

LICENSING SUB COMMITTEE

Monday, 3 June 2019 at 2.30 p.m.

**The Council Chamber, Town Hall, Mulberry Place, 5 Clove Crescent,
London, E14 2BG**

This meeting is open to the public to attend.

Contact for further enquiries:

Simmi Yesmin, Senior Democratic Services Officer
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QR code for smart phone users.

APOLOGIES FOR ABSENCE

To receive any apologies for absence.

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST (Pages 7 - 10)

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Monitoring Officer.

2. RULES OF PROCEDURE (Pages 11 - 20)

To note the rules of procedure which are attached for information.

	PAGE NUMBER(S)	WARD(S) AFFECTED
3. ITEMS FOR CONSIDERATION		

3.1 Application for a New Premises Licence for (Munich Cricket Club) Unit E2, Hertsmere Road, Canary Wharf, London E14 4AE	21 - 106	Canary Wharf
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Licensing Objectives:

- Public Nuisance

Representations by:

- Local Resident(s)

3.2 Application for a New Premises Licence for: Royal PFC 178a Whitechapel Road London E1 1BJ	107 - 166	Whitechapel
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Licensing Objectives:

- Crime & Disorder

Representations by:

- Licensing Authority

4. EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003

The Sub Committee may be requested to extend the decision deadline for applications to be considered at forthcoming meetings due to the volume of applications requiring a hearing. Where necessary, details will be provided at the meeting.

DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

Interests and Disclosable Pecuniary Interests (DPIs)

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

Effect of a Disclosable Pecuniary Interest on participation at meetings

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Monitoring Officer following consideration by the Dispensations Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Monitoring Officer of the interest for inclusion in the Register.

Further advice

For further advice please contact:-

Asmat Hussain, Corporate Director, Governance and Monitoring Officer, Tel 020 7364 4800

APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

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TOWER HAMLETS



LICENSING COMMITTEE

RULES OF PROCEDURE GOVERNING APPLICATIONS FOR PREMISES LICENCES AND OTHER PERMISSIONS UNDER THE LICENSING ACT 2003

Date Last Reviewed:	14th June 2016
Reviewed By:	Senior Corporate and Governance Legal Officer
Approved By:	Licensing Committee
Date Approved:	14th June 2016
Version No.	1
Document Owner:	Paul Greeno
Post Holder:	Senior Corporate and Governance Legal Officer
Date of Next Scheduled Review:	31st March 2018

1. Interpretation

- 1.1 These Procedures describe the way in which hearings will be conducted under the Licensing Act 2003, as set out in the Licensing Act 2003 (Hearings) Regulations 2005 (as amended) ('the Hearings Regulations'). The Procedures take into account the Licensing Act (Premises Licences and Club Premises Certificates) Regulations 2005.
- 1.2 Except where otherwise stated, references in this Code are to the Licensing Committee and its Sub-committees and the expression 'Licensing Committee' should be interpreted accordingly.
- 1.3 The Hearings Regulations provide (Regulation 21) that a Licensing Authority shall, subject to the provisions of those Regulations, determine for itself the procedure to be followed at a hearing.
- 1.4 These Procedures, therefore, set out the way in which Licensing Committee Meetings will be conducted under the Licensing Act 2003, following the requirements of the Hearings Regulations.
- 1.5 Proceedings will not be rendered void only as the result of failure to comply with any provision of the Hearings Regulations (Regulation 31) save that in any case of such an irregularity, the Licensing Committee shall, if it considers that any person may have been prejudiced as a result of the irregularity, take such steps as it thinks fit to cure the irregularity before reaching its determination (Regulation 32).

2. Composition of Sub-Committee

- 2.1 The Sub-Committee will consist of three (3) members and no business shall be transacted unless three (3) members of the Licensing Committee are present and able to form a properly constituted Licensing Sub-Committee. In such cases the Chair shall have a second or casting vote.

3. Procedure

- 3.1 The hearing shall take place in public save that the Licensing Committee may exclude the public from all or part of a hearing where it considers that, on balance, it is in the public interest to do so. The parties and any person representing them may be excluded in the same way as another member of the public. Any person so excluded may, before the end of the hearing, submit to the Licensing Committee in writing, any information which, they would have been entitled to give orally had they not been required to leave. Where there are a number of items on the agenda, the adjournment of that item for a short period, whilst another item is heard, may allow this process to be carried out effectively.

- 3.2 The Chair will begin by asking the parties to identify themselves and confirm whether or not they are represented.
- 3.3 The Licensing Committee should always satisfy itself that sufficient notice of the hearing has been given to all parties and if not satisfied, then the Licensing Committee should take such steps as it thinks fit to deal with that issue before reaching its determination and this could include adjourning that application to a later date.
- 3.4 The Licensing Committee will then consider any requests by a party for any other person to be heard at the hearing in accordance with the Regulations. Permission will not be unreasonably withheld provided proper notice has been given.
- 3.5 The Chair will then explain how the proceedings will be conducted, and indicate any time limits that may apply to the parties to the application. In setting time limits, the Licensing Committee will take into account the importance of ensuring that all parties receive a fair hearing, and the importance of ensuring that all applications are determined expeditiously and without undue delay. Further the Licensing Committee must have regard to the requirement to allow each party an equal amount of time.
- 3.6 If a party considers that any time limit is not sufficient then they should address the Licensing Committee and which will determine accordingly.
- 3.7 If any party has informed the Authority that they will not be attending or be represented at the hearing or any party does not give notice that they will not be attending but fails to attend and is not represented, the Licensing Committee may proceed in their absence or adjourn the hearing if it considers it to be necessary in the public interest. An adjournment will not be considered where due to the operation of the Hearing Regulations it would not be possible to adjourn.
- 3.8 If the Licensing Committee adjourns the hearing to a specified date it must specify the date, time and place to which the hearing has been adjourned and why it is considered necessary in the public interest.
- 3.9 If the Licensing Committee holds the hearing in the absence of a party, it will consider at the hearing the application, representation or notice given by that party.
- 3.10 The Chair will invite an Officer of the Licensing Section to present the report by briefly summarising the application and the number and type of the representations as set out in the papers circulated. The Officer will also advise of any discussions held with the parties; any amendments made to the application; any representations withdrawn; and any agreed conditions that the Licensing Committee is being asked to consider. The Officer shall not give

any opinion on the application or ask the Committee to make an inference based on such an opinion.

- 3.11 Members of the Licensing Committee can then ask questions of clarification of the Licensing Officer or seek legal advice from the Legal Adviser to the Licensing Committee if they require in respect of matters raised during the presentation by the Licensing Officer.
- 3.12 The Legal Adviser to the Licensing Committee will then give any relevant legal advice that the Licensing Committee need to take into consideration.
- 3.13 The Chair will then ask the applicant or their representative, if present, to present a summary of the nature and extent of the application. This should be brief, avoid repetition of material already available to the Licensing Committee in the Officer's report or otherwise, and include any reasons why an exception should be made to the Council's Licensing Policy, where appropriate, and respond to the written representations received. The submission may be followed by the evidence of any person who has been given permission by the Committee to give supporting evidence on behalf of the applicant or who has made a representation in favour of the application.
- 3.14 The application is to be presented within the time limit that has been set.
- 3.15 Where an applicant is unrepresented and having difficulty in presenting their application then the Legal Adviser to the Licensing Committee may ask questions of the applicant so that the relevant points are addressed and clarified for the Licensing Committee.
- 3.16 Members of the Licensing Committee may ask questions of the person presenting the case after their address as well as any other person who has spoken in support of the application. Members can also ask questions of the applicant as well as any other person present for the applicant who they consider can assist.
- 3.17 The Legal Adviser to the Licensing Committee may ask questions for the purpose of clarifying points for the Licensing Committee.
- 3.18 The Chair will then ask the persons who have made representations against the application to address the Licensing Committee within the time limit that has been set. They should not repeat what is already set out in their representations or notice or raise new matters. In their address they should provide clarification on any points previously requested by the Council. The submission may be followed by the evidence of any person who has been given permission by the Committee to give supporting evidence.
- 3.19 Members of the Licensing Committee may then ask questions of the persons making representations against the application and any other person who has

spoken in support of such representation. Members can also ask questions of any other person present who they consider can assist.

- 3.20 The Legal Adviser to the Licensing Committee may ask questions for the purpose of clarifying points for the Licensing Committee.
- 3.21 Petitions will be treated as representations provided they meet the requirements for relevant representations set out in the Licensing Act 2003. Members should proceed with caution when relying upon petitions used as evidence due to the structure and wording used.
- 3.22 The Licensing Committee will disregard any information given by a party, or any other person appearing at the hearing, which is not relevant to:
 - a) their application, representation or notice; and
 - b) the promotion of the licensing objectives or the crime prevention objective where notice has been given by the police.
- 3.23 The Chair will intervene at any stage of the hearing to prevent repetitious or irrelevant points being raised.
- 3.24 Cross examination of any party or any other person allowed to appear will not be allowed unless specifically permitted by the Chair.
- 3.25 There is no right for any party to sum up but they may be permitted to do at the discretion of the Chair and within time limits prescribed by the Chair.
- 3.26 The Licensing Committee will consider its decision in private save that the Legal Adviser and Democratic Services Officer will remain with them.
- 3.27 The Licensing Committee will normally return to open session to announce its decision but in cases where the prescribed time limit allows for a later determination and it is appropriate to determine the matter within that time then the Chair will advise the parties present that the decision will not be announced then but that the determination will take place within the prescribed time limit and that written notification will be dispatched to all parties advising them of the determination.

4. Exclusions

- 4.1 In addition to any exclusion under paragraph 3.1 above, The Licensing Committee may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may refuse to permit the person to return; or allow them to return only on such conditions as Licensing Committee may specify.

- 4.2 Any person so excluded may, before the end of the hearing, submit to the Authority in writing, any information which, they would have been entitled to give orally had they not been required to leave.

Guidance for Licensing Sub-Committee Meetings.

(1) Attendance at Meetings.

All meetings of the Sub-Committee are open to the public and press to attend. On rare occasions, the Sub-Committee may retire to consider private business that will be clearly marked on the agenda as such. The press and public will be excluded for those confidential items only. We try to keep confidential reports to an absolute minimum. We request that you show courtesy to all present and please keep mobile phones on silent. Meetings can reach full capacity and seats are allocated on a first come first come served basis.

(2) Licensing Sub-Committee Role and Membership.

In summary, the Sub-Committee will consider and determine applications to grant, vary or review a license submitted under the Licensing Act 2003 where representations have been made. The full terms of reference can be found on the Committee webpages (see below). The Licensing Sub-Committee will consist of 3 Members of the main Licensing Committee. Meetings are normally held in the Town Hall Council Chamber.

Licensing Sub-Committee Webpages

To view go to the Committee and Member Services web page:
www.towerhamlets.gov.uk/committee - 'agenda, reports, decisions and minutes', then click on 'Licensing Sub-Committee'.

The pages include:

- Terms of Reference for the Licensing Sub-Committee.
- Meeting dates, agendas and minutes.
- Agenda timetable including agenda publication dates. (To view click 'browse meetings and agendas for this committee', then 'show agenda management timetable').

(3) Access to Committee Papers.

The agenda for Sub-Committee meetings is published five clear (working) days before the Sub-Committee meeting on the Committee webpages (except for certain types of applications where special rules apply). All Committee papers (i.e. agendas, reports, minutes and decisions) are published on the website and also available on iPad and Android tablet apps downloadable for free from their respective app stores.

(4) Who can speak at Licensing Sub-Committee meetings?

Only interested parties may address the Sub-Committee (those who have made a valid representation) and the applicant and their representatives. Although the Sub-Committee may allow other persons to present the interested parties evidence or to give supporting evidence. If you are planning to attend the hearing to address the committee, you are advised to contact the Committee Officer - see the Committee

pages and agenda front page for contact details. Speakers are advised to arrive at the start of the meeting in case the order of business is changed. Speakers will be called to speak by the Chair at the appropriate time. If speakers are not present by the time their application is heard, the Committee may consider the item in their absence.

(5) What can be circulated?

Should you wish to submit any material, please contact the Committee/Licensing Officer as soon as possible. The Sub-Committee may accept information at the hearing, however this is only with the agreement of all parties present.

(6) How will the applications be considered?

The Sub-Committee will normally consider the items in agenda order subject to the Chair's discretion. The hearing procedure is detailed at the end of this guidance.

(7) How can I find out about a decision?

You can contact Democratic Services the day after the meeting to find out the decisions.

(8) Queries on reports.

For any questions, please contact the Officer named on the front of the report.

Typical Seating Plan for Licensing Sub - Committee Meetings in the Town Hall Council Chamber.

Public Seating		Objectors Benches		Sub-Committee Members
Public Seating				
Public Seating				Chair
Public Seating				Legal Officer
Public Seating		Applicants Benches		Committee Officer
Public Seating				
				Licensing Officer

LICENSING SUB COMMITTEE HEARING PROCEDURE

All interested parties to the hearing must notify Democratic Services within prescribed timescales that they intend to attend and/or be represented at the hearing and whether any witnesses will be attending on their behalf. The meeting will be in the form of a discussion led by the Sub Committee, cross examination of either party will not be permitted.

The Chair will allocate an equal amount of speaking time to each party. Where there is more than one representation raising the same or similar grounds, those parties should consider nominating a single representative to address the Sub-Committee on their behalf at the hearing.

The hearing will proceed as follows (subject to the discretion of the Chair).

1. Chair will introduce him/herself and ask Members, officers, and all interested parties present at the meeting to introduce themselves.
2. Licensing Officer to present the report.
3. Committee Members to ask questions of officer (if any).
4. The Applicant to present their case in support of their application (including any witnesses they may have).
5. Committee Members to ask questions of applicants and their witnesses or ask for points of clarification.
6. The relevant Responsible Authorities in attendance will present their case and their reasons for representation (including any witnesses they may have).
7. The Objectors/Interested Parties in attendance will present their case and their reasons for objecting (including any witnesses they may have).
8. Committee Members to ask questions of Responsible Authorities, objectors and their witnesses or ask for points of clarification.
9. Applicant (with exception and with permission of the Chair) can ask questions of the other parties to the hearing and their witnesses.
10. Interested Parties to the hearing (with exception and with the permission of the Chair) can ask questions of the applicant/other parties to the hearing and their witnesses.
11. Chair's closing remarks
12. Sub-Committee retire from the meeting with the Committee Officer and Legal Officer and consider their decision.
13. The Sub-Committee will return to the meeting and Chair announces the decision together with the reasons for the decision and any right to appeal.
14. A Decision letter will be sent to all interested parties confirming the decision made.

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Agenda Item 3.1

Committee : Licensing Sub-Committee	Date 3 rd June 2019	Classification Unclassified	Report No.	Agenda Item No.
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Report of: David Tolley Head of Environmental Health & Trading Standards Originating Officer: Mohshin Ali Senior Licensing Officer	Title: Licensing Act 2003 Application for a Premises Licence for (Munich Cricket Club) Unit E2, Hertsmere Road, Canary Wharf, London E14 4AE Ward affected: Canary Wharf
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1.0 Summary

Applicant:	Munich Cricket Club Limited
Name and	Munich Cricket Club
Address of Premises:	Unit E2 Hertsmere Road Canary Wharf London E14 4AE
Licence sought:	Licensing Act 2003 – premises licence <ul style="list-style-type: none"> • The sale by retail of alcohol • The provision of regulated entertainment (recorded music only)
Representation(s):	Resident

2.0 Recommendations

- 2.1 That the Licensing Committee considers the application and representations then adjudicate accordingly.

LOCAL GOVERNMENT 2000 (Section 97) LIST OF "BACKGROUND PAPERS" USED IN THE DRAFTING OF THIS REPORT

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

- Guidance Issued under Section 182 of the Licensing Act 2003
- Tower Hamlets Licensing Policy
- File

Mohshin Ali
020 7364 5498

3.0 Background

- 3.1 This is an application for a premises licence for (Munich Cricket Club) Unit E2, Hertsmere Road, Canary Wharf, London E14 4AE.
- 3.2 The applicant has described the premises as follows:
“Munich Cricket Club is a successful and exciting contemporary Bierkeller in the traditional Bavarian Style. The premises will deliver traditional, freshly prepared authentic German food and specially selected Munich beers”.
- 3.3 A copy of the existing premises licence for “La Tasca” held by “Casual Dining Services Ltd” is enclosed as **Appendix 1** for members information. However, it should be noted that this licence is currently suspended as the annual fee for 2018 (November) has not been paid.
- 3.4 A copy of the premises licence application form is enclosed as **Appendix 2**.
- 3.5 The applicant has applied for the following licensable activities and timings:-
- The sale by retail of alcohol – On sales only**
- Monday to Wednesday, from 11:00 hrs to 23:30 hrs
 - Thursday to Saturday, from 11:00 hrs to 01:00 hrs the following day
 - Sunday, from 11:00 hrs to 23:30 hrs
- The provision of regulated entertainment - Indoors (Recorded music)**
- Monday to Wednesday, from 11:00 hrs to 23:30 hrs
 - Thursday to Saturday, from 11:00 hrs to 01:00 hrs the following day
 - Sunday, from 11:00 hrs to 23:30 hrs
- Non-standard timings
- From the end of permitted hours on New Year's Eve until 02:00 on New Year's Day
- The opening hours of the premises**
- Monday to Wednesday, from 11:00 hrs to 00:00 hrs (midnight)
 - Thursday to Saturday, from 11:00 hrs to 02:00 hrs the following day
 - Sunday, from 11:00 hrs to 00:00 hrs (midnight)
- Non-standard timings
- From the end of permitted hours on New Year's Eve until 02:00 on New Year's Day

4.0 Location and Nature of the premises

- 4.1 The site plan of the venue is included as **Appendix 3**.
- 4.2 Maps showing the vicinity are included as **Appendix 4**.

4.3 Details of the nearest licensed venues are included as **Appendix 5**.

5.0 Licensing Policy and Government Advice

5.1 The Council has adopted a licensing policy and this is available from the Licensing Section, and at the hearing. The revised policy came into effect on the 1st November 2013.

5.2 Relevant Sections of the policy are brought to the attention of Members within the Licensing Officers report.

5.3 The Home Secretary has issued Guidance under Section 182 of the Licensing Act 2003. This is available on the Government's website, www.homeoffice.gov.uk. It was last revised in April 2018.

5.4 Relevant Sections of this advice are brought to Members attention within the Licensing Officers report. Members should note however, that in some areas Tower Hamlets, after a proper consideration of local circumstances, has not followed the Government's advice, or has developed it further.

6.0 Representations

6.1 All representations have to meet basic legal and administrative requirements. If they fail to do so they cannot be accepted. When rejected the person sending in the representation must be written to, and an explanation for rejection given in writing

6.2 A responsible authority or other person can make a representation. There are two tests for other persons and only one for a responsible authority. The two tests are contained in Section 18 of the Act.

6.3 All representations must be "about the likely effect of the grant of the premises licence on the promotion of the licensing objectives." Likely means something that will probably happen, i.e. on balance more likely than not.

6.4 Representations by responsible authorities do not have to meet the second test of not being vexatious and frivolous. Other persons have to meet this test.

6.5 The Home Office recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation.

6.6 Section 182 Advice by the Home Office concerning relevant, vexatious and frivolous representations is attached as **Appendix 6**.

6.7 All the representations in this report have been considered by the relevant officer (Team Leader Licensing & Safety) and determined to have met the requirements of the Licensing Act 2003.

- 6.8 This hearing is required by the Licensing Act 2003, because relevant representations have been made by the a local resident (See **Appendix 7**).
- 6.9 The applicant has written to the objector following the representation and the email correspondence is included as **Appendix 8**. At the time of writing this report no response was received by the Licensing Authority.
- 6.10 All of the responsible authorities have been consulted about this application. They are as follows:
- The Licensing Authority
 - The Metropolitan Police
 - The LFEPA (the London Fire and Emergency Planning Authority).
 - Planning
 - Health and Safety
 - Noise (Environmental Health)
 - Trading Standards
 - Child Protection
 - Public Health
 - Home Secretary (Home Office Immigration Enforcement)
- 6.11 In addition the application was required to be advertised in a local newspaper and by a blue poster. Only representations that relate to the following licensing objectives are relevant:
- the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm
- 6.12 Essentially, the relevant parties oppose the application because in their opinion, the applicant has not explained how within the context of the application they will meet the licensible objectives of the prevention of crime and disorder, public safety and the prevention of public nuisance.
- 6.13 There are strict time limits to any representations. The time limits are contained in The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005.
- 6.14 The applicant has offered measures in the operating schedule of the application that address the promotion of the Licensing Objectives. If there were no representations, the Licensing Authority would grant the licence, with conditions consistent with the operating schedule, which are relevant, proportionate and enforceable. Members are asked to consider the schedule and incorporate any conditions as necessary to address the licensing objectives.
- 7.0 **Conditions consistent with Operating Schedule (as offered by the applicant)**

General (all licensing objectives)

- 7.1 *No licensable activities shall take place at the premises until premises licence 20080 (or such other number subsequently issued for the premises) has been surrendered.*
- 7.2 *From 20:00 until the premises closes to the public daily there shall be a personal licence holder on duty on the premises.*
- 7.3 *There shall be no admittance or re-admittance to the premises after 23:30 on Thursday, Friday and Saturday evenings except for patrons permitted to temporarily leave the premises to smoke.*
- 7.4 *A direct telephone number for the manager at the premises shall be available at all times the premises is open.*
- 7.5 *Until 22:30 daily substantial food shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.*
- 7.6 *Non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.*

The prevention of crime and disorder

- 7.7 *The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police Licensing Team. All 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. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.*
- 7.8 *A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.*
- 7.9 *A minimum of 2 SIA licensed door supervisors shall be on duty at the premises from 20:00 until close of business on Thursday, Friday and Saturday evenings. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police. It must be completed within 24 hours of the incident and will record the following:*
 - a) *all crimes reported to the venue*
 - b) *all ejections of patrons*

- c) *any complaints received concerning crime and disorder*
- d) *any incidents of disorder*
- e) *all seizures of drugs or offensive weapons*
- f) *any faults in the CCTV system, searching equipment or scanning equipment any refusal of the sale of alcohol any visit by a relevant authority or emergency service.*

7.10 *In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:*

- a) *The police (and, where appropriate, the London Ambulance Service) are called without delay;*
- b) *All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;*
- c) *The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and*
- d) *Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.*

The prevention of public nuisance

7.11 *No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.*

7.12 *Loudspeakers shall not be located in the entrance lobby or outside the premises building.*

7.13 *All windows and external doors shall be kept closed after 22:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.*

7.14 *All outside tables and chairs shall be rendered unusable by 22:30 each day. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.*

7.15 *Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.*

- 7.16 *Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.*
- 7.17 *Patrons permitted to temporarily leave and then re-enter the premises to smoke shall be restricted to a designated smoking area as shown on the plan.*
- 7.18 *The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.*
- 7.19 *No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance.*

Public safety

- 7.20 *The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.*
- 7.21 *The protection of children from harm*
- 7.22 *A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.*

8.0 Conditions in consultation with the Responsible Authorities

None

9.0 Licensing Officer Comments

- 9.1 The Live Music Act removed licensing requirements for the following:
- amplified live music and recorded music between 8am and 11pm before audiences of no more than 500 people on premises authorised to sell alcohol for consumption on the premises;
 - unamplified live music between 8am and 11pm in all venues.
 - Further exemptions apply see Section 16.5-16.6 of Section 182 Guidance.
- 9.2 The following is intended simply to advise Members of the relevant aspects of the Boroughs Licensing Policy, guidance from the Secretary

of State, legislation and good practice. Members may depart from the Council's Licensing Policy and/or Government advice, provide they consider it appropriate to do so, and have clear reasons for their decision.

9.3 Guidance issued under section 182 of the Licensing Act 2003

- ❖ As stated in the guidance it is “provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act.” It is a key medium for promoting best practice, ensuring consistent application and promoting fairness equal treatment and proportionality (1.7).
- ❖ Also “as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons. Departure from this Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.” Therefore licensing authorities will need to give full reasons for their actions (1.9).
- ❖ Also Members should note “A Licensing Authority may depart from its own policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the licensing objectives.” (1.12)
- ❖ Also, “The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives.” Therefore, conditions may not be imposed for the purpose other than promoting the licensing objectives and in some cases no additional conditions will be appropriate. (10.8)
- ❖ Necessary conditions should emerge from a risk assessment by the applicant, which should then be reflected in the operating schedule (10.4).
- ❖ The Guidance states: “Where there are objections to an application to extend the hours during which licensable activities are to be carried on and the licensing authority determines that this would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.” (10.14)
- ❖ Mandatory conditions must be imposed (10.25) and censorship avoided (10.17).
- ❖ The Guidance states: “It is still permitted to sell alcohol using promotions (as long as they are compatible with any other licensing condition that may be in force), and the relevant person should ensure

that the price of the alcohol is not less than the permitted price. Detailed guidance on the use of promotions is given in the guidance document available on the Gov.uk website.” (10.58) Also, “Licensing authorities should not attach standardised blanket conditions promoting fixed prices for alcoholic drinks to premises licences or club licences or club premises certificates in an area.” (10.21)

- 9.4 The Licensing Act 2003 permits children of any age to be on the premises which primarily sells alcohol providing they are accompanied by an adult. It is not necessary to make this a condition.
- 9.5 In all cases the Members should make their decision on the civil burden of proof, that is “the balance of probability.”
- 9.6 In all cases Members should consider whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.
- 9.7 The Government has advised that conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. Conditions cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff and standardised conditions should be avoided where they cannot be shown to be appropriate. (1.16/1.17)
- 9.8 The Council’s Licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.
- 9.9 In **Appendices 9 - 12** Members are given general advice, and also have explanations of the Council’s Licensing Policy, Government advice and other legislation relating to the matters previously identified.

10.0 Legal Comments

- 10.1 The Council’s legal officer will give advice at the hearing.

11.0 Finance Comments

- 11.1 There are no financial implications in this report.

12.0 Appendices

Appendix 1	A copy of the existing premises licence
Appendix 2	A copy of the current application
Appendix 3	Site Plan
Appendix 4	Maps of the surrounding area
Appendix 5	Other licensed venues in the area
Appendix 6	Section 182 Guidance by the Home Office
Appendix 7	Representations of resident
Appendix 8	Applicant email to resident
Appendix 9	Licensing Officer comments on noise while the premise is in use
Appendix 10	Licensing Officer comments on access/egress Problems
Appendix 11	Planning
Appendix 12	Licensing Policy relating to hours of trading

Appendix 1

**(La Tasca)
Hertsmere Road
West India Quays
Canary Wharf, Docklands
London
E14 4AE**

Licensable Activities authorised by the licence

The sale by retail of alcohol

See the attached licence for the licence conditions

Signed by

David Tolley 
Head of Environmental Health & Trading Standards

Date: 23rd November 2005

Part A - Format of premises licence

Premises licence number

20080

Part 1 - Premises details

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

**(La Tasca)
Hertsmere Road
West India Quays
Canary Wharf, Docklands**

Post town
London

Post code
E14 4AE

Telephone number

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities

On Sales

Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- a. On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10 a.m. to 11 p.m.
- b. On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30 p.m.
- c. On Good Friday, 12 noon to 10.30 p.m.
- d. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.

- e. On New Year's Eve, except on a Sunday, 11 a.m. to 11 p.m.
- f. On New Year's Eve on a Sunday, 12 noon to 10.30 p.m.
- g. On New Year's Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

Alcohol may be sold or supplied (for one hour following the hours set out above and to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

For conditions re. "drinking up time" see
Annex 1 Mandatory Conditions

For conditions relating to times re off sales with a premises that permits on sales and exemptions see Mandatory Conditions

Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.

The opening hours of the premises

There are no restrictions on the hours during which this premises is open to the public

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

On and off sales

Part 2

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

**Casual Dining Services Ltd
1st Floor
163 Eversholt Street
London NW1 1BU**

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

06022528

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

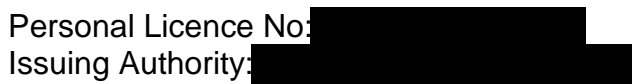
Timothy James Bennett



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

Personal Licence No:

Issuing Authority:



Annex 1 - Mandatory conditions

No supply of alcohol may be made under the premises licence-

- a) at a time where there is no designated premises supervisor in respect of the premises licence, or
- b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence

1.

- (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 disability)
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3.

- (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 sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy
 - (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.
4. The responsible person must 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—
 - (i) beer or cider: ½ pint
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) 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.
5. 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.
2. For the purposes of the condition set out in paragraph 1—
- (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
3. Where the permitted price given by Paragraph (b) of paragraph 2 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.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 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

None

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

Not applicable

Annex 4 - Plans

The plans are those submitted to the licensing authority on the following date:
29 Jul 2005

Part B - Premises licence summary

Premises licence number

20080

Premises details

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

**(La Tasca)
Hertsmere Road
West India Quays
Canary Wharf, Docklands**

**Post town
London**

**Post code
E14 4AE**

Telephone number

[REDACTED]

**Where the licence is
time limited the dates**

N/a

**Licensable activities
authorised by the
licence**

The sale by retail of alcohol

**The times the licence
authorises the
carrying out of
licensable activities**

**Alcohol shall not be sold or supplied except during permitted hours.
In this condition, permitted hours means:**
a. On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10 a.m. to 11 p.m.
b. On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30 p.m.
c. On Good Friday, 12 noon to 10.30 p.m.
d. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.
e. On New Year's Eve, except on a Sunday, 11 a.m. to 11 p.m.

f. On New Year's Eve on a Sunday, 12 noon to 10.30 p.m.
g. On New Year's Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

Alcohol may be sold or supplied (for one hour following the hours set out above and to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.

The opening hours of the premises

These are not restricted

Name, (registered) address of holder of premises licence

Casual Dining Services Ltd
1st Floor
163 Eversholt Street
London NW1 1BU

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

On and off

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

06022528

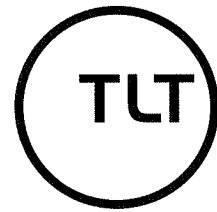
Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Timothy James Bennett

State whether access to the premises by children is restricted or prohibited

No

Appendix 2



London Borough of Tower Hamlets
Licensing Section
John Onslow House
1 Ewart Place
LONDON
E3 5EQ

Online Application

Direct tel	[REDACTED]	Date	20 March 2019
Direct fax	+44 (0)333 006 1492	Email	[REDACTED]

Dear Sirs

Licensing Act 2003: Online new premises licence application
Our client – Munich Cricket Club Limited
Unit E2 Hertsmere Road East India Quay Canary Wharf London E14 4AN

We enclose the above application, together with related documentation, that has been submitted through the Gov.uk website.

The appropriate fee has been paid online.

Kindly acknowledge receipt confirming the date of receipt.

Should you need us to discuss the enclosed then please contact the writer.

Yours faithfully

[REDACTED]

TLT LLP

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 Munich Cricket Club 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			
Unit E2 (formerly La Tasca) Hertsmere Road Canary Wharf			
Post town	LONDON	Postcode	E14 4AE

Telephone number at premises (if any)	None
Non-domestic rateable value of premises	£119,000

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **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) | <input type="checkbox"/> | please complete section (B) |
| c) | a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) | a charity | <input type="checkbox"/> | 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) **[INTENTIONALLY BLANK]**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes			
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable) [INTENTIONALLY BLANK]

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth			I am 18 years old or over <input type="checkbox"/> Please tick yes		
Nationality					
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)					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(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 Munich Cricket Club Ltd
Address Registered office: 1 Harwood Terrace, London, SW6 2AF Correspondence to (please): TLT LLP 20 Gresham Street London EC2V 7JE for the attention of Luke Elford
Registered number (where applicable) 10537432

Description of applicant (for example, partnership, company, unincorporated association etc.) Private limited company
Telephone number (if any) c/o [REDACTED]
E-mail address (optional) c/o [REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
A	S	A	P	±	±	±	±

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD		MM		YYYY			
±	±	±	±	±	±	±	±

Please give a general description of the premises (please read guidance note 1)

Munich Cricket Club is a successful and exciting contemporary Bierkeller in the traditional Bavarian Style. The premises will deliver traditional, freshly prepared authentic German food and specially selected Munich beers.

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 [INTENTIONALLY BLANK]

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			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
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 6)		
Sat					
Sun					

B [INTENTIONALLY BLANK]

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed					
			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur					
Fri					
Sat					
			<u>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</u> (please read guidance note 6)		
Sun					

C [INTENTIONALLY BLANK]

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			
Fri			<u>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</u> (please read guidance note 6)
Sat			
Sun			

D [INTENTIONALLY BLANK]

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Wed					
Thur			<u>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</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

E [INTENTIONALLY BLANK]

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

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4) Recorded music ancillary to the main use of the premises as German Bierkeller		
Mon	11:00	23:30			
Tue	11:00	23:30	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5) None		
Wed	11:00	23:30			
Thur	11:00	01:00	<u>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</u> (please read guidance note 6) From the end of permitted hours on New Year's Eve until 02:00 on New Year's Day		
Fri	11:00	01:00			
Sat	11:00	01:00			
Sun	11:00	23:30			

G [INTENTIONALLY BLANK]

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"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
Fri			<u>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</u> (please read guidance note 6)		
Sat					
Sun					

H [INTENTIONALLY BLANK]

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	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>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</u> (please read guidance note 6)		
Sun					

I [INTENTIONALLY BLANK]

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			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur					
Fri			<u>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</u> (please read guidance note 6)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			<u>Will the supply of alcohol be for consumption</u> – <u>please tick</u> (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5) None		
Mon	11:00	23:30			
Tue	11:00	23:30			
Wed	11:00	23:30			
Thur	11:00		<u>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</u> (please read guidance note 6) From the end of permitted hours on New Year's Eve to 2am on New Year's Day		
Fri	11:00	01:30			
Sat	11:00	01:30			
Sun	11:00	23:30			

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 Robert Edward Gill	
Date of birth [REDACTED]	
Address [REDACTED]	
Postcode [REDACTED]	
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) [REDACTED]	

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).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5) None
Day	Start	Finish	<u>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</u> (please read guidance note 6) From the end of permitted hours on New Year's Eve until 02:00 on New Year's Day
Mon	11:00	00:00	
Tue	11:00	00:00	
Wed	11:00	00:00	
Thur			
	11:00		
Fri		02:00	
	11:00		
Sat		02:00	
	11:00		
Sun		02:00	
	11:00	00:00	

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

Please refer to the Applicant's schedule of suggested conditions

b) The prevention of crime and disorder

Please refer to the Applicant's schedule of suggested conditions

c) Public safety

Please refer to the Applicant's schedule of suggested conditions

d) The prevention of public nuisance

Please refer to the Applicant's schedule of suggested conditions

e) The protection of children from harm

Please refer to the Applicant's schedule of suggested conditions

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
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	proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	20 03 2019 .
Capacity	Solicitors for the Applicant

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)			
Luke Elford TLT LLP 20 Gresham Street			
Post town	LONDON	Postcode	EC2V 7JE
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 with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and

- (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.
 - 15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,

- (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
- (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
- (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Applicant's schedule of suggested conditions

Munich Cricket Club

Unit E2 (formerly La Tasca)

Hertsmere Road

Canary Wharf

London E14 4AE

General (all licensing objectives)

No licensable activities shall take place at the premises until premises licence 20080 (or such other number subsequently issued for the premises) has been surrendered.

From 20:00 until the premises closes to the public daily there shall be a personal licence holder on duty on the premises.

There shall be no admittance or re-admittance to the premises after 23:30 on Thursday, Friday and Saturday evenings except for patrons permitted to temporarily leave the premises to smoke.

A direct telephone number for the manager at the premises shall be available at all times the premises is open.

Until 22:30 daily substantial food shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.

Non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.

The prevention of crime and disorder

The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police Licensing Team. All 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. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.

A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

A minimum of 2 SIA licensed door supervisors shall be on duty at the premises from 20:00 until close of business on Thursday, Friday and Saturday evenings.

An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police. It must be completed within 24 hours of the incident and will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received concerning crime and disorder
- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system, searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:

- (a) The police (and, where appropriate, the London Ambulance Service) are called without delay;
- (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
- (c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
- (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

The prevention of public nuisance

No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

Loudspeakers shall not be located in the entrance lobby or outside the premises building.

All windows and external doors shall be kept closed after 22:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.

All outside tables and chairs shall be rendered unusable by 22:30 each day.

Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.

Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

Patrons permitted to temporarily leave and then re-enter the premises to smoke shall be restricted to a designated smoking area as shown on the plan.

The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance.

Public safety

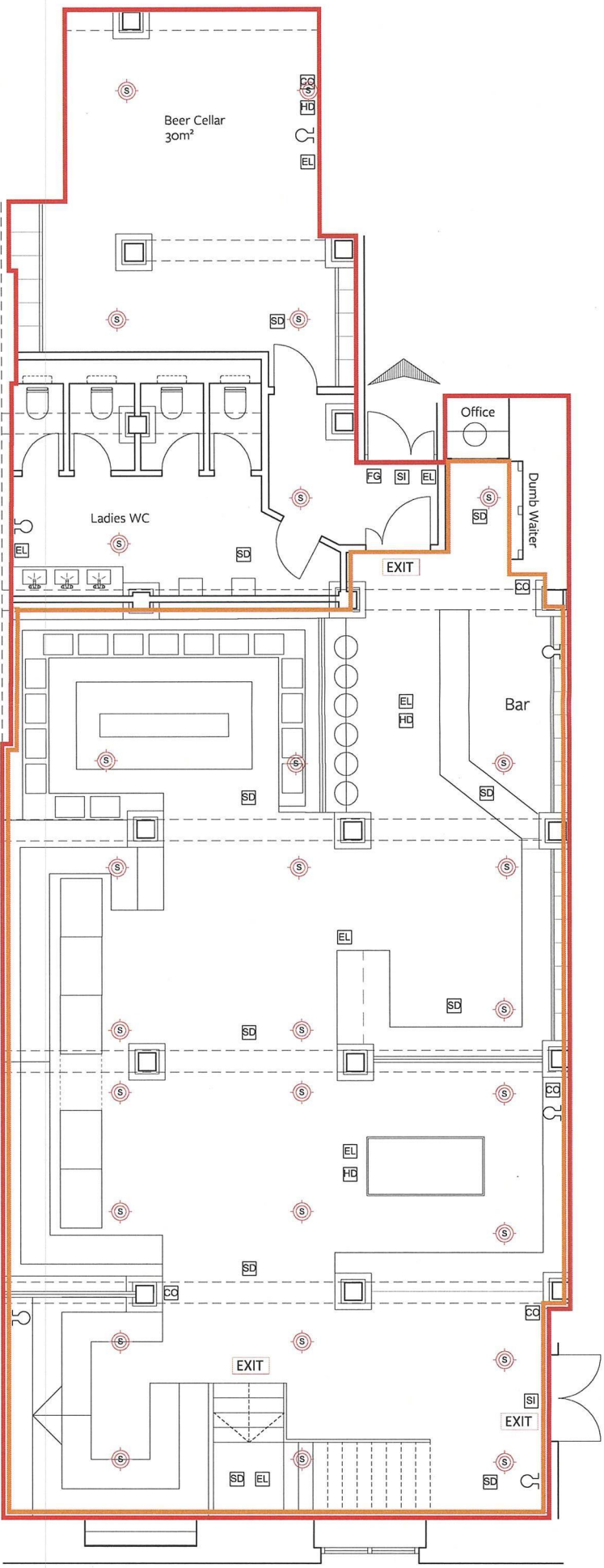
The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.

The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.



















The protection of children from harm

A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

Appendix 3



- 1. Licensable activities may take place anywhere within the red line.
- 2. Any detail not required by the regulations is indicative only and subject to change without notice.
- 3. Fire safety equipment locations are indicative only and may change on advice from the fire service or following a fire risk assessment.

Fire Protection	
Installation of an Automatic fire detection system to be fitted throughout in accordance with BS5839 Part 1, 2002. The escape Lighting system should comply with BS5266: Part1, 1999.	
 Emergency Push pad with sign	 Fire Door keep clear sign located on direction of opening side door
 Wall mounted Fire blanket in container	 Keep Door Locked Sign located on direction of opening side door
 2Kg wall mounted Carbon Dioxide Fire Extinguisher	 Half hour fire door including intumescent smoke seal strips and positive overhead door closures, fire stops and sign
 9 litre wall mounted water fire extinguisher	 Vision panel in door comprising FR glass and hw beads in intumescent paste Minimum size of vision panel 250mm dia.
 Maintained Fire alarm call point location	 Emergency exit sign indicating direction of means of escape
 Maintained Emergency light	 Fire alarm sounder
 Illuminated exit sign over door	Life systems contractor to ensure strict compliance to local and national criteria at design stage. The keys and symbols on this layout should be noted and modified if required.
 Ceiling Mounted Smoke Detector	
 Ceiling mounted Heat Detector	 Location of Automatic Sprinkler Head
 Staff action notice position	One hour fire door including intumescent smoke seal strips and positive overhead door closures, fire stops and sign
 Twin high tower lights	

— : Extent of Premises
— : Area Serving Alcohol/ Hot Food

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METRES

NORTH

Licensing Basement Floor Plan

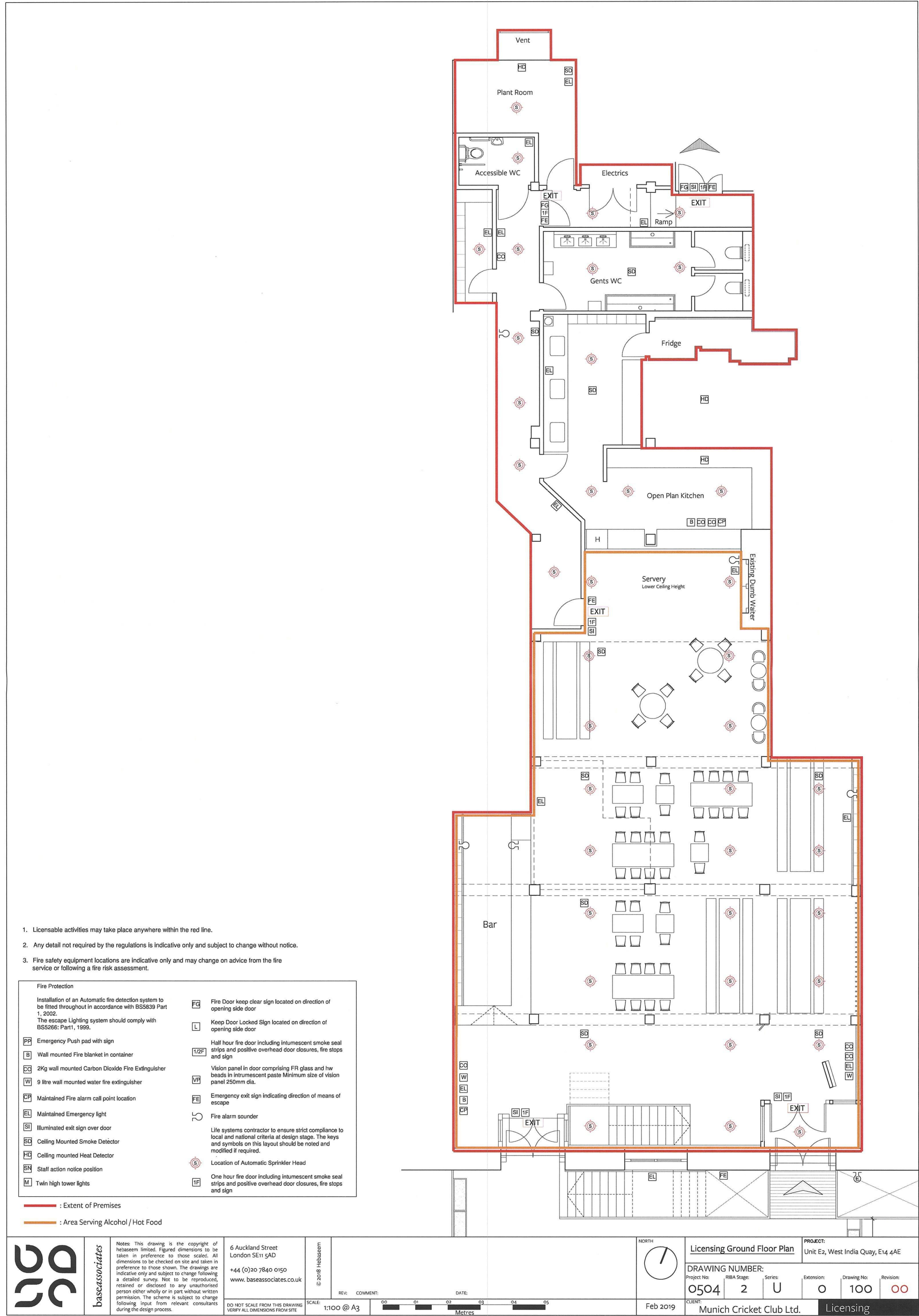
PROJECT: Unit E2, West India Quay, E14 4AE

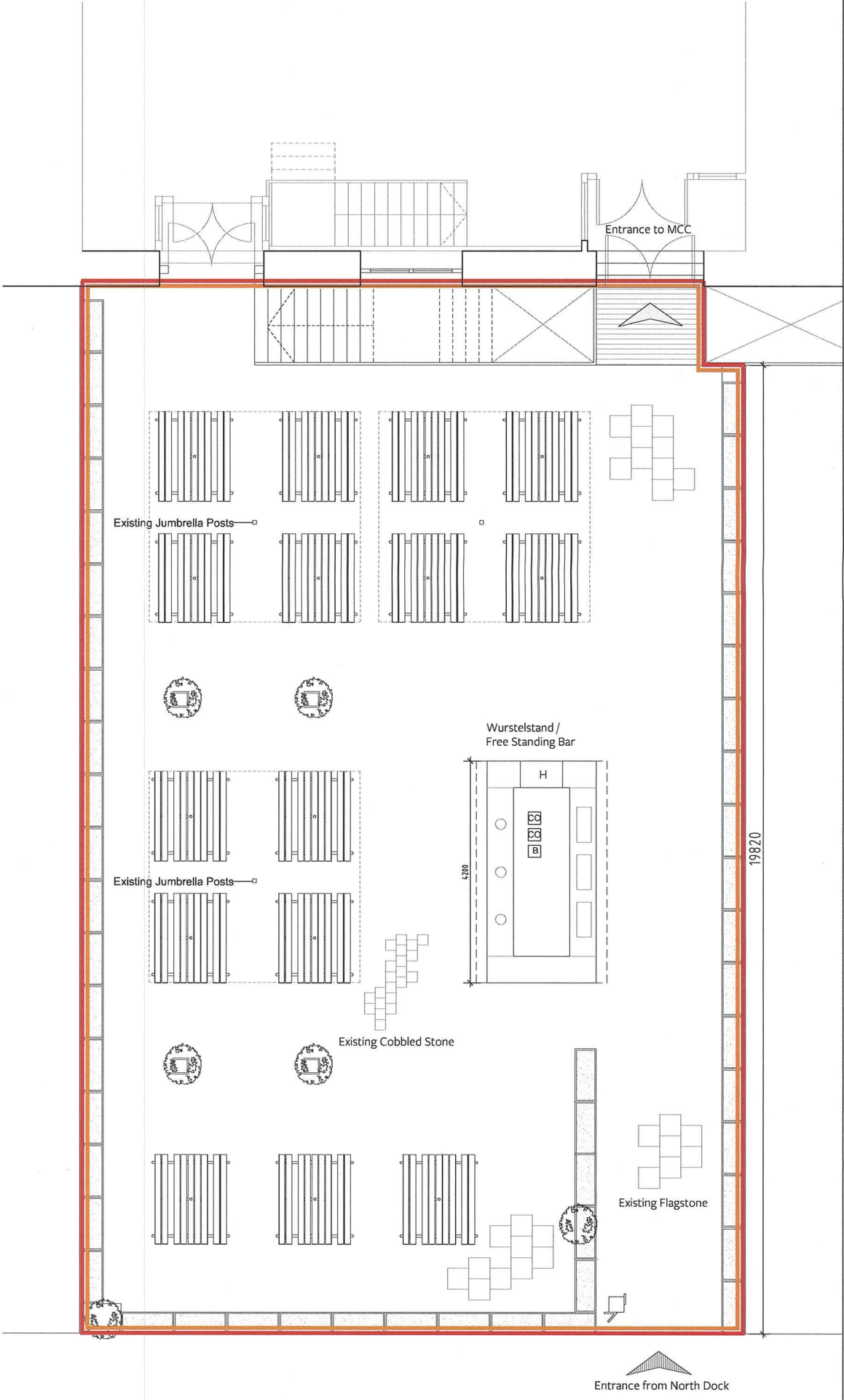
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CLIENT: Munich Cricket Club Ltd.

Licensing





1. Licensable activities may take place anywhere within the red line.
2. Any detail not required by the regulations is indicative only and subject to change without notice.
3. Fire safety equipment locations are indicative only and may change on advice from the fire service or following a fire risk assessment.

Fire Protection	
Installation of an Automatic fire detection system to be fitted throughout in accordance with BS5839 Part 1, 2002. The escape Lighting system should comply with BS5266: Part1, 1999.	
PR Emergency Push pad with sign	FG Fire Door keep clear sign located on direction of opening side door
B Wall mounted Fire blanket in container	L Keep Door Locked Sign located on direction of opening side door
CC 2Kg wall mounted Carbon Dioxide Fire Extinguisher	1/2F Half hour fire door including intumescent smoke seal strips and positive overhead door closures, fire stops and sign
W 9 litre wall mounted water fire extinguisher	VP Vision panel in door comprising FR glass and hw beads in intumescent paste Minimum size of vision panel 250mm dia.
CP Maintained Fire alarm call point location	FE Emergency exit sign indicating direction of means of escape
EL Maintained Emergency light	FS Fire alarm sander
SI Illuminated exit sign over door	Life systems contractor to ensure strict compliance to local and national criteria at design stage. The keys and symbols on this layout should be noted and modified if required.
SD Ceiling Mounted Smoke Detector	
HD Ceiling mounted Heat Detector	Location of Automatic Sprinkler Head
SN Staff action notice position	
M Twin high tower lights	1F One hour fire door including intumescent smoke seal strips and positive overhead door closures, fire stops and sign

— : Extent of Premises

— : Area Serving Alcohol / Hot Food



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Metres

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Licensing Terrace Plan

PROJECT:

Unit E2, West India Quay, E14 4AE

DRAWING NUMBER:

Project No:

RIBA Stage:

Series:

Extension:

Drawing No:

Revision:

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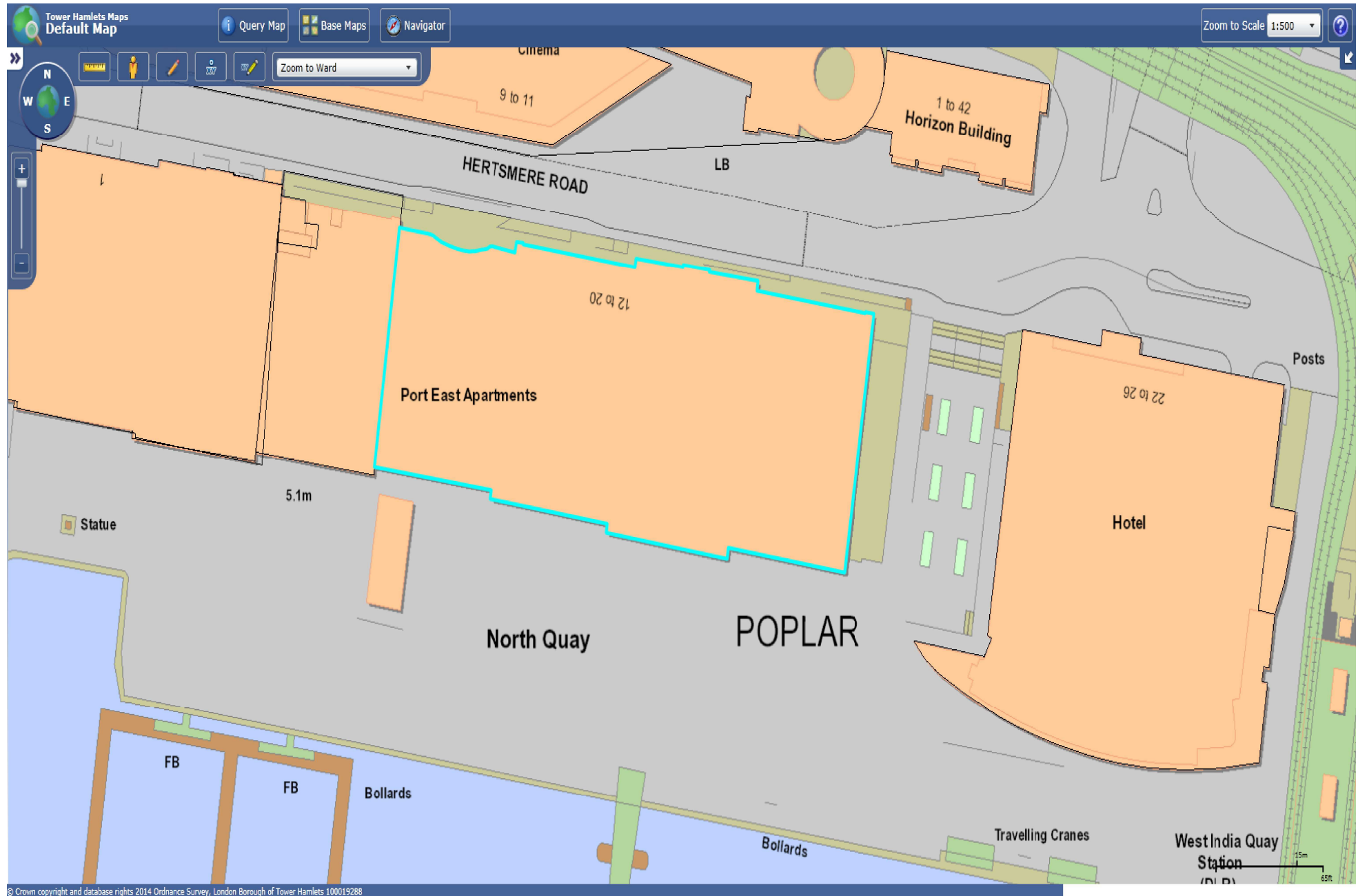
Feb 2019

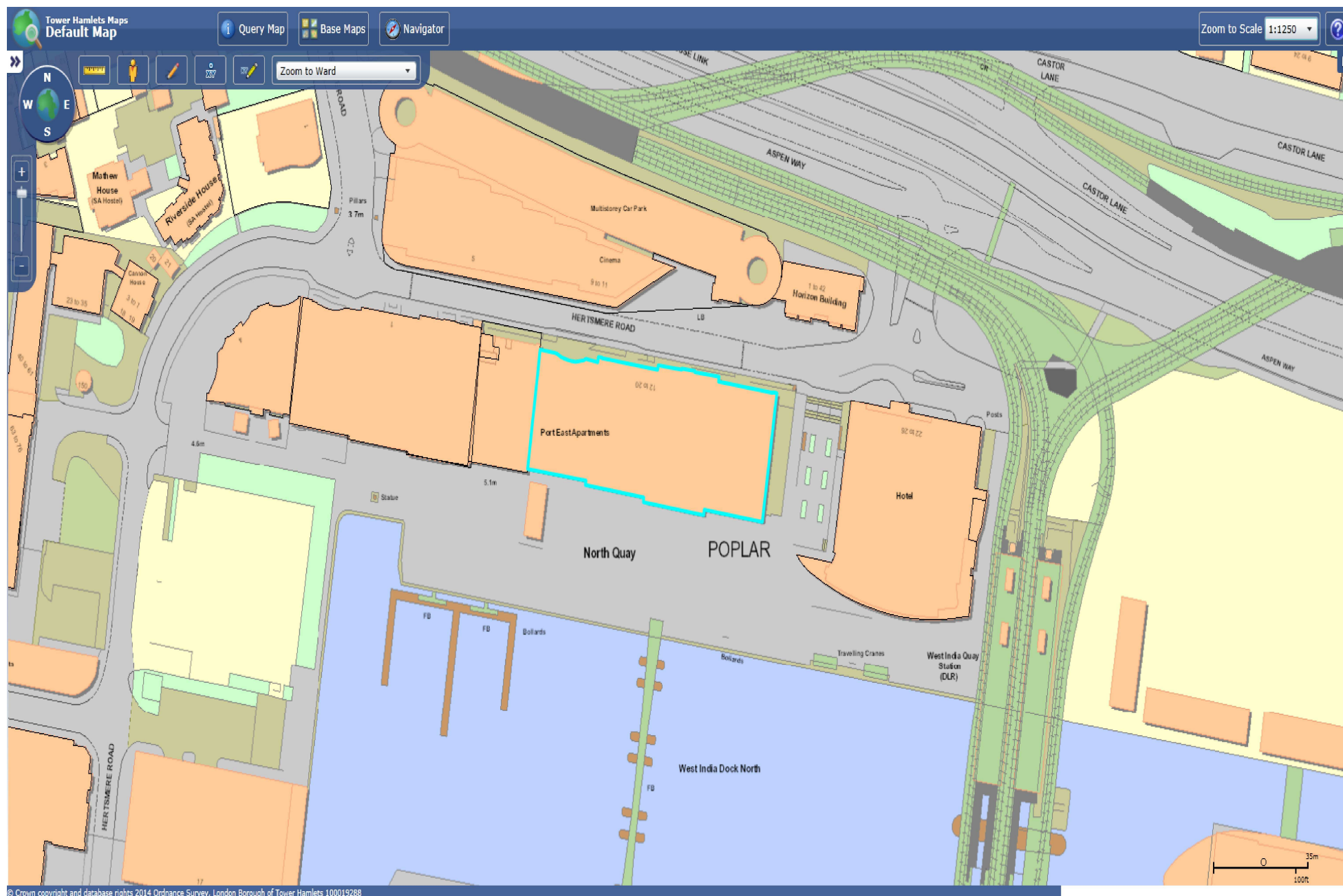
CLIENT:

Munich Cricket Club Ltd.

Licensing

Appendix 4





Appendix 5

Munich Cricket Club - Nearby licensed premises

Name and address	Licensing activities	Opening times
(Dion) Unit E Port East Buildings 14 Hertsmere Road London E14 4AP	<p>The sale by retail of alcohol (On and off sales): Monday, Tuesday, Wednesday, Thursday, Friday and Saturday from 10.00hrs to 23.00hrs Sunday from 12.00hrs to 22.30hrs</p> <p>Late night refreshment: Monday, Tuesday, Wednesday, Thursday, Friday and Saturday until 23.30hrs</p> <p>Recorded music – Background only: Monday, Tuesday, Wednesday, Thursday, Friday and Saturday 10.00hrs to 23.30hrs Sunday from 12.00hrs to 23.00hrs</p> <p>New Years Eve from end of permitted hours to start of permitted hours on New Years Day</p>	<p>Monday, Tuesday, Wednesday, Thursday, Friday, and Saturday from 10.00hrs to midnight</p> <p>Sunday from 10.00hrs to 23.30hrs</p> <p>New Years Eve from end of permitted hours to start of permitted hours on New Years Day</p>
(The Bothy) Unit C West India Quay 16 Hertsmere Road London E14 4AX	<p>The sale by retail of alcohol (On and off sales)</p> <ul style="list-style-type: none"> On Monday to Wednesday, 08:00 hrs to 01 00 hrs the following day On Thursday to Saturday, 08:00 hrs to 03:00 hrs the following day Sunday, 10:00 hrs to 01:00 hrs the following morning <p>The provision of late night refreshment</p> <ul style="list-style-type: none"> On Thursday to Saturday, 23:00 hrs to 00:00 hrs <p>The provision of regulated entertainment <u>Live entertainment of all descriptions as currently permitted under the public entertainment licence. The playing of all description of amplified recorded music as permitted under the existing licence (s).</u></p> <ul style="list-style-type: none"> On Monday to Wednesday, 10:00 hrs to 23:00 hrs On Thursday to Saturday, 10:00 hrs to 00:00 hrs <p>On St. David's Day, St Patrick's Day, St George's, Day and St. Andrew's Day, the finish time will be extended by one hours, with seven days notice and agreement with the Police.</p> <p>For statutory bank holiday weekend periods (Friday, Saturday, Sunday and Monday) and for the Thursday before Good Friday and for Christmas Eve, the finish time will be extended by one hour beyond theses times. On occasions of local, national or international significance or for charitable events, limited to twelve per year, the finish time will be extended by one hour, with ten days notice and agreement with the Police.</p> <ul style="list-style-type: none"> "In the event of a recognised event (the event not exceeding 15 annually) which falls outside the current permitted hours on the Premises Licence to permit licensable activities commencing on hours before the start of the event and ending one hour after the end of the event, the details of the event to be notified to the Licensing Authority and 	<ul style="list-style-type: none"> On Monday to Wednesday, 08:00 hrs to 01:00 hrs the following day On Thursday to Saturday, 08:00 hrs to 03:00 hrs the following day Sunday, 10:00 hrs to 01:00 hrs the following day <p>New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.</p>

Munch Cricket Club - Nearby licensed premises

	the Police at least 10 days beforehand, with the Police giving a prior written consent in each case".	
(Astons on the Quay) Unit 1, Block D 14 Hertsmere Road West India Quay London E14 4AF	Alcohol (On and off supplies) and Regulated Entertainment (live music, recorded music) <ul style="list-style-type: none"> Monday to Saturday, from 10:00 hours to 12midnight Sunday, from 10:00 hours to 23:00 hours 	<ul style="list-style-type: none"> Monday to Saturday, from 10:00 hours to 00:30 hours the following day Sunday, from 10:00 hours to 23:30 hours
(Temple Lounge) West India Quay 14 Hertsmere Road London E14 4AX	The provision of late night refreshment <ul style="list-style-type: none"> Monday to Saturday, from 23:00 hours to 23:30 hours. The provision of regulated entertainment (recorded music only) <ul style="list-style-type: none"> There are no time restrictions on recorded music or private entertainment <u>Non-Standard timings:</u> <ul style="list-style-type: none"> On New Year's Eve from the end of permitted hours to the start of permitted hours on the following day 	There are no restrictions on the hours during which this premises is open to the public
(The Ledger Building) 4 Hertsmere Road London E14 4AL	Sale by retail of alcohol. Sundays, Mondays, Tuesdays, Wednesdays, Thursdays: 9am to 1am Friday and Saturday: 9am to 2am <i>Condition restricts hours when Late Night Levy in place</i> Late night refreshment Sundays, Mondays, Tuesdays, Wednesdays, Thursdays: 11pm to 1am Friday and Saturday: 11pm to 2am Provision of Regulated Entertainment Sundays, Mondays, Tuesdays, Wednesdays, Thursdays: 09 00 hrs to 01 30 hrs Friday and Saturday: 09 00 hrs to 02 30 hrs In addition to the hours outlined above, the following finish times will apply: Christmas Eve – 2am Boxing Day – 2am Burns Night (25 th January) – One hour later than standard time Australia Day (26 th January) – One hour later than standard time St David's Day (1 st March) – One hour later than standard time St Patrick's Day (17 th March) – One hour later than standard time	There are no restrictions on the hours during which this premises is open to the public,

Munich Cricket Club - Nearby licensed premises

	<p>St George's Day (23rd April) – One hour later than standard time</p> <p>St Andrew's Day (30th November) – One hour later than standard time</p> <p>When clocks go forward (beginning of BST) – One hour later than standard time</p> <p>Thursday before good Friday – One hour later than standard time</p> <p>Sundays prior to bank holiday Mondays – One hour later than standard time</p> <p>For the sale of alcohol, the premises may apply hours of 6am to 3am on no more than 12 occasions per year provided that 7 days notice is given to the licensing authority and the police, and the police give their consent.</p>	
<p>(Burger & Lobster Restaurant Group Ltd) 2 The Port East Building 18 Hertsmere Road West India Quay Isle of Dogs London E14 4QT</p>	<p>The sale by retail of alcohol (On and off sales)</p> <ul style="list-style-type: none"> • Sunday, Monday, Tuesday, Wednesday from 10:00 hours to midnight • Thursday from 10:00 hours to 01:00 hours the following day • Friday and Saturday from 09:00 hours to 02:00 hours the following day <p><i>The provision of regulated entertainment</i> consisting of Live music, recorded music, provision of facilities for dancing and anything of similar nature including Karaoke</p> <ul style="list-style-type: none"> • Sunday, Monday, Tuesday, Wednesday from 10:00 hours to midnight • Thursday from 10:00 hours to 01:00 hours the following day • Friday and Saturday from 09:00 hours to 02:00 hours the following day <p><i>The provision of late night refreshment</i></p> <ul style="list-style-type: none"> • Sunday, Monday, Tuesday, Wednesday until 01:00 hours the following day • Thursday until 02:00 hours the following day • Friday and Saturday until 03:00 hours the following day <p><u>For the LOWER GROUND FLOOR only:</u></p> <p>The sale by retail of alcohol</p> <ul style="list-style-type: none"> • Friday and Saturday from 09:00 hours to 01:00 hours the following day <p><i>The provision of regulated entertainment</i> - Live music, recorded music, and anything of similar nature including Karaoke</p> <ul style="list-style-type: none"> • Friday and Saturday from 09:00 hours to 01:00 hours the following day 	<p>Sunday, Monday, Tuesday, Wednesday from 09:00 to 01:00 hours the following day</p> <p>Thursday from 09:00 hours to 02:00 hours the following day</p> <p>Friday and Saturday from 08:00 hours to 03:00 hours the following day</p> <p><u>Non-standard timings:</u> An additional hour, with prior agreement with the Police and Seven days Notice on: St Davids Day, St Patricks Day, St Georges Day and St Andrews Day.</p> <p>For statutory Bank Holiday weekend periods (Friday, Saturday, Sunday and Monday) and the Thursday before Good Friday and Christmas Eve, the finish time will be extended by one hour. On occasions of local, national or international significance or for charitable event, limited to twelve per year, the finish time will be extended by one hour, with Fourteen days notice and agreement with the Police.</p> <p>New Years Eve is subject to the Regulatory Reform</p>

Munch Cricket Club - Nearby licensed premises

	<p><i>The provision of late night refreshment</i></p> <ul style="list-style-type: none"> Thursday, Friday and Saturday until from 23:00 hours to 01:00 hours the following day <p><u>Non-standard timings:</u> An additional hour, with prior agreement with the Police and Seven days Notice on: St Davids Day, St Patricks Day, St Georges Day and St Andrews Day.</p> <p>For statutory Bank Holiday weekend periods (Friday, Saturday, Sunday and Monday) and the Thursday before Good Friday and Christmas Eve, the finish time will be extended by one hour. On occasions of local, national or international significance or for charitable event, limited to twelve per year, the finish time will be extended by one hour, with Fourteen days notice and agreement with the Police.</p>	<p>(Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day</p>
<p>(Pizza Pilgrims) Unit E1 12 Hertsmere Road London E14 4AF</p>	<p><u>Sale of Alcohol (On and Off sales)</u></p> <ul style="list-style-type: none"> Saturday to Tuesday from 09:00 hours to 23:00 hours Wednesday to Friday from 09:00 hours to 00:00 hours (midnight) <p><u>Late Night Refreshment</u></p> <ul style="list-style-type: none"> Saturday to Tuesday from 23:00 hours to 23:30 hours Wednesday to Friday from 23:00 hours to 00:30 hours <p><u>Non-standard timings</u></p> <p><u>Sale of alcohol</u></p> <ul style="list-style-type: none"> 24th December, from 09:00 hours to 02:00 the following day 31st December, from 09:00 hours to 09:00 hours the following day <p><u>Late Night Refreshment</u></p> <ul style="list-style-type: none"> 24th December, from 23:00 hours to 02:30 the following day 31st December, from 23:00 hours to 05:00 hours the following day 	<ul style="list-style-type: none"> Saturday to Tuesday from 07:00 hours to 23:30 hours Wednesday to Friday from 07:00 hours to 00:30 hours <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> 24th December, from 07:00 hours to 03:00 the following day 31st December, from 07:00 hours to 07:00 hours the following day

Munch Cricket Club - Nearby licensed premises

<p>(Café Pont) Block D, Unit 5 14 Hertsmere Road London E14 4AF</p>	<p><u>Sale of alcohol by retail (On and off sales)</u> Monday to Saturday 10:00 hours – 23:00 hours Sunday 11:00 hours – 22:30 hours On Good Friday and Christmas Day from 12:00 hours – 22:30 hours. On New Years Eve from the end of permitted hours to the start of permitted hours on the following day.</p> <p><u>Regulated entertainment</u> (Recorded music and anything like recorded music) Monday to Saturday 07:00 hours – 23:30 hours Sunday 07:00 hours – 23:00 hours On New Years Eve from the end of permitted hours to the start of permitted hours on the following day.</p>	<p>Monday to Saturday 07:00 hours – 23:30 hours Sunday 07:00 hours – 23:00 hours On New Years Eve from the end of permitted hours to the start of permitted hours on the following day.</p>
<p>(London Marriott West India Quay Hotel) 22 Hertsmere Road Canary Wharf London E14 4ED</p>	<p>Alcohol (On and off sales)</p> <ul style="list-style-type: none"> Monday to Saturday, 10:00 hours to 12midnight Sunday, 12:00 hours to 23:30 hours <p><u>Alcohol non-standard timings</u> Alcohol may also be supplied at pre-booked private events and to tenants of the private apartments on floors 14 to 32 of the building, on Monday to Friday 23:00 hrs to 10:00 hrs the following day, on Saturday 23:00 hrs to 12:00 hrs the following day, and on Sunday 22:30 to 10:00 hrs the following day.</p> <p>Late Night Refreshment Provided to those attending a pre-booked private function in the hotel and to the tenants of the private apartments on floors 14 to 32 in the building</p> <ul style="list-style-type: none"> Monday to Sunday, 23:00 hours to 05:00 hours the following day <p>Regulated Entertainment (Films, live music, recorded music, performance of dance, provision of facilities for making music, provision of facilities for dancing or similar entertainment)</p> <ul style="list-style-type: none"> Sunday to Thursday, 09:00 hours to 01:00 hours the following day Friday and Saturday, 09:00 hours to 03:00 hours the following day. <p><u>Regulated Entertainment non-standard timings</u> Films, live music, recorded music, performance of dance, provision of facilities for making music, provision of facilities for dancing or similar entertainment at pre-booked private events and to tenants of the private apartments on floors 14 to 32 of the building between 01:00 hours and 09:00 hours Sundays to Thursdays, 03:00 hours to 09:00 hours Fridays and Saturdays. The private events will take</p>	<ul style="list-style-type: none"> Monday to Sunday, 00:00 hours to 00:00 hours (24 hours)

Munch Cricket Club - Nearby licensed premises

	<p>place from time to time.</p> <p>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.</p>	
<p>(Museum of London Docklands) No.1 Warehouse West India Quay Hertsmere Road London E14 4AL</p>	<p>INDOORS:-</p> <p>The sale by retail of alcohol:</p> <ul style="list-style-type: none"> Monday to Wednesday, from 11:00 hours to 23:59 hours Thursday to Saturday, from 11:00 hours to 02:00 hours the following days Sunday, from 11:00 hours to 23:00 hours <p>The Provision of regulated entertainment <u>Plays, Films and Live Music. Provision of facilities for making music</u></p> <ul style="list-style-type: none"> Monday to Thursday, from 9:00 hours to 23:00 hours Friday and Saturday from 9:00 hours to 01:00 hours the following days Sunday from 09:00 hours to 22:30 hours <p><u>Recorded Music:</u></p> <ul style="list-style-type: none"> Monday to Wednesday, from 09:00 hours to 23:59 hours Thursday to Saturday, from 09:00 hours to 02:00 hours the following days Sunday, from 09:00 hours to 23:00 hours <p><u>Provision of facilities for dancing:</u></p> <ul style="list-style-type: none"> Monday to Wednesday from 09:00 hours to 23:59 hours Thursday to Saturday from 09:00 hours to 02:00 hours the following days Sunday from 09:00 hours to 23:00 hours <p><u>Performances of dance</u></p> <ul style="list-style-type: none"> Monday to Wednesday, from 09:00 hours to 23:59 hours Thursday, from 09:00 hours to 02:00 hours the following day Friday and Saturday from 09:00 hours to 01:00 hours the following days Sunday from 09:00 hours to 22:30 hours <p>OUTDOOR AREA as shown on the plan submitted on 31st March 2011:-</p> <p>Sale of alcohol:</p> <ul style="list-style-type: none"> Sunday to Wednesday, from 11:00 hours to 23:00 hours 	<ul style="list-style-type: none"> Sunday to Wednesday, from 07:00 hours to 23:59 hours Thursday to Saturday, from 07:00 hours to 02:00 hours the following days

Munch Cricket Club - Nearby licensed premises

	<ul style="list-style-type: none"> Thursday to Saturday, from 11:00 hours to 02:00 hours the following days <p>The Provision of regulated entertainment <u>Live music, recorded music:</u></p> <ul style="list-style-type: none"> Monday to Sunday from 16:00 hours to 20:00 hours <p>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day</p>	
<p>(Cineworld Cinema) 4 Hertsmere Road West India Quay London E14 4AL</p>	<p><u>Sale of Alcohol (on sales only)</u></p> <ul style="list-style-type: none"> Monday to Saturday from 10:00hrs to 23:00hrs Sunday from 12:00hrs (midday) to 22:30hrs <p><u>The Provision of Late Night Refreshments (indoors)</u></p> <ul style="list-style-type: none"> Monday to Sunday from 23:00hrs to 05:00hrs (the following day) <p><u>The Provision of Regulated Entertainment in the form of Plays, Films, Indoor Sporting Events, Live Music, Recorded Music, Performances of Dance and Anything of a Similar Description (indoors)</u></p> <ul style="list-style-type: none"> Monday to Sunday from 00:00 to 24:00 (24 hours) <p><u>Non Standard timings in relation to alcohol:</u> On New Year's Eve, the supply of alcohol will be permitted from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day</p>	<ul style="list-style-type: none"> Monday to Sunday from 00:00 to 24:00 (24 hours) (there are no restrictions on opening hours)

Appendix 6

Section 182 Advice by the Home Office Updated on April 2018

Relevant, vexatious and frivolous representations


- 9.4 A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.
- 9.5 It is for the licensing authority to determine whether a representation (other than a representation from responsible authority) is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. A representation may be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification. Vexatious circumstances may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Licensing authorities can consider the main effect of the representation, and whether any inconvenience or expense caused by it could reasonably be considered to be proportionate.
- 9.6 Frivolous representations would be essentially categorised by a lack of seriousness. Frivolous representations would concern issues which, at most, are minor and in relation to which no remedial steps would be warranted or proportionate.
- 9.7 Any person who is aggrieved by a rejection of their representations on either of these grounds may lodge a complaint through the local authority’s corporate complaints procedure. A person may also challenge the authority’s decision by way of judicial review.
- 9.8 Licensing authorities should not take decisions about whether representations are frivolous, vexatious or relevant to the licensing objectives on the basis of any political judgement. This may be difficult for councillors who receive complaints from residents within their own wards. If consideration is not to be delegated, contrary to the recommendation in this

Guidance, an assessment should be prepared by officials for consideration by the sub-committee before any decision is taken that necessitates a hearing. Any councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.

9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.

9.10 Licensing authorities should consider providing advice on their websites about how any person can make representations to them.

Appendix 7



London Borough of Tower Hamlets Licensing Section
John Onslow House
1 Ewart Place
London
E3 5EQ

15 April 2019

Dear Sirs,

Munich Cricket Club Limited – Licence application
Unit E2 Hertsmere Road, West India Quay, Canary Wharf, London, E14 4AN

I write in connection with the application for a licence noted above, and as a resident of the building in question wish to make the following representations.

Mindful of the licensing objectives, I have some concerns in relation to Preventing a Public Nuisance that I would be grateful if you could take into consideration as part of your process.

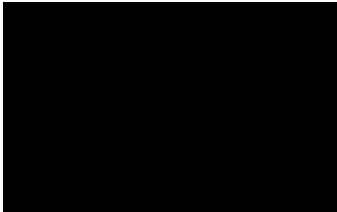
I own and live in an apartment directly above the proposed Unit. The venue that the application relates to is primarily a residential building, containing approximately 107 apartments that range from studios to large duplex penthouses. It is home to a diverse range of occupants, from shift workers and professionals, to large families and small children.

The building itself is a Grade I listed, masonry and timber construction, built in around 1803 as a warehouse. When it was converted to residential accommodation in 2000, this was carried out in accordance with the Grade 1 Listing, meaning that much of the original timber beams, exposed brickwork and oak flooring were retained.

As a consequence of this, loud noises and sound, particularly music, carry throughout the building. Mindful of this, great care is taken by residents to be respectful of their neighbours and the building has created a community where noise and disturbance are kept to minimum. Businesses that reside within the building are similarly aligned with the residents, with even entertainment businesses closing at or around 10:30 or 11:00pm.

I am concerned that the requested licence, with serving hours running until 01:30am on some days, with a further 30 minutes for drinking up, and with music being permitted until 01:00am, will lead to an intolerable public nuisance to residents of the building. The sound and music will radiate out from the site, carried by original beams and masonry that was not designed to prevent it.

For residents who have jobs, are parents of young children, or in general for anyone seeking quiet enjoyment of their home, being disturbed in their homes or kept awake until 1 or 2am by drunken patrons and loud music is not fair or reasonable or, I would submit, in keeping with the objectives of the Licensing Act.



I am also mindful that the inevitable consequence of such a late closing time relative to other establishments in the area, will concentrate drinkers in this site. When the premises finally close, the likelihood of drunken revellers spilling onto the Quayside at 2am is very high, and the layout of the area means that these groups – likely making more noise – will move along the quayside towards roadways and transport links. This will take them past the rest of the residential building, disturbing yet more residents and causing further public nuisance to the area.

I do appreciate your time and consideration of these issues and if there is any further detail or colour I can provide that would be of assistance, do please let me know.

Yours faithfully,



Ben Dobbs

Appendix 8

Mohshin Ali

From: Mohshin Ali
Sent: 07 May 2019 17:29
To: [REDACTED]
Subject: FW: Munich Cricket Club licence application [TLT-TLT.FID5649175]
Attachments: Scan_Lorenza Picciano_09_59_28-29_04_2019.pdf

Dear Mr Dobbs,

Licensing Act 2003

New premises licence application: Munich Cricket Club Ltd, Unit E2, Hertsmere Road, Canary Wharf, London E14 4AE

I write to you following your representation regarding the above. The solicitor acting on behalf of the applicant has asked us to send you this email including the attached document

If this satisfies any of your concerns or you wish to withdraw your representation then please let me know. If the matter is not resolved then it will be dealt with by way of a public hearing by the Tower Hamlets Licensing Sub-Committee. The Democratic Services will write to invite you to the hearing.

In the meantime, if I can be of any further help do not hesitate to contact me.

Regards

Mohshin Ali - Senior Licensing Officer

Licensing Team, Environmental Health & Trading Standards, John Onslow House, 1 Ewart Place, London E3 5EQ

[REDACTED]



Please consider the environment - do you really need to print this email?



From: Matthew Phipps [REDACTED]
Sent: 07 May 2019 09:01
To: Lavine Miller-Johnson
Cc: Mohshin Ali; Luke Elford
Subject: Munich Cricket Club licence application [TLT-TLT.FID5649175]

Dear Mr Dobbs

Munich Cricket Club licence application

I act for Munich Cricket Club and am responsible for the premises licence application to which you have served a representation. We are entirely respectful of the points that you make and wish to explore whether we might be able to compromise the application to a sensible degree so as to address your concerns.

Escape of music and noise from the building

Our clients have engaged in a planning process with the London Borough of Tower Hamlets which has resulted in a planning permission being extended to the proposed operation. Some of the discussion around planning centred on containing noise from within the fabric of the premises and environmental consultants were engaged who worked with the Environmental Health Team at Tower Hamlets to ensure that a schedule of works would be implemented so as to ensure that no noise nuisance or disturbance was experienced by the residents above.

I have asked my clients acoustic consultant to prepare a summary of the report and the works that are being undertaken and when that is to hand I will forward that through to you, which hopefully will offer some comfort that the operation of the premises will not disturb anyone above.

I appreciate what you say about the fabric of the building but on my understanding the other units in the vicinity have similar permissions and it is not my understanding that there are problems or issues arising.

Secondly we note what you say about the hours being applied for. Having researched the hours permitted the various premises licences in the immediate vicinity, I think it is correct to say that the hours applied for here are actually less than a number of the other premises licences already trading. However our client has no wish to aggravate residents or neighbours indeed we hope that in due course you and other residents will become customers of the unit.

To that end our clients are minded to moderate their application to reflect the concerns you have articulated. Whilst we note your comment about other units closing at or around 10:30pm or 11:00pm, our understanding is that the Snipping Room and other units tend to close by midnight during the week, some later on weekends.

With that in mind if we were to compromise our proposals so that we would be permitted to have customers on the premises until

- *Midnight on Sundays, Mondays, Tuesdays and Wednesdays*
- *12.30 am the following day on Thursdays and*
- *1.00am the following day on Fridays and Saturdays*

These periods would be inclusive of drinking up time, so the activities would actually have finished 30 minutes before those listed above.

This would, I hope address any concern about these premises being later than any other.

Additionally our clients have within the application proposed to attach a number of licensing conditions to any licence that may be granted. I attach those above. They do, I hope offer some comfort that the concerns articulated in your correspondence are being carefully thought about and managed (as they are in our client's other businesses).

My client believes that the application is a good one, a point we are bound to say appears to be corroborated by the fact that there are no other objections to the application, if we can find a sensible compromise between our respective selves, that can allow us to avoid a contested premises licence hearing.

Please do feel free to contact me in order to discuss the application you would wish.

Best wishes

Yours sincerely

Matthew Phipps
Partner
Head of Licensing England and Wales
for TLT LLP



[Linkedin](#)
www.TLTsolicitors.com

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Applicant's schedule of suggested conditions

Munich Cricket Club

Unit E2 (formerly La Tasca)

Hertsmere Road

Canary Wharf

London E14 4AE

General (all licensing objectives)

No licensable activities shall take place at the premises until premises licence 20080 (or such other number subsequently issued for the premises) has been surrendered.

From 20:00 until the premises closes to the public daily there shall be a personal licence holder on duty on the premises.

There shall be no admittance or re-admittance to the premises after 23:30 on Thursday, Friday and Saturday evenings except for patrons permitted to temporarily leave the premises to smoke.

A direct telephone number for the manager at the premises shall be available at all times the premises is open.

Until 22:30 daily substantial food shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.

Non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.

The prevention of crime and disorder

The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police Licensing Team. All 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. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.

A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

A minimum of 2 SIA licensed door supervisors shall be on duty at the premises from 20:00 until close of business on Thursday, Friday and Saturday evenings.

An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police. It must be completed within 24 hours of the incident and will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received concerning crime and disorder
- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system, searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:

- (a) The police (and, where appropriate, the London Ambulance Service) are called without delay;
- (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
- (c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
- (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

The prevention of public nuisance

No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

Loudspeakers shall not be located in the entrance lobby or outside the premises building.

All windows and external doors shall be kept closed after 22:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.

All outside tables and chairs shall be rendered unusable by 22:30 each day.

Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.

Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

Patrons permitted to temporarily leave and then re-enter the premises to smoke shall be restricted to a designated smoking area as shown on the plan.

The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance.

Public safety

The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.

The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.

The protection of children from harm

A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

Appendix 9

Noise while the premise is in use

General Advice

If they conclude this is a problem Members should consider whether it is possible to carry out suitable and proportionate noise control measures so that noise leakage is prevented. In addition Members may consider that only certain activities are suitable.

The hours of operation also need to be considered (see below).

If Members believe that there is a substantial problem of noise while the premises are in use and it cannot be proportionately address by licensing conditions they should refuse the application.

Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. **(See Sections 9.1 of the Licensing Policy)**. While all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. **(See Section 14.10)**.

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. **(See Section 9.2 of the Licensing Policy)**.

The Licensing Authority will consider attaching conditions to prevent nuisance. In particular Members may wish to consider (this list is not exhaustive):

- hours of opening (this needs to be balanced against potential disorder caused by artificially early closing times)
- Whether certain parts should close earlier than the rest (for example a "beer garden", or restricted in their use)
- Whether or not certain activities should have to close at an early hour, for example live music
- Conditions controlling noise or vibration (for example, noise limiters, keeping doors and windows closed).
- Prominent clear and legible notices at all exits requesting the public to respect the needs of local residents and leave the premises and area quietly
- Conditions controlling the use of explosives, pyrotechnics and fireworks
- Conditions controlling the placing of refuse
- Conditions controlling noxious smells
- Conditions controlling lighting (this needs to be balanced against potential crime prevention benefits)

Police Powers

Part 8 of the Licensing Act 2003 enables a senior police officer to close down a premises for up to 24 hrs where public nuisance is being caused by noise coming from the premises and the closure of the premises is necessary to prevent that nuisance.

Guidance Issued under Section 182 of the Licensing Act 2003

The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community (2.15).

Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.19) and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder.

Other Legislation

The Environmental Protection Act 1990, Part 111 gives Environmental Health Officers the power to deal with statutory nuisances.

The Anti-social Behaviour Act 2003, Sections 40 and 41 give Environmental Health Officers the power of closure up to 24 hours in certain circumstances.

Appendix 10

Access and Egress Problems

Such as:

- Disturbance from patrons arriving/leaving the premises on foot
- Disturbance from patrons arriving/leaving the premises by car
- Lack of adequate car parking facilities
- Close proximity to residential properties

Comment

The above have been grouped together as egress problems. Of course the particular facts will be different for each alleged problem.

Egress only is referred to-if necessary access can be added or substituted in.

General Advice

In considering concerns relating to disturbance from egress, Members need to be satisfied that the premises under consideration has been identified as the source of the actual or potential disturbance. If they are satisfied that this is a problem, then proportionate conditions should be considered.

The hours of operation also need to be considered.

If Members believe that there is a substantial problem concerning egress and it cannot be proportionately addressed by licensing conditions, they should refuse the application.

Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. (**See Section 10 of the Licensing Policy**).

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. (**See Section 10.2 of the Licensing Policy**).

The policy also recognises that staggered closing can help prevent problems at closure time (**See Section 15.1**).

However, while all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. (**See Section 15.5**)

The Council has adopted a set of framework hours (**See 15.8 of the licensing policy**). This relates to potential disturbance caused by late night trading.

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Pool of Conditions relating to the prevention of Public Nuisance. (**See Annex G of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- hours of opening (this needs to be balanced against potential disorder caused by artificially early closing times)
- Whether certain parts should close earlier than the rest (for example a “beer garden”, or restricted in their use)
- Whether or not certain activities should have to close at an early hour, for example live music
- Conditions controlling noise or vibration (for example, noise limiters, keeping doors and windows closed).
- Prominent clear and legible notices at all exits requesting the public to respect the needs of local residents and leave the premises and area quietly

Guidance Issued under Section 182 of the Licensing Act 2003

The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community. (2.15).

Licence conditions should not duplicate other legislation (1.16).

Any conditions should be tailored to the type, nature and characteristics of the specific premises. Licensing authorities should be aware of the need to avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues. (2.19)

Measures can include ensuring the safe departure of customers, these can include:

- Providing information on the premises of local taxi companies who can provide safe transportation home; and
- Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.19) and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder.

Appendix 11

Planning

An application for a Premises Licence can be made in respect of a premises even where the premises does not have relevant Planning Permission. That application has to be considered and Members can only refuse the application where the application itself does not promote one or more of the Licensing Objectives. Members cannot refuse just because there is no planning permission. Where a Premises Licence is granted and which exceeds what is allowed by the Planning Permission and that Premises then operates in breach of planning then the operator would be liable to enforcement by Planning.

Appendix 12

Licensing Policy Relating to Hours of Trading

All applications have to be considered on their own merits.

The Council has however adopted a set of framework hours as follows:

- Monday to Thursday, from 06:00 hrs to 23:30 hrs
- Friday and Saturday, from 06:00 hrs to 00:00 hrs (midnight)
- Sunday, from 06:00 hrs to 22:30 hrs

(see 14.8 of the Licensing Policy)

In considering the applicability of framework hours to any particular application regard should be had to the following

- Location
- Proposed hours of regulated activities, and the proposed hours the premises are open to the public
- The adequacy of the applicant's proposals to deal with issues of crime and disorder and public nuisance
- Previous history
- Access to public transport
- Proximity to other licensed premises, and their hours

(See 14.9 of the licensing policy)

Subject to any representations to the contrary in individual cases the following premises are not generally considered to contribute to late night anti-social behaviour and will therefore generally have greater freedom

- Theatres
- Cinemas
- Premises with club premises certificates

Agenda Item 3.2

Committee :	Date	Classification	Report No.	Agenda Item No.
Licensing Sub Committee	3 rd June 2019	Unclassified		

Report of : David Tolley Head of Environmental Health & Trading Standards	Title: Licensing Act 2003 Application for a New Premises Licence for: Royal PFC 178a Whitechapel Road London E1 1BJ
Originating Officer: Lavine Miller-Johnson Licensing Officer	Ward affected: Whitechapel

1.0

Summary

Applicant: **Food Hunt Ltd (Jubel Miah)**
Name and

1.1 Address of Premises: **Royal PFC 178a Whitechapel Road London E1 1BJ**

Licence sought: **Licensing Act 2003 –**

- **The provision of late night refreshment**

Representations: **Licensing Authority Officer**

Recommendations

1.2 That the Licensing Committee considers the application and objections then adjudicate accordingly.

LOCAL GOVERNMENT 2000 (Section 97) LIST OF "BACKGROUND PAPERS" USED IN THE DRAFTING OF THIS REPORT

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

- Guidance Issued under Section 182 of the licensing Act 2003
- Tower Hamlets Licensing Policy
- File

Lavine Miller-Johnson
020 7364 2665

2.0 Background

- 2.1 This is an application for a new premises licence for Royal PFC 178a Whitechapel Road London E1 1BJ.
- 2.2 The applicant has described the premises as follows:
Fast food outlet of chicken, chips, burgers and kebabs with seating for 28 people onsite.
- 2.3 A copy of the application is enclosed as **Appendix 1**.
- 2.4 The applicant has applied for the following licensable activities and timings:

Late night refreshment

- Monday to Thursday from 11:00 hours to 02:00 hours (the following day)
- Friday to Saturday 11:00 hours to 03:00 hours
- Sunday from 12:00 hours to 00:30 hours

Hours premises are open to the public:

- Monday to Thursday from 11:00 hours to 02:00 hours (the following day)
- Friday to Saturday 11:00 hours to 03:00 hours
- Sunday from 12:00 hours to 00:30 hours

3.0 Location and Nature of the premises

- 3.1 Photographs of the venue and immediate vicinity will be provided at the hearing.
- 3.2 The site plan of the venue is included as **Appendix 2**.
- 3.3 Maps showing the vicinity are included as **Appendix 3**.
- 3.4 Details of other licensed venues in the immediate vicinity are included as **Appendix 4**.

4.0 Licensing Policy and Government Advice

- 4.1 The Council has adopted a licensing policy and this is available from the Licensing Section, and at the hearing. The revised policy came into effect on 1st November 2018.
- 4.2 Relevant Sections of the policy are brought to the attention of Members within the Licensing Officers report.
- 4.3 The Home Secretary has issued Guidance under Section 182 of the Licensing Act 2003. This is available on the Government's website, www.homeoffice.gov.uk. It was last revised in April 2018.

- 4.4 Relevant Sections of this advice are brought to Members attention within the Licensing Officers report. Members should note however, than in some areas Tower Hamlets, after a proper consideration of local circumstances, has not followed the Government's advice, or has developed it further.

5.0 Representations

- 5.1 All representations have to meet basic legal and administrative requirements. If they fail to do so they cannot be accepted. When rejected the person sending in the representation must be written to, and an explanation for rejection given in writing
- 5.2 A responsible authority or other person can make a representation. There are two tests for other persons and only one for a responsible authority. The two tests are contained in Section 18 of the Act.
- 5.3 All representations must be "about the likely effect of the grant of the premises licence on the promotion of the licensing objectives." Likely means something that will probably happen, i.e. on balance more likely than not.
- 5.4 Representations by responsible authorities do not have to meet the second test of not being vexatious and frivolous. Other persons have to meet this test.
- 5.5 The Home Office recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation.
- 5.6 Section 182 Advice by the Home Office concerning relevant, vexatious and frivolous representations is attached as **Appendix 5**.
- 5.7 All the representations in this report have been considered by the relevant officer (Team Leader Licensing & Safety) and determined to have met the requirements of the Licensing Act 2003.
- 5.8 This hearing is required by the Licensing Act 2003, because relevant representations have been made by the Responsible Authority (RA):

Responsible Authority / Other persons	Appendix
Samantha Neale (LA)	6

- 5.9 Mr Miah has letter of local support from residents and shift workers. See **Appendix 7**
- 5.10 All of the responsible authorities have been consulted about this application. They are as follows:
- The Licensing Authority
 - The Metropolitan Police

- The LFEPA (the London Fire and Emergency Planning Authority).
- Planning
- Health and Safety
- Noise (Environmental Health)
- Trading Standards
- Child Protection
- Public Health
- Home Secretary (Home Office Immigration Enforcement)

5.11 In addition the application was required to be advertised in a local newspaper and by a blue poster. Only objections that relate to the following licensing objectives are relevant:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

5.12 Essentially, the relevant parties oppose the application because in their opinion, the applicant has not explained how within the context of the application they will meet licensing objective of the prevention of public nuisance and the prevention of crime and disorder and the protection of children from harm.

5.13 There are strict time limits to any representations. The time limits are contained in The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005.

5.14 The applicant has offered measures in the operating schedule of the application that address the promotion of the Licensing Objectives. If there were no representations, the Licensing Authority would grant the licence, with conditions consistent with the operating schedule, which are relevant, proportionate and enforceable. Members are asked to consider the schedule and incorporate any conditions as necessary to address the licensing objectives.

6.0 Conditions consistent with Operating Schedule

6.1 The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team. All 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. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.

7.0 Conditions Agreed/Requested by Responsible Authority

- 7.1 No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises, which gives rise to a nuisance neighbouring residential or business premises.
- 7.2 No collections of waste or recycling materials (including bottles) from the premises shall take place between 22:00 hours and 08:00 hours on the following day.
- 7.3 No deliveries to the premises shall take place between 22:00 hours and 08:00 hours the following day.
- 7.4 Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- 7.5 No idling of vehicles, being either patron or delivery vehicles outside the premise whilst premise is in operation.

8.0 Licensing Officer Comments

8.1 The Live Music Act removed licensing requirements for the following:

- amplified live music and recorded music between 8am and 11pm before audiences of no more than 500 people on premises authorised to sell alcohol for consumption on the premises;
- Unamplified live music between 8am and 11pm in all venues.
- Further exemptions apply see Section 16.5-16.6 of Section 182 Guidance.

8.2 The following is intended to advise Members of the relevant aspects of the Boroughs Licensing Policy, guidance from the Secretary of State, legislation and good practice. Members may depart from the Council's Licensing Policy and/or Government advice, provide they consider it appropriate to do so, and have clear reasons for their decision.

8.3 Guidance issued under section 182 of the Licensing Act 2003

- ❖ As stated in the guidance it is “provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act.” It is a key medium for promoting best practice, ensuring consistent application and promoting fairness equal treatment and proportionality (1.7).
- ❖ Also “as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons. Departure from this Guidance could

give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.” Therefore licensing authorities will need to give full reasons for their actions (1.9).

- ❖ Also Members should note “A Licensing Authority may depart from its own policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the licensing objectives.” (1.12)
- ❖ Also, “The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives.” Therefore, conditions may not be imposed for the purpose other than promoting the licensing objectives and in some cases no additional conditions will be appropriate. (10.8)
- ❖ Necessary conditions should emerge from a risk assessment by the applicant, which should then be reflected in the operating schedule (10.4).
- ❖ The Guidance states: “Where there are objections to an application to extend the hours during which licensable activities are to be carried on and the licensing authority determines that this would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.” (10.14)
- ❖ Mandatory conditions must be imposed (10.27) and censorship avoided (10.17).
- ❖ The Guidance states: “It is still permitted to sell alcohol using promotions (as long as they are compatible with any other licensing condition that may be in force), and the relevant person should ensure that the price of the alcohol is not less than the permitted price. Detailed guidance on the use of promotions is given in the guidance document available on the Gov.uk website.” (10.60) Also, “Licensing authorities should not attach standardised blanket conditions promoting fixed prices for alcoholic drinks to premises licences or club licences or club premises certificates in an area.” (10.21)

8.4 The Licensing Act 2003 permits children of any age to be on the premises which primarily sell alcohol providing they are accompanied by an adult. It is not necessary to make this a condition.

8.5 In all cases the Members should make their decision on the civil burden of proof that is “the balance of probability.”

8.6 In all cases Members should consider whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.

8.7 The Government has advised that conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. Conditions cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff and standardised conditions should be avoided where they cannot be shown to be appropriate. (1.16/1.17)

8.8 The Council's Licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.

8.9 In **Appendices 8-13** Members are given general advice, and also have explanations of the Council's Licensing Policy, Government advice and other legislation relating to the matters previously identified.

9.0 **Legal Comments**

9.01 The Council's legal officer will give advice at the hearing.

10.0 Finance Comments

10.1 There are no financial implications in this report.

11.0 Appendices

Appendix 1	A copy of the application
Appendix 2	Site Plan
Appendix 3	Maps of the surrounding area
Appendix 4	Other licensed venues in the area
Appendix 5	Section 182 advice by Home office concerning relevant, vexatious, and frivolous representations
Appendix 6	Representations from Licensing Authority
Appendix 7	Local support for the application
Appendix 8	Licensing officer comments on noise while the premise is in use
Appendix 9	Licensing officer comments on access/egress problems
Appendix 10	Licensing policy advice on public nuisance
Appendix 11	Section 182 guidance public nuisance
Appendix 12	Planning
Appendix 13	Licensing Policy relating to hours of trading

Appendix 1



This form should be completed and forwarded to: Licensing Section, John Onslow House, 1 Ewart Place, London E3 5EQ with a cheque for the correct fee, made payable to the London Borough of Tower Hamlets. You can also pay by phoning 020 7364 5008 or on-line: <http://www.towerhamlets.gov.uk/pay>

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 JUBEL M. AM
(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 ROYAL PFC 178A WHITECHAPEL ROAD LONDON			
Post town		Postcode	E1 1BJ
Telephone number at premises (if any)		[REDACTED]	
Non-domestic rateable value of premises		£ 9500.00	



Part 2 - Applicant details

Please state whether you are applying for a premises licence as appropriate

Please tick as

- | | | | |
|-----|---|-------------------------------------|-----------------------------|
| 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) | <input type="checkbox"/> | please complete section (B) |
| c) | a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) | a charity | <input type="checkbox"/> | please complete section (B) |
| e) | the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) | a health service body | <input type="checkbox"/> | 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 | <input type="checkbox"/> | 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 | <input type="checkbox"/> | please complete section (B) |
| h) | the chief officer of police of a police force in England and Wales | <input type="checkbox"/> | 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 | <input type="checkbox"/> |
| I am making the application pursuant to a | |
| statutory function or | <input type="checkbox"/> |
| a function discharged by virtue of Her Majesty's prerogative | <input type="checkbox"/> |

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>		Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names			
Date of birth		I am 18 years old or over <input type="checkbox"/>				Please tick yes
Nationality						
Current residential address if different from premises address						
Post town				Postcode		
Daytime contact telephone number						
E-mail address (optional)						
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)						

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>		Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names			
Date of birth over		I am 18 years old or				<input type="checkbox"/> Please tick yes
Nationality						
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)						
Current residential address if different from premises address						
Post town				Postcode		

Daytime contact telephone number	
E-mail address (optional)	

(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	FOOD HUNT LTD
Address	178A WH. TECHAPEL ROAD LONDON E1 1BJ
Registered number (where applicable)	11804576
Description of applicant (for example, partnership, company, unincorporated association etc.)	LIMITED COMPANY
Telephone number (if any)	
E-mail address (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
01	05	2019

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
1	1	1

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 checked="checked" type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)	
Mon	11:00	02:00		
Tue	11:00	02:00		
Wed	11:00	02:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)	
Thur	11:00	02:00		
Fri	11:00	03:00	<u>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</u> (please read guidance note 6)	
Sat	11:00	03:00		
Sun	12:00	00:30		

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

N/A.

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5) N/A.
Day	Start	Finish	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
Mon	11:00	02:00	
Tue	11:00	02:00	
Wed	11:00	02:00	
Thur	11:00	02:00	
Fri	11:00	03:00	
Sat	11:00	03:00	
Sun	12:00	00:30	

M

Describe the steps you intend to take to promote the four licensing objectives:

Please give a general description of the premises (please read guidance note 1)

FAST FOOD OUTLET CHICKEN AND CHIPS BURGERS AND
KEBABS.

EAT IN AVAILABLE FOR 22 PEOPLE.

NO LIVE MUSIC IS PLAYED.

If 5,000 or more people are expected to attend the premises at
any one time, please state the number expected to attend.

N/A

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) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

ROYAL PFC HAS BEEN TRADING FOR TEN YEARS AND TO THIS DAY THERE HAS NOT BEEN AN ISSUES WITH CUSTOMER OR THE GENERAL PUBLIC. WE HAVE NEVER PUT PRESSURE ON OUR PUBLIC SERVICE E.G. POLICE, FIREBRIGADE ETC. NO INCIDENT TO DATE.

b) The prevention of crime and disorder

WE HAVE CCTV IN PLACE WHICH RECORDS AND STORES FOOTAGE FOR 31 DAYS. THE SHOP IS SECURE WITH SHUTTER AND NO CASH IS LEFT IN THE RESTAURANT. OUR MAIN CUSTOMER BASE IS FROM THE HOSPITAL DOCTORS, PATIENTS, SECURITY GUARDS. NO INCIDENT TO REPORT AS OF THIS DAY.

c) Public safety

PUBLIC SAFETY IS PARAMOUNT TO US. WE HAVE 28 SEATS FOR PEOPLE TO DINE IN OR THEY CAN TAKE AWAY. IF SHOP IS FULL THE CUSTOMER ARE MANAGED AND LET IN, IN DUE COURSE.

d) The prevention of public nuisance

CCTV IN PLACE
THE STAFF TRAINED TO HIGH STANDARD TO AVOID CONFRONTATION.

e) The protection of children from harm

FAST FOOD RESTAURANT SO NOTHING IN THE SHOP WHICH WILL HARM CHILDREN

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 online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	06/03/19

Capacity	DIRECTOR
----------	----------

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.

Marie Harding

From: [REDACTED]
Sent: 07 March 2019 16:27
To: Licensing
Subject: Payment Authentication Receipt - DO NOT REPLY TO THIS E-MAIL

178A
Royal PFC
Whitechapel Road
London
E1 1BJ

Payment Authorisation

Date: 07 March 2019, Time: 16:26

Payment Receipt

Sale Details Transaction ID	Description	Amount
183-93805	Premises Licence [REDACTED]	190.00
Total Amount		190.00

Payment Details

Unique Tran ID
[REDACTED]

Payment Reference
[REDACTED]

Payment Service Provider Id
[REDACTED]

Email Address:
[REDACTED]

Merchant Number:
[REDACTED]

Appendix 2

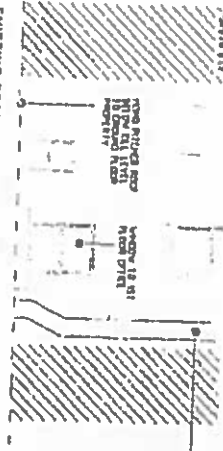
Royal PFC

178a WHITECHURCH ROAD
LONDON E1 1BS.

LBTH
TRADING STANDARDS
08 MAR 2019

LICENSING

EXISTING REAR ELEVATION (PART)
WITH PROPOSED DUCTING



A surface weight of 10kg/m² and nominal thickness of 4mm (in black) to be applied around the duct with overlapped/sealed joints to be fixed in place in accordance with suppliers recommendations.
The noise level at the point of the window would be mitigated to at least 32dB @ 1.0 meter. The remainder of the ducting above roof level would be painted black.

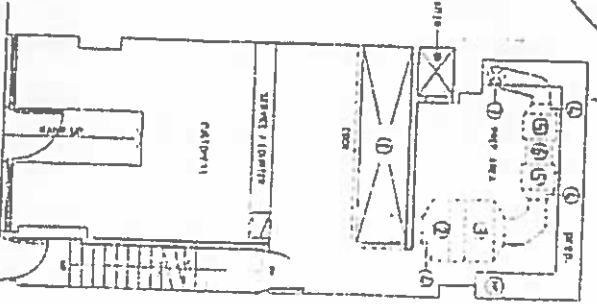
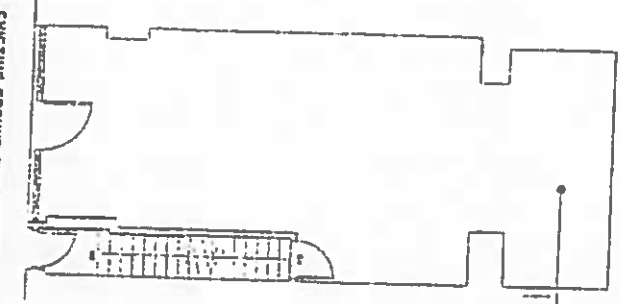
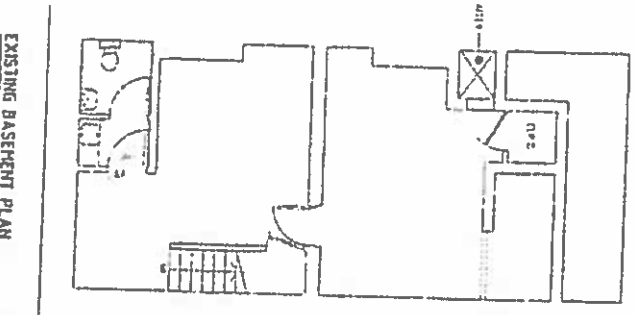
4. Flexible canvas connectors

3. CARBON FILTER UNIT
2 No. ACD extra duty 201C activated carbon filter units 532x572x57mm @ 10 kg per unit with 12 disposable chemically bonded carbon panels permanently sealed with a galvanised steel casing.
Air volume of each unit would be 1.05m³/s totalling 2.10m³/s with total air resistance of 60Pa and a dwell time of 0.24 seconds - secured to structure sitting on anti-vibration mountings.
(panels to be replaced every 8-12 months)

7. DUCTING

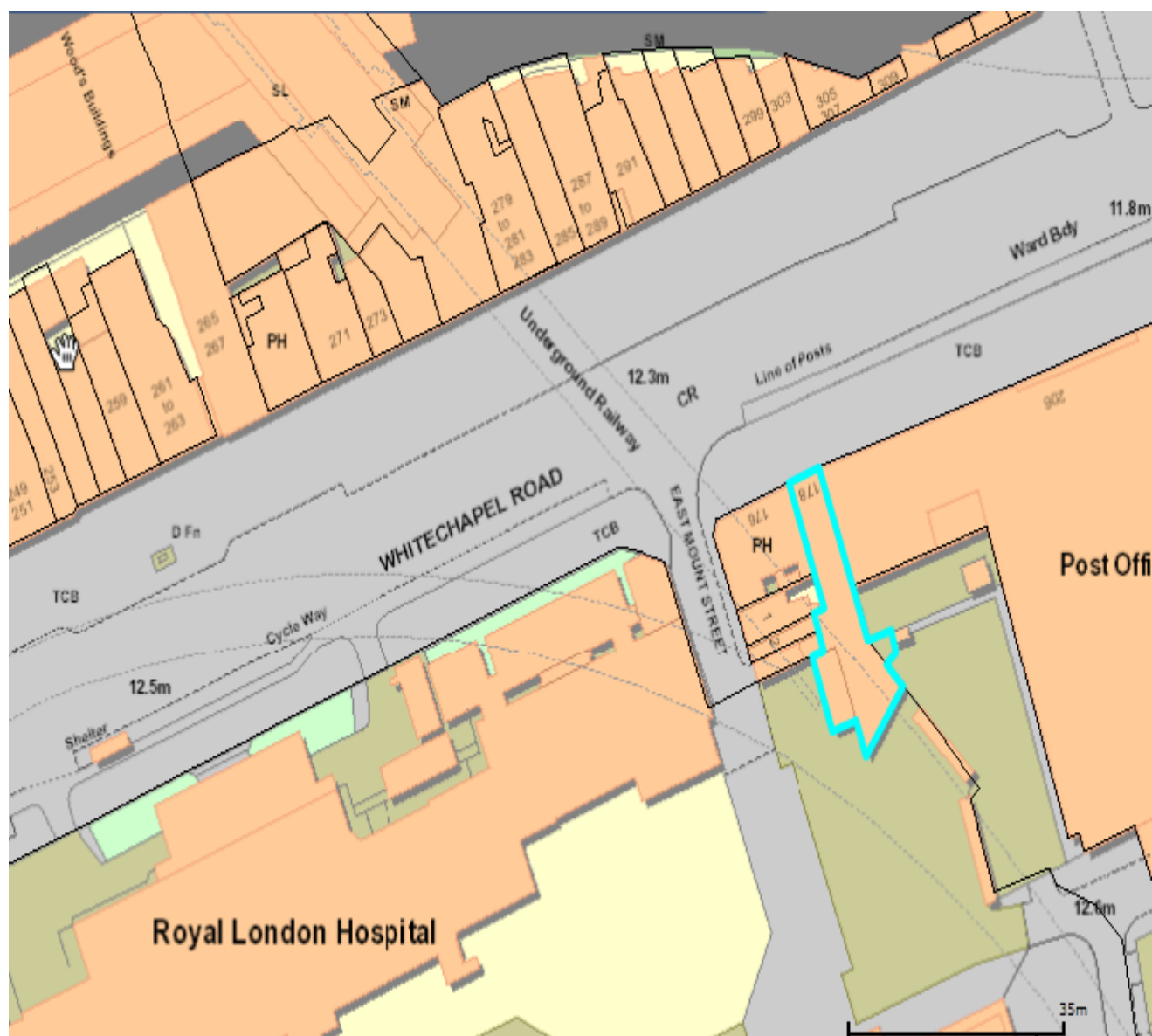
Galvanised steel ducting (155w cross sectional area) discharging 1.0 metre above eaves level discharging nozzle @ maximum to the structure with duct support mountings.

APPLICATION FOR
LATE LICENCE
LICENSING



Client	MAR V
Project	178 V LON E1 1E
Drawn Title	CHA
Drawn	178 V LON E1 1E
Drawn by	R GO
Scale	1:100
Project/Draw	DP/1

Appendix 3



Appendix 4

Royal PFC- 178a Whitechapel Road London E1 1BJ

Nearby premises

Name of Premises	Licensing Activities	Opening Times
<p>LHT-URBAN BAR) 176 Whitechapel Road London E1 1BJ</p>	<p><u>For the Supply of Alcohol and Late Night Refreshment</u> Sunday to Thursday 07 00 hrs to 02 00 hrs the following day Friday and Saturday 07 00 hrs until 03 00 hrs the following day</p> <p><u>Recorded Music (including facilities)</u> Sunday to Thursday 07 00 hrs to 02 00 hrs the following day Friday and Saturday 07 00 hrs until 03 00 hrs the following day</p> <p><u>Live Music (including facilities).</u> Dancing and Provision of Facilities for Dancing Sunday to Thursday 18 00 hrs to 02 00 hrs the following day Friday and Saturday 18 00 hrs until 03 00 hrs the following day</p> <p><u>For all regulated activities</u> Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.</p> <p>On and off sales</p>	<p>Monday to Sunday 07 00 hrs to 04 00 hrs the following day</p>
<p>(Efes) 1 Whitechapel Road London E1 6TY</p>	<p><u>The Supply of Alcohol (on sales only)</u> Sunday to Wednesday from 10:00hrs to 00:00hrs (midnight)</p> <p>Thursday to Saturday from 10:00hrs to 00:30hrs (the following day) Note: However, New Year's Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 23:00hrs on New Year's Eve and 11:00hrs on New Year's Day.</p>	<p>Sunday to Wednesday from 10:00 hours to 00:30 hours (the following day)</p> <p>Thursday to Saturday from 10:00 hours to 01:30 hours (the following day)</p>

	<p><u>The Provision of Late Night Refreshment (indoors)</u> Sunday to Wednesday from 23.00hrs to 00:00hrs (midnight)</p> <p>Thursday to Saturday from 23.00hrs to 01:00hrs (the following day)</p> <p>On supplies</p>	
<p>(Shelley Food and Wine) 193C Whitechapel Road London E1 1DN</p>	<p>Supply of Alcohol <i>Monday to Sunday 24 hours</i></p> <p>Off sales</p>	<p>Monday to Sunday 24 hours</p>
<p>(The Nags Head Public House) 17-19 Whitechapel Road London E1 1DU</p>	<p>Monday to Saturday 11 00 hrs to 03 00 hrs the following day Sunday 12 00 hrs to 22 30 hrs</p> <p>On and off sales</p>	<p>From Monday to Saturday from 11 00 hrs until 03 30 hrs the following day Sunday 12 00 hrs to 23 00 hrs</p>
<p>(The Stable) Ground Floor 16-18 Whitechapel Road London E1 1EW</p>	<p>The sale by retail of alcohol - On sales Sunday to Thursday, 11:00 hours to 03:00 hours the following days Friday and Saturday, 11:00 hours to 07:00 hours the following days</p> <p>The sale by retail of alcohol - Off sales Monday to Sunday, 11:00 hours to 23:00 hours</p> <p>The provision of late Night Refreshment - indoors Sunday to Thursday, 23:00 hours to 03:00 hours the following days Friday and Saturday, 23:00 hours to 07:00 hours the following days</p> <p>The provision of regulated Entertainment – indoors <u>(Live music, recorded music, performance of dance, films and anything of similar description)</u> (Amplified music) Sunday to Thursday, 11:00 hours</p>	<p>The opening hours of the premises</p> <p>Sunday to Thursday, 11:00 hours to 03:00 hours the following days</p> <p>Friday and Saturday, 11:00 hours to 07:00 hours the following days</p> <p>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.</p>

	<p>to 03:00 hours the following days</p> <p>Friday and Saturday, 11:00 hours to 07:00 hours the following days</p> <p>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.</p> <p>On and off sales</p>	
<p>(Grave Maurice Pub) 269 Whitechapel Road London E1 1BY</p>	<p>Alcohol Monday, 10:00 hrs to 00:30 hrs Tuesday and Wednesday, 10:00 hrs to 01:30 hrs Thursday to Saturday, 10:00 hrs to 03:00 hrs</p> <p>Sunday, 10:00 hrs to 01:30 hrs</p> <p>Regulated entertainment (live music and provision of facilities for dancing) Wednesday and Thursday, 19:00 hrs to 01:30 hrs Friday and Saturday, 18:00 hrs to 03:00 hrs Sunday, 18:00 hrs to 01:30 hrs</p> <p>On and off sales</p>	<ul style="list-style-type: none"> • Monday, 06:00 hrs to 01:00 hrs • Tuesday and Wednesday, 06:00 hrs to 02:00 • Thursday to Saturday, 06:00 hrs to 03:30 hrs • Sunday, 09:00 hrs to 02:00 hrs
<p>(Pizza Hut) 245-247 Whitechapel Road</p>	<p>The times the licence authorises the carrying out of licensable activities Alcohol may be sold or supplied:</p> <p>(1) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 10am to 12pm. (2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12 noon to 11:30pm (3) On Christmas Day: 12 noon to 11:30pm; (4) On New Year's Eve, except on a Sunday, 11 a.m. to midnight; (5) On New Year's Eve on a Sunday,</p>	<p>There are no restrictions on the hours during which this premises is open to the public</p>

	<p>12 noon to 11.30 p.m.</p> <p>(6) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).</p> <p>The above restrictions do not prohibit:</p> <p>(a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;</p> <p>(b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;</p> <p>(c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;</p> <p>(d) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the premises;</p> <p>Suitable non-alcoholic beverages, including drinking water, shall be equally available for consumption with or otherwise as an ancillary to meals served in the licensed premises.</p> <p>See Mandatory Conditions for details of restrictions.</p> <p>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.</p> <p>Late Night Refreshment Hot Meals and Hot Drinks</p>	
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	Hot food and hot drinks may be sold for up to 30 minutes after the end of normal permitted hours	
Indo) 133 Whitechapel Road	<p>Alcohol and Regulated Entertainment (recorded music) Sunday to Thursday, 10:00 hrs to 01:00 hrs Friday and Saturday, 10:00 hrs to 03:00 hrs</p> <p>Live music Monday to Thursday, 19:00 hrs to 23:00 hrs</p> <p>Friday to Sunday, 12:00 hrs to 01:00 hrs</p> <p>Late Night Refreshment Sunday to Thursday, 23:00 hrs to 01:30 hrs Friday and Saturday, 23:00 hrs to 03:30 hrs</p> <p><u>Non-standard times</u> Christmas Eve, New Year's Eve St George's Day and St Patrick's Day until 03:00 hrs the following day.</p>	<ul style="list-style-type: none"> • Sunday to Thursday, 11:00 hrs to 01:30 hrs • Friday and Saturday, 11:00 hrs to 03:30 hrs
(Budgens Stores Ltd) Budgens 287-289 Whitechapel Road London E1 1BY	<p>The sale by retail of alcohol</p> <p>Alcohol shall not be sold or supplied except during permitted hours. In this condition, permitted hours means:</p> <p>a. On weekdays, other than Christmas Day, 8 a.m. to 11 p.m. b. On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m. c. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m. d. On Good Friday, 8 a.m. to 10.30 p.m.</p> <p>See Mandatory conditions for drinking up time</p> <p>Off sales only</p>	
(Whitechapel Art Gallery) 80-82 Whitechapel	Monday, Tuesday, Wednesday, Thursday, Friday and Saturday 11.00 hours until 23.00 hours	11.00 hours until 23.00hours Monday, Tuesday, Wednesday,

<p>High Street London E1 7QX</p>	<p>Sunday Midday until 21.30 hours</p> <p>The provision of regulated entertainment Thursday and Friday 19.30 hours until 21.30 hours</p> <p>Recorded Music: Monday, Tuesday, Wednesday, Thursday, Friday and Saturday 11.00 hours until 23.00 hours, Sunday Midday until 21.30 hours</p> <p>On and off sales</p>	<p>Thursday, Friday and Saturday</p> <p>Midday until 21.30 hours Sunday.</p>
<p>(The White Hart) 89 Whitechapel High Street London E1 7RA</p>	<p>Sale of Alcohol: Monday to Wednesday from 10:00 hrs to 23:00 hrs</p> <p>Thursday to Saturday from 10:00 hrs to midnight Sunday from 09:00 hrs to 23:00 hrs</p> <p><u>Nonstandard timings for alcohol</u> New Years Eve: 11:00 hrs to New Years Day midnight. Bank Holidays: Burns Night, St George's, St Patrick's Day and St David's Day to midnight. To sell alcohol outside of the core hours to show the following televised, live international sporting events (including 1 hour "pre-match" build up and 1 hours post event of which the hours must not exceed midnight): General - Olympic and Commonwealth Games. Football - National teams in World or European Cup (qualifying and finals). Rugby - National teams in World Cup, European Cup and England, Scotland, Wales, Ireland or Lions tours. Cricket - National team in World Cup, Test Matches, the Ashes and England tours. Boxing - Major world championships. Motorsport - Grand Prix and world rally championships.</p>	<p>The opening hours of the premises</p> <p>Monday to Wednesday, 10:00 hrs to 23:30 hrs</p> <p>Thursday, 10:00 hrs to 00:30 hrs</p> <p>Friday and Saturday, 10:00 hrs to 01:30 hrs</p> <p>Sunday, 09:00 hrs to 23:30 hrs</p> <p><u>Nonstandard timings</u> Half an hour after the carrying out of licensable activities</p>

	<p>Late Night Refreshment Food and hot drinks served to the public for consumption on or off the premises</p> <p>Thursday 23:00 hrs to midnight</p> <p>Friday and Saturday, 23:00 hrs to 01:00 hrs</p> <p><u>Non standard timings Late Night Refreshment</u> New Years Eve 11:00 hrs to New Years Day midnight. Bank Holidays: Burns Night, St George's, St Patrick's Day and St David's Day to 01:00 hrs. To sell alcohol outside of the core hours to show the following televised, live international sporting events (including 1 hour "pre-match" build up and 1 hours post event): General - Olympic and Commonwealth Games. Football - National teams in World or European Cup (qualifying and finals). Rugby - National teams in World Cup, European Cup and England, Scotland, Wales, Ireland or Lions tours. Cricket - National team in World Cup, Test Matches, the Ashes and England tours. Boxing - Major world championships. Motorsport - Grand Prix and world rally championships.</p> <p>Regulated Entertainment (Films, Indoor Sporting Events, Live Music, Recorded music, Performance of Dance) The display of film or video for race night etc. To permit pub games to "entertain" an audience. Playing or amplified and unamplified music. Any form of traditional or modern dancing. Karaoke or similar activity to entertain an audience. Audience</p>	
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	<p>participation in music and/ or dancing events.</p> <p>Monday to Thursday, 10:00 hrs to 22:30 hrs</p> <p>Thursday, 10:00 hrs to 23:30 hrs Friday and Saturday, 10:00 hrs to 00:30 hrs (Performance of Live Music, Recorded Music, Dance and Similar Entertainment cease at 00:00 hrs)</p> <p>Sunday, 09:00 hrs to 22:30 hrs</p> <p>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.</p>	
<p>(We Work) 35 Whitechapel High Street London E1 7PU</p>	<p>The sale by retail of alcohol</p> <p>Daily 14:00 hours to 23:00 hours</p>	Daily 00:00 to 00:00
<p>(Shell Whitechapel) 139-149 Whitechapel Road London E1 1DT</p>	<p><u>Sale by retail of alcohol (off sales only)</u> Sunday to Saturday 06:00 to 23:00 hours</p> <p><u>Provision of Late Night Refreshment (hot drinks only)</u> Sunday to Saturday 23:00 to 05:00 hours</p>	Sunday – Saturday 00:00 – 24:00 (24 hours)
<p>(Convenience Store) 105 Whitechapel Road London E1 1DT</p>	<p><u>The sale by retail of alcohol</u> Monday – Thursday 07:00hrs to 23:30hrs Friday – Saturday 07:00hrs – 00:00hrs (midnight) Sunday 07:00 – 22:30hrs</p> <p><u>Off sales only</u></p>	<p>Monday – Thursday 07:00hrs to 23:30hrs Friday – Saturday 07:00hrs – 00:00hrs (midnight) Sunday 07:00 – 22:30hrs</p>
14 Whitechapel Road	<p>The provision of late night refreshment Sunday to Thursday 11:00 – midnight</p>	<p>Sunday to Thursday 11:00 – midnight Friday and Saturday 11:00 – 02:00</p>

	Friday and Saturday 11:00 – 02:00	
(Aldgate Food & Wine) 122 Whitechapel High Street London E1 7PT	The sale by retail of alcohol Monday to Sunday from 07:30 hrs to 23:00 hrs Off sales only	Monday to Sunday from 07:30 hrs to 23:00 hrs
Bar Nakoda 199 Whitechapel Road London E1 1DE	<p>Supply of Alcohol Monday to Saturday 11 00 hrs to 03 00 hrs Sunday 12 00 hrs to 03 00 hrs</p> <p>Late Night Refreshment Monday to Sunday 23 00 hrs to 03 00 hrs</p> <p>Regulated Entertainment Monday to Sunday Recorded Music 07 00 hrs to 03 00 hrs Live Music Monday to Friday 18 00 hrs to 02 00 hrs Saturday and Sunday 12 00 hrs to 02 00 hrs Performance of Dance Monday to Sunday 18 00 hrs to 02 00 hrs Provision of facilities for making music Monday to Thursday 18 00 to 24 00 hrs Friday to Sunday 12 00 hrs to 15 00 hrs 18 00 to 24 00 hrs Provision of facilities for dancing Monday to Sunday 18 00 hrs to 02 00 hrs</p> <p>On and off sales</p>	<p>Supply of Alcohol Monday to Saturday 11 00 hrs to 03 00 hrs Sunday 12 00 hrs to 03 00 hrs</p>
(The Blind Beggar Public House) 337 - 341 Whitechapel Road London E1 1BU	<p>Alcohol: Monday, Friday and Saturday, 11:00 hrs to 01:00 hrs Tuesday to Thursday, 11:00 hrs to 23:00 hrs</p>	<p>The opening hours of the premises Monday, Friday and Saturday, 10:30 hrs to 01:30 hrs</p>

	<p>Sunday, 12:00 hrs to 22:30 hrs</p> <p>Regulated Entertainment consisting of Recorded Music, performance of dance, provision of facilities for dancing:</p> <p>Monday, Friday and Saturday, 11:00 hrs to 01:00 hrs</p> <p>Tuesday to Thursday, 11:00 hrs to 23:00 hrs</p> <p>Sunday, 12:00 hrs to 22:30 hrs</p> <p>Live music</p> <p>Monday, Friday and Saturday, 20:00 hrs to 01:00 hrs</p> <p>Late Night Refreshment:</p> <p>Monday, Friday and Saturday until 01:00 hours</p> <p>Non standard timings for the above:</p> <p>From start of permitted hours on New Years Eve to the end of permitted hours on New Years Day and for an extra hour on the morning that British Summer Time Begins.</p>	<p>Tuesday to Thursday, 10:30 hrs to 23:30 hrs</p> <p>Sunday, 11:30 hrs to 23:00 hrs</p>
<p>(Perfect Fried Chicken)</p> <p>230 Whitechapel Road</p>	<p>The provision of late night refreshment</p> <p>Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday from 11:00 hours to 03:00 hours the following day</p>	<p>Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday from 11:00 hours to 03:00 hours the following day</p>

Appendix 5

Section 182 Advice by the Home Office Updated on April 2018

Relevant, vexatious and frivolous representations

9.4 A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.

9.5 It is for the licensing authority to determine whether a representation (other than a representation from responsible authority) is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. A representation may be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification. Vexatious circumstances may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Licensing authorities can consider the main effect of the representation, and whether any inconvenience or expense caused by it could reasonably be considered to be proportionate.

9.6 Frivolous representations would be essentially categorised by a lack of seriousness. Frivolous representations would concern issues which, at most, are minor and in relation to which no remedial steps would be warranted or proportionate.

9.7 Any person who is aggrieved by a rejection of their representations on either of these grounds may lodge a complaint through the local authority’s corporate complaints procedure. A person may also challenge the authority’s decision by way of judicial review.

9.8 Licensing authorities should not take decisions about whether representations are frivolous, vexatious or relevant to the licensing objectives on the basis of any political judgement. This may be difficult for councillors who receive complaints from residents within their own wards. If consideration is not to be delegated, contrary to the recommendation in this

Guidance, an assessment should be prepared by officials for consideration by the sub-committee before any decision is taken that necessitates a hearing. Any councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.

9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.

9.10 Licensing authorities should consider providing advice on their websites about how any person can make representations to them.

Appendix 6

Communities, Localities & Culture
Safer Communities

The Licensing Authority

Head of Consumer and Business Regulations
David Tolley

Licensing Section
Mulberry Place
5 Clove Crescent
London E14 2BG

Tel [REDACTED]
Fax [REDACTED]
Enquiries to **Samantha Neale**
[REDACTED]

4th April 2019

My reference: TSS/LIC/114879
Your reference:

www.towerhamlets.gov.uk

Dear Mr Sir/Madam,

Licensing Act 2003
Re: Royal PFC – 178a Whitechapel High Street, London, E1 7RA

I am acting on behalf of the Licensing Authority as a Responsible Authority and an application has been received from Food Hunt Ltd to provide late night refreshment at the above premises until 02:00hrs (the following day) Monday to Thursday, until 03:00hrs (the following day) Friday and Saturday and until 00:30hrs (the following day) on Sunday.

On 20th February 2019, Mr Jubel Miah contacted the licensing authority to notify us that the licensing holder Four Brother (UK) Ltd for Royal PFC had closed and the new company details were Food Hunt Ltd. He had also notified us that the owners were still the same but the company had changed. Anticipating that this change would require a transfer of premises licence application, I checked the Companies House register which brought to my attention that the licence had lapsed after the licence holder company Four Brothers (UK) Ltd had “dissolved via compulsory strike-off” on 9th January 2018.

This application is a direct result of me writing to the premises (dated 28th February 2019) advising the licence holder of my findings and to notify them that there was no option to transfer the premises as it had been longer than the statutory 28 day period where and transfer or interim authority notice could be applied for after the company had dissolved. This therefore meant that the licence had lapsed as there was no licence holder in place and that the premises was no longer licensed for licensable activities. A copy of that warning letter is attached.

On 1st March 2019, after the premises should have ceased licensable activities, Licensing Enforcement Officer Damian Doherty carried out a successful test purchase of hot food at 23:20hrs as advised by myself.

It was recorded that Mr Doherty spoke to Mirjawer Rahman, one of the former directors of Four Brothers (UK) Limited advising that a new licence should be applied for and also explained the TENs process as an interim measure. It was confirmed that Mr Jubel Miah (proposed licence holder for this application) was not in the country.

This premises had been operating without a licence for just over a year before notifying the licensing authority of dissolving of the previous company. After being warned, they carried on with licensable activities which is proved by a successful intel-led test purchase.

To add to my concerns, the company has applied for later hours than were attached to the previous licence which are as below:

The Provision for Late Night Refreshment

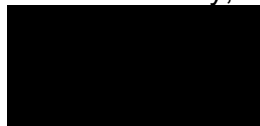
- Sunday to Thursday from 23:00hrs to 00:30hrs (the following day)
- Friday and Saturday from 23.00hrs to 01.30hrs (the following day)

One would worry that the company sold late night refreshment twenty minutes later than permitted when unlicensed after being warned, and would perhaps sell hot food and drink after the times permitted if granted their licence.

The Licensing Authority therefore has no faith in the Management to uphold the objectives as set out by the Licensing Act 2003 nor is it evident that they understand the processes of the Act as no transfer was made in good time to keep the licence valid and live. A prosecution may likely follow, therefore it would not be appropriate to reward the premises with a licence until that matter is resolved.

The Licensing Authority asks that the application be rejected in full and definitely no hours be extended beyond those of the previous premise licence.

Yours sincerely,



Samantha Neale
Licensing Officer

Appendix 7

Andrew Akuffo



E1 2ET

The Licensing Section
London Borough of Tower Hamlets
John Onslow House
1 Ewart Place
London E35EQ

RE: Royal PFC, 178A Whitechapel Road

To Whom It May Concern:

I write to you concerning the licensing application for Royal PFC, 178A Whitechapel Road, London E1 1BJ.

I and many who live in the vicinity of this restaurant have frequently used it and enjoyed the food from here for the last ten years. Apart from the excellent flavours and friendly staff, one of the greatly appealing things is that it's open until late, particularly on the weekends.

Living in a truly 24 hours city, we need good quality, community-based restaurants like this one that offers more than just delicious food. Jubel and his team support the local hospital staff, patients and visitors, as well as nearby residents like me. To not have a late licence will not only be detrimental to the business but will surely have a negative impact on the local community.

I kindly request that you look at this license application in favourable light and give Royal PFC the opportunity to continue serving the local community into the early hours of the morning.

Yours Faithfully,



Mr. Andrew Akuffo

Dr Peter Owegie

[REDACTED]

[REDACTED]

White chapel

19th March 2019

The Licencing Section

London Borough of Tower Hamlet

John Onslow House

To whom it may concern.

I am writing this letter in support of the application made by Royal PFC restaurant , located at 178A Whitechapel Road London E1 1BJ for the provision of late night service .

I am a doctor working at the royal London Hospital in the department of urology. This restaurant provides hot meals which I can get at late hours due to the nature of my job being on call most days. The restaurant is safe and close to the hospital which makes it easily assessable to hospital staff when the main hospital canteen closes at 7pm.

The restaurant is clean and hygienic as well as has very nice, welcoming staff. Its will be good to me as well as my other colleague who patronise the restaurant at late night to see it remain opened.

Sincerely

Dr Peter Owegie

Signed electronically.

Fozlul Islam

[REDACTED]

Royal London Hospital

[REDACTED]

E1 1BB

The Licensing section

London Borough of Tower Hamlets

John Onslow House

1 Ewart Place

London

E3 5EQ

To whom it may concern,

I am writing this letter in support of Royal PFC's application to remain open during the late hours. As an employee at the Royal London hospital I think it is very reasonable for royal PFC to stay open late as most of diners are those like me who work night shifts at the hospital. If the application is denied it can have a significant impact as it is essential for people like my self-seeking last-minute dinner purchases.

On behalf of all the night shifts staff at the Royal London Hospital it would be appreciated if this establishment remains open till late hours.

With sincere appreciation.

Appendix 8

Noise while the premise is in use

General Advice

If they conclude this is a problem Members should consider whether it is possible to carry out suitable and proportionate noise control measures so that noise leakage is prevented. In addition Members may consider that only certain activities are suitable.

The hours of operation also need to be considered (see below).

If Members believe that there is a substantial problem of noise while the premises are in use and it cannot be proportionately address by licensing conditions they should refuse the application.

Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. **(See Sections 9.1 of the Licensing Policy)**. While all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. **(See Section 14.10)**.

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. **(See Section 9.2 of the Licensing Policy)**.

The Licensing Authority will consider attaching conditions to prevent nuisance. In particular Members may wish to consider (this list is not exhaustive):

- hours of opening (this needs to be balanced against potential disorder caused by artificially early closing times)
- Whether certain parts should close earlier than the rest (for example a "beer garden", or restricted in their use)
- Whether or not certain activities should have to close at an early hour, for example live music
- Conditions controlling noise or vibration (for example, noise limiters, keeping doors and windows closed).
- Prominent clear and legible notices at all exits requesting the public to respect the needs of local residents and leave the premises and area quietly
- Conditions controlling the use of explosives, pyrotechnics and fireworks
- Conditions controlling the placing of refuse
- Conditions controlling noxious smells
- Conditions controlling lighting (this needs to be balanced against potential crime prevention benefits)

Police Powers

Part 8 of the Licensing Act 2003 enables a senior police officer to close down a premises for up to 24 hrs where public nuisance is being caused by noise coming from the premises and the closure of the premises is necessary to prevent that nuisance.

Guidance Issued under Section 182 of the Licensing Act 2003

The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community (2.15).

Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.19) and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder.

Other Legislation

The Environmental Protection Act 1990, Part 111 gives Environmental Health Officers the power to deal with statutory nuisances.

The Anti-social Behaviour Act 2003, Sections 40 and 41 give Environmental Health Officers the power of closure up to 24 hours in certain circumstances.

Appendix 9

Access and Egress Problems

Such as:

- Disturbance from patrons arriving/leaving the premises on foot
- Disturbance from patrons arriving/leaving the premises by car
- Lack of adequate car parking facilities
- Close proximity to residential properties

Comment

The above have been grouped together as egress problems. Of course the particular facts will be different for each alleged problem.

Egress only is referred to-if necessary access can be added or substituted in.

General Advice

In considering concerns relating to disturbance from egress, Members need to be satisfied that the premises under consideration has been identified as the source of the actual or potential disturbance. If they are satisfied that this is a problem, then proportionate conditions should be considered.

The hours of operation also need to be considered.

If Members believe that there is a substantial problem concerning egress and it cannot be proportionately addressed by licensing conditions, they should refuse the application.

Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. (**See Section 10 of the Licensing Policy**).

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. (**See Section 10.2 of the Licensing Policy**).

The policy also recognises that staggered closing can help prevent problems at closure time (**See Section 15.1**).

However, while all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. (**See Section 15.5**)

The Council has adopted a set of framework hours (**See 15.8 of the licensing policy**). This relates to potential disturbance caused by late night trading.

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Pool of Conditions relating to the prevention of Public Nuisance. (**See Annex G of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- hours of opening (this needs to be balanced against potential disorder caused by artificially early closing times)
- Whether certain parts should close earlier than the rest (for example a “beer garden”, or restricted in their use)
- Whether or not certain activities should have to close at an early hour, for example live music
- Conditions controlling noise or vibration (for example, noise limiters, keeping doors and windows closed).
- Prominent clear and legible notices at all exits requesting the public to respect the needs of local residents and leave the premises and area quietly

Guidance Issued under Section 182 of the Licensing Act 2003

The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community. (2.15).

Licence conditions should not duplicate other legislation (1.16).

Any conditions should be tailored to the type, nature and characteristics of the specific premises. Licensing authorities should be aware of the need to avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues. (2.19)

Measures can include ensuring the safe departure of customers, these can include:

- Providing information on the premises of local taxi companies who can provide safe transportation home; and
- Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.19) and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder.

Appendix 10

Prevention of Public Nuisance

- 9.1 Licensed premises, especially those operating late at night and in the early hours of the morning, can cause a range of nuisances impacting on people living, working or sleeping in the vicinity of the premises.
- 9.2 The concerns mainly relate to noise nuisance both from the premises and customer egress, light pollution, noxious smells and disruption from parked vehicles and due regard will be taken of the impact these may have in considering a licence. The Licensing Authority will expect Operating Schedules to satisfactorily address these issues. Applicants are advised to seek advice from the Council's Environmental Health Officers before preparing their plans and Schedules.
- 9.3 The Licensing Authority, where its discretion is engaged, will consider, where appropriate, attaching conditions to licences and permissions to prevent the problems identified in Section 18 of this Policy (Special Cumulative Impact Policy for the Brick Lane and Bethnal Green Area), and these may include conditions drawn from the Model Pool of Conditions found in the Secretary of States Guidance.
- 9.4 **Street Furniture** – placing of street furniture, which includes advertising boards, on the highway can cause a public nuisance by way of obstruction, or encourage consumption of alcohol on an unlicensed area. The Licensing Authority expects applicants to have ensured that they fully comply with the Council's rules relating to authorisation of obstructions on the highway, and that the required authorisations are obtained prior to submitting a licence application. Where proportionate and appropriate, and its discretion is engaged, the Licensing Authority will impose conditions in relation to street furniture, including on private land.
- 9.5 **Fly Posting** – The Council has experienced problems with "fly posting" in relation to venues that offer entertainment. Fly posting is the unauthorised posting of posters / advertisements etc. Where it considers it proportionate and appropriate, and its discretion is engaged, the Licensing Authority will attach conditions relating to the control of fly posting to ensure that venues clearly prohibit all fly posting in their contract terms with others and they effectively enforce this control.

Appendix 11

Guidance Issued by the Home Office under Section 182 of the Licensing Act 2003

Updated April 2018

Public nuisance

- 2.15 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.
- 2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.
- 2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.
- 2.18 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.

- 2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.
- 2.20 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.
- 2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

Appendix 12

Planning

An application for a Premises Licence can be made in respect of a premises even where the premises does not have relevant Planning Permission. That application has to be considered and Members can only refuse the application where the application itself does not promote one or more of the Licensing Objectives. Members cannot refuse just because there is no planning permission. Where a Premises Licence is granted and which exceeds what is allowed by the Planning Permission and that Premises then operates in breach of planning then the operator would be liable to enforcement by Planning.

Appendix 13

Licensing Policy Relating to Hours of Trading

All applications have to be considered on their own merits.

The Council has however adopted a set of framework hours as follows:

- Monday to Thursday, from 06:00 hrs to 23:30 hrs
- Friday and Saturday, from 06:00 hrs to 00:00 hrs (midnight)
- Sunday, from 06:00 hrs to 22:30 hrs

(see 14.8 of the Licensing Policy)

In considering the applicability of frame work hours to any particular application regard should be had to the following

- Location
- Proposed hours of regulated activities, and the proposed hours the premises are open to the public
- The adequacy of the applicant's proposals to deal with issues of crime and disorder and public nuisance
- Previous history
- Access to public transport
- Proximity to other licensed premises, and their hours

(See 14.9 of the licensing policy)

Subject to any representations to the contrary in individual cases the following premises are not generally considered to contribute to late night anti-social behaviour and will therefore generally have greater freedom

- Theatres
- Cinemas
- Premises with club premises certificates