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|-----------------------------|---------------------------------|
| For Consideration By | Licensing Sub-Committee |
| Meeting Date | 7 September 2023 |
| Type of Application | Premises Licence |
| Address of Premises | 63 Nevill Road, London, N16 8SW |
| Classification | Decision |
| Ward(s) Affected | Clissold |
| Group Director | Rickardo Hyatt |

1. **Summary**

- 1.1. This is an application for a premises licence to allow authorisation for the sale of alcohol on Monday to Sunday.

2. **Application**

- 2.1. Kellmans Group Ltd has made an application for a premises licence under section 17 of the Licensing Act 2003.
- 2.2. The applicant is seeking authorisation for the following licensable activities and times:

| | |
|--|---|
| Supply of Alcohol (On-sales) | Standard Hours: Mon 12:00-22:00 Tue 12:00-22:00 Wed 12:00-22:00 Thu 12:00-22:00 Fri 12:00-22:00 Sat 12:00-22:00 Sun 12:00-22:00 |
| The opening hours of the 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 |
|--|---|

2.3. The application is attached as Appendix A. The applicant has proposed some additional measures to address the licensing objectives.

3. **Current Status/History**

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

3.2. No temporary event notices have been given for this premises in last twelve months.

4. **Representations: Responsible Authorities**

| From | Details |
|--|--|
| Environmental Health Authority (Environmental Protection) | Have confirmed no representation based on agreed conditions as set out in para 8.1 |
| 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 | No representation received |
| Police | Representation withdrawn based on agreed conditions as set out in para 8.1 |
| Licensing Authority (Appendix B) | 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. |
| Health Authority | No representation received |

5. **Representations: Other Persons**

| From | Details |
|--|--|
| 5 representations received from and on behalf of local residents. (Appendices C1-C5) | 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), 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:

Supply of Alcohol(On/Both)

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

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

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

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

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

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. 5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.
5.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
5.3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
 - A. a holographic mark or
 - B. an ultraviolet feature.
6. The responsible person shall ensure that:
 - a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - beer or cider: 1/2 pint;
 - gin, rum, vodka or whisky: 25ml or 35ml; and
 - still wine in a glass: 125ml; and
 - a. these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - b. 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 amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(c) 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;

(d) "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;

(e) "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

(f) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

7.3 Where the permitted price given by Paragraph 8.2(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub- paragraph rounded up to the nearest penny.

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

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

Conditions derived from Responsible Authority representations

8. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer.
9. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.
10. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:
 - all crimes reported to the venue
 - any complaints received
 - any incidents of disorder
 - any faults in the CCTV system
 - any refusal of the sale of alcohol
 - any visit by a relevant authority or emergency service.
11. There shall be clear and prominent signage asking all customers to leave quietly and respect local residents.
12. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.
13. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.
14. The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor.
15. 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.
16. There shall be no open containers or drinks taken outside the premises at any time except to those seated in the outside seating area.

17. Alcohol shall not be sold or supplied for consumption on the premises other than to people taking a substantial table meal from the menu and that the consumption of such alcohol is ancillary to taking table meals. This shall be served by waiter/waitress service.

18. The garden shall not be accessed/used by customers at anytime.

9. **Reasons for Officer Observations**

9.1. Conditions (8) to (17) are agreed with the Police and condition (18) is agreed with the Environmental Protection team.

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: Representations from other persons

Appendix D: Location map

Background documents

Licensing Act 2003

LBH Statement of Licensing Policy

| | |
|--|--|
| Report Author | Name: Shan Uthayasangar Title: Licensing Officer Email: shan.uthayasangar@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
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 KELLMANS GROUP LTD

(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 63 NEVILL ROAD | | | |
| Post town | LONDON | Postcode | N16 8SW |

| | |
|---|------------|
| Telephone number at premises (if any) | ██████████ |
| Non-domestic rateable value of premises | £6000 |

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 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 residential 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)

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 KELLMANS GROUP LTD |
| Address 24 TIBBENHAM WALK LONDON E13 0TB |

| |
|--|
| Registered number (where applicable) 14383079 |
| Description of applicant (for example, partnership, company, unincorporated association etc.) LTD COMPANY |
| Telephone number (if any) [REDACTED] |
| E-mail address (optional) [REDACTED] |

Part 3 Operating Schedule

When do you want the premises licence to start?

| | | |
|----|----|--------|
| DD | MM | YYYY |
| 1 | 9 | 062023 |

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)

A small restaurant in Stock Newington, London on 63 Nevill Road. The area consists of a mixed residential and commercial properties some of which include an off-license, café and pubs. The restaurant is located on the ground floor of a two story town house. The restaurant will however, occupy the ground floor and basement. The premises being occupied contains the main restaurant with a kitchen, a seating area, a bar and a toilet. The basement will be used as a storage however, there is an additional toilet which will be used by staff and a garden. This premises was previously used as a restaurant.

We intend to provide meals and alcohol on the Ground floor Restaurant/Bar area. The bar area will be segregated by a bar counter and only authorised staff will be allowed in the area. All alcohol stock will be stored in the basement in a storage room that will be locked at all times and the key holder will be the duty manager.

The restaurant will cater to residents, guests, and diners who are interested in indulging in our tapas style menu. As Londoners, we aim to bring diversity and inclusion to the area and continue to promote the values of the Council and London as a whole.

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 | | | | | |
| | | | State any seasonal variations for performing plays (please read guidance note 5) | | |
| Tue | | | | | |
| | | | 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) | | |
| Wed | | | | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | | | |
| | | | | | |
| 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"/> |
| Day | Start | Finish | | Both | <input type="checkbox"/> |
| Mon | | | Please give further details here (please read guidance note 4) | | |
| | | | | | |
| Tue | | | State any seasonal variations for the exhibition of films (please read guidance note 5) | | |
| | | | | | |
| Wed | | | 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) | | |
| | | | | | |
| 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 | | | |
| Tue | | | State any seasonal variations for indoor sporting events (please read guidance note 5) |
| Wed | | | |
| Thur | | | |
| Fri | | | 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) |
| 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 | | | | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| Wed | | | | | |
| | | | | | |
| | | | State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5) | | |
| Thur | | | 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) | | |
| | | | | | |
| 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 | | | | | |
| Tue | | | | | |
| Wed | | | State any seasonal variations for the performance of live music (please read guidance note 5) | | |
| Thur | | | | | |
| Fri | | | | | |
| Sat | | | 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) | | |
| Sun | | | | | |
| | | | | | |

F

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|--|-------|--------|---|----------|--------------------------|
| 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 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 | | | | | |
| | | | State any seasonal variations for the playing of recorded music (please read guidance note 5) | | |
| Wed | | | | | |
| | | | | | |
| Thur | | | | | |
| | | | 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) | | |
| Fri | | | | | |
| | | | | | |
| Sat | | | | | |
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| Sun | | | | | |
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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 | Please give further details here (please read guidance note 4) | | |
| Mon | | | | | |
| | | | | | |
| Tue | | | | | |
| | | | State any seasonal variations for the provision of late night refreshment (please read guidance note 5) | | |
| Wed | | | | | |
| | | | | | |
| Thur | | | | | |
| | | | 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) | | |
| 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 checked="" type="checkbox"/> |
| | | | | Off the premises | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | State any seasonal variations for the supply of alcohol (please read guidance note 5) There will be seasonal variation in the supply of alcohol. Alcohol will be supplied from midday until 10pm. | | |
| Mon | 12 ----- 00 | 22 ----- 00 | | | |
| Tue | 12 ----- 00 | 22 ----- 00 | | | |
| Wed | 12 ----- 00 | 22 ----- 00 | | | |
| Thur | 12 ----- 00 | 22 ----- 00 | | | |
| Fri | 12 ----- 00 | 22 ----- 00 | | | |
| Sat | 12 ----- 00 | 22 ----- 00 | | | |
| Sun | 12 ----- 00 | 22 ----- 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) | | |

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 RANDY KELLMAN | |
| Date of birth ██████████ | |
| Address ██████████ ██████████ | |
| Postcode | ██████████ |
| Personal licence number (if known) ██████████ | |
| Issuing licensing authority (if known) ██████████ | |

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) No |
|---|-------|--------|--|
| 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 6) N/A |
| Mon | 10 | 23 | |
| | 00 | 00 | |
| Tue | 10 | 23 | |
| | 00 | 00 | |
| Wed | 10 | 23 | |
| | 00 | 00 | |
| Thur | 10 | 23 | |
| | 00 | 00 | |
| Fri | 10 | 23 | |
| | 00 | 00 | |
| Sat | 10 | 23 | |
| | 00 | 00 | |
| Sun | 10 | 23 | |
| | 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)

We are aware of the importance of adhering to these objectives in order to ensure the smooth operation of the restaurant and to ensure public safety. We intend on ensuring that all members of staff are trained adequately on how to prevent conflict and disorder, public safety, prevention of public nuisance and protection of children. Additional periodic refresher training sessions will be provided and new staff will be trained.

We will provide accessible training manuals and materials as well as aids to make it easier to fulfil the objectives and to prevent breach of said objectives.

We will also provide emergency contact details to staff should they face any concerns of criminal activities or disorder. All staff will be trained on good customer service which includes making sure there is order at the premises. Staff will also be trained to check IDs for any customers who appear to be under the age of 25 and alcoholic drinks will not be said if the customer is unable to prove their age.

We plan on displaying signs at point of sale such as "Challenge 25" posters.

b) The prevention of crime and disorder

Prevention of crime and disorder is very important to allow for a thriving and successful business. Crime and disorder of any form will be taken very seriously and staff will be trained to alert the police and other emergency service if necessary. Staff will be trained on all types of crimes including illegal use of drugs, financial, fraudulent activities and how to deal with such circumstances.

Staff will be trained to deescalate unpleasant situations and in some cases remove individuals who may be acting in a disorderly manner.

We will display signs within the restaurant highlighting we do not tolerate criminal activities on the premises such as the use of recreational drugs.

c) Public safety

Our aim as a business is to provide a great atmosphere for customers to enjoy a good meal in a safe environment. In ensuring that this aim is achieved, we will ensure all staff are trained on the safe handling of food and drinks. We will ensure all facilities are kept clean and tidy at all times and check that staff have the correct certification before working. We will make sure we are complying with all fire safety rules and use visual aid to inform customers and staff of their nearest fire exit as well as install fire safety equipment. Our staff will be trained on how to prevent common injuries likely to occur in a restaurant and if in the rare occasion that it happens, how to treat such injuries. The duty manager will be first aid trained and will also undergo a fire marshal training course.

d) The prevention of public nuisance

We will consider our neighbours when operating our business and will ensure that there the noise level is kept at a minimal. We have used acoustic panel in the restaurant which is geared towards absorbing noise and keeping it at a minimal. We will also ensure that our customers do not litter in the space outside the restaurant and should we find any customers who are behaving in a way we do not deem appropriate, we will try and speak to them.

We will follow all relevant rules and regulations required and address concerns of individuals appropriately.

We we display signage within the restaurant informing customers to respect our neighbours when leaving the restaurant.

e) The protection of children from harm

There will be no underage drinking at our premises and children of school age must be accompanied by an adult. We will ensure all bar staff have a personal alcohol licence and are able to prove by providing their certificates.

If there are any concerns about a child being in harms way, we will contact the police and other relevant authorities.

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).

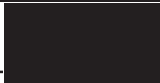
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS

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 | 19/06/2023 |
| Capacity | Director of Kellmans Group LTD and DPS |

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

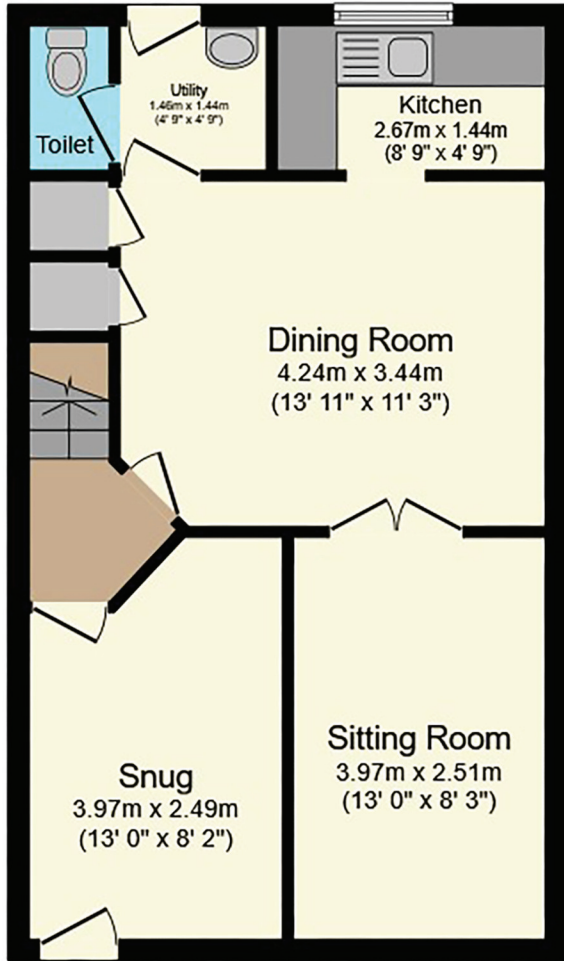
| | |
|-----------|--|
| Signature | |
| Date | |
| Capacity | |

| | | | |
|---|--|----------|--|
| Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) | | | |
| Post town | | Postcode | |
| Telephone number (if any) | | | |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional) | | | |

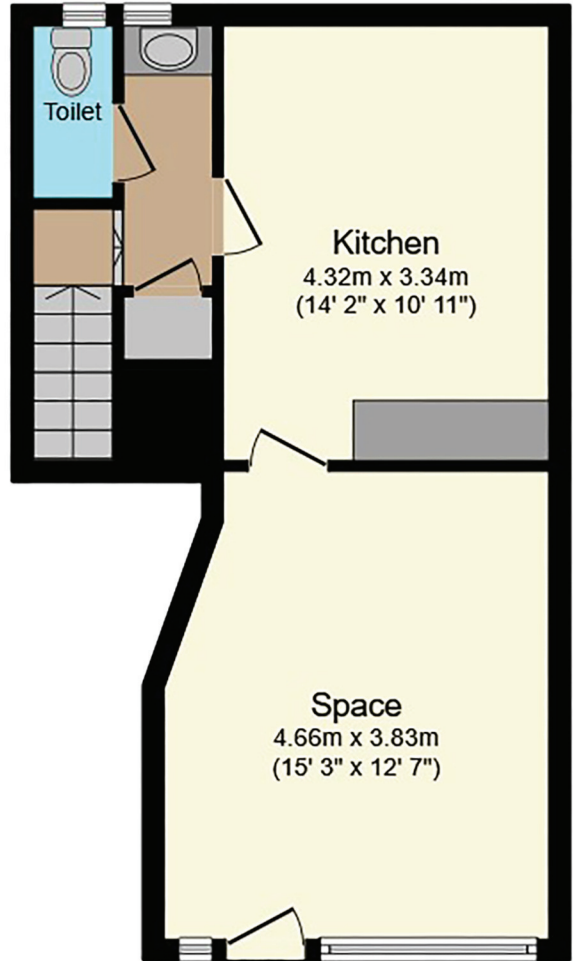
Notes for Guidance

- 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.
- 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:

63 Nevill Road, London N16 8SW Floor Plan



Basement



Shop

63 Nevill Road Premises Risk Assessment

| Risk | Level of Risk | Risk Components | Strategies | Actions | Responsibility | KPIs/Measures | Outcome Risk |
|---------------------------|---------------|--------------------------------------|---|--|-------------------------------------|--|--------------|
| Crime and Disorder | High | Violence between patrons | Monitor conflict | Staff will undergo training on conflict resolution and will be trained on how to defuse conflict immediately | Restaurant / Bar Staff / Management | Successful completion of training | Medium |
| | | Use of recreational drugs | Signage | Poster displayed in the restaurant highlighting we do not tolerate violence and the use of drugs | Management | Daily checks on signage | |
| Public Nuisance | High | Anti-social behaviour from customers | Ensuring responsible serving of alcohol | Refuse and stop the supply of alcohol to anyone that seems to be intoxicated | Restaurant / Bar Staff / Management | Intoxicated patrons not to be served alcohol | Medium |
| | | Customers disturbing | Signage | Signage displayed within | Restaurant / Bar Staff / | Daily checks on signage | Medium |

63 Nevill Road Premises Risk Assessment

| | | | | | |
|--------------------------|--------------------------------------|--|--|---|--|
| | neighbours when leaving the premises | Adequate supervision /Security | the premises and outside highlighting that customers respect the neighbours when leaving the premises | Management | |
| | | | Restaurant/Bar Staff will supervise customers leaving the premises Management will install CCTV | Restaurant / Bar Staff / Management | Carry out daily checks on procedures, signage and CCTV |
| | | | Bar staff will undergo APLH training ID checks will be enforced – No proof, no sale age verification Implementing “Challenge 25” age verification policy | Bar Staff / Management Bar Staff /Management Management | Carry out daily checks on procedure Bar staff / Management will undergo regular training Carry out daily checks on procedure |
| Underage Drinking | High | Minors present at the Restaurant / Bar | All ID'S to be checked of anyone under 25 years old | Bar Staff / Management | Medium |

63 Nevill Road Premises Risk Assessment

| | | | | | | | |
|---------------------|------|------------------------------|--|--|---|---|--------|
| | | | | | | | |
| Intoxication | High | Customers arrive intoxicated | Signage Refuse entry / Sell of alcohol | Displaying relevant signs at point of sale such as "Challenge 25" posters Staff to be vigilant. Staff will undergo training on conflict resolution and will be trained on how to defuse conflict immediately Information and Signage will be displayed | Management Restaurant / Bar Staff / Management | Carry out daily checks on procedure and signage Intoxicated customers are not served and may be refused entry into the premises or asked to leave the premises | Medium |
| | | | Set expectations Free potable water | Ensure that free potable water is on request for customers | Management Restaurant / Bar Staff / Management | Carry out daily checks on procedure and signage Check that there is Free potable water available before opening daily | |



Monday 24th July 2023

Licensing Service
Hackney Service Centre
1 Hillman Street
London
E8 1DY

Dear David,

We acknowledge receipt of your recommendation.

Attached is a copy of the revised floor plan, for your attention. Please note that the garden area will be closed to customer use and only occupied by staff members for in house activities.

In addition, there will be no off-sale of alcohol. All food, beverages and alcohol will only be sold and consumed on the premises within the operating hours and not after 10pm. The sale of alcohol will be available between 12pm – 10pm and consumed on the premises only. There will be no off-sales of alcohol. We have also taken into consideration the concerns of the residents and aim to work together in making this safe setting for customers of all ages. A fully trained member of staff will be available on site to operate the CCTV during operating hours.

As per your recommendations, we can confirm that there will be no business trading after 10pm and all windows and doors will be closed.

████████████████████
██

Please do not hesitate to contact me should you require any further information.

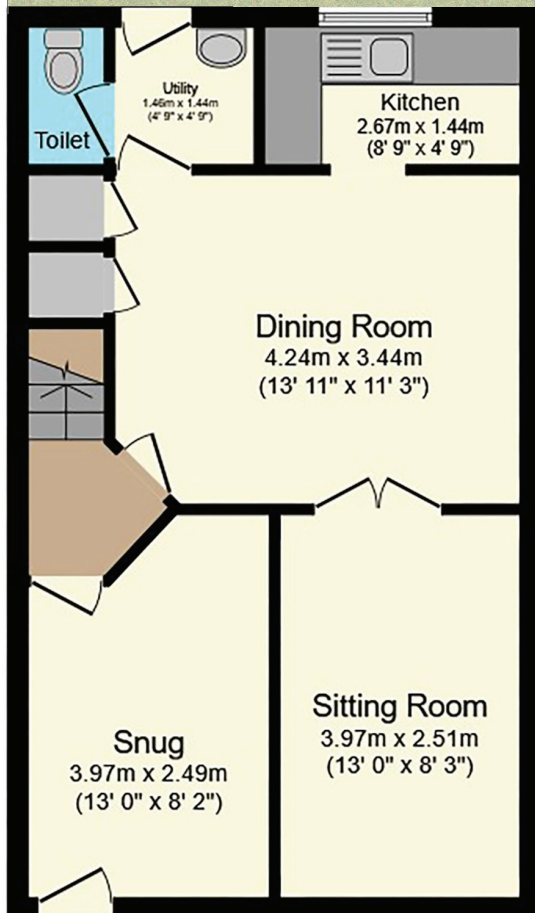
Sincerely,

Randy Kellman.

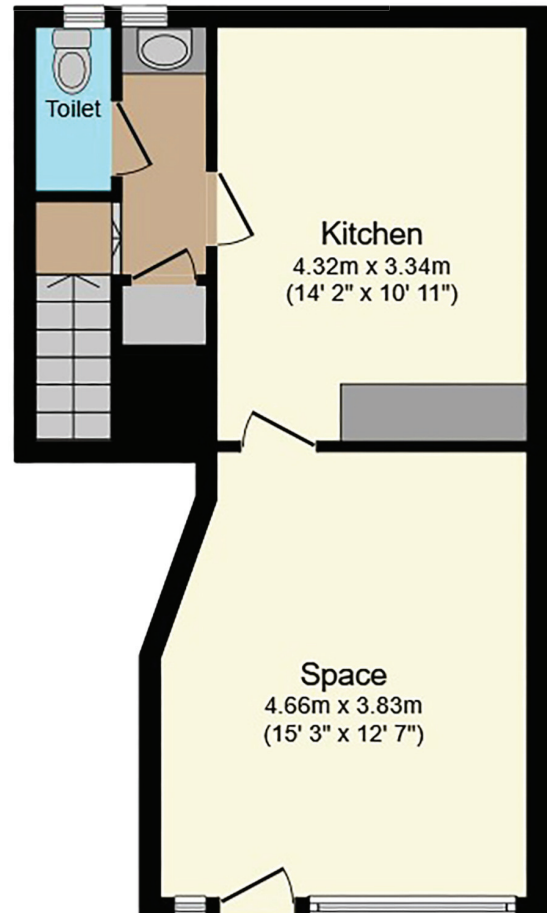
63 Nevill Road Revised Floor Plan



Garden
5.48m x 9.75m
(32' x 18')



Basement



Shop



KELLMANS

Thursday 24th August 2023

Dear Neighbors,

We acknowledge receipt of your letter.

I am writing to you with the sincerest gratitude and appreciation for welcoming us into your lovely neighbourhood. Nevill Road has become a second home to us and we couldn't be more grateful. We would also like to thank you for reaching out to express your concerns regarding the application for a premises alcohol license at 63 Nevill Road.

I understand from the responses that you are worried about the potential for late-night noise and disturbance from the business, and you believe that the location may not be suitable for a licensed premises.

After carefully considering the points, you have raised, I would like to address them individually. Firstly, you mentioned that this premises has not been able to sell alcohol in the past and has always operated as a daytime eating establishment. While this is true, as many of you may be aware, we have been lucky to work with the chefs from the previous business and are slowly building a clientele, both old and new. Although our initial plan was to grow our rum business, we have come to realise that the community is receptive to Caribbean food. We would like to continue working with our chef serving the community but also evolve and adapt to the changing needs of their customers. We aim to serve alcohol along with food. We hope to serve our own distilled alcohol which is bottled in small quantities.

████████████████████
██

Secondly, you pointed out that the area is a quiet residential street with a high density of residents, including families with young children. I completely understand your concern for maintaining the tranquillity of our neighbourhood. However, it is worth mentioning that responsible businesses can coexist harmoniously with residential communities. We reassure you that we have taken this into consideration and have no intentions of creating a loud late-night establishment. Our opening times will be from 9am where we will be serving coffee and pastries and close at 9pm. As you may have already seen, since we started trading, we have closed by 9pm with no issues.

Regarding the potential nuisance of noise and disruption, I assure you that I am fully aware of the importance of maintaining a peaceful environment. As stated in the paragraph above, we will take all necessary measures to minimise any potential disturbances. This includes implementing appropriate soundproofing measures by adding an additional glass to the windows within the premises and ensuring that any outdoor seating area is managed in a way that does not cause disturbance to our residential community. Additionally, I will closely monitor the behaviour of customers and take prompt action if any rowdy or antisocial behaviour occurs.

Furthermore, you mentioned that the premises is not standalone like some other alcohol-serving establishments in the area but is instead embedded in a residential block. While it is true that the premises is located within a residential block, it is important to note that businesses within such areas can still operate responsibly and considerately, ensuring that any potential noise or disturbance is minimized. We have now installed CCTV cameras on the inside and outside of the premises. I am dedicated to ensuring that my staff are trained to recognize and address any potential issues promptly. Furthermore, I will work closely with local authorities and adhere to all relevant regulations to ensure the safety and well-being of both customers and residents.

Regarding the specific concerns, I want to clarify that the license for alcohol consumption on the premises does indeed refer to inside the building and does not extend to the garden or the street in front of 63 Nevill Road. It is essential for me to maintain a controlled environment within the premises to minimise

any impact on our neighbourhood. We do not intend to use the garden for anything other than grilling and use by staff for breaks.

Regarding the garden, I understand that its proximity to your property and those of our neighbours creates a potential for noise amplification. As previously stated, we have made enquiries about soundproofing and changing the windows. I assure you that my intention is not to compromise your peace and privacy. I will ensure that any outdoor seating or activities are managed in a way that respects the residential nature of the area.

Regarding the proposed closing time of 11pm and alcohol sales until 10pm, I understand your concern about noise and disturbance beyond 10pm. We have adjusted our closing time to 10pm. Customers are expected to leave the premises at 9pm to allow us to clean. I believe it is reasonable to expect a residential business to cease generating noise by this time. However, it is worth mentioning that many establishments in the area have closing times of 11pm and over but to reduce potential noise disruption, we have reduced our closing times. It appears that other similar establishments in the area have managed to operate without significant disruption to the neighbourhood. We will make every effort to disburse customers quietly after 10pm.

I appreciate your warm welcome for a new business in the area, and I understand your desire to maintain the peaceful nature of our community. Your suggestion for conditional requirements on the license is thoughtful and reasonable. I will convey these suggestions to the Council and responsible authorities for their consideration. I believe that implementing these conditions, such as not allowing drinks or food to be consumed outside the premises after 10pm, keeping all windows and doors shut after 10pm, and refraining from playing music after 10pm, will help address your concerns and ensure a peaceful coexistence between the business and the residents. However, you can see from the paragraphs above that these measures are already in place.

In summary, In regards to:

1. Crime and Disorder, we are committed to ensuring that all licensing conditions, authorised activities, and authorised hours are strictly adhered to. We will implement robust measures to prevent any breaches and actively cooperate with the relevant enforcement agencies, including the police force, to maintain order and security.
2. Public Safety: We understand that residential areas tend to have a higher concentration of families and vulnerable individuals. To address this concern, we have conducted a thorough assessment of the potential impact of our premises on public safety. We have taken into account factors such as disturbances, increased traffic, fire risks, and anti-social behaviour. Our aim is to create a safe and welcoming environment for all members of the community. We will implement appropriate measures to address these concerns, including noise mitigation strategies, waste management protocols, and measures to ensure public health and sanitation.
3. Public Nuisance: We recognise the importance of maintaining harmony within the community and minimising any potential disruptions. We are committed to mitigating noise disturbances, late-night activity, and increased footfall in close proximity to residential properties. Our team will work diligently to ensure that we operate within the designated authorised hours, while also implementing measures to reduce noise levels and minimize any inconvenience to our neighbours. We will actively encourage our customers to respect the local community and to behave responsibly.

We want to assure you that we value the well-being and quality of life of our neighbours. We believe that responsible alcohol service can coexist with a residential setting when proper measures and protocols are in place. We are committed to working closely with the relevant enforcement agencies to address and mitigate any concerns that have been raised.

Thank you again for bringing your concerns to our attention. It is through open communication and understanding that we can work together to create a thriving and harmonious community. If you have any further questions or suggestions, please do not hesitate to reach out.

Warm regards,

Jacqueline and Randy Kellman

Kellmans Group

No.63 Caribbean restaurant and bar

63 Nevill Road

London

N16 8SW

APPENDIX B

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

| | |
|----------------------|---|
| NAME OF AUTHORITY | Licensing Authority |
| ADDRESS OF AUTHORITY | Licensing Service Hackney Service Centre 1 Hillman Street London E8 1DY |
| CONTACT NAME | David Tuitt |
| TELEPHONE NUMBER | 020 8356 4942 |
| E-MAIL ADDRESS | david.tuitt@hackney.gov.uk |

APPLICATION PREMISES

| | |
|-----------|-------------------------------------|
| Premises | 63 Nevill Road London N16 8SW |
| Applicant | Kellmans Group Ltd |

COMMENTS

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

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

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

I write to make a representation in response to this application.

It appears that the plan attached to the application may not accurately reflect the premises. The description within the application states that the restaurant will

“...occupy the ground floor and basement. The premises being occupied contains the main restaurant with a kitchen, a seating area, a bar and a toilet. The basement will be used as a storage however, there is an additional toilet which will be used by staff and a garden...”

However, the plan supplied shows a “Space” and “Kitchen” on the ground floor and “Snug”, “Sitting Room” and “Dining Room” in the basement. It is noted that there is no garden shown on the plan nor any application for off-sales of alcohol.

The risk assessment that accompanies the application is welcome however the discrepancies in relation to the floor plan highlighted above need to be rectified to ensure the promotion of the licensing objectives.

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

The Licensing Act 2003, guidance issued by the Home Office under s182 of the Licensing Act 2003

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

Discussion in relation to the matters highlighted and clarification around the discrepancies.

Name: **David Tuitt (Business Regulation Team Leader) - Licensing and Technical Support**

17 July 2023

APPENDIX C1**Kellmans Group Ltd application on Nevill Road (N16 8SW)**


1 message

16 July 2023 at 18:30

To: licensing@hackney.gov.uk

Dear Hackney Licensing,

I would like to make a representation with regards to the Kellmans Group Ltd application on Nevill Road (N16 8SW) for the supply of alcohol on the premises from 12:00 - 22:00 Mon to Sun.



As a resident living [redacted] door down from the premises, I am concerned with the potential for late night noise and disturbance from this business and believe it is not a very suitable location for a licensed premises.

The facts, as I see them are:

- This premises has not been able to sell alcohol in the past
- It has always been used as a day time eating establishment and not as a night time restaurant / bar
- The area is a quiet residential street with a high density of residents including many families with young children
- The premises is not standalone like some of the other alcohol serving establishments in this residential area (e.g. the Londesborough) but instead is embedded in the residential block with flats directly above and either side
- The proposed closing time of 11pm combined with alcohol sales until 10pm has the potential for noise and disturbance beyond 10pm (which I'd consider to be a fair time for a residential business to stop making noise from)

I welcome great new businesses to the area and having discussed their plans with the Kellmans Group Ltd owners it is clear this is not aimed to be a loud late night establishment. That said, it would be serving cocktails and hard liquor until 10pm and would be open until 11pm and with this there is significant potential for noise and disturbance beyond 10pm. Also granting an alcohol license on a quiet residential street sets a precedent for future owners of the property and other businesses looking to do similar in the area. The wider area has plenty of streets with opportunities to start alcohol serving businesses including the High Street, Church Street and Newington Green.

If it is deemed that the license does have to be granted I think it needs to be conditional on:

1. No drinks or food bought on the premises to be consumed outside the premises after 10pm
2. No use of the outside space to the front of the property or back of the property after 10pm
3. All windows and doors must be shut after 10pm
4. No music after 10pm
5. The owners make best efforts to disburse customers quietly after 10pm

I'd be grateful if you could confirm receipt of this email.

Thanks,

[redacted]

Licensing representations - Kellmans Group Ltd, 63 Nevill Road

1 message

16 July 2023 at 21:31

To: "[redacted]" <licensing@hackney.gov.uk>

To the Licensing Service,

[Kellmans Group Ltd - 63 Nevill Road London N16 8SW](#)

I write concerning this application for a licence for the supply of alcohol for consumption on the premises from 12:00 to 22:00 Mon to Sun. I live a few doors down from the premises and am writing in my personal capacity.

I wish to make representations concerning **the prevention of public nuisance** and **the prevention of crime and disorder**.

Concerning **public nuisance**: In my opinion this location is inappropriate for a licensed premises, particularly if the venue would be open and serving alcohol at evenings and weekends. The property is in a residential terrace and my concern is that any licensed premises may negatively affect the character of the immediate area (I do not believe that the previous occupants were licensed, or recall that they stayed open very late). The potential nuisance would be noise and disruption due to the nature of the business, which I understand is intended to be a bar or restaurant, particularly into the evenings and at weekends with people coming and going, and the consumption of alcohol increasing the risk of rowdy or antisocial behaviour. This concern would also apply to any outdoor seating as any noise and/or smoking pollution from customers sitting outside would be particularly disturbing.

Concerning **crime and disorder**: I would repeat the points above, particularly around the consumption of alcohol potentially leading to noise and disruption. In my view this foreseeably increases the risk of disorder and antisocial behaviour, which would be unwelcome anywhere but particularly outside normal hours in a residential area.

I take no pleasure in raising these issues and do not wish to discourage any business from succeeding, however I am concerned about the effect that the grant of any licence may have in this particular location.

Yours sincerely,

[redacted]
Nevill Road
London
N16 [redacted]

Licensing application for 63 Nevill Road - risk of public nuisance

1 message

17 July 2023 at 10:06

Reply-to: [REDACTED]
To: "licensing@hackney.gov.uk" <licensing@hackney.gov.uk>

Dear Sir /Madam

0

I am the leaseholder of [REDACTED] [Nevill Road, N16](#) [REDACTED] where I have lived in quiet enjoyment and at peace with my neighbours for over 20 years, since April 2023. I was sorry to see the departure of Junior's Caribbean café from 63 Nevill Road, and would welcome the premises being put to new use in a similarly neighbourhood-enhancing way, but am extremely concerned that the present licencing application will lead to unacceptable noise disturbance.

Junior's served food, not alcohol, to be taken away or consumed inside the cafe during daytime and early evening hours. Its trade and customers caused no disturbance. But a bar serving alcohol until 10pm and remaining open until 11pm is very different proposition, not suitable for this densely residential street and neighbourhood unless:

- "On the premises" means inside the building, NOT in the garden or on the street in front of no.63
- If music is permitted it is only up to 10pm and at a specified and reasonable maximum volume.
- The owners to use best endeavours to ensure that customers disperse quietly after 10pm and to require their staff to take active steps to achieve this.

A note about the garden:

My "flat" comprises the basement and first floor of no. [REDACTED]. My garden runs the whole width of the building [REDACTED] Nevill Road. Walls separate it from the garden of no. [REDACTED] on one side and from the Londesborough Road flats at the bottom, but a mere wooden fence stands between my garden and that of no.63. My bedroom overlooks the garden as do the balconies of my 4 upstairs neighbours, and windows of our neighbours at no. [REDACTED] (structurally [REDACTED] and [REDACTED] are a single building). All of us would have our peace and privacy compromised if the garden of no.63 were to become commercially licenced hospitality premises 7 nights a week. Noise travels easily and is amplified in the space between the back of Nevill Road's buildings and the Londesborough Road flats. Occasionally I have been disturbed by neighbours' private parties in the flats or back gardens, but that is all part of the give and take of city life. A far cry from all of us settled residents suddenly having our living environments disrupted on a daily basis by the imposition of open air licenced premises over my garden fence.

I hope you will pay serious attention to these public nuisance concerns and act accordingly.

Yours sincerely

[REDACTED]

[REDACTED] [Nevill Road, N16](#) [REDACTED]

Re alcohol licence 63 Nevill Rd

1 message

17 July 2023 at 16:03

Reply-To: [REDACTED]
To: "licensing@hackney.gov.uk" <licensing@hackney.gov.uk>

Dear Sir

I am writing with regard to the application for a licence to supply alcohol on the premises at [63 Nevill Rd, N16 8SW](#). I am the leaseholder of a flat in the adjacent property, [REDACTED] Nevill Rd.

Nevill Rd is a quiet, residential street and the granting of this licence will likely negatively affect the residents on the street, due to noise and the disruption the presence of a bar serving alcohol until 10pm at night is likely to cause.

The possibility for anti-social behaviour is also high and would have an extremely negative affect on what is current a quiet, residential area, with many children and families trying to sleep at a time when people are likely to spill out from a premises selling alcohol.

I would urge you strongly to take these public disturbance issues into consideration when you consider issuing this licence and act accordingly.

Best wishes

[REDACTED]
Owner: [REDACTED] Nevill Rd, N16 [REDACTED]

Sent from Yahoo Mail on Android

From: [REDACTED]
Date: Mon, 17 Jul 2023 at 19:09
Subject: 63 Nevill Road Late Licence
To: Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Dear Sir/Madam,

I am making a representation to the potential approval of the premises licence application submitted by Kellmans Group Ltd for 63 Nevill Road, London N16 8SW. Based on the licensing objectives outlined I believe that granting this licence would not align with these objectives, specifically with regards to the prevention of crime and disorder, public safety and the prevention of public nuisance. These objections are made more poignant by the location of the premises on a residential street and with its request to serve alcohol until late at night.

Please allow me to outline my objections using the relevant guidance:

1. **Crime and Disorder:** Considering the residential nature of the area where the premises is located, granting a licence raises concerns about breaches of licensing conditions, authorised activities and authorised hours - all of which if go unchecked would have an increased impact on the neighbourhood. With the residential location, the premises would receive less attention from the police force and would have less foot traffic in order for the area to be self-regulating.
2. **Public Safety Objective:** The fact that the premises is situated within a residential area, as opposed to a high street or commercial district, further amplifies concerns regarding public safety. Residential areas are typically characterised by a higher concentration of families and vulnerable individuals who may be more susceptible to the potential risks associated with the proposed activities. It is crucial to assess the impact of the premises on public safety, taking into account the potential for disturbances, increased traffic, and associated risks within a residential setting. This is furthered by the increased fire risks and anti-social behaviour. There are also issues concerning sleep and health due to noise. There is also increased risk of sanitary conditions with refuse adding to concerns of public health in urban environments.
3. **Public Nuisance:** The operation of the premises within a residential area heightens the risk of public nuisance, considering factors such as noise disturbances, late-night activity, and increased footfall in close proximity to residential properties. It is important to acknowledge that the consequences of public nuisance within a residential context can be particularly disruptive and detrimental to the quality of life for nearby residents. No amount of measures would be able to adequately prevent and mitigate disturbances to ensure harmony within the community. There would be a dramatic increase in noise, and noise complaints, and as a family area there would be detrimental impact on a great number of the surrounding community.

In anticipation of the potential approval of the premises licence, I urge you to consider the significant risks associated with granting the licence to Kellmans Group Ltd, particularly in a residential area.

I kindly request that the relevant enforcement agencies carefully assess the potential impact of the proposed activities on the residential community and thoroughly evaluate the measures proposed by the applicant to address and mitigate the concerns raised.

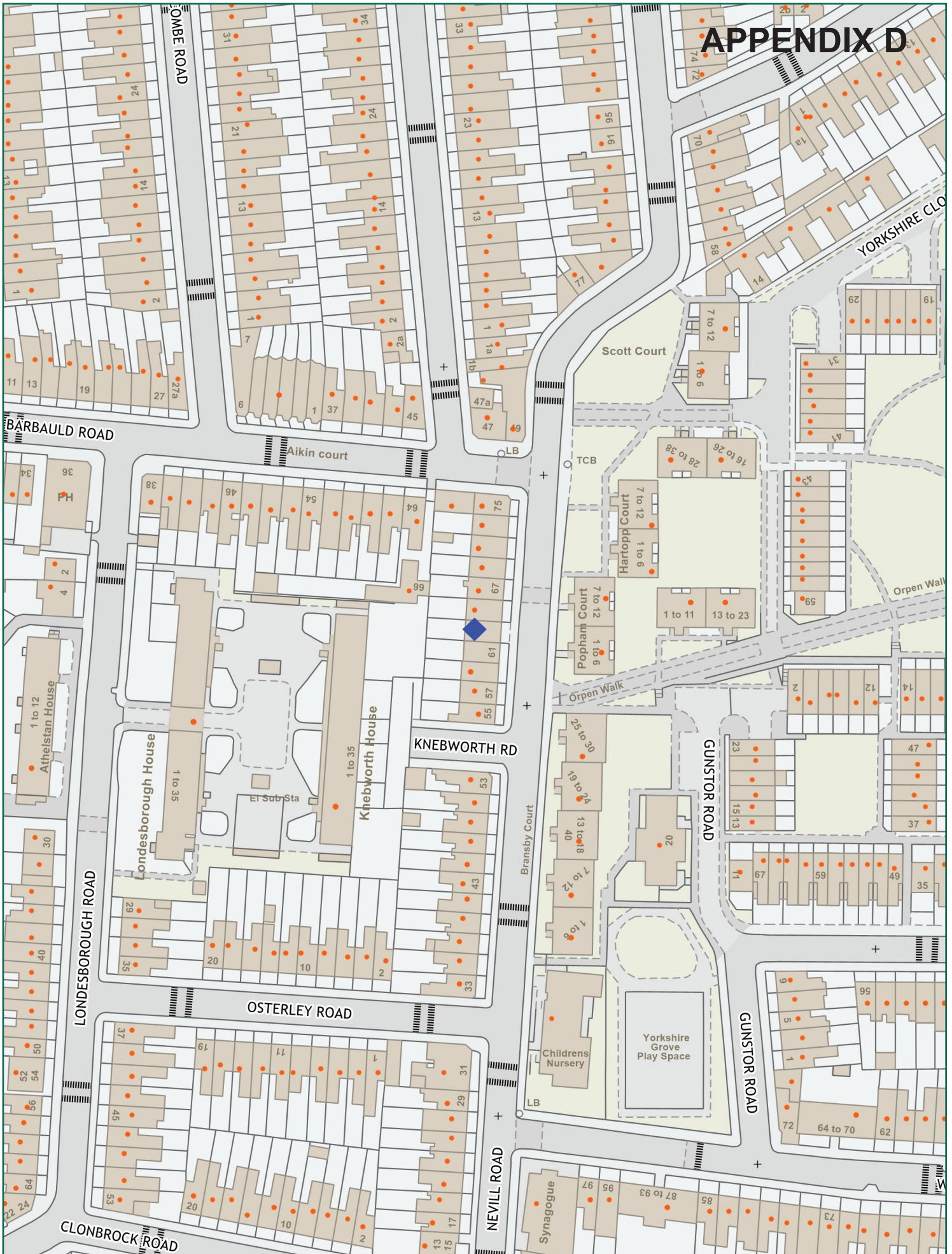
Thank you for your attention to this matter.

Yours faithfully,

[REDACTED]

[REDACTED] Nevill Road N16 [REDACTED]

APPENDIX D



Scale: 1:1250 at A4

63 Nevill Road, London, N16 8SW



Ref:
Tuesday, August 29, 2023

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