

For Consideration By	Licensing Sub-Committee
Meeting Date	21 March 2024
Type of Application	Vary a Premises Licence
Address of Premises	Bella Vita, 53-57 Broadway Market, London, E8 4PH
Classification	Decision
Ward(s) Affected	London Fields
Group Director	Rickardo Hyatt

1. **Summary**

1.1. This is an application to vary a premises licence to allow authorisation:

- To include hours for supply of alcohol (off-sales)

2. **Application**

2.1. Mr Hasan Dogan has made an application to vary a premises licence under section 34 of the Licensing Act 2003.

2.2. The applicant is seeking authorisation for the following proposed variation:

Supply of Alcohol (Off-sales)	Standard Hours: Mon 11:00-00:00 Tue 11:00-00:00 Wed 11:00-00:00 Thu 11:00-00:00 Fri 11:00-00:00 Sat 11:00-00:00 Sun 11:00-00:00
The opening hours of the premises	Standard Hours: Mon 08:00-00:30 Tue 08:00-00:30 Wed 08:00-00:30

	Thu 08:00-00:30 Fri 08:00-00:30 Sat 08:00-00:30 Sun 08:00-00:30
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2.3. The application is attached as Appendix A. The applicant has not specified any additional measures that could be converted to conditions to be applied to the licence.

3. **Current Status/History**

3.1. The current premises licence was granted on 7 September 2011 (attached as Appendix C).

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

4. **Representations: Responsible Authorities**

From	Details
Environmental Health Authority (Environmental Protection)	No representation received
Environmental Health Authority (Environmental Enforcement)	Have confirmed no representation on this application
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	No representation received
Planning Authority	No representation received
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application
Police	Representation withdrawn based on agreed conditions as set out in para 8.1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

5. **Representations: Other Persons**

From	Details
7 representations received from and on behalf of local residents. (Appendices B1-B7)	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 LP4 ('Off' Sale of Alcohol) are relevant.

8. Officer Observations

- 8.1. If the Sub-Committee is minded to approve the application, the following additional conditions should be applied the licence:
1. Off sales of alcohol are to be sealed containers.
 2. Off sales of alcohol to be purchased with food for online home delivery platforms via Deliveroo, Uber eats etc.

9. Reasons for Officer Observations

- 9.1. Above additional conditions have been agreed with the Police.

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 individuals rights against the interests of the community at large.

12. **Members Decision Making**

12.1. **Option 1**

That the application be refused

12.2. **Option 2**

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

13. **Conclusion**

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

Appendices:

Appendix A: Application for a premises licence and supporting documents

Appendix B: Representations from other persons

Appendix C: Current premises licence

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

APPENDIX A

➔ Hackney
LA07

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We HASAN DOGAN T/A BELLA VITA

(Insert name(s) of applicant)

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

Premises licence number

LBH-PRE-T-1215

Part 1 – Premises Details

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

Bella Vita, 53-57 Broadway Market

Post town

HACKNEY

Postcode

E8 4PH

Telephone number at premises (if any)

[REDACTED]

Non-domestic rateable value of premises

£57000

Part 2 – Applicant details

Daytime contact telephone number

[REDACTED]

E-mail address (optional)

[REDACTED]

Current postal address if different from premises address

[REDACTED]

Post town		Postcode	
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Part 3 – Variation

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

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

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

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

<p>Please describe briefly the nature of the proposed variation (Please see guidance note 2)</p> <p>We sell alcohol with food via Deliveroo. Deliveroo request a licence indication selling alcohol off premises and asking for Terms and Conditions for the licence. We keep everything same on our current licence and we would like to apply to add selling alcohol as off premises in order to sell alcohol via Deliveroo with food orders</p>

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

Part 4 Operating Schedule

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

Provision of regulated entertainment (Please see guidance note 3)

Please tick all that apply

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

B

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

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 6)
Tue			Non-standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)
Wed			
Thur			
Fri			
Sat			
Sun			

D

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

E

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

F

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

G

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

H

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

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

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	11:00	00:00	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Tue	11:00	00:00			
Wed	11:00	00:00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		
Thur	11:00	00:00			
Fri	11:00	00:00			
Sat	11:00	00:00			
Sun	11:00	00:00			

K

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

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon			Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

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

Please tick as appropriate

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

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

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

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

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

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

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Checklist:


Please tick to indicate agreement

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

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

Part 5 – Signatures (please read guidance note 12)

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

Signature	
Date	22/12/2023
Capacity	DIRECTOR/OWNER

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15) [REDACTED]			
Post town		Post code	[REDACTED]
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) [REDACTED]			

Notes for Guidance

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

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

STATEMENT FOR OTHER PARTIES

Variation of a Premises Licence Application Bella Vita, 53-57 Broadway Market, Hackney E8 4PH

Thank you for taking the time to list your concerns in respect of our application for a variation of the existing Premises Licence at the above address. I hope the information below allays your concerns about our application. If so, we ask that you do let the Licensing Service know that you are happy to withdraw your representation.

We would like to take this opportunity to let you know a bit more about the application. We have been successfully operating Bella Vita since 2009 and, like you, we are part of the local community. Our proposed variation will allow our loyal local customers to enjoy our wonderful food & wine in their own homes or businesses. We believe that the use of Deliveroo will maintain the positive profile of the area.

We certainly do not want to be at odds with our neighbours, and wish to work with everyone to ensure the addition of alcohol off sales to our existing Premises Licence operation does not impact on you.

In light of the comments & concerns received please see our response below:

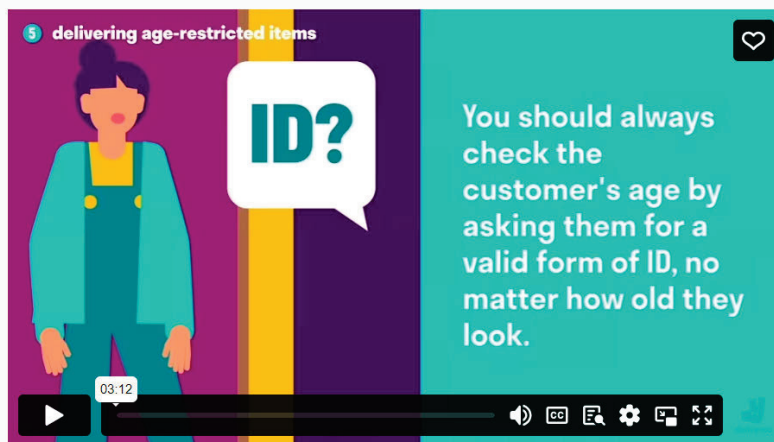
- 1) Consumption of Alcohol at the front of the Premises – Bella Vita currently has a valid shop front trading licence which was recently re-issued by Hackney Council on the 16/3/23, which allows for the consumption of alcohol directly outside the premises. It should be noted that the consumption of alcohol is not a licensable activity.
- 2) Off Sales by Deliveroo –
 - a) The variation will not change any other element of the existing premises licence only the addition of off sales of alcohol. As off sales will only be to residential or business addresses (see point d below) it would not be appropriate to restrict anyone in their own home or business to the purchase of a substantial meal only when ordering, although we are happy to agree to only supply alcohol with food.
 - b) The hours applied for in relation to off sales correspond to the existing hours of operation with alcohol sales and late-night refreshment finishing at midnight.
 - c) The applicant will contact Deliveroo to request that all delivery riders/drivers park on Broadway Market. All delivery riders/drivers will be reminded of this when collecting their order.
 - d) Deliveroo's policy restricts the sale of alcohol to residential or business addresses only (see policy below).

Deliveroo Age Restricted Items



[News](#) [Support](#) [Perks](#) [Apply to be a rider](#) [Kit Store](#) [What are perks?](#)

Delivering age-restricted items



You must check the customer's ID when an order contains age-restricted items. You're required to do this even if the customer looks older than 18.

It's against the law to sell age-restricted items to anyone under the age of 18. It's your responsibility to make sure that you don't deliver age-restricted items to anyone under 18.

When you pick up an order, check the receipt to find out if there's alcohol included.

When you deliver an order containing alcohol, you must check the customer's ID – even if they look older than 18.

You must not:

- Hesitate to ask for ID
- Deliver age-restricted items to a customer if you suspect that the ID shown is not genuine or if they refuse to show an ID. When this happens, contact Rider Support – don't complete the order
- Deliver alcohol to the customer if you believe they're already drunk
- Leave the age-restricted products anywhere except the delivery address. If the customer doesn't provide proof that they're over 18, the alcohol should be disposed of responsibly
- Ask for the customer's date of birth without checking their ID
- Deliver alcohol to customers in public places – alcohol can only be delivered to residential and business addresses

<https://riders.deliveroo.co.uk/en/delivering-alcohol>

e) All off sales will be in factory sealed vessels.

We understand and share your concerns regarding the responsible supply of alcohol on Broadway Market and we hope that the above information reassures you that we do not intend to add to any issues. With Deliveroo off sales only taking place to residential or business addresses we are sure this will not be the case.

Should you wish to discuss the matter further please do not hesitate to contact me at: [REDACTED] or our licensing consultants Sound Licensing on [REDACTED] or email: [REDACTED]

Regards
Hasan Dogan (Applicant)

Objection Variation to licence -Bella Vita, 53-57, Broadway Market, Hackney, E8 4PH.

1 message

30 January 2024 at 12:29

To: "Licensing (Shared Mailbox)" <licensing@hackney.gov.uk>, Sanaria Hussain <sanaria.hussain@hackney.gov.uk>
Cc: CE-Licensing@met.police.uk, leon.d.mccallister@met.police.uk, kerrie.l.ryan@met.police.uk, "M Can Ozsen (Cllr)" <mcan.ozsen@hackney.gov.uk>, "Anntoinette Bramble (Cllr)" <anntoinette.bramble@hackney.gov.uk>, Andy.Durrant@met.police.uk

Dear LB Hackney Licensing,

Re: **Objection to Application to vary Premises licence: Bella Vita, 53-57, Broadway Market, Hackney, E8 4PH.**

On behalf of the London Fields Safer neighbourhood Panel, I wish to register our objection to vary conditions to their alcohol licence at the above premises.

We object to the application for Off Sales at Bella Vita as the application highlights several deficiencies in the current licence and the present application and these need to be addressed so that the application doesn't contribute to alcohol-related ASB in and around [Broadway Market](#).

1: current breaches: the applicant currently has no licence for off sales. However, they use their tables on the pavement of Broadway Market for the consumption of alcohol.

As these tables do not to our knowledge form part of their licensed premises, alcohol consumed here is being sold on an "off sales" basis. But as the Applicants do not currently appear to have a licence for off sales this represents a breach of their Premises Licence.

We would therefore be concerned that the applicant is not currently complying with their existing licence and would want this addressed as part of any variation to the licence. This would need to include agreement as to the maximum number of people allowed to drink on the tables outside and statements on times written into the licence.

The applicant states that they seek a licence for off-sales to facilitate Deliveroo deliveries. We are not fundamentally opposed to off-sales via delivery driver, but we would want to see a number of elements written into any revision to ensure that this does not contribute to nuisance, specifically:

- that this extension only relates to off-sales via food delivery services when delivered with a substantial meal;
- time limits to ensure no late-night noise from scooters;
- delivery drivers do not enter and exit or wait on residential side streets.
- that delivery is only to residential addresses and does not deliver into London Fields or Haggerston parks;
- take-outs are only for factory sealed vessels (i.e. sealed bottles, cans)

The reason for these stipulations is the following:

- we are concerned that there is significant over supply of alcohol on Broadway Market, and this includes significant street drinking;
- premises selling take-away alcohol do not all have security, litter collection or toilet facilities accessible to people purchasing take-away alcohol. This means that we have problems with ASB,

litter and public urination. This takes place on side streets and in the park.

- The public toilets in the London Fields Park close at 9pm and this means any sales of alcohol into the park after this time result in increased public nuisance;
- we no longer enjoy dedicated park patrols to manage this nuisance and so it is imperative that such nuisance is addressed through proper application of licensing policy.

Provided that the applicants are willing to write relevant stipulations and restrictions in their licence then we may be able to agree on a way to agree to the application.

With Regards,

[REDACTED]

[REDACTED] LF Safer Neighbourhood [REDACTED].

[REDACTED]

The information contained in this e-mail is confidential. It is intended only for the stated addressee(s) and access to it by any other person is unauthorised. If you are not an addressee, you must not disclose, copy, circulate or in any other way use or rely on the information contained in this e-mail. Such unauthorised use may be unlawful. If you have received this e-mail in error, please inform us immediately and delete it and all copies from your system.



Objection to Vary Premises License - Bella Vita 30.01.2024.docx

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Objection to Application to Vary Premises Licence - Bella Vita, 53-57 Broadway Market, Hackney, E8 4PH

1 message

31 January 2024 at 14:32

[REDACTED]
To: "Licensing (Shared Mailbox)" <licensing@hackney.gov.uk>

Dear Hackney Licensing,

Ref: Objection to Application to Vary Premises Licence - Bella Vita, 53-57 Broadway Market, Hackney, E8 4PH

I would like to object to the application to add off sales to the licence.

I think that it is likely that off sales would contribute to the known problems caused by street drinking in this area.

This could be mitigated by restricting off sales to delivery customers who are purchasing a full meal to be delivered to their home.

I fully support the objections already made by the [REDACTED] of the London Fields Safer Neighbourhood Panel.

[REDACTED],

[REDACTED]

Objection to Application to Vary Premises Licence - Bella Vita, 53-57 Broadway Market, Hackney, E8 4PH

1 message

31 January 2024 at 15:43

To: Licensing <licensing@hackney.gov.uk>

Cc: "sanaria.hussain@hackney.gov.uk" <sanaria.hussain@hackney.gov.uk>

Dear LB Hackney Licensing,

I object to the application to vary the conditions of the alcohol licence at Bella Vita. I fully support the objections made by our Safer Neighbourhood Panel for London Fields [REDACTED]

Off-sales have contributed to the antisocial behaviour on and around Broadway Market and careful stipulations must be put into any licence variation to protect both local residents and visitors to the area.

There are not currently enough toilets for the current number of drinkers in Broadway Market and residents have frequently found the streets around Broadway Market, and London Fields, to be used as a toilet. The public toilets in London Fields Park close at 9pm - the use of the park as a toilet is a significant public nuisance and danger to health.

Street drinkers and their antisocial behaviour disrupt the sleep of residents and families. Street drinkers make the area feel unsafe when walking home at night, or even sometimes during the day.

There are not adequate bins for the increase in rubbish.

Sadly, the council does not have the resources to ensure that premises adhere to their licence conditions. Residents are not protected from the ASB on Broadway Market.

Bella Vita have requested off-sales in order to deliver alcohol with Deliveroo deliveries. If this request is granted, please could the wording be considered very carefully so that this extension is only granted in relation to Deliveroo deliveries.

The late night noise of deliveries disturb residents and children. Please could there be time restrictions to ensure that there is no late night noise from scooters. Please can the peace and quiet of residential side streets be protected and Deliveroo drivers be prevented from exiting and entering or waiting on residential side streets.

I would like to attend any licence hearing.

Thank you very much for consideration of my views.

Best wishes,

[REDACTED]

Bella Vita - License for off sales

1 message

26 January 2024 at 21:07

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

Hello

I am writing to object to the received application to variation of premises license from Bella Vita LBH-PRE-T-1215 to permit off sales.

The application refers to supply of alcohol to accompany food orders placed by Deliveroo however having seen the activity during the summer months of food being taken away for consuming in the streets & parks near by, allowing off sales supply of alcohol would contribute to anti social behaviour that is so prevalent in the area. I am concerned that Bella Vita may end up selling take away bottles of wine cocktails (as they did during the COVID pandemic).

Bella Vita is a thriving business with or without Deliveroo services. This request for off sales is unlikely to have much of an impact on the business' success but is very likely to contribute to more anti social behaviour in the area.

I therefore strongly object to the license application.

Regards

[REDACTED]

Objection to Bella Vita license variation

1 message

31 January 2024 at 21:41

To: "Licensing (Shared Mailbox)" <licensing@hackney.gov.uk>, CE-Licensing@met.police.uk
Cc: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>, david.tuitt@hackney.gov.uk, leon.d.mccallister@met.police.uk, kerrie.l.ryan@met.police.uk, mcan.ozsen@hackney.gov.uk, anntoinette.bramble@hackney.gov.uk

Hello,

My name is [REDACTED], owner and resident at [REDACTED] [Dericote St, London E8](#) [REDACTED]

I am writing to object to the application of license variation for the premise Bella Vita located on Broadway Market around the corner from my home.

The grounds of my objection are simple: the overcrowded and unmanaged premises on Broadway market continue to be detrimental to my quality of life.

There is already an abundant supply of alcohol and take away options on the market which crowd the area and spill over to our residential street. This means that on a day to day basis, residents like me have to deal with racing scooters down Dericote street as it is one of the most direct accesses to Bella Vita.

The addition of Off Sales will further increase the delivery traffic and take away sales. Do you know where people sit to eat their take away food when they can't find a seat around the market or park?...which happens almost always on a good day.... They come to my front stoop. They sit at the entrance steps of my home or they perk their beers and pizza on the ledge of my home. And the best part ... they leave all their take away trash right next to my door step, because all the bins around the market are overflowing!

I support local business, I eat lunch at Bella Vita twice a month, but allowing for Off Sales has a greater negative impact on residents.

I kindly invite you to come to the market on any day and we can count together the number of electric scooters that race in front of my home to collect deliveries from the market, or the amount of take away pizza boxes I have to clear on a weekly basis.

I suggest to anyone involved in this process to consider the residents and their quality of life.

Thank you

--
[REDACTED]

Objection to Bella Vita license variation

1 message

31 January 2024 at 21:55

Reply- to [REDACTED]

To: "Licensing (Shared Mailbox)" <licensing@hackney.gov.uk>, CE-Licensing@met.police.uk, david.tuitt@hackney.gov.uk, leon.d.mccallister@met.police.uk, kerrie.l.ryan@met.police.uk, Sanaria Hussain <sanaria.hussain@hackney.gov.uk>, mcan.ozsen@hackney.gov.uk, anntoinette.bramble@hackney.gov.uk

My name is [REDACTED], owner and resident of [REDACTED] [Dericote St, London E8](#) [REDACTED], writing to formally object to the license variation application for Bella Vita on Broadway Market.

The proposed Off Sale would increase delivery traffic and take-away sales which has a direct impact on Dericote street as an adjacent access to Bella Vita. We often hear from our bedroom, scooters late in the evening collecting orders from various premises on Broadway Market. Residents already have to deal with racing scooters and the overflow of take-away waste near our homes on a daily basis, approving this license variation would only continue to negatively impact our quality of life.

I urge you to consider the residents' well-being in your decision-making process.

Kind regards,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Objection to Variation in licence at Bella Vita, 53-57 Broadway Market, E8

1 message

31 January 2024 at 22:42

To: Licensing <licensing@hackney.gov.uk>

Cc: [REDACTED]

Hello Hackney Licensing team,

Objection to Application to vary Premises licence at Bella Vita

The London Fields Safer Neighbourhood Panel have brought to my attention the above request to change the terms of Bella Vita alcohol licence.

I would like to add my **objection** as a local resident because

1. as ive said in other correspondence, as a local resident it could not be clearer to me that in the last few years, Broadway Market has dramatically changed in character and caused residents much more ASB and late night noise, largely due to a saturation of venues now holding alcohol licenses. There are over 20 licensed venues in about 80 yards, in a Conservation Area housing hundreds of residents, many or most with young families and its regularly chaotic and noisy when our families are trying to sleep. We just have to stop this expansion of alcohol in our neighbourhood for everyone's sake.

2. There is no need to add alcohol to Bella Vitas off sales. They are already serving alcohol on the street Is this being done in breach of the licence? And if it's for take out, no one needs to order alcohol as well as food. There are already multiple alternative sources of booze for people drinking at home. I can't help wondering if they simply want to get the ok to expand drinking on the street: they have a huge open shop front and the noise is very significant long after 10pm Plus we don't need a further increase in late night scooters down our street.

Many thanks for receiving my objection.

Sincerely


Dericote St

This premises licence has been issued by:
Licensing Service
1 Hillman Street
London
E8 1DY

Premises licence number LBH-PRE-T-1215

Part 1 - Premises Details

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

Una Bella Vita
53-57 Broadway Market

Post town

London

Postcode

E8 4PH

Telephone number

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Late Night Refreshment
Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Late night refreshment

Standard Hours

Mon 23:00-00:00
Tue 23:00-00:00
Wed 23:00-00:00
Thu 23:00-00:00
Fri 23:00-00:00
Sat 23:00-00:00
Sun 23:00-00:00

Supply of Alcohol

Standard Hours

Mon 11:00-00:00
Tue 11:00-00:00
Wed 11:00-00:00
Thu 11:00-00:00
Fri 11:00-00:00
Sat 11:00-00:00
Sun 11:00-00:00

The opening hours of the premises

Standard Hours:

Mon 08:00-00:30
Tue 08:00-00:30
Wed 08:00-00:30
Thu 08:00-00:30
Fri 08:00-00:30
Sat 08:00-00:30
Sun 08:00-00:30

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

On Premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Mr Hasan Dogan
[REDACTED]

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

N/A

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

Mr Tony Manconi

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

Date of grant: 07/09/2011

**David Tuitt
Team Leader - Licensing**

Annex 1 - Mandatory Conditions 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

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

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

7.3 Where the permitted price given by Paragraph 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.

Annex 2 - Conditions consistent with the Operating Schedule

8. Any incidents of a criminal nature that may occur on the premises will be reported to the Police.
9. CCTV shall be installed and maintained at the premises at all times.
10. CCTV shall cover both inside and outside the building.
11. Notices must be prominently displayed to remind customers to leave quietly and have regard to nearby residents.
12. The licensee and staff will ask persons who appear to be under the age of 21 for photographic ID such as proof of age cards, the Connexions Card and Citizen Card, photographic driving licence or passport, an official identity card issued by HM Forces or by an EU country, bearing the photograph and date of birth of bearer. The Challenge 21 logo and posters will be displayed at the premises.
13. Staff to be trained for underage sales prevention regularly.
14. A register of refused sales shall be kept and maintained on the premises.
15. There shall be no more than nine tables seating a maximum of 18 people outside the premises at any one time.
16. All outside tables and chairs shall be removed from use at 2300 Sunday to Thursday and at midnight Friday and Saturday.
17. Alcohol shall only be ancillary to a substantial table meal for patrons using the outside front area tables and chairs at all times.

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

Not Applicable

Web Page

Web Page

Web Page

Web Page

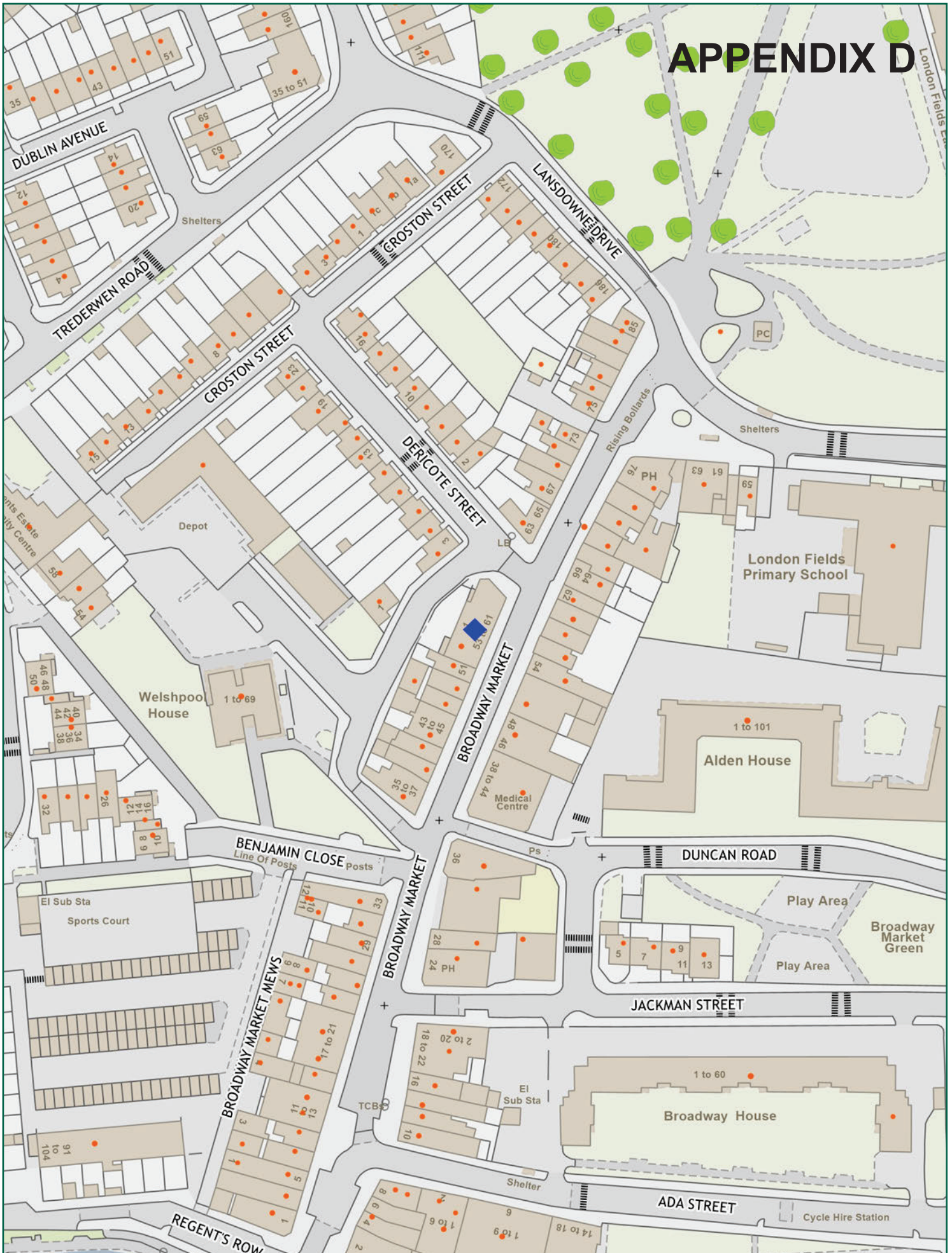
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APPENDIX D



Scale: 1:1250 at A4

Bella Vita, 53-57 Broadway Market, London, E8 4PH



Ref:
Monday, March 11, 2024

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email:

please specify copyright statement