Enough late-night licenses please!

I ask the licensing committee to reject this application.

Yours sincerely,


Charlotte Road
London EC2A 

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



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

Fwd: Objection: Artist Cafe

1 message

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>
To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

10 July 2023 at 18:33

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: [REDACTED]
Date: Fri, 7 Jul 2023 at 10:32
Subject: Objection: Artist Cafe
To: Licensing <licensing@hackney.gov.uk>

I am writing to object to the application submitted by the Artist Cafe, [311 Old Street, EC1V 9LA](#).

The Cafe is already a source of noise and disturbance to neighbours on Rufus Street. This will only increase if late night refreshment is extended to the proposed hours of 1 AM Sunday to Wednesday and till 4 AM Thursday to Sat.

The Cafe is situated in the Shoreditch Special Policy Area with its high concentration of facilities offering late night alcohol sales and service. The trend seems to be for large groups of people to buy alcohol from the already numerous bars and off licenses in the area. They then stand and drink in the street, getting louder and louder as they become more inebriated. The crowd behaviour often escalates into drunken fights, drug taking, public urination and other anti social behaviour.

The Cafe is situation on the corner of Old Street with its heavy foot traffic and Rufus Street which leads into Hoxton Square. The Square is already a hot spot in terms of late night antisocial behaviour as a favourite spot for Nitrous oxide sellers to park their cars and sell their wares. The Square is primarily residential with young families, couples and older residents living there whose right to enjoy a peaceful abode is severely compromised by these late night antics.

In this context, there can be no justification for approving the Cafe's application for the supply of alcohol for consumption on and off the premises from 10 to 23 Monday to Sunday.

I ask the Committee to reject this application on the grounds that approving it will undermine the licensing objective grounds of : the prevention of crime and disorder, the prevention of public nuisance; public safety and the protection of children from harm.

Please do not share my personal details publicly.

Many thanks,

[REDACTED]
[Hoxton Square](#)
N1 [REDACTED]

[REDACTED]



Fwd: Objection to a licensing request for: Artist Cafe 311 Old Street London EC1V 9LA

1 message

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>
To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

13 July 2023 at 10:37

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: [REDACTED]
Date: Tue, 11 Jul 2023 at 16:50
Subject: Objection to a licensing request for: Artist Cafe 311 Old Street London EC1V 9LA
To: Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Hello

I would like to OBJECT to this license request for:

Application for variation of premises licence to extend late night refreshment till 01:00am Sun to Wed and till 04:00am Thur to Sat and to include the supply of alcohol for consumption on and off the premises from 10:00 to 23:00 Mon to Sun.

Due to the cumulative negative impact of business of this type in the Shoreditch Special policy area. I would like to object to this application.

- **the prevention of crime and disorder**

Shoreditch is already subject to some of the highest ASB and crime rates in the UK. This Venue will add further to those problems

- **the prevention of public nuisance**

Residents in the area of rufus street/ Charlotte Road and Hoxton Sq already suffer noise and waste pollution form this venues customers.

- **public safety**

This shop, is on a business road with a narrow pavement and a high set to enter the premises. This has resulted ina serious head injury to a female customer when she feel out of the door in the last 6 months

- **the protection of children from harm**

This venue is with 50 yards of a local primary school, there are many children in the area who are trying to sleep

Off site sales of alcohol fuel "preloading" in the area and are detrimental to crime reduction.

Therefore I would like to object to this license



Local Resident

I do not give permission for this email to be shared with the applicant

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



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

Fwd: Licence Application - Artist Cafe, 311 Old Street, EC1V 9LA

1 message

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>
 To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

18 July 2023 at 10:53

Kind Regards,

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

[REDACTED]
 Date: Fri, 14 Jul 2023 at 19:41
 Subject: Licence Application - Artist Cafe, 311 Old Street, EC1V 9LA
 To: licensing@hackney.gov.uk <licensing@hackney.gov.uk>

Dear Licensing Team

I am writing to make a representation against the granting of the premises licence variation for the Artist Cafe, on the corner of Old Street and Rufus Street – as further outlined below – applied for by Mr Sengul.

Premises:	Ward	Applicant(s):	Brief summary of application:	Closing date for representations:
Artist Cafe 311 Old Street London EC1V 9LA	Hoxton East and Shoreditch	Mr Sengul	Application for variation of premises licence to extend late night refreshment till 01:00am Sun to Wed and till 04:00am Thur to Sat and to include the supply of alcohol for consumption on and off the premises from 10:00 to 23:00 Mon to Sun.	17/07/2023

I am doing this on the basis of three out of the four permitted grounds for making representations:

- Prevention of public nuisance

Both Old and Rufus Streets are already high traffic areas, especially since the opening of the downstairs Cottons Club on Rufus Street last year, and as a result people congregate in the street (and on nearby Hoxton Square) after the area's bars and clubs close, continuing to drink and be loud late into the night. Often people will play music from their cars, as they eat, drink and smoke (tobacco, vapes and narcotics).

Not only is this problematic for the public in general but it directly affects me, as my bedroom overlooks the Artist Cafe, and thus I frequently have issues with being awoken from my sleep. Currently the only solace is the fact that I can usually get to sleep a little after midnight as noise starts to die down, however this will no longer be the case if the Artist Cafe is permitted to serve until 4am.

Aside from noise, despite the heroic efforts of Hackney's street cleaners, each morning also brings with it a flood of litter, bottles and vomit, which will only increase with the granting of permission for another late night venue in the area.

- Prevention of crime and disorder

This is primarily in relation to the permission sought for the supply of alcohol.

Allowing the service of alcohol, especially in the evenings, is increasing the risk that tensions in the area build and fights break out (as frequently occurs in the area) – and this is especially true for a small snack restaurant which, unlike the bars in the surrounding area, will not have bouncers or security staff to ensure orderly behaviour. Simply put, a restaurant such as the Artist Cafe is simply not set up to serve alcohol in this environment safely.

- Public safety

The floorplan of the Artist Cafe is very compact and thus the bulk of customers will order food and alcoholic beverages for consumption off site. Due to the narrowness of surrounding pavements this will mean that large number of customers may spill out into the road, being a danger to both themselves and road users. Given that the area is increasingly becoming a mecca for late night drunkenness some of these customers may themselves already be intoxicated, which only serves to increase these safety risks.

By way of comparison, a few doors down from the Artists Cafe is Amathus Drinks, an off licence. This shop is usually closed by 8pm (9pm on Fridays and Saturdays), which reduces the chances of its customers drinking in the street and causing a nuisance.

Allowing service of food and potentially even drink up to 9pm or so would seem a sensible compromise, but a late night offering as is being proposed by Mr Sengul would bring with it a dangerous level of negative externalities, with harmful impacts on the local area and the community that lives there.

As an aside, it's worth noting that a cafe is generally defined as a coffee shop or establishment selling coffee and sometimes other drinks or snacks, with a facility to consume them on the premises. As such, allowing the Artist Cafe to pivot to being a late night seller of both food and off premises liquor would be a substantial departure from its original purpose of a vendor of coffee, sandwiches and patisserie (which generally wrapped up by mid-afternoon).

Please let me know if you would like any further comments from me on this application, or need any clarification on the above.

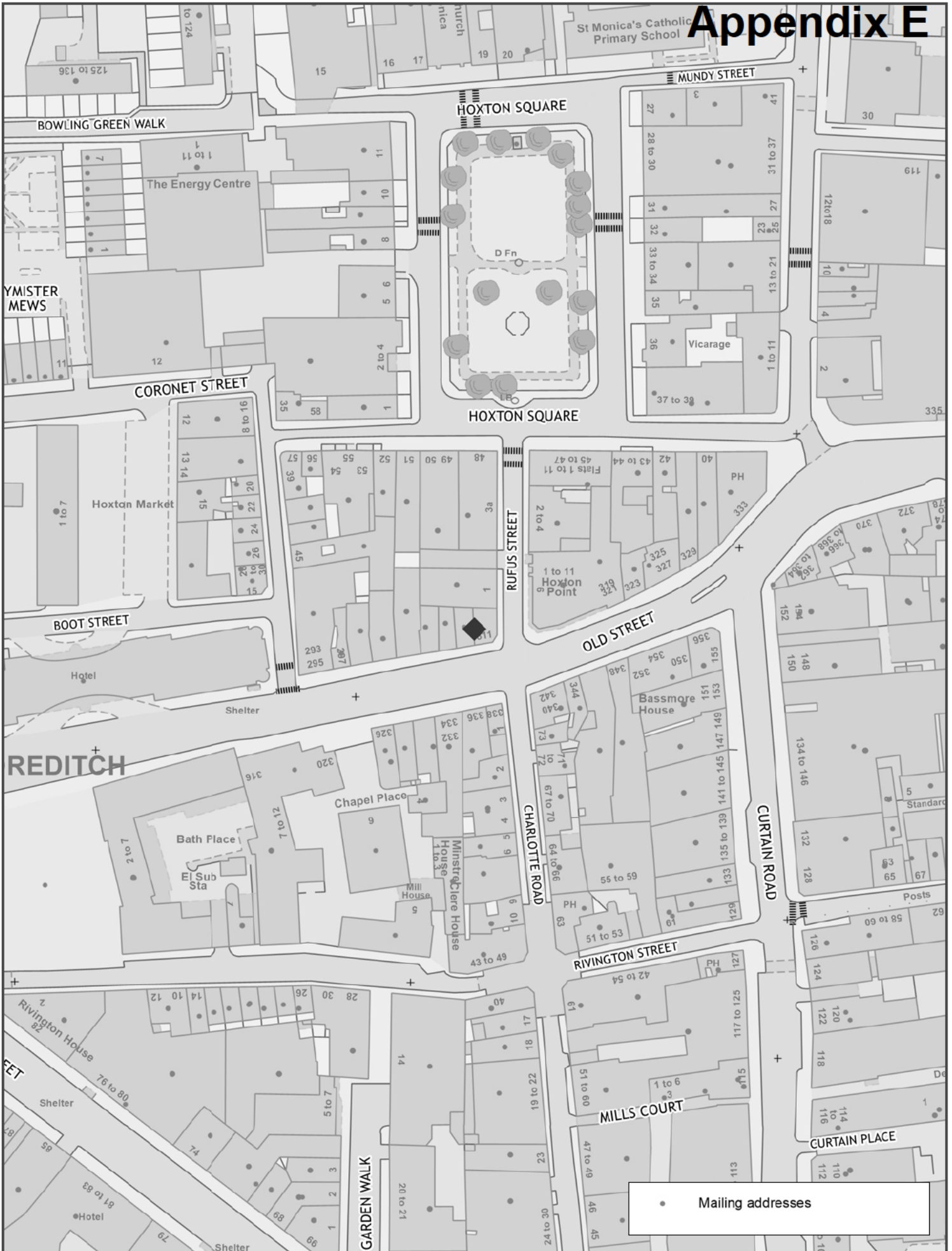
Kind regards

[REDACTED]

[REDACTED] Hoxton Square

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

Appendix E



Scale: 1:1250 at A4

311 Old Street



Ref:
Friday, August 11, 2023

Produced by: unspecified
email:

please specify copyright statement