

For Consideration By	Licensing Sub-Committee
Meeting Date	22 November 2023
Type of Application	Premises Licence
Address of Premises	Wave, 11 Dispensary Lane, London, E8 1FT
Classification	Decision
Ward(s) Affected	Hackney Central
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. Cupcakes and Shhht! 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 and Off sales)	Standard Hours: Mon 10:00-17:00 Tue 10:00-17:00 Wed 10:00-17:00 Thu 10:00-17:00 Fri 10:00-17:00 Sat 10:00-17:00 Sun 10:00-17:00
The opening hours of the premises	Standard Hours: Mon 08:00-17:00 Tue 08:00-17:00 Wed 08:00-17:00 Thu 08:00-17:00

	Fri 08:00-17:00
	Sat 08:00-17:00
	Sun 08:00-17:00

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

4. **Current Status/History**

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

4.2. No temporary event notices have been given for this premises in current year.

5. **Representations: Responsible Authorities**

From	Details
Environmental Health Authority (Environmental Protection)	Have confirmed no representation on this application
Environmental Health Authority (Environmental Enforcement) (Appendix B)	Representation received on the grounds of The Prevention of Public Nuisance and proposed conditions as set out in para 8.1
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	No representation received
Planning Authority	Have confirmed no representation on this application
Area Child Protection Officer	No representation received
Fire Authority	No representation received
Police	Have confirmed no representation based on agreed conditions as set out in para 8.1
Licensing Authority	Have confirmed no representation on this application
Health Authority	No representation received

6. **Representations: Other Persons**

From	Details
One representation received from and on behalf of local residents. (Appendix C)	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.

7. **Guidance Considerations**

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

8. **Policy Considerations**

- 8.1. 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.
- 8.2. The Policy applies to applications where relevant representations have been made. With regard to this application, policies, LP1 (General Principles), LP2 (Licensing Objectives) and LP4 ('Off' Sale of Alcohol) are relevant.

9. **Officer Observations**

- 9.1. 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 7.2(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub- paragraph rounded up to the nearest penny.

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

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

Conditions derived from 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 contactable when the premises are open to the public.
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:
 - a. all crimes reported to the venue
 - b. any complaints received
 - c. any incidents of disorder
 - d. any faults in the CCTV system
 - e. any refusal of the sale of alcohol
 - f. 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. All staff engaged in the sale of alcohol shall be fully trained and made aware of the legal requirements relating to underage sales and other legal requirements relating to the sale and supply of alcohol. Such training must take place on a 12 monthly basis and written records of the training must be maintained on the premises for inspection by the Police or Authorities. This training is to include the WAVE (Welfare And Vulnerability Engagement) training.
15. There shall be no open containers or drinks taken outside the premises at any time except to the designated external seating area.
16. Any off sales of alcohol will be in sealed containers.
17. The Licensee shall ensure that all relevant staff are fully trained and made aware of the legal requirement of businesses to comply with their responsibility as

regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.

18. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.
19. In order to minimise the amount of time any waste remains on the public highway in readiness for collection, the Licensee will ensure the timeframe within which it may expect its waste carrier to collect is adhered to.
20. The Licensee shall instruct members of staff to make regular checks of the area immediately outside the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.
21. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacles being carefully placed so as not to cause an obstruction or trip.
22. The current trade waste agreement/duty of care waste transfer document shall be conspicuously displayed and maintained in the window of the premises where it can be conveniently seen and read by persons standing in Wave, 11 Dispensary Lane. This should remain unobstructed at all times and should clearly identify:-
 - the name of the registered waste carrier
 - the date of commencement of trade waste contract
 - the date of expiry of trade waste contract
 - the days and times of collection
 - the type of waste including the European Waste Code

10. **Reasons for Officer Observations**

- 10.1. Conditions (8) to (16) are agreed with the Police and conditions (17) to (22) have been proposed by Environmental Enforcement.

11. **Legal Comments**

- 11.1. 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

11.2. 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.

12. **Human Rights Act 1998 Implications**

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

13. **Members Decision Making**

13.1. **Option 1**

That the application be refused

13.2. **Option 2**

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

14. **Conclusion**

- 14.1. 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
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APPENDIX A

Hackney
LA01

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We CUPCAKES & SHHHT! 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			
WAVE, 11 DISPENSARY LANE,			
Post town	LONDON	Postcode	E8 1FT

Telephone number at premises (if any)	██████████
Non-domestic rateable value of premises	£ 23750

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 * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | 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)

M r	<input type="checkbox"/>	Mr s	<input type="checkbox"/>	Mis s	<input type="checkbox"/>	M s	<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"/>	Ms <input type="checkbox"/>	Mis <input type="checkbox"/>	M <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: CUPCAKES & SHHHT! LTD

Address: WAVE, 11 DISPENSARY LANE, LONDON, E8 1FT
Registered number (where applicable) 08038767
Description of applicant (for example, partnership, company, unincorporated association etc.) limited 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

0	1	0	9	2	0	2	3
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If you wish the licence to be valid only for a limited period, when do you want it to end? DD MM YYYY

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<p>Please give a general description of the premises (please read guidance note 1)</p> <p>The cafe is situated in a gated road, just next to hackney church. The cafe has indoor seating for aprox. 40 people and outdoor seating for aprox. 45 people (partially covered), tables for 2-4 people, toilet facilities, a kitchen, a coffee bar and a food display/ service area.</p> <p>The cafe sells quality vegan food to locals who are generally looking for a calm and relaxing place to enjoy a coffee and a meal.</p>
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If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

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

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

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

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	.....			
Tue	.....		State any seasonal variations for performing plays (please read guidance note 5)		
Wed	.....			
Thur	.....		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)		
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					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri			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)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 5)
Tue			
Wed			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)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
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 boxing or wrestling entertainment (please read guidance note 5)		
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 6)		
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"/>
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 performance of live music (please read guidance note 5)		
	-----	-----			
Wed			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)		
	-----	-----			
Thur					
	-----	-----			
Fri					
	-----	-----			
Sat					
	-----	-----			
Sun					
	-----	-----			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
	-----	-----			
Tue					
	-----	-----			
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
	-----	-----			
Thur					
	-----	-----			
Fri			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)		
	-----	-----			
Sat					
	-----	-----			
Sun					
	-----	-----			

G

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

H

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

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	-----		Please give further details here (please read guidance note 4)		
Tue	-----				
Wed	-----		State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	-----				
Fri	-----		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)		
Sat	-----				
Sun	-----				

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) 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)		
Mon	10:00	17:00			
Tue	10:00	17:00			
Wed	10:00	17:00			
Thur	10:00	17:00			
Fri	10:00	17:00			
Sat	10:00	17:00			
Sun	10:00	17:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name JAMES MILLIGAN	
Date of birth [REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	

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).

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)
Day	Start	Finish	
Mon	08:00	17:00	Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
Tue	08:00	17:00	
Wed	08:00	17:00	
Thur	08:00	17:00	
Fri	08:00	17:00	

Sat	08:00	17:00	
Sun	08:00	17:00	

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)

1. All staff members involved in the sale and service of alcohol will undergo training on responsible alcohol including identifying and preventing underage sales, recognising signs of intoxication, and managing difficult situations to prevent crime and disorder.
2. Our cafe will establish and implement robust policies and procedures for the sale and service of alcohol which will include measures to prevent crime and disorder, ensure public safety, prevent public nuisance, and protect children from harm. These policies and procedures will be clearly communicated to all staff members and strictly enforced.
3. Our cafe will have a strict policy of requesting identification from all customers who appear to be under the age of 25 for the purchase of alcohol. Acceptable forms of identification will be clearly posted and staff will be trained to effectively verify the age of customers to prevent underage sales.
4. Our cafe will implement appropriate security measures, such as cctv surveillance to deter and detect any potential criminal activities on the premises, ensuring the prevention of crime and disorder.
5. Our cafe will maintain accurate records of all incidents related to the sale and service of alcohol, including any refusal of service, ejections or incidents of disorder. These records will be used to identify patterns of behaviour and take necessary steps to prevent future occurrences.

b) The prevention of crime and disorder

1. Our cafe will use cctv surveillance throughout the premises to deter and prevent any criminal activities, and all staff will be trained to report any suspicious or criminal behaviour to the appropriate authorities.
2. All staff will receive training on recognising and managing situations that may lead to crime or disorder, such as handling difficult customers, managing conflicts, and defusing tense situations.
3. Any incidents of crime or disorder that occur on the premises will be reported immediately to the local authority.

c) Public safety

1. Our cafe will comply with all local fire safety regulations and conduct regular fire safety inspections to ensure that the premises are safe for customers and staff.
2. Our cafe will maintain high standards of health and safety in all areas of the premises, including regular inspections, maintenance of equipment and proper handling and storage of hazardous substances.
3. Our cafe will have trained first aiders on staff and fully stocked first aid kits readily available to respond to any medical emergencies that may arise on the premises.

d) The prevention of public nuisance

1. Our cafe will implement measures to control noise levels such as displaying signs reminding customers and staff of to keep the noise down and the cafe will not be open past 5pm, keeping evenings quiet.
2. Our cafe will implement proper waste management procedures, including regular garbage collection, recycling and disposal of waste in compliance with local regulations to prevent any nuisance caused by improper waste handling.
- 3.) Toilet facilities are available to all patrons while the cafe is open and serving alcohol.

e) The protection of children from harm

1. Our cafe will strictly enforce a policy of strictly requesting identification from all customers who appear to be under the age of 25 for the purchase of alcohol and no sales will be made to minors.
2. Our cafe will display prominent signage indicating that the sale of alcohol to minors is strictly prohibited and will result in refusal of service.
3. Staff will be trained on the challenge 25 policy and which IDs to accept
4. A log of any alcohol refusals will be kept with the reason and date.

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	17/052023
Capacity	Director, Cupcakes & Shhht! Ltd

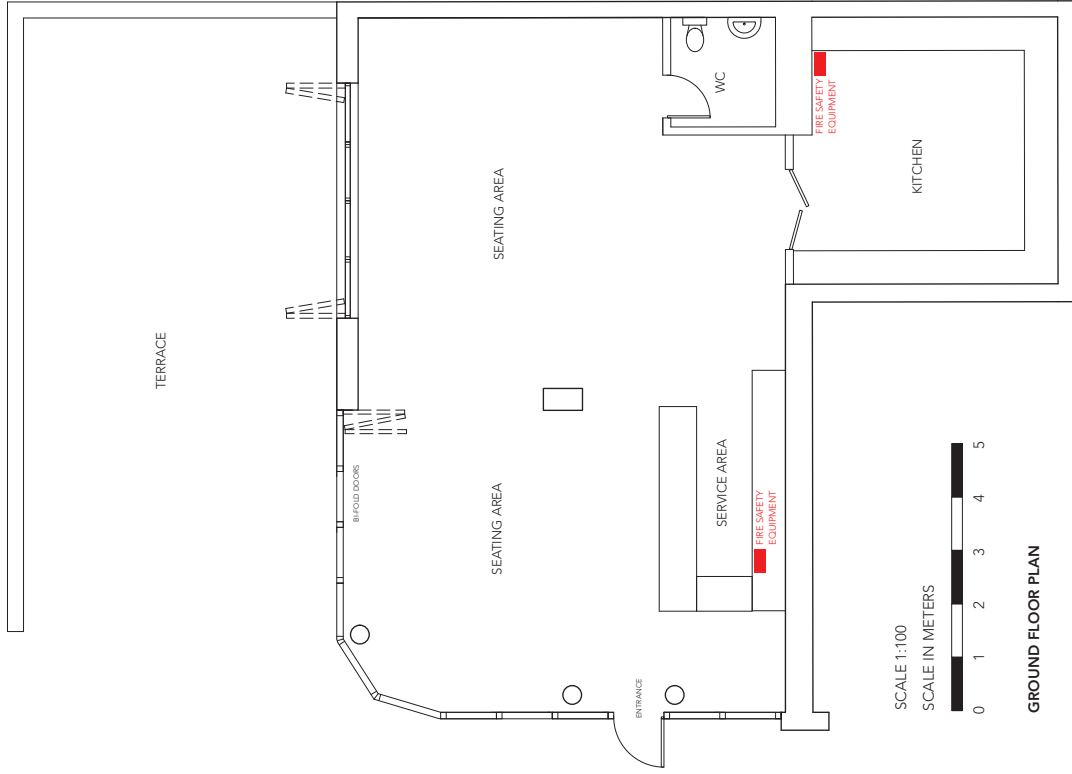
For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

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

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

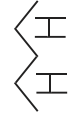


SCALE 1:100

SCALE IN METERS



GROUND FLOOR PLAN



HALLOWAY HOMES & INTERIORS

DRAWING BY NADIA HALLOWAY
INFO@HALLOWAYHOMES.CO.UK
WWW.HALLOWAYHOMES.CO.UK

CLIENT: WAVE
FOR ALCOHOL LICENCE
ADDRESS: 11 DISPENSARY LANE, E8 1FT

DRAWING: GROUND FLOOR PLAN
SCALE: 1:100 @ A3 LANDSCAPE
DATE: 19TH AUGUST 2023

Response to Environmental Health Officer's Objections - Premises Licence Application for WAVE Cafe

1 message

11 October 2023 at 14:59

To: jacey.frewin@hackney.gov.uk
Cc: Shan Uthayasangar <shan.uthayasangar@hackney.gov.uk>

Dear Jacey Frewin,

I hope this message finds you well.

We appreciate the time and effort you've invested in reviewing our premises licence application for WAVE Cafe at [11 Dispensary Lane, London E8 1FT](#). We understand and respect your concerns regarding environmental conditions, and I would like to address these matters in detail.

Firstly, we want to reaffirm our commitment to maintaining a clean, safe, and reputable environment at Dispensary Lane. We have already taken personal responsibility for managing waste areas related to multiple tenants in the area. Our staff conducts daily checks to ensure tidiness, and we've actively worked with the local council to make improvements to Dispensary Lane, including the installation of new lights, a new sign, and cycle parking facilities. These efforts underscore our dedication to the presentation, safety, reputation, and cleanliness of Dispensary Lane.

However, we feel it's important to clarify that the objections raised by the environmental licence conditions appear to be related to general waste management practices and not directly tied to our application to sell alcohol at WAVE Cafe. While we fully support and are happy to comply with responsible waste disposal practices, we believe that these conditions may not be directly relevant to our premises licence application.

WAVE Cafe's request for a licence is specific to the sale of alcohol with vegan meals between the hours of 9 am and 5 pm. This is intended to be a low-impact addition to our current operation, and we are committed to ensuring it aligns with the peaceful and respectful atmosphere we've established. That said, we are more than willing to meet and discuss waste management and any possible enhancements to further improve Dispensary Lane.

We value our role as responsible community members and are dedicated to addressing any concerns or suggestions from our neighbors. In conclusion, we appreciate your diligence in examining our application and the associated conditions. We kindly request that, in consideration of the specifics of our alcohol licence application, you consider these environmental conditions separately from our premises licence.

We are open to further discussions and collaboration to enhance Dispensary Lane's overall quality of life. If you have any questions or would like to schedule a meeting to discuss this matter further, please do not hesitate to reach out to us. We are eager to find common ground and work together towards a positive outcome.

Thank you for your attention to this matter.

Sincerely,

Cait

--

Caitlyn Milligan
Director & Co Founder



Re: Application for a premises licence - Wave, 11 Dispensary Lane, London, E8 1FT

11 October 2023 at 11:22

[REDACTED]
To: Shan Uthayasangar <shan.uthayasangar@hackney.gov.uk>

Hello,

I hope this email finds you well.

I would like to express our gratitude for taking the time to share your concerns regarding our premises licence application for WAVE Cafe. We understand and appreciate your perspective on this matter, and I would like to take this opportunity to address your objections.

Firstly, I want to emphasise that our primary aim is to maintain a harmonious coexistence with our neighbors, including the residents of the nearby apartment blocks. WAVE Cafe is a small, vegan establishment that operates between the hours of 9 am and 5 pm, catering to a grown-up and respectful customer base. We acknowledge your concerns about noise levels in the courtyard. We are committed to being responsible and considerate neighbors, and we have implemented measures to manage noise effectively. This includes training our staff to ensure our patrons enjoy their meals without causing disruptions.

Additionally, as a vegan cafe, our clientele tends to be peaceful and conducive to a calm dining environment. The sale of alcohol at WAVE Cafe is intended to complement our food offerings and enhance the overall dining experience for our customers. We do not intend to transform into a bar, nor do we plan to stay open late into the night. Our alcohol service will be limited to specific hours (finishes at 5pm each day), and we will ensure that it is closely monitored to prevent any disturbances.

Moreover, we take pride in our commitment to waste management and minimizing our environmental impact, which extends to noise pollution. We are confident that the sale of alcohol, when paired with our delicious vegan cuisine, will not only have a minimal impact on local residents but also contribute positively to our business and the local economy. We appreciate your concerns and are open to dialogue with our neighbors to address any specific issues or suggestions you may have.

Please rest assured that we take these objections seriously, and we are dedicated to fostering a peaceful and respectful neighborhood. If you have any further questions or would like to discuss this matter in more detail, please do not hesitate to reach out to us.

We value your input and hope to find a resolution that benefits all parties involved.

Thank you once again for your feedback and understanding.

Sincerely,

Caitlyn
Director & Co Founder

[REDACTED]

**RESPONSIBLE AUTHORITY REPRESENTATION:
APPLICATION UNDER THE LICENSING ACT 2003****RESPONSIBLE AUTHORITY DETAILS**

NAME OF AUTHORITY	London Borough of Hackney
ADDRESS OF AUTHORITY	Community Safety & Enforcement Service First Floor Hackney Service Centre 1 Hillman Street London E8 1DY
CONTACT NAME	Jacey Frewin
TELEPHONE NUMBER	020 8356 4567
E-MAIL ADDRESS	jacey.frewin@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Wave 11 Dispensary Lane, London E8 1FT
NAME OF APPLICANT	CUPCAKES & SHHHT! LTD

COMMENTS

I make the following relevant representations in relation to the above application to vary the Premises Licence at the above address. 1) the prevention of crime and disorder •

- 2) public safety •
- 3) the prevention of public nuisance **x**
- 4) the protection of children from harm •

Representation in relation to:

ENVIRONMENTAL LICENCE CONDITIONS IN RESPECT OF

Wave, 11 Dispensary Lane, London E8 1FT

1. The Licensee shall ensure that all relevant staff are fully trained and made aware of the legal requirement of businesses to comply with their responsibility as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.
2. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.
3. In order to minimise the amount of time any waste remains on the public highway in readiness for collection, the Licensee will ensure the timeframe within which it may expect its waste carrier to collect is adhered to.
- 4 The Licensee shall instruct members of staff to make regular checks of the area immediately outside the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.
5. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacles being carefully placed so as not to cause an obstruction or trip.
6. The current trade waste agreement/duty of care waste transfer document shall be conspicuously displayed and maintained in the window of the premises where it can be conveniently seen and read by persons standing in Wave. This should remain unobstructed at all times and should clearly identify:-
 - the name of the registered waste carrier
 - the date of commencement of trade waste contract
 - the date of expiry of trade waste contract
 - the days and times of collection
 - the type of waste including the European Waste Code

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

We have received complaints in the past regarding littering and build-up of waste in the area. There have been instances in the past where Enforcement Officers have found evidence of the illegal disposal of waste from businesses in this area. Experience has also shown that there is the probability that there will be cigarette litter outside these premises due to the smoking ban.

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

contact Jacey Frewin by email

Name: Jacey Frewin

Date: 04/09/2023

Licensing objection - representative WAVE cafe

1 message

5 October 2023 at 17:52

[REDACTED]
To: licensing@hackney.gov.uk

Hello,

I am writing in response the application for an alcohol license at WAVE cafe, 11 Dispensary Lane, E81FT.

The cafe is situated directly in between 4 apartment blocks and due the the structure of the courtyard the noise volume of the diners carries significantly. It impacts the daily lives of residents and a constant occurrence.

The addition of alcohol and therefore likelihood of a volume and disturbance from diners would have a substantial negative impact on the surrounding residents and absolutely would be a public nuisance.

Therefore I would like to object to the request for the serving of alcohol at this premises.

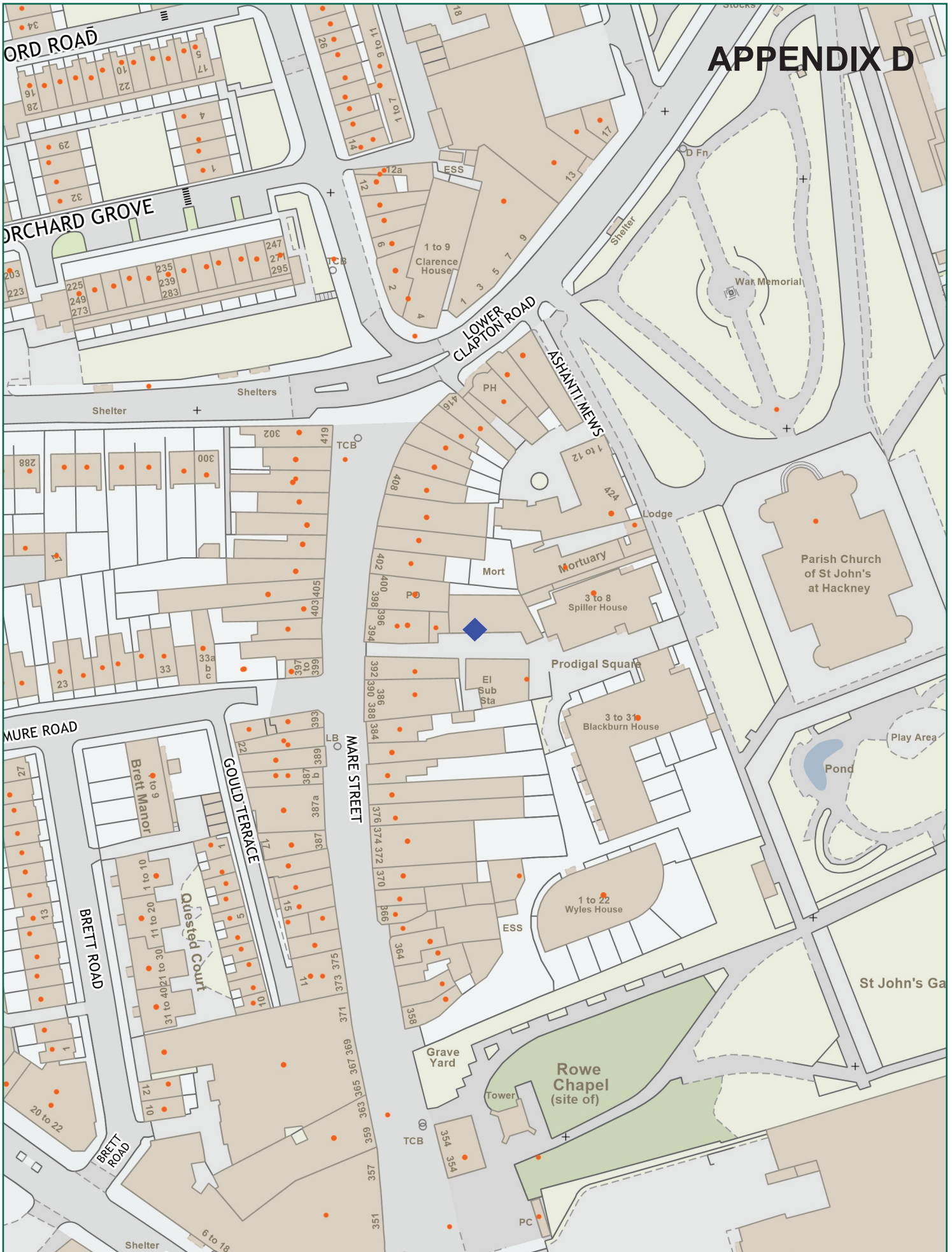
Please do let me know if there is a form or additional information required.

Best,

[REDACTED]

Blackburn House, Prodigal Square Resident

APPENDIX D



Scale: 1:1250 at A4

Wave, 11 Dispensary Lane, London, E8 1FT



Ref:
Friday, November 10, 2023

Produced by: unspecified
email:

please specify copyright statement