

LICENSING SUB COMMITTEE

Tuesday, 28 July 2020 at 5.30 p.m.

Online 'Virtual' Meeting - <https://towerhamlets.public-i.tv/core/portal/home>

This meeting is open to the public to attend.

Contact for further enquiries:

Simmi Yesmin, Senior Democratic Services Officer
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Website: <http://www.towerhamlets.gov.uk/committee>

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agenda



Public Information

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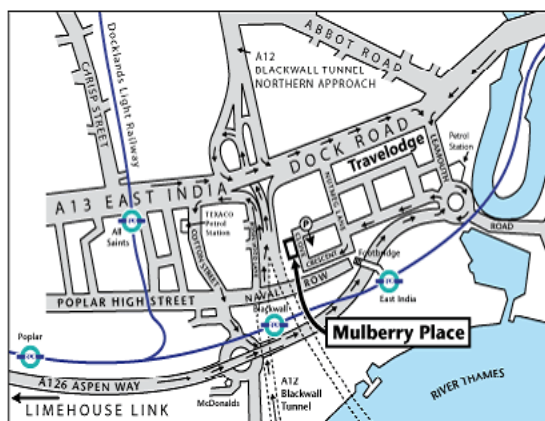
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QR code for smart phone users.

APOLOGIES FOR ABSENCE

To receive any apologies for absence.

1. DECLARATIONS OF INTEREST (Pages 7 - 8)

Members are reminded to consider the categories of interest, identified in the Code of Conduct for Members to determine: whether they have an interest in any agenda item and any action they should take. For further details, see the attached note from the Monitoring Officer.

Members are also reminded to declare the nature of the interest at the earliest opportunity and the agenda item it relates to. Please note that ultimately it is the Members' responsibility to identify any interests and also update their register of interest form as required by the Code.

If in doubt as to the nature of an interest, you are advised to seek advice prior the meeting by contacting the Monitoring Officer or Democratic Services.

2. RULES OF PROCEDURE (Pages 9 - 18)

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

3. MINUTES OF THE PREVIOUS MEETING(S) (Pages 19 - 48)

To confirm as a correct record the minutes of the Licensing Sub-Committee held on 5th May, 9th June and 7th July 2020.

4.	ITEMS FOR CONSIDERATION	PAGE NUMBER(S)	WARD(S) AFFECTED
4.1	Application for a New Premises Licence for (Barber and Parlour) Soho Works Redchurch Street 64-66 Redchurch Street London E2 7DP	49 - 162	Weavers

Licensing Objectives:

- Public Nuisance

Representations by:

- Environmental Health
- Local Resident(s)

**4 .2 Application for a Variation of a Premises Licence for
(Dirty Bones) 1 Club Row, London E1 6JX**

163 - 276

Weavers

Licensing Objectives:

- Public Nuisance
- Crime & Disorder

Representations by:

- Licensing Authority
- Environmental Health

**5. 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.

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Agenda Item 1

DECLARATIONS OF INTERESTS AT MEETINGS– NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Code of Conduct for Members at Part C, Section 31 of the Council's Constitution

(i) Disclosable Pecuniary Interests (DPI)

You have a DPI in any item of business on the agenda where it relates to the categories listed in **Appendix A** to this guidance. Please note that a DPI includes: (i) Your own relevant interests; (ii) Those of your spouse or civil partner; (iii) A person with whom the Member is living as husband/wife/civil partners. Other individuals, e.g. Children, siblings and flatmates do not need to be considered. Failure to disclose or register a DPI (within 28 days) is a criminal offence.

Members with a DPI, (unless granted a dispensation) must not seek to improperly influence the decision, must declare the nature of the interest and leave the meeting room (including the public gallery) during the consideration and decision on the item – unless exercising their right to address the Committee.

DPI Dispensations and Sensitive Interests. In certain circumstances, Members may make a request to the Monitoring Officer for a dispensation or for an interest to be treated as sensitive.

(ii) Non - DPI Interests that the Council has decided should be registered – (Non - DPIs)

You will have 'Non DPI Interest' in any item on the agenda, where it relates to (i) the offer of gifts or hospitality, (with an estimated value of at least £25) (ii) Council Appointments or nominations to bodies (iii) Membership of any body exercising a function of a public nature, a charitable purpose or aimed at influencing public opinion.

Members must declare the nature of the interest, but may stay in the meeting room and participate in the consideration of the matter and vote on it **unless:**

- A reasonable person would think that your interest is so significant that it would be likely to impair your judgement of the public interest. **If so, you must withdraw and take no part in the consideration or discussion of the matter.**

(iii) Declarations of Interests not included in the Register of Members' Interest.

Occasions may arise where a matter under consideration would, or would be likely to, **affect the wellbeing of you, your family, or close associate(s) more than it would anyone else living in the local area** but which is not required to be included in the Register of Members' Interests. In such matters, Members must consider the information set out in paragraph (ii) above regarding Non DPI - interests and apply the test, set out in this paragraph.

Guidance on Predetermination and Bias

Member's attention is drawn to the guidance on predetermination and bias, particularly the need to consider the merits of the case with an open mind, as set out in the Planning and Licensing Codes of Conduct, (Part C, Section 34 and 35 of the Constitution). For further advice on the possibility of bias or predetermination, you are advised to seek advice prior to the meeting.

Section 106 of the Local Government Finance Act, 1992 - Declarations which restrict Members in Council Tax arrears, for at least a two months from voting

In such circumstances the member may not vote on any reports and motions with respect to the matter.

Further Advice contact: Asmat Hussain, Corporate Director, Governance and Monitoring Officer,
Tel: 0207 364 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	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. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	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— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
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	Any tenancy where (to the Member's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (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.

TOWER HAMLETS



LICENSING COMMITTEE

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

Date Last Reviewed:	14 th June 2016
Reviewed By:	Senior Corporate and Governance Legal Officer
Approved By:	Licensing Committee
Date Approved:	14 th June 2016
Version No.	1
Document Owner:	Paul Greeno
Post Holder:	Senior Corporate and Governance Legal Officer
Date of Next Scheduled Review:	31 st 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 **Page 15** 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				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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LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE LICENSING SUB COMMITTEE

HELD AT 5.30 P.M. ON TUESDAY, 5 MAY 2020

ONLINE 'VIRTUAL' MEETING - [HTTPS://TOWERHAMLETS.PUBLIC-I.TV/CORE/PORTAL/HOME](https://towerhamlets.public-i.tv/core/portal/home)

Members Present:

Councillor Dan Tomlinson (Chair)
Councillor Eve McQuillan
Councillor Gabriela Salva Macallan

Officers Present:

Luke Wilson – (Legal Services)
Corinne Holland – (Licensing Officer)
Simmi Yesmin – (Democratic Services)

Representing applicants	Item Number	Role
Jack Ma	3.1	(Applicant)
Mohibur Rahman	3.1	(Manager of the Premises)
Abu Mahmood	3.2	(Applicant)

Representing objectors	Item Number	Role
Saddek Ahmed	3.1	(Resident Objector)
Lavine Miller-Johnson	3.2	(Licensing Officer)

Apologies

None

The Chair welcomed everyone to the meeting, explained the procedure of the meeting and made introductions.

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

There were no declarations of interests made.

2. RULES OF PROCEDURE

The rules of procedure were noted.

3. ITEMS FOR CONSIDERATION

3.1 Application for a New Premises Licence for Tian Tian Market, 48 Lanterns Way, London E14 9JP

At the request of the Chair, Ms Corinne Holland, Licensing Officer, introduced the report which detailed the application for a new premises licence for Tian Tian Market, 48 Lanterns Way, London E14 9JP. It was noted that objections had been received on behalf of local residents.

At the request of the Chair, Mr Mohibur Rahman, representative on behalf of the Applicant and manager of the premises, explained that he had emailed the objector (lead petitioner) with proposed conditions to help alleviate the concerns raised by the residents. He explained that they would proactively train staff, carry out the required age verification checks, check valid IDs and install and maintain a CCTV camera system which would be operational 24 hours. The Applicant would employ a security guard to monitor inside and outside the premises during busy periods.

Mr Rahman referred to the individual representation made by a local resident and wanted to assure the Sub-Committee that food would not be cooked on the premises and only sample tasters would be used for promotional purposes. He confirmed that the premises would not trade beyond 10.00pm.

Members then heard from Mr Saddek Ahmed, Lead Petitioner and Chair of the Residents Association for Hoover Tower Building. He said that the individual objector Mr Abdul Hasan had given his apologies for the meeting. Mr Ahmed confirmed that there were 123 flats in the building and explained the general concerns regarding the sale of alcohol. He briefly described the types of anti-social behaviour in the local area. He was concerned that another premises selling alcohol in the area would lead to further acts of anti-social behaviour. He explained that there were other stores in close proximity which sold alcohol and believed that another premises selling alcohol was not necessary.

Mr Ahmed explained that the residents were not against the supermarket but were against the sale of alcohol. He welcomed the idea of a security guard but questioned whether one security guard would be enough to control and manage potential disturbances. Residents did not object to the sale of oriental food.

In response to questions, the following was noted:

- A security guard would be employed to ensure that there was no disorder in the area or disruption to residents.
- Only foreign oriental alcohol would be sold and not the high street brands that are found in large supermarkets such as Tesco and Asda.

- It is a small premises. With the assistance of staff, security, CCTV cameras and monitoring from back office, the Applicant was confident they would be able to manage and prevent ASB.
- The majority of the customers were oriental and not local customers.
- The residents believed that the area was a hotspot and if there was an increase in number of premises selling alcohol, this would attract more people to the area which would likely cause a public nuisance.
- There had been issues of anti-social behaviour in the area for over five years.
- There was no evidence of drug issues or anti-social behaviour directly related to the premises.
- There were many premises that sold alcohol nearby.
- The premises was in a residential area.
- The store entrance would be moving from the main road to facing opposite the residential flats and as a result concerns were raised in relation to the delivery vehicles coming in and out at different times of the day.
- Deliveries would be taken from Millharbour, the opposite side of the building to residents of Hoover Tower.
- Small supermarkets such as this generally do not have security guards. The Applicant has not yet confirmed the days and hours it intends to have security present.
- There have been no complaints on record about the premises.
- The premises would not be selling hot food. On occasions, it would provide tasters.

Both parties made closing remarks.

The Chair advised all parties that a decision would be made by The Sub-Committee once this meeting was over and a decision notice, including the reasons for the decision, would be sent out to all parties within five working days.

The Licensing Objectives

In considering the application, Members were required to consider the same in accordance with the Licensing Act 2003 (as amended), the Licensing Objectives, the Home Office Guidance and the Council's Statement of Licensing Policy and in particular to have regard to the promotion of the four licencing objectives:

1. The Prevention of Crime and Disorder;
2. Public Safety;
3. The Prevention of Public Nuisance; and
4. The Protection of Children from Harm.

Consideration

Each application must be considered on its own merits. The Chair confirmed that the Sub-Committee had carefully considered all of the evidence before

them and the oral representations made at the meeting by Applicant's representatives and the Objector.

Members noted the objector's general concerns about anti-social behaviour in the area, however, there was no clear evidence that this had been linked to the premises or that the granting of the premises licence would lead to an increase in anti-social behaviour or public nuisance.

Members noted the efforts made by the Applicant in accepting and agreeing to the conditions proposed by the Responsible Authorities. These conditions, together with further conditions imposed by the Sub-Committee, gave Members the assurance that the risk of public nuisance and anti-social behaviour would be adequately mitigated and the Licensing Objectives upheld.

Therefore Members made a decision and the decision was unanimous. Members granted the application with conditions.

Accordingly, the Sub-Committee unanimously

RESOLVED

That the application for a New Premises Licence for Tian Tian Market, 48 Lanterns Way, London E14 9JP be **GRANTED** with conditions.

Sale of Alcohol (off sales only)

Monday to Sunday 10:00 hours – 22:00 hours

Hours premise is open to the public:

Monday to Sunday 10:00 hours – 22:00 hours

Conditions

1. The premises shall ensure that alcohol is not consumed on the premises.
2. Alcohol shall only be sold in sealed containers.
3. The premises shall ensure that customers do not congregate in the immediate vicinity of the premises.
4. 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.

5. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. 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.
6. A Challenge 25 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.
7. Loudspeakers shall not be located in the entrance lobby or outside the premise building.
8. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
9. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises, which gives rise to a nuisance.
10. An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any 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.

3.2 Application for a New Premises Licence for Ranna, Unit 46 Bow Triangle, Eleanor Street, London E3 4UR

At the request of the Chair, Ms Corinne Holland, Licensing Officer, introduced the report which detailed the application for a new premises licence for Ranna Ltd, Unit 46 Bow Triangle, Eleanor Street, London E3 4UR. It was noted that an objection had been received on behalf of the Licensing Authority.

At the request of the Chair, Mr Abu Mahmood, the Applicant, explained that the application was for a one-hour extension for late night refreshments only.

He explained that an application had been made following a positive test purchase made in August 2019 when officers were served after 11pm. He explained that it was a one off sale whilst waiting for delivery drivers to come and collect food orders for delivery.

Mr Mahmood claimed that the second incident in December was a misunderstanding. He initially thought that one of the test purchasers was his friend's younger brother. Mr Mahmood offered not to charge for the food but the officers insisted on paying. As a result, the Premises was cautioned for trading outside hours. Mr Mahmood said that he had previously tried to complete the application form but was unable to complete it. He left it incomplete until he was advised again to make an application for additional hours.

Mr Mahmood confirmed that he had agreed to conditions proposed by the Police and Environmental Health.

Members then heard from Lavine Miller-Johnson, Licensing Officer, who explained that she was objecting to the application on the basis that the premises has been found to be trading without a licence on two occasions. She explained that there was not sufficient evidence in the operating schedule to demonstrate how he would promote licensing objectives.

In response to questions the following was noted:

- The Applicant would ensure that shutters would be closed by midnight. The Premises would have CCTV cameras in operation to prevent any sales after trading hours.
- The premises did not serve alcohol.
- It was a delivery based business and would average 3-4 walk in customers per day. The Premises was in a residential area and did not expect to have gatherings as it was delivery based.
- On the first occasion, he served the officers as a one off as they had walked in whilst he had been waiting for delivery drivers to arrive to pick up food. There were no other customers in the premises at the time.
- There have been no complaints from residents.
- When asked why the business advertised the sale of hot food after 11pm, the Applicant said that he was initially unaware that he needed a licence. When he became aware of the requirement, he decided it was too expensive to reprint the leaflets.
- The reason for an extension to midnight was to allow flexibility for deliveries to be despatched after 11pm.
- The average cost per meal was £10-£12.

Both parties made closing remarks.

The Chair advised all parties that a decision would be made by The Sub-Committee once this meeting was over and a decision notice including the reasons for the decision would be sent out to all parties within five working days.

The Licensing Objectives

In considering the application, Members were required to consider the same in accordance with the Licensing Act 2003 (as amended), the Licensing Objectives, the Home Office Guidance and the Council's Statement of Licensing Policy and in particular to have regard to the promotion of the four licensing objectives:

1. The Prevention of Crime and Disorder;
2. Public Safety;
3. The Prevention of Public Nuisance; and
4. The Protection of Children from Harm

Consideration

Each application must be considered on its own merits. The Chair confirmed that the Sub-Committee had carefully considered all of the evidence before them and the oral representation made at the meeting by the Applicant and the Officer representing the Licensing Authority.

Members noted the conditions agreed with the other Responsible Authorities and were satisfied that the premises was mainly a delivery based business. Members were of the view that the robust conditions agreed with the Responsible Authorities, together with a condition ensuring that all orders and deliveries are despatched by midnight, would remove any uncertainty about the late night operation of the premises and the prescribed hours.

The Sub-Committee was satisfied that the licensing objectives would be promoted and the conditions imposed would effectively mitigate the risk of public nuisance and crime and disorder and would help alleviate any concerns arising from the objector.

Therefore Members made a decision and the decision was unanimous. Members granted the application with conditions.

Decision

Accordingly, the Sub-Committee unanimously –

RESOLVED

That the application for a New Premises Licence for, Ranna, Unit 46 Bow Triangle, Eleanor Street, London E3 4UR be **GRANTED** with conditions.

Provision of Late Night Refreshments

Monday to Sunday 23:00 hours to 00:00 hours (midnight)

Hours premises open to the public:

Monday to Sunday 07:00 hours to 00:00 hours (midnight)

Conditions

1. All food orders and deliveries must be despatched by midnight.
2. No more than six customers or drivers shall congregate at the front counter at any one time.
3. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises, which gives rise to a nuisance.
4. No idling of vehicles, being either patrons or delivery vehicles outside the premises whilst premises is in operation.
5. Notices shall be prominently displayed both inside and outside the premises requesting patrons to respect the needs of local residents and leave the area quietly.
6. 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. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. 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.
8. An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any 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;
 - g) any refusal of the sale of alcohol;

h) any visit by a relevant authority or emergency service.

4. EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003

There were no applications that required extensions to decision deadlines.

The meeting ended at 7.15 p.m.

Chair, Councillor Dan Tomlinson
Licensing Sub Committee

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LONDON BOROUGH OF TOWER HAMLETS
MINUTES OF THE LICENSING SUB COMMITTEE
HELD AT 5.30 P.M. ON TUESDAY, 9 JUNE 2020

ONLINE 'VIRTUAL' MEETING - [HTTPS://TOWERHAMLETS.PUBLIC-I.TV/CORE/PORTAL/HOME](https://towerhamlets.public-i.tv/core/portal/home)

Members Present:

Councillor Dan Tomlinson (Chair)
 Councillor Shad Chowdhury
 Councillor Sufia Alam

Officers Present:

Lavine Miller-Johnson	–	(Licensing Officer)
David Wong	–	(Legal Services)
Nicola Cadzow	–	(Environmental Health Officer)
Mohshin Ali	–	(Senior Licensing Officer)
Simmi Yesmin	–	(Democratic Services)

Representing Applicants

	Item Number	Role
Alun Thomas	3.1	(Legal Representative)
Stephen Bagatti	3.1	(Applicant)
Anthony Gaughan	3.1	(Applicant)
Winston Brown	3.2	(Legal Representative)
Edward Gaunt	3.2	(Applicant)
Sofia Medina	3.2	(Designated Premises Supervisor)

Representing Objectors

	Item Number	Role
Nicola Cadzow	3.1 & 3.2	(Environmental Health Officer)
Lavine Miller-Johnson	3.1 & 3.2	(Licensing Officer)

Apologies

None

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

There were no declarations of interests made.

2. RULES OF PROCEDURE

The rules of procedure were noted.

3. ITEMS FOR CONSIDERATION

3.1 Application for a Variation of the Premise Licence for Boom Bap Burgers, Arch 252 Paradise Row, London E2 9LE

At the request of the Chair, Mr Mohshin Ali, Licensing Officer, introduced the report which detailed the application for a variation of the premises licence for Boom Bap Burger, Arch 252 Paradise Row, London E2 9LE. It was noted that objections had been received by Officers on behalf of the Licensing Authority and Environmental Health

At the request of the Chair, Mr Alun Thomas, Legal Representative on behalf of the Applicant explained that the nature of the variation application was to amend the plans to include the external seating area for licensable activities and to add off sales of alcohol for consumption off the premises and to vary the commencement time for the sales of alcohol.

Mr Thomas explained that in October 2014 a minor variation was made. The intention of that application was to include a mezzanine level into the licensed area, which was granted. However, an unintended consequence of that application appeared to be that the plans delineating the external seating and dining area as part of the area covered by licensable activities inadvertently omitted that external area, unintentionally taking it out of the coverage for licensable activities.

He explained that they had now removed the mezzanine area and as a result reduced 36 covers, that they would restrict drinking outside after 10pm, and the area would not be used by customers, except for smoking. He explained that the earlier commencement time was to introduce breakfast/brunch opening times. It was noted that there were a number of conditions on the current licence and the additional conditions suggested by responsible authorities had been accepted.

Members then heard from Lavine Miller-Johnson, Licensing Officer who referred to her objection on page 76-80, and explained that as the application stands, it did not uphold the licensing objective of prevention of public nuisance, and this could be exacerbated once alcohol off sales are added. However, she said that if Members were minded to grant the application then the proposed conditions on her representation should be added to the licence.

Members also heard from Nicola Cadzow, Environmental Health Officer, she also expressed similar concerns and explained that there could be a likelihood of disturbance to residential premises during the use of the external forecourt area. She said that if Members were minded to grant the application, then restrictions should be applied for the use of the forecourt area.

In response to questions from Members the following was noted;

1. That the mezzanine area which had had a capacity of 36 was no longer in use.
2. That there had been three complaints in February/March 2015, but the premises was under a different operator then.
3. That the internal area had 55 covers and the external area would have 32 covers, so there would be no increase in capacity, as the former mezzanine area used to have a capacity for 36. In fact, there would be a slight reduction in the overall number of covers.
4. There had been no complaints since the current operator had taken over.
5. That off sales of alcohol would only be sold in sealed containers and would be a part of takeaway orders.
6. That early opening times were sought for breakfast/brunch opening.

Both parties made closing remarks.

The Chair advised all parties that a decision would be made by the Sub-Committee once this meeting was over and a decision notice, including the reasons for the decision, would be sent out to all parties within five working days.

The Licensing Objectives

In considering the application, Members were required to consider the same in accordance with the Licensing Act 2003 (as amended), the Licensing Objectives, the Home Office Guidance and the Council's Statement of Licensing Policy and in particular to have regard to the promotion of the four licencing objectives:

1. The Prevention of Crime and Disorder;
2. Public Safety;
3. The Prevention of Public Nuisance; and
4. The Protection of Children from Harm.

Consideration

Each application must be considered on its own merits. The Chair confirmed that the Sub-Committee had carefully considered all of the evidence before them and heard oral representations at the meeting made by the Applicant's Legal Representative, and from the Officers representing, Environmental Health and Licensing Authority, objecting to the application, with particular regard to the prevention of public nuisance.

The Sub-Committee noted that the premises are in a cumulative impact zone (CIZ), and so, the effect of a premises subject to a licensing application being in a CIZ is that there is a rebuttable presumption that where relevant representations are received by one or more of the responsible authorities and/or other persons objecting to the application, the application will be refused.

The Sub-Committee noted that under the Council's Statement of Licensing Policy, the Applicant can rebut the above presumption if they can demonstrate that their application for a premises licence would not undermine any of the four licensing objectives by not adding to the cumulative impact of licensed premises already in the CIZ.

The Sub-Committee considered that the onus lay upon the Applicant to show through their operating schedule, with appropriate supporting evidence that the operation of the premises, if licensed, would not add to the cumulative impact already being experienced.

The Sub Committee noted that the premises had been licensed since May 2014, when there was a different premises licence holder .The Sub Committee heard from the Applicant's legal representative that under the management of the previous premises licence holder, the parts of the premises in which licensable activity was permitted included the external area which was the subject of the present application. The Sub Committee also heard from the Applicant's legal representative that due to an error by the previous premises licence holder on plans submitted by the previous premises licence holder during an application for a minor variation, the external area had ben inadvertently left out of the parts of the premises in which licensable activity was permitted. The Sub Committee also noted the Applicant's representation that the impact of the premises licence if granted, would be mitigated by the conditions on the existing licence and the new proposed conditions, together with the removal of the mezzanine licensed area, would not increase the capacity of the premises.

The Sub-Committee noted the representations from the Licensing Authority, and Environmental Health regarding the impact of the premises on the Brick Lane Cumulative Impact Zone (CIZ) and the concerns relating to the external area being licensed again, with the view that the addition of off sales would further exacerbate the area once this is added to the licence. Members welcomed the efforts made by the Applicant by restricting the use of the outside area from 10pm and accepting further conditions proposed by the Responsible Authorities in relation to off sales and the use of the external area.

The Sub Committee was therefore satisfied that the granting of the variation would not negatively impact on the CIZ and the conditions imposed would help promote the licensing conditions.

Accordingly, the Sub Committee unanimously;

RESOLVED

That the application for a Variation of the Premises Licence for Boom Bap Burger, Railway Arch 252 Paradise Row, London E2 9LE be **GRANTED**.

Sale of Alcohol (on and off sales)

Monday to Thursday from 09:30 hours to 23:30 hours
Friday and Saturday from 09:30 hours to 00:00 hours (midnight)
Sunday from 09:30 hours to 23:00 hours

Plans

Plans to be amended to include the external seating area as part of the licensed area.

Amendments to existing conditions on the premise licence

Annex 2

Condition 21 - 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.

Condition 24 – The placing of refuse, such as bottles, into the receptacles outside the premises shall not take place between 22:00 hours and 08:00 hours on the following day.

Condition 25 – Deliveries of kegs, bottles, food or other materials necessary for the operation of the business shall not take place between 22:00 hours and 08:00 hours on the following day.

New Conditions to be imposed on the premises licence

1. No drinking allowed outside the premises external area after 22:00 hours.
2. Off sales of alcohol for drinking away from the premises shall only be sold in sealed vessels and not consumed within the immediate vicinity of the premises.
3. Alcohol for consumption in the external area of the premises shall only be consumed by patrons seated at tables.
4. A Challenge 25 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.
5. Notices shall be prominently displayed within the premises stating that Challenge 25 is in operation.
6. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.

3.2 Application for a New Premises Licence for Unity Diner, 60 Wentworth Street, London E1 7AL

At the request of the Chair, Mr Mohshin Ali, Licensing Officer, introduced the report which detailed the application for a new premises licence for Unity Diner, 60 Wentworth Street, London E1 7AL. It was noted that objections had been received by Officers on behalf of the Licensing Authority and Environmental Health.

At the request of the Chair, Mr Winston Brown, Legal Representative on behalf of the Applicant introduced the application and briefly explained the measures that would be in place as detailed in the operating schedule. He explained that it was mainly a booking only restaurant, and when entering, customers would be seated by a host, there was a seated waiting area and it was a very controlled environment. It was noted that this premises licence if granted would be replacing the premises licence for 'Ribshack', which would be closing and replaced by Unity Diner, which would therefore not add to the cumulative impact. Mr Brown confirmed that they were only seeking on sales of alcohol and no longer wanting off sales of alcohol.

He referred to the objections regarding noise nuisance, and explained that doors and windows would be kept shut except when entering and exiting. It was also noted that there were no objections from local residents, there were residents who lived above the premises who had the same landlord, and there were also no objections from them. Mr Brown stated that the applicants have had many Temporary Event Notices and there have been no complaints arising from those.

Mr Brown explained that there were concerns with the previous application regarding the same premises, as it was thought that another set of licensed premises would negatively add to the Cumulative Impact Zone (CIZ). Mr Brown expressed that this application, if granted, would result in the replacement of an existing set of licensed premises with another, which would have lesser opening hours, and therefore cause less cumulative impact.

Members then heard from Ms Nicola Cadzow, Environmental Health Officer. She explained that the premises was in the CIZ and raised concerns about the potential noise breakout from the venue affecting neighbouring residents, and the likelihood of public nuisance due to access and egress to and from the venue, especially if patrons who are likely to be in high spirits.

Members also heard from Ms Lavine Miller-Johnson, Licensing Officer. She referred to her representation on pages 156-160 of the agenda pack and explained that during a visit to the premises, it was noted that there was a bar area. This was a restaurant, not a bar, and therefore she expressed concerns over the possibility of the premises turning into a bar.

She further explained that the premises was in the CIZ and that the application and the oral representation made at the meeting did not justify a premises licence being issued in the CIZ given the presumption against grant of a licence for premises in the CIZ. Ms Miller-Johnson recommended that if

Members were minded to grant the application, there should be no vertical drinking and there should be the conditions proposed in her written representations, to ensure that the premises trades as a restaurant.

In response to questions the following was noted;

- The premises had a CCTV camera system in place.
- That the restaurant mainly had pre-bookings, but it was possible to accommodate walk in customers.
- Customers would be seated.
- That there had been no noise complaints.
- That there were 70 covers in total
- That the difference between the previous premises licence application for these premises and the present one, was that there was now a dispersal policy in place, there would be SIA accredited door staff to manage customers, and there would be signage around the premises asking customers to leave the area quietly and respect the needs of local residents.
- That they had a new contract with a new waste dispersal company (Biffa) and have had no problems with waste disposal.

Both parties made closing remarks.

The Chair advised all parties that a decision would be made by the Sub-Committee once this meeting was over and a decision notice, including the reasons for the decision, would be sent out to all parties within five working days.

The Licensing Objectives

In considering the application, Members are normally required to consider the same in accordance with the Licensing Act 2003 (as amended), the Licensing Objectives, the Home Office Guidance and the Council's Statement of Licensing Policy and in particular to have regard to the promotion of the four licencing objectives:

1. The Prevention of Crime and Disorder;
2. Public Safety;
3. The Prevention of Public Nuisance; and
4. The Protection of Children from Harm

Consideration

Each application must be considered on its own merits. The Chair confirmed that the Sub-Committee had carefully considered all of the evidence before them and heard oral representations at the meeting made by the Applicant and the Applicant's Legal Representative and Officers representing the Licensing Authority and Environmental Health with particular regard to the prevention of public nuisance.

The Sub-Committee noted that the premises are in a cumulative impact zone (CIZ), and so, the effect of a premises subject to a licensing application being in a CIZ is that there is a rebuttable presumption that where relevant representations are received by one or more of the responsible authorities and/or other persons objecting to the application, the application will be refused.

The Sub-Committee noted that under the Council's Statement of Licensing Policy, the Applicant can rebut the above presumption if they can demonstrate that their application for a premises licence would not undermine any of the four licensing objectives by not adding to the cumulative impact of licensed premises already in the CIZ.

The Sub-Committee considered that the onus lay upon the applicant to show through their operating schedule, with appropriate supporting evidence that the operation of the premises, if licensed, would not add to the cumulative impact already being experienced.

The Sub Committee heard from the Applicant that the premises was food-led and alcohol would only be supplied ancillary to a meal. When questioned Members were satisfied that granting a premises licence for the nature of business the applicant intends use for and with conditions limiting the licence to a restaurant use only would not negatively add to the cumulative impact zone.

The Sub-Committee noted the representations from the Licensing Authority, and Environmental Health regarding the impact of the premises on the Brick Lane Cumulative Impact Zone (CIZ) and the concerns relating to the likely disturbance to residents nearby. However the conditions proposed by the Applicant with the addition of a SIA door supervisor to manager customers entering and leaving the premises and accepting conditions that the premises would only operate as a restaurant gave The Sub Committee the assurance that this will help alleviate concerns raised by the Responsible Authorities and not negatively impact on the cumulative impact zone and the conditions imposed would help promote the licensing conditions.

Decision

Accordingly, the Sub Committee unanimously;

RESOLVED

That the application for a New Premises Licence for Unity Diner, 60 Wentworth Street, London E1 7AL be **GRANTED**.

Sale of Alcohol (on sales only)

Monday to Friday from 12:00 hours to 23:00 hours
Saturday, from 12:00 hours to 23:30 hours (midnight)
Sunday, from 12:00 hours to 21:30 hours

Hours premises are open to the Public

Monday to Friday from 12:00 hours to 23:30 hours

Saturday, from 12:00 hours to 00:00 hours

Sunday, from 12:00 hours to 22:00 hours

Conditions

1. There shall be no vertical drinking.
2. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
3. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
4. A Challenge 25 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.
5. 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.
6. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. 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. A minimum of two notices stating that CCTV is in operation shall be displayed throughout the premises where the public have access. The notices shall be at least A4 size.
8. There shall be no re-entry or admission of new customers after 21:00 hours on Sundays, 22:30 hours Mondays to Fridays, and 23:00 hours on Saturdays.

9. A log shall be retained recording all refusals of alcohol. The log book shall be available for inspection by a Police Officer or an Authorised Council Officer.
10. The Premises Licence Holder must ensure that all staff are aware of their social and legal obligations, and their responsibilities regarding the sale of alcohol.
11. Training shall be given to all staff to ensure compliance with the four licensing objectives. Training records will be kept on the premises, and the training records will show the date of the training. The training record is to be signed by the staff member receiving the training and then countersigned by the Designated Premises Supervisor (DPS). The training on the compliance with the four licensing objectives shall be repeated on an annual basis.
12. An adequate and appropriate supply of first aid equipment and materials must be available on the premises.
13. Staff will be trained on health and safety procedures. New employees will receive training within one month of commencement of employment and it will be a condition of their continued employment that they satisfactorily complete the training.
14. The premises shall display the telephone number of at least three local taxi firms which patrons may use when leaving the premises.
15. The premises shall operate a Dispersal policy to be approved by the Council and Police to ensure that patrons leave the immediate area quietly without causing a disturbance, or other anti-social behaviour.
16. Doors to the premises to be kept shut at all times, save when the patrons enter or leave the premises.
17. Children (persons under the age of 18) shall only be admitted if in the company of an adult (a person over the age of 18).
18. A designated door supervisor will be on duty during all shifts who will deal with customers coming in and out who, in the event of a patron being loud, asks them to be quiet upon leaving and ensures that the doors are closed behind them. The designated door supervisor also asks patrons who are congregating around the door to either be quiet, or to move away from the residential area.
19. The premises shall only operate as a restaurant;
 - a) in which customers are shown to their tables
 - b) where the supply of alcohol is by waiter or waitress service only

- c) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery
- d) which do not provide any takeaway service of food or drink for immediate consumption
- e) which do not provide any takeaway service of food or drink after 23:00, and
- f) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

20. An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any 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.

4. EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003

Members agreed to extend the decision deadlines for the following application to 14 July 2020;

Premises
Barzinho, 60-62 Brick Lane, London E1

The meeting ended at 7.45 p.m.

Chair, Councillor Ehtasham Haque
Dan Tomlinson
Licensing Sub Committee

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LONDON BOROUGH OF TOWER HAMLETS
MINUTES OF THE LICENSING SUB COMMITTEE
HELD AT 2.30 P.M. ON TUESDAY, 7 JULY 2020

ONLINE 'VIRTUAL' MEETING - [HTTPS://TOWERHAMLETS.PUBLIC-I.TV/CORE/PORTAL/HOME](https://towerhamlets.public-i.tv/core/portal/home)

Members Present:

Councillor Peter Golds (Chair)
 Councillor Mohammed Ahabab Hossain
 Councillor Victoria Obaze

Officers Present:

Corinne Holland – (Licensing Officer)
 Luke Wilson – (Legal Services)
 Simmi Yesmin – (Democratic Services)

Representing applicants	Item Number	Role
Jose Ortega	3.1	(Applicant)
Jack Holborn	3.1	(Legal Representative)
Andrei Marin	3.2	(Applicant)
Darryl White-McDowell	3.2	(Applicant)
Ruben Reis	3.3	(Applicant)

Representing objectors	Item Number	Role
Nick Nicholas	3.1	(Legal Representative on behalf of the Premise Licence Holder)
Kuldip Sahota	3.3	Resident

Apologies

None

1. DECLARATIONS OF INTEREST

There were no declarations of interests made.

2. RULES OF PROCEDURE

The rules of procedure were noted.

3. ITEMS FOR CONSIDERATION

3.1 Application to Review the Premises Licence for Manjal, 3 Turnberry Quay, London E14 9RD

A request was made to address the Sub-Committee by the Legal Representative on behalf of the Premises Licence Holder for Manjal.

Mr Nick Nicholas, Legal Representative, explained that due to the current pandemic, the premises had been closed and all members of staff and management were on government furlough. Therefore, he had been unable to obtain instructions from his client. He stated that the premises was no longer in use and the business was sharing an establishment at a different premises. If this arrangement continues, the licence holder is likely to surrender the licence and there would be no point in making any amendments to the licence as the licence would no longer exist. On that basis, Mr Nicholas requested an adjournment until the furlough period ends on 3 August 2020 and his client returns to work.

The Chair invited Mr Jack Holborn, Legal Representative on behalf of the Applicant, to address the Sub-Committee. Mr Holborn explained that this review had been pending for many months. The Applicant wished to proceed with the hearing so that his concerns could be addressed.

The Sub Committee adjourned and retired to consider the adjournment request in private. The Sub-Committee reconvened and confirmed its decision:

The item was adjourned and is to be considered at a future Licensing Sub-Committee meeting. Members believed the adjournment was in the interest of justice as the representative for the licence holder did not have full instructions.

3.2 Application for a New Premises Licence for (S-A-N-D Grocery Ltd), 98a Coborn Road, Bow, London E3 2DG

At the request of the Chair, Ms Corinne Holland, Licensing Officer, introduced the report which detailed the application for a new premises licence for S-A-N-D Grocery Ltd, 98a Coborn Road, London E3 2DG. It was noted that objections had been received from local residents.

At the request of the Chair, Mr Darryl White-McDowell, on behalf of the Applicant, explained that they had been trading at the premises since November 2019 and had been a success since they opened. They now have plans to extend the shop and offer more products. He added that they were

seeking to obtain a licence for sale of alcohol as the latest addition to the store.

Mr White-McDowell explained that they wish to support the local community by offering a variety of products all in one store. He explained that they currently operate strict procedures to control the sale of tobacco. He maintained that customer safety was paramount. Management and staff were fully trained and understand the need for responsible sale of alcohol. The Premises would adhere to conditions imposed if a licence was granted.

It was noted that the objectors were not present at the meeting and therefore members noted and considered the written objections.

In response to questions, the following was noted:

1. The Applicant was willing to reduce the hours for sale of alcohol in the mornings to promote the protection of children from harm licensing objective. It would agree to a condition that alcohol would not be sold before 9am Monday to Friday.
2. The Premises has a roller shutter to cover alcoholic drinks from public view during unlicensed hours.
3. There would not be an extensive range of drinks, unlike supermarkets, as it was a small premises. The Premises would sell a small range of beer, wine and spirits.
4. The Applicant was willing to accept a condition to restrict the sale of single cans of high strength beer and cider.

Mr White-McDowell made brief closing remarks.

The Chair advised the attendees that a decision would be made by the Sub-Committee following the meeting and a decision notice, including the reasons for the decision, would be sent to all parties within five working days.

The Licensing Objectives

In considering the application, Members were required to consider the same in accordance with the Licensing Act 2003 (as amended), the Licensing Objectives, the Home Office Guidance and the Council's Statement of Licensing Policy and in particular to have regard to the promotion of the four licensing objectives:

1. The Prevention of Crime and Disorder;
2. Public Safety;
3. The Prevention of Public Nuisance; and
4. The Protection of Children from Harm.

Consideration

Each application must be considered on its own merits. The Chair confirmed that the Sub-Committee had carefully considered all of the evidence before

them and the oral representations made by the Applicant at the meeting. In the absence of the objectors, Members noted and considered the written representations contained in the agenda.

Members welcomed the efforts made by the Applicant in offering some robust conditions and also accepting and agreeing to the conditions proposed by the Responsible Authorities and the Sub-Committee. These conditions gave Members assurance that the licensing objectives would be promoted.

Members were satisfied that the reduction in hours in the early morning would also help alleviate concerns arising from the local resident objectors and reduce the risk of disturbances and harm to children.

Therefore, Members made a decision and the decision was unanimous. Members granted the application with conditions.

Accordingly, the Sub Committee unanimously

RESOLVED

That the application for a New Premises Licence for S-A-N-D Grocery Ltd, 98a Coborn Road, Bow, London E3 2DG be **GRANTED** with conditions.

Sale of Alcohol (off sales only)

Monday to Friday from 09:00 hours – 22:00 hours
Saturday from 09:00 hours – 20:00 hours
Sunday from 09:00 hours – 16:00 hours

Hours premise is open to the public:

Monday to Friday from 07:00 hours – 22:00 hours
Saturday from 09:00 hours – 20:00 hours
Sunday from 09:00 hours – 16:00 hours

Conditions

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.

A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are

open. 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.

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

A challenge 25 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.

This premises shall not sell single cans or bottles of beer, larger or cider that exceed the strength of 6.5 abv unless sold as part of a multipack.

All staff whose responsibilities include the retail sale of alcohol shall receive training about the prevention of underage sales on induction and then every six months thereafter. This training shall be recorded and the records to be available on request to the Police or any authorised officer. The training to include:

- a) the operation of the challenge 25 scheme;
- b) types of acceptable ID;
- c) the method of recording challenges;
- d) the likely consequences of making an underage sale;
- e) refusing sales to persons who appear to be drunk;
- f) proxy sales.

All customers causing or likely to cause a public nuisance will be advised by staff to leave the area and to desist from the nuisance. If the public nuisance persists, then staff shall contact the appropriate authorities.

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

Staff shall ensure that the front of the premises is free of rubbish whilst the premises is open and at the end of the trading day.

3.3 Application for a New Premises Licence for Barzinho Bar & Kitchen, 60-62 Brick Lane, London E1 6RF

At the request of the Chair, Ms Corinne Holland, Licensing Officer, introduced the report which detailed the application for a new premises licence for Barzinho, 60-62 Brick Lane, London E1 6RF. It was noted that an objection had been received from a local resident.

Mr Rubens dos Reis, Applicant, explained that he was currently in discussions with the Landlord regarding the lease of the premises. All plans were on hold due to the uncertainty of whether the lease of the premises would be agreed and whether a new business would be able to survive in the current economic climate. Despite this, Mr dos Reis confirmed he would present the application to the best of his ability.

Mr dos Reis confirmed that the hours applied for were the same hours as the previous licence held at the premises and the hours applied for were within the Council's framework hours. He explained the plans and layout of the premises and highlighted the kitchen area, the dining area set up and the bar area. He said that it would be a similar concept to the previous business at the premises which was an Argentinean Grill and Steak House. The new business would be a Brazilian Bar and Grill and therefore he was of the view that a licence for this premise would not be adding to the cumulative impact as the new licence would be replacing what was already there.

Members then heard from Mr Kuldip Sahota, resident objector, who explained that he had lived at the flat which was directly above the premises since April 2016. He said that application was similar to the previous business which had caused a lot of public nuisance. He explained that there were speakers fixed onto the ceiling on the first floor which is directly below his flat. He said that there were other premises nearby which also cause a lot of disturbance to him and his flatmate. There were often parties until 2am with noise and loud music making it impossible for him to sleep.

Mr Sahota explained that he suffered health problems due to the noise from the premises under the previous licence. He added that his flatmate suffered from asthma and was often unable to leave windows open for fresh air because of the noise and smoke from customers standing outside the premises. He said that the premises would need sound proofing and wanted clarification on what floors the licence was sought for.

In response to questions the following was noted:

- The Applicant confirmed that the licensable activities were for the ground floor and first floor. The basement floor would only be used for customer toilets.
- The Premises would be a bar and restaurant. The Applicant planned on converting part of the premises from a sitting area into a bar area.

- The Applicant confirmed that they would not have live music playing after 11pm but recorded music would be played during operational hours.
- The Applicant stated that the focus would be on the kitchen however he did not want customers to be limited to seated drinking only; he wanted the flexibility to allow for vertical drinking.
- The premises had capacity for 100 people to be seated.
- Signs would be displayed around the premises asking customers to leave quietly and not to disturb local residents.
- Staff would ask customers to keep quiet when leaving the premises.
- Customers would not be allowed to take drinks outside the premises.
- The Applicant was amenable to having SIA door staff on Fridays and Saturdays but he did not want to employ door staff from Sunday to Thursday.
- The Applicant was unable to guarantee that music would not affect the resident objector.
- As a measure of precaution, the Applicant could install smaller speakers around the premises to distribute the sound equally and not be too loud in one area.
- The premises would have a cultural connection to Brazil; it would be fun, open and offer cocktails.

Both parties made closing remarks.

The Chair advised all parties that a decision would be made by the Sub-Committee following the meeting and a decision notice, including the reasons for the decision, would be sent out to all parties within five working days.

The Licensing Objectives

In considering the application, Members were required to consider the same in accordance with the Licensing Act 2003 (as amended), the Licensing Objectives, the Home Office Guidance and the Council's Statement of Licensing Policy and in particular to have regard to the promotion of the four licencing objectives:

1. The Prevention of Crime and Disorder;
2. Public Safety;
3. The Prevention of Public Nuisance; and
4. The Protection of Children from Harm.

Consideration

Each application must be considered on its own merits. The Chair confirmed that the Sub-Committee had carefully considered all of the evidence before it and the oral representations at the meeting from the Applicant and a local resident objecting to the application.

The Sub-Committee noted that the premises is in a cumulative impact zone (CIZ). The cumulative impact policy creates a rebuttable presumption that

where relevant representations are received by one or more of the responsible authorities and/or other persons objecting to the application, the application will be refused.

The Sub-Committee noted that, under the Council's Statement of Licensing Policy, the Applicant can rebut the above presumption if it can demonstrate exceptional circumstances and that the granting of the application would not negatively add to the cumulative issues already experienced within the CIZ.

The Sub-Committee noted the representations from the resident objector that the noise from the premises and its patrons would severely affect his health and quality of life, and the quality of life of other local residents in the area. The Sub Committee also noted the Applicant's submission that the application was for a licence similar to the licence previously in operation at this premises.

The Sub-Committee was not satisfied that the exceptional circumstances were present. The application included plans to modify the premises by converting a sitting area into a bar and vertical drinking area. The evidence before the Sub-Committee suggested that the premises would be alcohol-led and different in nature to the licence previously in operation.

The Sub-Committee noted that recorded music would be played until closing time. The Applicant accepted that he would be unable to ensure that no noise nuisance would be suffered by local residents. The Sub-Committee also noted that the Applicant was reluctant to employ SIA security staff from Sunday to Thursday to address potential issues immediately outside the premises. The Sub-Committee was not satisfied that the granting of the premises licence would not add to the cumulative public nuisance and anti-social behaviour issues already experienced in the area. Accordingly, the Applicant had not successfully rebutted the CIZ presumption and the application was refused.

Accordingly, the Sub Committee unanimously

RESOLVED

That the application for a New Premises Licence for Barzinho, 60-62 Brick Lane, London E1 6RF be **REFUSED**.

4. EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003

There were no applications that required extensions to decision deadlines.

The meeting ended at 4.25 p.m.

Chair, Councillor Peter Golds
Licensing Sub Committee

Agenda Item 4.1

Committee :	Date	Classification	Report No.	Agenda Item No.
Licensing Sub Committee	28 July 2020	Unclassified		

Report of : David Tolley Head of Environmental Health & Trading Standards	Title: Licensing Act 2003 Application for a New Premises Licence for: (Barber and Parlour) Soho Works Redchurch Street 64-66 Redchurch Street London E2 7DP
Originating Officer: Lavine Miller-Johnson Licensing Officer	Ward affected: Weavers

1.0 Summary

Applicant: **Soho Works Limited**
Name and

1.1 Address of Premises: **Barber and Parlour 64-66 Redchurch Street London E2 7DP**

Licence sought: **Licensing Act 2003 –**

- **The Supply of Alcohol**
- **Late night refreshment**
- **Provisions of Regulated Entertainment**

Representations: **EHO & Residents**

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 in the CIZ area of Brick Lane for, **Barber and Parlour 64-66 Redchurch Street London E2 7DP**

2.2 The applicant describes the premises as basement, ground floor and first floor operating as work/office space with ancillary events spaces. The basement will remain as a cinema. The premises will offer a campus style environment to support the diverse and varied business and employee needs for the Creative Industry in London.

2.3 A copy of the application is enclosed as **Appendix 1**.

2.4 The premises currently have a licence and this will be surrendered on grant of the new premises licence. **Appendix 2**.

2.5 The applicant has applied for the following licensable activities and timings:

Provision of Regulated Entertainment Indoors (including- Films, Live & Recorded Music, Performance of Dance and anything of a similar description.

- **Films** - Monday to Saturday from 07:00hours to 02:00 hours and Sunday from 08:00 hours to 12:00
- **Live & Recorded Music** - Monday to Saturday from 10:00 hours to 02:00 hours and Sunday 10:00 hours to 00:00 hours
- **Performance of Dance** - Monday to Saturday from 10:00 hours to 02:00 hours and Sunday 10:00 hours to 00:00 hours
- **Provisions of Anything of a Similar Description** – Monday to Saturday from 23:00 hours to 02:00 hours and Sunday from 23:00 hours to 00:00 hours

Late Night Refreshment indoors

- Monday to Saturday from 23:00 hours to 02:00 hours
- Sunday from 23:00 hours to 00:00 hours

Supply of alcohol on sales

- Monday to Saturday from 07:00 hours to 02:00 hours
- Sunday from 08:00 hours to 00:00 hours

Seasonal Variation

On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing

time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01.00.

Non-standard timings (Indoors only)

The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.

Hours premises are open to the public:

- Monday to Sunday from 00:00 hours to 00:00 hours (24 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 3**.

3.3 Maps showing Brick Lane CIZ area included as **Appendix 4**.

3.4 Details of other licensed venues in the immediate vicinity are included as **Appendix 5**.

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, 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.

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 6**.
- 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 local residents and a responsible authority:

Responsible Authority / Other persons	Appendix
Nicola Cadzow (EHO)	7
Sam Alis (Resident)	8
Alyssa Simon (Resident)	9
Perla Ranalli (Resident)	10
Tony Roche (Resident)	11
Benjamin Cadou & Reda Grigaraviciute (Resident)	12

- 5.9 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)

5.10 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

5.11 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.

5.12 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.

5.13 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. For conditions offered by the applicant see the operating schedule.

Appendix 1

7.0 Licensing Officer Comments

7.1 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.

7.2 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.

7.3 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)

- 7.4 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.
- 7.5 In all cases the Members should make their decision on the civil burden of proof that is “the balance of probability.”
- 7.6 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.
- 7.7 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)
- 7.8 The Council’s Licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.
- 7.9 In **Appendices 13-23** 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.
- 8.0 **Legal Comments**
- 8.1 The Council’s legal officer will give advice at the hearing.
- 9.0 **Finance Comments**
- 9.1 There are no financial implications in this report.

10.0 Appendices

- Appendix 1** A copy of the application
- Appendix 2** Current premises licence in operation
- Appendix 3** Site Plan
- Appendix 4** Maps of Brick Lane CIZ area
- Appendix 5** Other licensed venues in the area
- Appendix 6** Section 182 advice by Home office concerning relevant, vexatious and frivolous representations
- Appendix 7-12** Resident & EHO Representations
- Appendix 13** Licensing officer comments on noise while the premise is in use
- Appendix 14** Licensing officer comments on access/egress Problems
- Appendix 15** Licensing policy advice on public nuisance
- Appendix 16** Section 182 guidance public nuisance
- Appendix 17** Licensing Policy advice on crime & disorder
- Appendix 18** Section 182 guidance on crime & disorder
- Appendix 19** Licensing Policy on protections of children from harm
- Appendix 20** Section 182 guidance on protection of children from harm
- Appendix 21** Licensing Policy on CIZ
- Appendix 22** Planning
- Appendix 23** Licensing Policy relating to hours of trading

Appendix 1

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant? Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Yes No

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name If the applicant's business is registered, use its registered name.

VAT number Put "none" if the applicant is not registered for VAT.

Legal status

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Your Address

Address official correspondence should be sent to.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Continued from previous page...

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name	<input type="text" value="Soho Works Redchurch Street, 64-66"/>
Street	<input type="text" value="Redchurch Street"/>
District	<input type="text"/>
City or town	<input type="text" value="London"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="E2 7DP"/>
Country	<input type="text" value="United Kingdom"/>

Further Details

Telephone number	<input type="text"/>
Non-domestic rateable value of premises (£)	<input type="text" value="137,000"/>

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 21**NON INDIVIDUAL APPLICANTS**

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

limited company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality [Documents that demonstrate entitlement to work in the UK](#)

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of 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.

The premises encompasses the floors - basement, ground and first and will operate as work/office space with ancillary events spaces. The basement will remain as a cinema. The premises will offer a campus style environment to support the diverse and varied business and employee needs for the Creative Industry in London. The premises will be managed by Soho House and Co. The premises are currently licensed and the existing premises licence shall be surrendered should this application be granted.

Continued from previous page...

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

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

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.

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the exhibition of films take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for the exhibition of film

For example (but not exclusively) where the activity will occur on additional days during the summer months.

On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01.00.

Non standard timings. Where the premises will be used for the exhibition of film at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

Continued from previous page...

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the activity is taking place. State the terminal hour for the activities and/or closing hour

Continued from previous page...

for the premises ends after 01.00.

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01.00.

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the performance of dance take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for the performance of dance

For example (but not exclusively) where the activity will occur on additional days during the summer months.

On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01.00.

Non-standard timings. Where the premises will be used for the performance of dance at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.

Continued from previous page...

Section 13 of 21

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01.00.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01.00.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Continued from previous page...

Name

First name

Family name

Date of birth / /

dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

N/A

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Continued from previous page...

Section 18 of 21

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

1. On ground and first floors, licensable activities shall not be provided otherwise to directors, partners, employees of Soho Works Limited, and tenants and members of the premises and their bona fide guests.
2. On ground and first floors, the retail sale of alcohol shall be ancillary to the operation of the premises as an office space
3. On the basement floor, the retail sale of alcohol shall be ancillary to an event associated with the office space or the purchase of a cinema ticket on the same day as the screening.
4. The CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum of 31 days.
 - A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained.
 - The system will comply with other essential legislation and all signs as required will be clearly displayed.
 - The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.
 - There shall be a disgrace member of staff who can download the images and present them on request by a Police officer or other responsible authority with minimum delay.
5. Notices shall be prominently displayed at ground floor exits requesting people to respect the local residents and leave the premises and area quietly.
6. No noise shall emanate from the premises which gives rise to a nuisance to neighbouring residents and businesses
7. The reception desk on the ground floor shall be staffed at all times the premises are in operation
8. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from patrons in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
9. All windows and external doors on the first floor shall be kept closed after 23:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons
10. 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
11. A Challenge 25 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.

b) The prevention of crime and disorder

As above

Continued from previous page...

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c) Public safety

As above

d) The prevention of public nuisance

As above

e) The protection of children from harm

As above

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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.

Continued from previous page...

- 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.

Continued from previous page...

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.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o 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.
 - o 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.
 - o 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.
 - o 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:
 - o 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.
 - o 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.
 - o 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.

Continued from previous page...

- 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:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o 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;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o 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.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4,300 = £100.00

Band B - £4,301 to £33,000 = £190.00

Band C - £33,001 to £8700 = 315.00

Band D - £87001 to £12500 = £450.00*

Band E - £125001 and over = 635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £7001 to £12500 = £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment only where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 = £1,000.00

Capacity 10000 -14999 = £2,000.00

Capacity 15000-19999 = £4,000.00

Capacity 20000-29999 = £8,000.00

Capacity 30000-39000 = £16,000.00

Capacity 40000-49999 = £24,000.00

Capacity 50000-59999 = £32,000.00

Capacity 60000-69999 = £40,000.00

Capacity 70000-79999 = £48,000.00

Capacity 80000-89999 = £56,000.00

Capacity 90000 and over = £64,000.00

NOTE: From 1st January 2018 Licences if you are granted a Licence to permit the sale/supply of alcohol between midnight and 6am (00:00 and 06:00 hours) on any day you will be liable to pay the Late Night Levy charge. The charge must be paid 14 days after the grant of your Licence, unless you fall within one of the exemption categories. Non-payment of the levy can result in suspension of your licence, as per sections 55A and 92A of the Licensing Act 2003, as amended and section 229(6) of the Police and Social Responsibility Act 2011. For more information below visit <https://www.towerhamlets.gov.uk/latenightlevy>

Continued from previous page...

* Fee amount (£)

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

[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, IF APPROPRIATE (PLEASE SEE NOTE 15).

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:
1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/tower-hamlets/apply-1> to upload this file and continue with your application.
Don't forget to make sure you have all your supporting documentation to hand.

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

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

OFFICE USE ONLY

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
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Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) [Next >](#)

Appendix 2

**(Barber and Parlour)
Basement, Ground and First Floors
64-66 Redchurch Street
London
E2 7DP**

Licensable Activities authorised by the licence

The sale by retail of alcohol
The provision of regulated entertainment

See the attached licence for the licence conditions

Signed by

John McCrohan 
Trading Standards and Licensing Manager

Date: 23rd September 2014

Amended via minor variation as of 15th November 2014 (plans)



Part A - Format of premises licence

Premises licence number

18407

Part 1 - Premises details

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

(Barber and Parlour)
Basement, Ground and First Floors
64-66 Redchurch Street
London

Post town

London

Post code

E2 7DP

Telephone number

None

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

- The sale by retail of alcohol
- The provision of regulated entertainment

The times the licence authorises the carrying out of licensable activities

Sale of Alcohol (on sales only)

- Monday to Saturday from 09:00hrs to 23:00hrs
- Sunday from 10:00hrs to 23:00hrs

The Provision of Regulated Entertainment in the form of Films (indoors) & Recorded Music (indoors)

- Monday to Saturday from 09:00hrs to 23:00hrs
- Sunday from 10:00hrs to 23:00hrs

The opening hours of the premises

- Monday to Saturday from 09:00hrs to 23:30hrs
- Sunday from 10:00 hours to 23:30hrs

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

On sales only

Part 2

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

Soho House UK Limited
180 The Strand
London WC2R 1EA

(c/o LT Law, 18 Soho Square, London, W1D 3QL)

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

Registered Number: 02864389

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

Stephanie Louise Lanclume

████████████████████
██████
██████
██████████

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

Licence Number: ████████████████████
Issuing Authority: London Borough of ██████████

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

Not applicable

Annex 3 - Conditions attached after a hearing by the licensing authority on 23rd September 2014 at which point the licence was granted

1. No entry after 22:30hrs
2. The retail sale of alcohol shall be ancillary to;
 - The provision of nail treatments, hair treatments and male/female grooming treatments and/or
 - The purchase of food and/or
 - The purchase of retail products and/or
 - The purchase of a cinema ticket on the same day as the screening in the basement.
3. There shall be no off sales of alcohol permitted with the exception of patrons seated outside the premises at tables and only ancillary to food purchased in the premises.
4. The outdoor seating area to be used only between the hours of 09:00hrs to 21:00hrs from Monday to Saturday and 10:00hrs to 21:00hrs on Sundays.
5. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to nuisance to local residents and businesses.
6. 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.
7. There shall be no advertising of the sale of alcohol outside the premises.
8. The premises licence holder shall devise and implement a dispersal policy to ensure that patrons do not congregate outside the premises and they disperse from the premises in an orderly and quiet manner so as not to disturb the residents within the vicinity.

9. CCTV camera system covering both internal and external to the premises is to be installed.
10. The CCTV recordings are to be maintained for 30 days and to be provided upon request to either a Police Officer or an officer of any other Responsible Authority.
11. At all times when the premises is open, a person who can operate the CCTV system must be present on the premises.
12. Prominent and clearly legible notices shall be displayed at all exits of the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.

Annex 4 - Plans

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

22nd October 2014

- Basement - Drawing Number: 312_SHG_-1_GA
- Ground Floor – Drawing Number: 312_SHG_00_GA
- First Floor – Drawing Number: 312_SHG_01_GA

Part B - Premises licence summary

Premises licence number

18407

Premises details

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

(Barber and Parlour)
 Basement, Ground and First Floors
 64-66 Redchurch Street
 London
 E2 7DP

Post town

London

Post code

E2 7DP

Telephone number

None

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

The sale by retail of alcohol
 The provision of regulated entertainment

The times the licence authorises the carrying out of licensable activities

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- Monday to Saturday from 09:00hrs to 23:00hrs
- Sunday from 10:00hrs to 23:00hrs

The opening hours of the premises

- Monday to Saturday from 09:00hrs to 23:30hrs
- Sunday from 10:00 hours to 23:30hrs

Name, (registered) address of holder of premises licence

Soho House UK Limited
180 The Strand
London WC2R 1EA

(c/LT Law, 18 Soho Square, London,
W1D 3QL)

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

On sales only

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

02864389

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

Stephanie Louise Lanclume

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

No restrictions

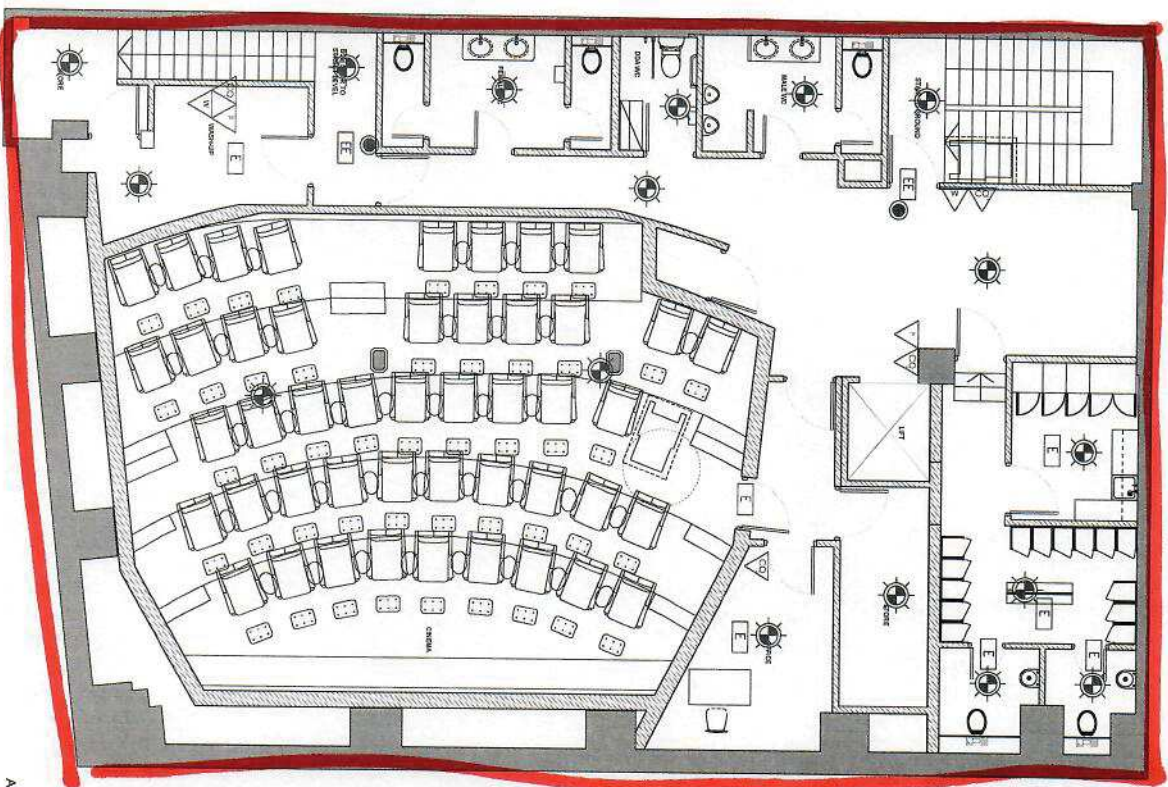
Appendix 3

LEGEND	
	DISTRIBUTION BOARD
	ALARM PANEL
	SMOKE DETECTOR C/W SOUNDER AND STROBE
	SMOKE DETECTOR C/W SOUNDER
	HEAT DETECTOR C/W SOUNDER
	CALL POINT
	INTERFACE UNIT
	DOOR MAGNETS TO CLOSE UPON ACTIVATION OF FIRE ALARM VIA INTERFACE
	PANIC ALARM PULL CORD
	PANIC ALARM CALL/RESET BUTTON
	PANIC ALARM OVERDOOR LIGHT
	REFUGE TELEPHONE
	EMERGENCY LIGHT
	EMERGENCY EXIT LIGHT

- FIRE EXTINGUISHERS/ BLANKETS**
- FIRE EXTINGUISHER - WATER
 - FIRE EXTINGUISHER - FOAM
 - FIRE EXTINGUISHER - CO2
 - FIRE EXTINGUISHER - POWDER
 - FIRE EXTINGUISHER - WET CHEM
 - FIRE EXTINGUISHER - FIRE BLANKET

NOTES:

- 1) ANYTHING SHOWN ON THIS PLAN WHICH IS NOT REQUIRED BY THE PLAN REGULATIONS IS FOR ILLUSTRATIVE PURPOSES ONLY, AND DOES NOT FORM PART OF THE LICENSE.
- 2) THE LOCATION AND TYPE OF ANY FIRE SAFETY AND ANY OTHER SAFETY EQUIPMENT IS SHOWN AS AT PRESENT. THIS MAY BE VARIED FROM TIME TO TIME WITH THE AGREEMENT OF THE FIRE OFFICER OR AFTER A FIRE RISK ASSESSMENT.
- 3) ALL SERVICE PENETRATIONS & RISERS WILL BE FIRE SEALED AT EACH FLOOR/CEILING.



AREA 290 M2

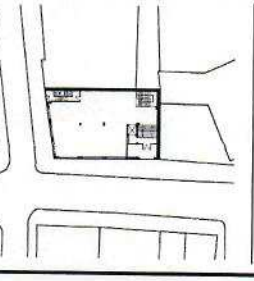
NO WORK ANTICIPATED TO THIS FLOOR

*Loose furniture is indicative only
All licensable activities take place in red line*

NOTE:
ALL DIMENSIONS GIVEN IN THIS PLAN ARE TO FACE UNLESS OTHERWISE SPECIFIED.
ALL DIMENSIONS GIVEN FOR SEPARATE PARTS ONLY.
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ALL DIMENSIONS GIVEN FOR SEPARATE PARTS ONLY.

GENERAL NOTES

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND OTHER RELEVANT AGENCIES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND OTHER RELEVANT AGENCIES.
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PLANNING		
REVISIONS		
NO.	DATE	DESCRIPTION/COMMENT
1	15/01/21	ISSUED FOR PERMITS
2	15/01/21	ISSUED FOR PERMITS
3	15/01/21	ISSUED FOR PERMITS
4	15/01/21	ISSUED FOR PERMITS
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8	15/01/21	ISSUED FOR PERMITS
9	15/01/21	ISSUED FOR PERMITS
10	15/01/21	ISSUED FOR PERMITS



SOHO HOUSE

DESIGN

1866 - BARBER & PARLOUR
64-66 REDCHURCH STREET, E2 7DP

LICENSING PLAN

BASEMENT

SCALE: 1:500 (A1)
DATE: 15/01/21
DRAWN BY: JMS
CHECKED BY: JMS
DATE: 21/01/21

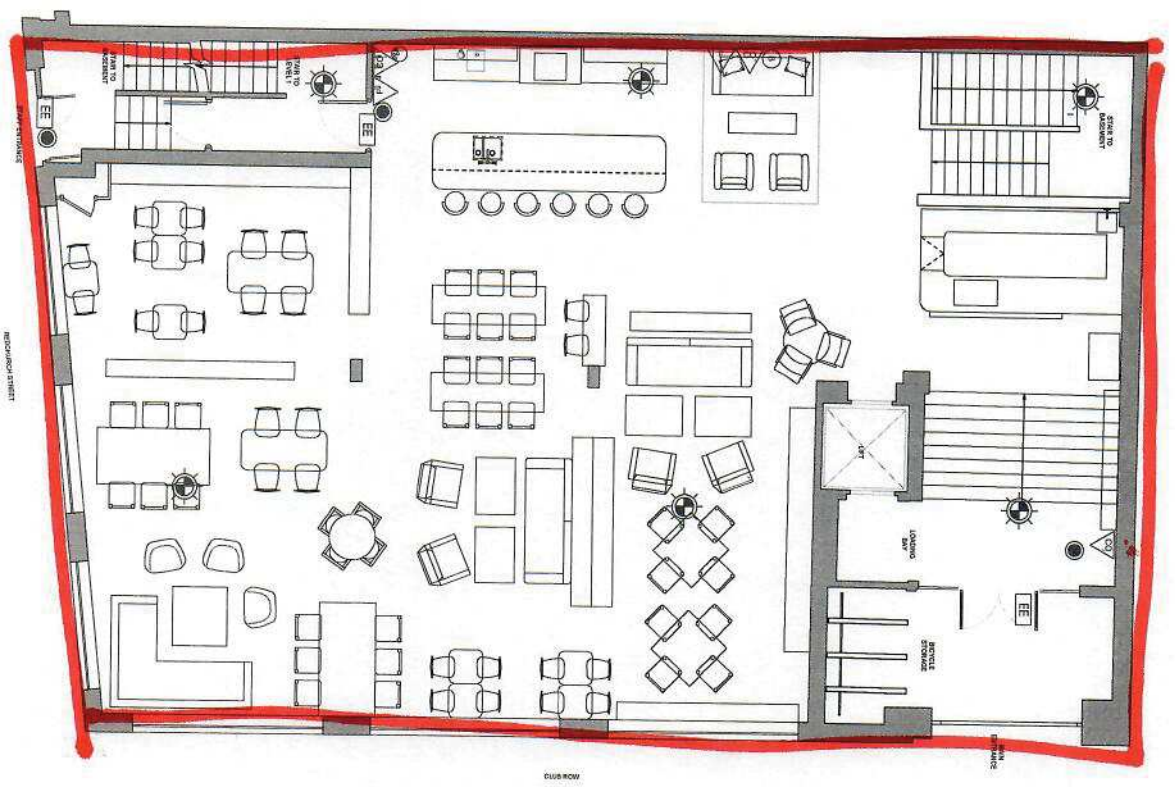
1866 SH LIC - 4

LEGEND	
	DISTRIBUTION BOARD
	PANIC ALARM PANEL
	SMOKE DETECTOR C/W SOUNDER
	SMOKE DETECTOR C/W SOUNDER
	HEAT DETECTOR C/W SOUNDER
	CALL POINT
	INTERFACE UNIT
	DOOR MAGNETS TO CLOSE UPON ACTIVATION OF FIRE ALARM VIA INTERFACE
	PANIC ALARM PULL CORD
	PANIC ALARM CALL/RESET BUTTON
	PANIC ALARM OVERDOOR LIGHT
	REFUGE TELEPHONE
	EMERGENCY LIGHT
	EMERGENCY EXIT LIGHT

- FIRE EXTINGUISHERS / BLANKETS**
- FIRE EXTINGUISHER - WATER
 - FIRE EXTINGUISHER - FOAM
 - FIRE EXTINGUISHER - CO2
 - FIRE EXTINGUISHER - POWDER
 - FIRE EXTINGUISHER - WET CHEM
 - FIRE EXTINGUISHER - FIRE BLANKET

NOTES:

- 1) ANYTHINGS SHOWN ON THIS PLAN WHICH IS NOT REQUIRED BY THE PLAN REGULATIONS IS FOR ILLUSTRATIVE PURPOSES ONLY, AND DOES NOT FORM PART OF THE LICENSE.
- 2) THE LOCATION AND TYPE OF ANY FIRE SAFETY AND FIRE SAFETY EQUIPMENT IS SHOWN AS AT PRESENT, THIS MAY BE VARIED FROM TIME TO TIME, WITH THE AGREEMENT OF THE FIRE OFFICER OR AFTER A FIRE RISK ASSESSMENT.
- 3) ALL SERVICE PENETRATIONS & RISERS WILL BE FIRE SEALED AT EACH FLOOR/CEILING.



AREA 266 M2

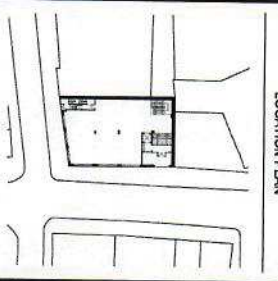
*Loose furniture is
indicative only
All licensable
activities take
place in red
line*



NOTE:
ALL DRAWINGS TO BE MADE IN CONFORMANCE WITH ARCHITECTS SPECIFICATION AND CONDITIONS. ALL DRAWINGS SHALL BE ISSUED INTERNET ONLY. ALL DRAWINGS SHALL BE APPROVED BY ARCHITECT ON 15/01/2018.

GENERAL NOTES

1. THIS PLAN SHOWS THE PROPERTY AND ALL OTHER BUILDINGS, PARTS AND STRUCTURES TO BE DEMOLISHED AND ALL OTHER BUILDINGS, PARTS AND STRUCTURES TO BE RETAINED AND RECONSTRUCTED AS SHOWN.
2. ALL DRAWINGS TO BE CHECKED BY THE ARCHITECT AND APPROVED BY THE ARCHITECT ON 15/01/2018.
3. THE ARCHITECT'S DRAWINGS SHALL BE USED AS A GUIDE TO THE WORK TO BE DONE AND NOT AS A SUBSTITUTE FOR THE ARCHITECT'S SUPERVISION AND CONTROL.
4. THE ARCHITECT'S DRAWINGS SHALL BE USED AS A GUIDE TO THE WORK TO BE DONE AND NOT AS A SUBSTITUTE FOR THE ARCHITECT'S SUPERVISION AND CONTROL.
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PLANNING

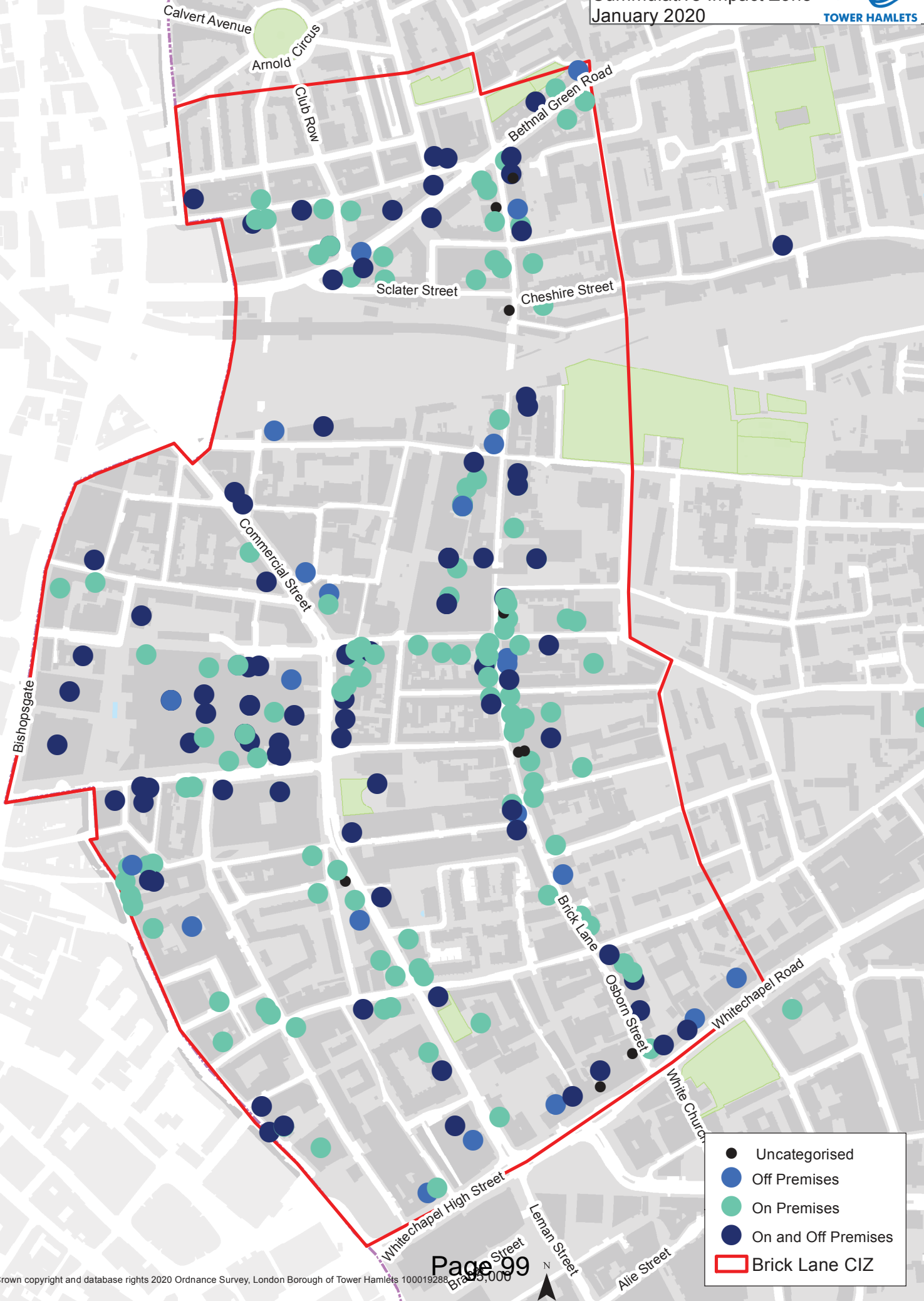
SOHO HOUSE

DESIGN

DATE	REVISION	DESCRIPTION / COMMENT
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15/01/18	3	ISSUED FOR PERMIT
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15/01/18	81	ISSUED FOR PERMIT
15/01/18	82	ISSUED FOR PERMIT
15/01/18	83	ISSUED FOR PERMIT
15/01/18	84	ISSUED FOR PERMIT
15/01/18	85	ISSUED FOR PERMIT
15/01/18	86	ISSUED FOR PERMIT
15/01/18	87	ISSUED FOR PERMIT
15/01/18	88	ISSUED FOR PERMIT
15/01/18	89	ISSUED FOR PERMIT
15/01/18	90	ISSUED FOR PERMIT
15/01/18	91	ISSUED FOR PERMIT
15/01/18	92	ISSUED FOR PERMIT
15/01/18	93	ISSUED FOR PERMIT
15/01/18	94	ISSUED FOR PERMIT
15/01/18	95	ISSUED FOR PERMIT
15/01/18	96	ISSUED FOR PERMIT
15/01/18	97	ISSUED FOR PERMIT
15/01/18	98	ISSUED FOR PERMIT
15/01/18	99	ISSUED FOR PERMIT
15/01/18	100	ISSUED FOR PERMIT

1866 - BARBER & PARLOUR
 04-66 REDCHURCH STREET, E2 7DP
 LICENCING PLAN
 GROUND FLOOR
 SCALE: 1:500 (A1) 07/01/18
 DRAWN BY: AP
 CHECKED BY: DS
 DATE: 21/03/18
 1866_SH_LIC_00

Appendix 4



Appendix 5

Name and address	Licensable Hours	Opening Hours
<p>(Redchurch Townhouse) 56 Redchurch Street London E2 7DP</p>	<p><u>The sale by retail of alcohol – (on sales only)</u></p> <ul style="list-style-type: none"> • Sunday to Thursday, from 08:00 hours to 00:00 hours (midnight) • Friday and Saturday, from 08:00 hours to 01:00 hours (the following day) • For residents and bona fide guests: Monday to Sunday from 00:00 hours to 00:00 hours (24 hours a day) <p><u>The provision of late night refreshment - Indoors</u></p> <ul style="list-style-type: none"> • Sunday to Thursday, from 23:00 hours to 00:30 hours (the following day) • Friday and Saturday, from 23:00 hours to 01:30 hours the following day • For residents (in rooms): Monday to Sunday from 23:00 hours to 05:00 hours the following day <p><u>The provision of regulated entertainment - Indoors (Films)</u></p> <ul style="list-style-type: none"> • Sunday to Thursday, from 08:00 hours to 00:00 hours (midnight) • Friday and Saturday, from 08:00 hours to 01:00 hours (the following day) • For residents (in rooms): Monday to Sunday from 00:00 hours to 00:00 hours (24 hours a day) <p><u>(Live Music and Recorded Music)</u></p> <ul style="list-style-type: none"> • Sunday to Thursday, from 08:00 hours to 00:00 hours (midnight) • Friday and Saturday, from 08:00 hours to 01:00 hours (the following day) <p><u>Non-standard timings</u> The premises may remain open for the above licensable activities from the terminal hour on New Year's Eve to the commencement time on New Year's Day.</p> <p>On Sales Only</p>	<p>Monday to Sunday, from 00:00 hours to 00:00 hours the following day</p>

<p>Jack Shack 36 Redchurch Street</p> <p>On Sales Only</p>	<p>The times the licence authorises the carrying out of licensable activities</p> <p style="text-align: center;"><u>Ground Floor</u></p> <p>Sale by retail of Alcohol</p> <ul style="list-style-type: none"> • Sunday to Wednesday 11.00 hrs to midnight • Thursday to Saturday 11.00 hrs to 02.00 hrs the following day <p>The provision of regulated entertainment consisting of:</p> <p><u>Recorded Music</u></p> <ul style="list-style-type: none"> • Sunday to Wednesday 11.00 hrs to midnight • Thursday to Saturday 11.00 hrs to 02.00 hrs the following day <p><u>Facilities for Dancing</u></p> <ul style="list-style-type: none"> • Sunday to Wednesday 18.00 hrs to midnight • Thursday to Saturday 18.00 until 02.00 hrs the following day <p>The provision of late night refreshment Sunday to Wednesday until midnight Thursday to Saturday until 02.00 hrs the following day</p> <p style="text-align: center;"><u>Basement Floor</u></p> <p>Sale by retail of Alcohol</p> <ul style="list-style-type: none"> • Monday to Sunday, from 11:00 hours to midnight <p>The provision of late night refreshment</p> <ul style="list-style-type: none"> • Monday to Sunday, from 23:00 hours to midnight <p><u>Non-standard timings:</u> Public holidays and bank holiday weekend Sundays from the permitted hours to the start of the permitted hours the following day.</p> <p>On sales only</p>	<p>The opening hours of the premises</p> <p style="text-align: center;"><u>Ground Floor</u></p> <p>Sunday to Wednesday 11.00 hrs to midnight</p> <p>Thursday to Saturday 11.00 hrs to 02.00 hrs the following day</p> <p style="text-align: center;"><u>Basement Floor</u></p> <p>Monday to Sunday, from 11:00 hours to midnight</p> <p><u>Non-standard timings:</u> Public holidays and bank holiday weekend Sundays from the permitted hours to the start of the permitted hours the following day.</p>
<p>(Owl & Pussycat) 34 Redchurch Street</p>	<p>The times the licence authorises the carrying out of licensable activities</p> <p>The sale by retail of alcohol</p>	<p>The opening hours of the premises</p> <ul style="list-style-type: none"> ▪ Mon -Tues - 10.00

	<ul style="list-style-type: none"> ▪ Mon - Tues - 10.00 hours until midnight ▪ Wed - Sat, 10.00 hours until 02.00 hours the following day ▪ Sunday 10.00 hours until midnight <p>The provision of regulated entertainment</p> <ul style="list-style-type: none"> ▪ Mon - Tues - 10.00 hours until 00.15 hours the following day ▪ Wed - Sat, 10.00 hours until 02.15 hours the following day ▪ Sunday 10.00 hours until 00.15 hours the following day <p>The provision of late night refreshment</p> <ul style="list-style-type: none"> ▪ Mon - Tues 23.00 hours until midnight ▪ Wed - Sat, 10.00 hours until 02.00 hours the following day ▪ Sunday 10.00 hours until midnight <p>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>hours until 00.30 hours the following day</p> <ul style="list-style-type: none"> ▪ Wed - Sat, 10.00 hours until 02.30 hours the following day ▪ Sunday 10.00 hours until 00.30 hours the following day <p>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>(Mãos) First floor 41-43 Redchurch Street London E2 7DJ</p>	<p>The times the licence authorises the carrying out of licensable activities</p> <p><u>Sale of Alcohol (on sales only)</u> Monday to Wednesday: 18:30 to 23:00 Thursday to Saturday: 12:00 noon to 16:30 and then 19:00 to 23:00 Sunday: 18:30 to 22:30</p> <p>On sales</p>	<p>The opening hours of the premises</p> <p>Monday to Saturday 12:00 noon – 23:30 hours Sunday: 12:00 noon to 23:00 hours</p>
<p>(Burro E Salvia) 52 Redchurch Street London E2 7DP</p>	<p>Sale of Alcohol</p> <ul style="list-style-type: none"> • Monday to Wednesday from 10:00 hours to 19:00 hours • Thursday to Saturday from 10:00 hours to 21:30 hours • Sunday, from 11:00 hours to 17:00 hours <p>On and Off Sales</p>	<p>Monday to Wednesday from 10:00 hours to 19:00 hours Thursday to Saturday from 10:00 hours to 22:00hours Sunday, from 11:00 hours to 17:00 hours</p>
<p>(Walluc Bistro) 40 Redchurch Street London</p>	<p>The supply of alcohol</p> <p>Monday, Tuesday, Wednesday and Thursday from 11:00 hours until 23:30 hours</p>	<p>Monday, Tuesday, Wednesday and Thursday from 09:00 hours until midnight</p>

<p>E2 7DP</p>	<p>Friday and Saturday from 11:00 hours until 01:00 hours the following day Sunday from 11:00 hours until 22:30 hours.</p> <p>The Provision of Late Night Refreshment</p> <p>Monday, Tuesday, Wednesday and Thursday from 11:00 hours until 23:30 hours Friday and Saturday from 11:00 hours until 01:00 hours the following day Sunday from 11:00 hours until 22:30 hours.</p> <p>The Provision of Regulated Entertainment (Recorded Music)</p> <p>Monday, Tuesday, Wednesday and Thursday from 11:00 hours until 23:30 hours Friday and Saturday from 11:00 hours until 00:30 hours the following day Sunday from 11:00 hours until 22:30 hours.</p> <p>On Sales only</p>	<p>Friday and Saturday from 11:00 hours until 01:00 hours the following day Sunday from 10:00 hours until 23:00 hours.</p>
<p>(The Redchurch) 107 Redchurch Street London E2 7DL</p>	<p>Supply of Alcohol Sunday to Thursday 10 00 hrs to 01 00 hrs Friday to Saturday 10 00 hrs to 03 00 hrs the following day</p> <p>Late Night Refreshment Sunday to Thursday until midnight Friday to Saturday until 02 00 hrs the following day</p> <p>Regulated Entertainment Live music Monday to Thursday 09 00 hrs to midnight Friday to Sunday 09 00 hrs to 02 00 hrs the following day Recorded Music, and the Provision of Facilities for Making Music Sunday to Thursday 09 00 hrs to 01 30 hrs Friday to Saturday 09 00 hrs to 03 30 hrs the following day Performance of Dance and the Provision of Facilities for Dancing Sunday to Thursday 09 00 hrs to midnight Friday to Saturday 09 00 hrs to 02 00 hrs the following day Anything Similar Sunday to Thursday 09 00 hrs to midnight</p>	<p>Sunday to Thursday 09 00 hrs to 01 30 hrs Friday to Saturday 09 00 hrs to 03 30 hrs the following day</p>

	<p>Friday to Saturday 09 00 hrs to 02 00 hrs the following day</p> <p>New Years Eve</p> <p>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>(Franze Evans Ltd) 101 Redchurch Road London E2 7DL</p>	<p>The sale by retail of alcohol</p> <ul style="list-style-type: none"> ▪ Monday to Sunday, from 12:00 hours to 23:00 hours <p>Provision of regulated entertainment</p> <p><u>Recorded music</u></p> <ul style="list-style-type: none"> ▪ Monday to Friday, from 08:00 hours to 23:00 hours ▪ Saturday, from 09:00 hours to 23:00 hours ▪ Sunday, from 10:00 hours to 23:00 hours ▪ <p>On and Off Sales</p>	<ul style="list-style-type: none"> ▪ Monday to Friday, from 08:00 hours to 23:30 hours ▪ Saturday, from 09:00 hours to 23:30 hours ▪ Sunday, from 10:00 hours to 23:30 hours
<p>(Art Gallery) 77 Redchurch Street London E2 7DJ</p>	<p>Supply of Alcohol</p> <ul style="list-style-type: none"> • Monday to Saturday, from 12:00 hours to 00:00 hours • Sunday, from 12:00 hours to 23:00 hours <p>Regulated Entertainment</p> <p><u>(Films)</u></p> <ul style="list-style-type: none"> • Thursday, from 19:00 hours to 22:00 hours <p>On sales</p>	<ul style="list-style-type: none"> • Monday to Saturday, from 12:00 hours to 00:00 hours • Sunday, from 12:00 hours to 23:00 hours
<p>(Brick Lane Kebab) 109 Redchurch Street London E2 7DG</p>	<p>Late Night Refreshment</p> <ul style="list-style-type: none"> • Sunday to Wednesday, 23:00 hours to 00:00 hours • Thursday to Saturday, 23:00 hours to 02:00 hours the following day 	<ul style="list-style-type: none"> • Sunday to Wednesday, 23:00 hours to 00:00 hours • Thursday to Saturday, 23:00 hours to 02:00 hours the following day

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

Appendix 8

Lavine Miller-Johnson

From: Kathy Driver on behalf of Licensing
Sent: 23 March 2020 11:25
To: Lavine Miller-Johnson
Subject: FW: Licensing objection to Soho Works 64-66 Redchurch Street

From: Sam Alis [REDACTED]
Sent: 21 March 2020 10:31
To: Licensing
Subject: Licensing objection to Soho Works 64-66 Redchurch Street

Dear Sirs,

I strongly object to the application for licensing to sell alcohol until 2am and for live Music, made on 12th March 2020.

I live in the building next door [REDACTED] Redchurch Street and the noise from the venue and people loitering and making noise entering and leaving the venue will impact my peace and quiet and affect my sleep. I have lived in my flat for 14 years and do not see why I should suffer the noise and increased antisocial behaviour that will be caused by having a venue next door with a 2am licence in a residential area.

We already have lots of noise and people screaming and fighting on the corner with Dirty Bones which is on the corner of Bethnal Green rd and Club Row.

The council's introduction of double yellow lines has greatly improved the area and reduced noise and pollution.

I strongly object to this licensing application.

Yours sincerely
Sam Alis

[REDACTED]

--
Sam Alis

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Appendix 9

Lavine Miller-Johnson

From: Mohshin Ali on behalf of Licensing
Sent: 09 April 2020 15:46
To: Lavine Miller-Johnson
Subject: FW: Objection to Premises License Application at 64-66 Redchurch Street

From: Alyssa Simon [REDACTED]
Sent: 09 April 2020 13:27
To: Licensing
Subject: Objection to Premises License Application at 64-66 Redchurch Street

I live at [REDACTED] Redchurch Street and have resided at this address since September 2011.

This street already has a substantial amount of late-night foot traffic that follows closure of pubs and bars in the vicinity which lead to public nuisance in terms of shouting, fighting and generally anti-social behavior. My flat faces the street and this noise is frequently disruptive to my sleep, and has led myself and other residents to call local authorities to complain and seek assistance on numerous occasions. This is the result of nearby- not immediately next door- businesses which only serve until 11 or midnight.

The grant of a license to serve alcohol and food and allow for performances of live music until 2am six days a week and until midnight on a Sunday on a residential street will exacerbate this problem substantially, as a large number of people will flow out from this building and likely congregate directly under nearby residences up until 2:30-3am. This will undoubtedly lead to further public nuisance and potential public safety issues as intoxicated individuals gather on the street. Further it will increase the amount of car traffic as people wait for ubers or black cabs, leading to an increase in pollution and noise from idling vehicles or cars honking because the street is one-way and not structured for high volume of vehicles.

I implore you not to grant this application, for the benefit of the local residents and the safety and security of the general area. The purported economic benefit is far outweighed by the harm to those who reside in the area.

Thank you for your consideration to this important matter.

Best regards,
Alyssa Simon

Appendix 10

Lavine Miller-Johnson

From: Kathy Driver on behalf of Licensing
Sent: 30 March 2020 11:50
To: Lavine Miller-Johnson
Subject: FW: Licensing objection to Soho Works 64-66 Redchurch Street

From: Perla Ranalli [REDACTED]
Sent: 28 March 2020 10:42
To: Licensing
Subject: Licensing objection to Soho Works 64-66 Redchurch Street

To Whom It May Concern

I am the owner of Flat [REDACTED] Redchurch Street, where I live with my partner and a 4 year old son. We are both teachers at [REDACTED] in Tower Hamlets. I note that the above building (postcode E2 7DP) has a poorly displayed New Grant Premises licence sign appear. This states that Soho Works Limited hope to have a new license relating to the sale of alcohol until 2am during Monday to Saturday and until midnight on Sundays. The License also refers to live music and cinema until these times.

I would like to make my objections known most strongly. This proposal is unacceptable for a business next door to a block of flats and in the middle of a residential area. I live in the flats next door [REDACTED] [Redchurch Street](#) and our building already suffers from the noise from Dirty Bones on the corner of Bethnal Green Road and Club Row, as well as their customers leaving around midnight. Having more exiting customers hanging around our street until very late at night when some of us have to work the next day is completely unacceptable.

I have lived here since 2009 and object to the possibility of noise and anti-social behaviour that this license could promote.

Please note my strong objection and let me know the outcome of this application.

Yours sincerely,

Perla Ranalli
[REDACTED]
[REDACTED]

Appendix 11

Lavine Miller-Johnson

From: Kathy Driver on behalf of Licensing
Sent: 23 March 2020 11:49
To: Lavine Miller-Johnson
Subject: FW: Licensing objection to 64-66 Redchurch Street

From: tony roche [REDACTED]
Sent: 21 March 2020 20:41
To: Licensing
Subject: Licensing objection to 64-66 Redchurch Street

To Whom It May Concern

I note that the above building (postcode E2 7DP) has a poorly displayed New Grant Premises licence sign appear. This states that Soho Works Limited hope to have a new license relating to the sale of alcohol until 2am during Monday to Saturday and until midnight on Sundays. The License also refers to live music and cinema until these times.

I would like to make my objections known most strongly. This proposal is unacceptable for a business next door to a block of flats and in the middle of a residential area. I live in the flats next door ([REDACTED] Redchurch Street) and our building already suffers from the noise from Dirty Bones on the corner of Bethnal Green Road and Club Row, as well as their customers leaving around midnight. Having more exiting customers hanging around our street until very late at night when some of us have to work the next day is completely unacceptable.

I and my partner have been residents since 2010 and object to the possibility of noise and anti-social behaviour that this license could promote.

Please note my strong objection and let me know the outcome of this application.

Yours sincerely,

Tony Roche
[REDACTED]
[REDACTED]

Appendix 12

Lavine Miller-Johnson

From: Ibrahim Hussain
Sent: 27 March 2020 10:37
To: Lavine Miller-Johnson
Subject: FW: Objection to Soho Works (64-66 Redchurch St)

Hi Lavine

Please see below email rep for M/127387.

Ibrahim Hussain

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
www.towerhamlets.gov.uk

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From: Benjamin CADOU [REDACTED]
Sent: 27 March 2020 10:09
To: Licensing
Subject: Objection to Soho Works (64-66 Redchurch St)

Dear Sir or Madam,

I live at [REDACTED] [Redchurch Street \(flat 10\)](#) and I very strongly object to the opening of this new night venue right next to my home.

My flat is a studio with only 1 window. That window would be right next to the venue. I already suffer at lot from this new place called "Dirty Bones" (very noisy till they close late at night... and then it get even worse with clients leaving the venue, shouting, fighting, screaming, you name it, till 3am when weather allows).

I've lived there for 8 years, my block has become noisier and busier in the past 1-2 years. Allowing this night venue to open would cause terrible nuisance to all the residents around it. And "[REDACTED] [Redchurch St](#)" would be at the forefront of this all.

I would be very grateful if you could take into consideration this objection. My partner Reda Grigaraviciute also strongly object to the new licence to Soho Works.

I am here if you need any further information, you're welcome to visit my flat and see how close my only window would be from the music, or see by yourself how club row already turns into a war zone when "Dirty Bones" closes (again, fights, screams, etc etc).

Thank you

Benjamin CADOU



Note: Our building used to be "68-72 Redchurch", to show you that we are next door to 64-66 Redchurch, we have a common wall, we are not several buildings appart, i estimate the distance from my very window to that new venue at 5 meters, maximum.

Appendix 13

Anti-Social Behaviour on the Premises

Licensing Policy

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. (**See Section 6 of the Licensing Policy**)

The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. (**See Appendix 3 of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- Methods of management communication
- Use of registered Door Supervisors
- Bottle Bans
- Plastic containers
- CCTV
- Restrictions on open containers for “off sales”
- Restrictions on drinking areas
- Capacity
- Proof of Age scheme
- Crime prevention notices
- Drinks promotions-aimed at stopping irresponsible promotions
- Signage
- Seating plans
- Capacity

If Members believe that there is a substantial problem of anti-social behaviour and it cannot be proportionately addressed by licensing conditions they should refuse the application.

Police Powers

The Licensing Act 2003, Part 8 gives a senior police officer the power to close a premises for up to 24 hours where the officer believes there is, or is likely to be disorder on or in the vicinity and closure is necessary in the interests of public safety.

Guidance Issued under Section 182 of the Licensing Act 2003

The pool of conditions, adopted by the Council is recommended (Annexe D).

The key role of the Police and SIA is acknowledged (2.1-2.2).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder

and their staff or agents, but can directly impact on the behaviour of customers in the immediate vicinity of the premises as they seek entry or leave (1.16).

Conditions are best targeted on deterrence and preventing crime and disorder (2.3) communication, CCTV, police liaison, no glasses, capacity limits are all relevant (2.3 - 2.6).

The Guidance recognises working with Home Office Immigration Enforcement in the prevention of immigration crime. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check are retained at the licensed premises.

Guidance Issued under Section 182 of the Licensing Act 2003

Conditions can be imposed for large capacity “vertical consumption” premises (10.23 – 10.24).

Guidance Issued by the Office of Fair Trading

This relates to attempts to control minimum prices.

Other Legislation

- The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder

Appendix 14

Anti-Social Behaviour from Patrons Leaving the Premises

General Advice

Members need to bear in mind that once patrons have left a premises they are no longer under direct control. Members will need to be satisfied that there is a link between the way the premises is operating and the behaviour that is complained of. An example of this would be that irresponsible drinking is being encouraged. Before deciding that any particular licensing conditions are proportionate, Members will also need to be satisfied that other legislation is not a more effective route. For example, if the problem is drinking in the street it may be that the Council should designate the area as a place where alcohol cannot be consumed in public.

Members may also wish to consider whether the hours of opening relate to any problems of anti-social behaviour.

If Members believe that there is a substantial problem of anti-social behaviour and it cannot be proportionately addressed by licensing conditions they should refuse the application.

Licensing Policy

The policy recognises that other legislation or measures may be more appropriate but also states that licensing laws are “a key aspect of such control and will always be part of an overall approach to the management of the evening and night time economy” (**see Section 4.15 and 4.16 of the Licensing Policy**).

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. (**See Sections 6.2 of the Licensing Policy**)

The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include Conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. (**See Appendix 3 of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- Bottle Bans
- Plastic containers
- CCTV (outside the premises)
- Restrictions on open containers for “off sales”
- Proof of Age scheme
- Crime prevention notices
- Drinks promotions-aimed at stopping irresponsible promotions
- Signage

Cumulative Impact

There is a process by which the Licensing Authority can determine that an area is saturated following representations. However, the process for this involves wide consultation and cannot come from representations about a particular application. (**See Section 8 of the Licensing Policy**).

Police Powers

The Licensing Act 2003, Part 8 gives a senior police officer the power to close a premises for up to 24 hours where the officer believes there is, or is likely to be disorder on or in the vicinity and closure is necessary in the interests of public.

Guidance Issued under Section 182 of the Licensing Act 2003

The key role of the Police is acknowledged (2.1).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder, but can relate to the immediate vicinity of the premises as they seek entry or leave (1.16).

Conditions are best targeted on deterrence and preventing crime and disorder (2.3) CCTV inside & out, communication, police liaison, no glasses are all relevant

There is also guidance issued around public nuisance (2.15 – 2.21).

The pool of conditions, adopted by the Council is recommended (see Appendix 3 of the Licensing Policy). Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods 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 (2.18/2.21).

Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned (14.13).

Other Legislation

Crime and Disorder Act 1998

The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder.

The Act also introduced a wide range of measures designed to address anti-social behaviour committed by adults and young people. These include:

- Anti-Social Behaviour Orders
- Child Curfew Schemes
- Truancy
- Parenting Orders
- Reparation Orders
- Tackling Racism

Appendix 15

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 16

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 17

Crime and Disorder

- 7.1 Licensed premises, especially those offering late night / early morning entertainment, alcohol and refreshment for large numbers of people, can be a source of crime and disorder problems and to store prescribed information.
- 7.2 When addressing crime and disorder the applicant should initially identify any particular issues (having regard to their particular type of premises and / or activities) which are likely to adversely affect the promotion of the crime and disorder licensing objective. Such steps as are required to deal with these identified issues should be included within the applications operating schedule. Where the Metropolitan Police, acting as a responsible authority, makes recommendations in respect of an application relating to the licensing objectives the Licensing Authority would expect the applicant to incorporate these into their operating schedule.
- 7.3 Applicants are recommended to seek advice from Council Officers and the Police as well as taking into account, as appropriate, local planning and transport policies, with tourism, cultural and crime prevention strategies, when preparing their plans and Schedules.
- 7.4 In addition to the requirements for the Licensing Authority to promote the licensing objectives, it also has duties under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the Borough and to share prescribed information.
- 7.5 The Licensing Authority, if its discretion is engaged, will consider attaching Conditions to licences and permissions to deter and prevent crime and disorder both inside and immediately outside the premises and these may include Conditions drawn from the Model Pool of Conditions relating to Crime and Disorder given in the Secretary of State's Guidance.
- 7.6 **CCTV** - The Licensing Authority, if its discretion is engaged, will attach conditions to licences, as appropriate where the conditions reflect local crime prevention strategies, for example the provision of closed circuit television cameras.

7.7 **Touting** – This is soliciting for custom. There has been a historic problem with Touting in the borough, mainly in relation to restaurants, and as such in 2006 the Council introduced a byelaw under Section 235 of the Local Government Act 1972 for the good rule and government of the London Borough of Tower Hamlets and for the prevention and suppression of nuisances.

As a result, in relation to premises where there is intelligence that touting is, or has been carried out, the Licensing Authority, where its discretion is engaged will insert a standard condition that prohibits 'touting' as follows:-

- 1) No person shall be employed to solicit for custom or be permitted to solicit for custom for business for the premises in any public place within a 500 meters radius of the premises as shown edged red on the attached plan.(marked as Appendix -)
- 2) Clear Signage to be placed in the restaurant windows stating that the premises supports the Council's 'No Touting' policy.

7.8 **Responsible Drinking** - The Licensing Authority expects alcohol to be promoted in a responsible way in the Borough. This should incorporate relevant industry standards, such as the Portman Group Code of Practice. Where appropriate and proportionate, if its discretion is engaged, the Licensing Authority will apply conditions to ensure responsible drinking. The Licensing Authority also recognises the positive contribution to best practice that "Pubwatch" and other similar schemes can make in promoting the licensing objectives and is committed to working with them.

Model Pool Conditions can be found in the Secretary of State's Guidance.

7.9 **Criminal Activity** - There is certain criminal activity that may arise in connection with licensed premises which the Licensing Authority will treat particularly seriously. These are the use of the licensed premises:

- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
- for the sale and distribution of illegal firearms;
- for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
- for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
- for prostitution or the sale of unlawful pornography;
- by organised groups of paedophiles to groom children;

- as the base for the organisation of criminal activity, particularly by gangs;
- for the organisation of racist activity or the promotion of racist attacks;
- for employing a person who is disqualified from that work by reason of their immigration status in the UK;
- for unlawful gambling; and
- for the sale or storage of smuggled tobacco and alcohol.

The Secretary State's Guidance states that it is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and this Licensing Authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence, even in the first instance, should be seriously considered.

7.10 In particular the Licensing Authority is mindful of the Secretary of State's Guidance "Reviews arising in connection with crime".

7.11 From 1 April 2017, businesses which sell alcohol (for example, retailers of alcohol and trade buyers) will need to ensure that the UK wholesalers that they buy alcohol from have been approved by HMRC under the Alcohol Wholesaler Registration Scheme (AWRS). They will need to check their wholesalers Unique Registration Number (URN) against the HMRC online database which will be available from April 2017. This is an ongoing obligation and if a business is found to have bought alcohol from an unapproved wholesaler, they may be liable to a penalty or could even face criminal prosecution and their alcohol stock may be seized. Any trader who buys alcohol from a wholesaler for onward sale to the general public (known as a 'trade buyer') does not need to register unless they sell alcohol to other businesses. Examples of trade buyers would be pubs, clubs, restaurants, cafes, retailers and hotels. However, they will need to check that the wholesaler they purchase alcohol from is registered with HMRC. Further information may be found at: <https://www.gov.uk/guidance/the-alcohol-wholesaler-registration-scheme-awrs>.

Smuggled goods

7.12 The Licensing Authority will exercise its discretion to add a standard condition as follows:-

- 1) The premises licence holder and any other persons responsible for the purchase of stock shall not purchase any goods from door-to-door sellers other than from established traders who provide full receipts at the time of delivery to provide traceability.
- 2) The premises licence holder shall ensure that all receipts for goods bought include the following details:
 - i. Seller's name and address
 - ii. Seller's company details, if applicable
 - iii. Seller's VAT details, if applicable
 - iv. Vehicle registration detail, if applicable
- 3) Legible copies of the documents referred to in 2) shall be retained on the premises and made available to officers on request.
- 4) The trader shall obtain and use a UV detection device to verify that duty stamps are valid.
- 5) Where the trader becomes aware that any alcohol may be not duty paid they shall inform the Police of this immediately.

Olympic Park – Football Ground

7.13 Premises where Police intelligence shows that football supporters congregate within the borough should consider in their application form the following conditions:

- 1) On Match Days for premises licensed for the supply of alcohol for consumption on the premises:
 - a) Drinks shall only be supplied in polypropylene or similar plastic and all bottled drinks shall be poured into such drinking vessels before being handed to the customer. These should be made of recyclable materials.
 - b) Registered door staff shall be employed to control the entry and exits to the premises and to manage any licensed outside area(s).

Appendix 18

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

Updated April 2018

Crime and disorder

- 2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).
- 2.2 In the exercise of their functions, licensing authorities should seek to cooperate with the Security Industry Authority (“SIA”) as far as possible and consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.
- 2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.
- 2.4 The inclusion of radio links and ring-round phone systems should be considered an appropriate condition for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises. These systems allow managers of licensed premises to communicate instantly with the police and facilitate a rapid response to any disorder which may be endangering the customers and staff on the premises.

- 2.5 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. The designated premises supervisor is the key person who will usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances where it can be demonstrated that, in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.
- 2.6 The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. Licensing authorities should work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check are retained at the licensed premises.

Appendix 19

Protection of children from harm

- 10.1 The wide range of premises that require licensing means that children can be expected to visit many of these, often on their own, for food and/or entertainment. The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Home Office Guidance also expects Licensing authorities to consider the need to protect children from sexual exploitation when undertaking licensing functions.
- 10.2 Tackling Child Sexual Exploitation (CSE) is a key target both locally and nationally as such the Licensing Authority expects Licence Holders to:
- Understand that there are criminal offences in relation to sexual exploitation of a child,
 - Ensure that they and their employees have a basic awareness of the signs of CSE and how to report it;
 - Report any concerns to the appropriate authorities or to the Licensing Authority can advise them of the appropriate authority to report concerns to.
- 10.3 Applicants are to consult with the Responsible Authority designated for Child Protection listed in appendix 1 - List of Responsible Authorities of this who this Licensing Authority recognises to be competent body to advise on the protection of children from harm.
- 10.4 The Act does not prohibit children from having access to any licensed premises; the Council recognises that limitations may have to be considered where it appears necessary to protect children from harm.
- 10.5 The Licensing Authority will judge the merits of each separate application before deciding whether to impose conditions limiting the access of children to individual premises. The following are examples of premises that will raise concern:-
- Where there have been convictions, Fixed Penalty Notices (FPNs) or formal cautions for serving alcohol to minors or with a reputation for underage drinking

- With a known association with drug taking or dealing
 - Where there is a strong element of gambling on the premises
 - Where entertainment of an adult or sexual nature is provided
 - Where irresponsible drinking is encouraged or permitted.
- 10.6 Where its discretion is engaged, the Licensing Authority will consider any of the following options when dealing with a licence application where limiting the access of children is considered necessary to prevent harm to children:
- Limitations on the hours when children may be present,
 - Limitations on ages below 18,
 - Limitations or exclusion when certain activities are taking place,
 - Requirements for an accompanying adult,
 - Full exclusion of people under 18 from the premises when any licensable activities are taking place.
- 10.7 No conditions will be imposed requiring that children must be admitted to any premises and, where no limitation is imposed, this will be left to the discretion of the individual licensee.
- 10.8 The Act details a number of offences designed to protect children in licensed premises and the Licensing Authority will work closely with the police to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol to children.
- 10.9 All licence holders will be expected to comply the Portman Group Code of Practice, and in particular the Retailer Alert Bulletin by which the Portman Group informs licensed retailers, which products have been found to be in breach of the code, and should be removed from sale.
- 10.10 The Licensing Authority expects all licensed suppliers of alcohol to have robust measures, effectively managed and monitored, in place to ensure that minors are fully protected from harm. This will require operating plans to specify these measures and management controls taking into account paragraph 10.1 and 10.2 above. Where appropriate a written childcare policy should be available and be incorporated in the induction of staff.

- 10.11 The Licensing Authority will take appropriate and proportionate action where there are serious concerns in relation to the safe guarding of children in connection with a licensed premises, which may include consideration of applying for a review of the licence where there significant evidence of undermining the licensing objective of the protection of children from harm.
- 10.12 The sale of alcohol to a minor is a criminal offence and Trading Standards will conduct appropriate covert test purchasing exercises and will take account of any complaints and intelligence received. The Act permits the use of children under the age of 18 to undertake test purchases.
- 10.13 Where there are age restrictions imposed by the Act on the licensable activities in respect of children below a certain age, then the licensee will be required to demonstrate that they have age verification systems in place. This Licensing Authority believes that that Licensed Premises should have age verification policies to require individuals who appear to the person serving alcohol to be under the age of 25 years of age to produce on request appropriate identification. This is commonly referred to as the “Challenge 25 Scheme”. The rationale for this is because it can often be difficult to judge how old teenagers are and “Challenge 25 age verification system” would provide licensed premises with margin of error to prevent underage sales. Thus Challenge 25 can help to empower staff to challenge customers where there is doubt about their age. In turn this is likely to reduce the risk of the owner, or the seller of the alcohol, committing an offence.
- 10.14 Training in age verification systems should be given to all persons who might be in a position to serve or refuse the sale of alcohol to children. The training should include a basic understanding of the law, seeking proof of age, verifying the authenticity of proof of age cards and handling and recording refusals.
- 10.15 Where proportionate and appropriate, and its discretion is engaged, the Licensing Authority will impose the following standard conditions in relation to age verification systems:
- 1) All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
 - 2) A Challenge 25 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.
 - 3) A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record

shall be available for inspection at the premises by the police or an authorised officer at all times whilst the premises is open.

- 4) All staff whose duties include the serving of alcohol must be trained in the requirements of this scheme including the importance of recording any refusals.

11 Access to Cinemas

- 11.1 Films cover a vast range of subjects, some of which deal with adult themes and / or contain, for example, scenes of horror or violence that may be considered unsuitable for children within certain age groups.
- 11.2 In order to prevent children from seeing such films, the Licensing Authority will impose conditions requiring licensees to restrict children from viewing age restricted films classified according to the recommendations of the BBFC, or the Council itself. The Licensing Authority will not consider reclassifying any films already classified by the BBFC. The Council will charge for classifying films, on a full cost recovery basis.
- 11.3 The Licensing Authority will classify films itself where it is satisfied that no BBFC classification exists. It will inform relevant licensee and require such classifications to be clearly contained in any advertising or informative material relating to such films.

12 Children and Public Entertainment

- 12.1 Many children go to see and / or take part in an entertainment arranged substantially for them. Consequently additional arrangements are required to safeguard them at such times.
- 12.2 Where 10.1 applies, and its discretion is engaged, the Licensing Authority will require the following arrangements in order to control their access and egress and to assure their safety:-
 - An adult member of staff to be stationed in the vicinity of each of the exits from any level, subject to there being a minimum of one member of staff per 50 children or part thereof,
 - No child unless accompanied by an adult to be permitted in the front row of any balcony,
 - No standing to be permitted in any part of the auditorium during the Performance.
- 12.3 Where children are taking part in any regulated entertainment, and its

discretion is engaged, the Licensing Authority will require the operating schedule to clearly state the steps taken to assure their safety.

- 12.4 Where its authority is engaged, the Licensing Authority will consider attaching conditions to licences and permissions to prevent harm to children, and these may include conditions drawn from the Model Pool of. Conditions that can be found in the Secretary of State's Guidance.

Appendix 20

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

Updated April 2018

Protection of children from harm

- 2.22 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.
- 2.23 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:
- adult entertainment is provided;
 - a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
 - it is known that unaccompanied children have been allowed access;
 - there is a known association with drug taking or dealing; or
 - in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.
- 2.24 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature. Applicants, responsible authorities and licensing authorities will need to consider this point carefully. This would broadly include topless bar staff, striptease, lap-, table- or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language.

- 2.25 Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.
- 2.26 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.
- 2.27 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:
- restrictions on the hours when children may be present;
 - restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;
 - restrictions on the parts of the premises to which children may have access;
 - age restrictions (below 18);
 - restrictions or exclusions when certain activities are taking place;
 - requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and full exclusion of people under 18 from the premises when any licensable activities are taking place.
- 2.28 Please see also Chapter 10 for details about the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010.

- 2.29 Licensing authorities should give considerable weight to representations about child protection matters. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform such representations. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the licensing authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons under 18 years old with alcohol-related illnesses or injuries) this evidence should be considered, and the licensing authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the licensing authority considers what conditions may be appropriate to ensure that this objective is promoted effectively.
- 2.30 The 2003 Act provides that, where a premises licence or club premises certificate authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the licence (the British Board of Film Classification is currently the only body which has been so designated) or by the licensing authority itself. Further details are given in Chapter 10.
- 2.31 Theatres may present a range of diverse activities and entertainment including, for example, variety shows incorporating adult entertainment. It is appropriate in these cases for a licensing authority to consider restricting the admission of children in such circumstances. Entertainments may also be presented at theatres specifically for children. It will be appropriate to consider whether a condition should be attached to a premises licence or club premises certificate which requires the presence of a sufficient number of adult staff on the premises to ensure the wellbeing of the children during any emergency.

Offences relating to the sale and supply of alcohol to children

2.32 Licensing authorities are expected to maintain close contact with the police, young offenders' teams and trading standards officers (who can carry out test purchases under section 154 of the 2003 Act) about the extent of unlawful sales and consumption of alcohol by minors and to be involved in the development of any strategies to control or prevent these unlawful activities and to pursue prosecutions. Licensing authorities, alongside the police, are prosecuting authorities for the purposes of these offences, except for the offences under section 147A (persistently selling alcohol to children). Where, as a matter of policy, warnings are given to retailers prior to any decision to prosecute in respect of an offence, it is important that each of the enforcement arms should be aware of the warnings each of them has given.

Table of relevant offences under the 2003 Act Section	Offence	Prosecuting Authority
Section 145	Unaccompanied children prohibited from certain premises	Police and/or Licensing Authority
Section 146	Sale of alcohol to children	Police, Licensing Authority and/or Local Weights and Measures Authority
Section 147	Allowing the sale of alcohol to children	Police, Licensing Authority and/or Local Weights and Measures Authority
Section 147A	Persistently selling alcohol to children	Police and/or Local Weights and Measures Authority
Section 148	Sale of liqueur confectionery to children under 16. (This offence will be repealed by the Deregulation Act 2015 on 26 May 2015).	Police and/or Licensing Authority
Section 149	Purchase of alcohol by or on behalf of children	Police and/or Licensing Authority
Section 150	Consumption of alcohol by children	Police and/or Licensing Authority
Section 151	Delivering alcohol to children	Police and/or Licensing Authority
Section 152	Sending a child to obtain alcohol	Police and/or Licensing Authority
Section 153	Prohibition of unsupervised sales by children	Police and/or Licensing Authority

Appendix 21

Special Cumulative Impact Policy for the Brick Lane and Bethnal Green Area

- 19.1 As with many other London Borough's the majority of late night licensed premises are concentrated within one area of the Borough. Following guidance issued under the Licensing Act 2003 a cumulative impact policy for the Brick Lane area was adopted on 18th September 2013 by the Council and came into effect on the 1st November 2013.
- 19.2 After consultation the Council recognised that because of the number and density of licensed premises selling alcohol, on and off the premises and the provision of late night refreshment (sale of hot food after 11pm) within the Brick Lane Area as defined in Figure One, there might be exceptional problems of nuisance, disturbance and/or disorder outside or away from those licensed premises as a result of their combined effect.
- 19.3 The Council Cumulative Impact Zone (CIZ) was reviewed alongside this Statement of Licensing Policy by the Licensing Committee on 14th December 2017. Following this review and consultation in early 2018 the Council has decided to keep the Cumulative Impact Zone (CIZ). Local crime mapping showed that although there had been a reduction in crime and disorder linked to licensed premises within the CIZ since January 2015, the same crime mapping showed that the area of the CIZ is still higher than average in regards to crimes and disorder linked to licensed premises compared to the rest of the borough.

Further to the CIZ in the Brick Lane Area shown in Figure One below, data from 999/101 calls to Police in 2016/17 showed a large number of incidents linked to licensed premises within the area shown in Figure Two below (Bethnal Green Area). In light of this evidence and following consultation mentioned above the Council has decided to adopt a second CIZ in the Bethnal Green Area.

- 19.4 The Licensing Authority is of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and/or the provision of late night refreshment in the area highlighted in Figures One and Two is having a cumulative impact on the licensing objectives and has therefore declared a cumulative impact zone within these areas. The Brick Lane and Bethnal Green CIZ aims to manage the negative cumulative impact of the concentration of licensed premises in these areas and the stresses that the saturation of licensed premises has had on local amenity, environmental degradation and emergency and regulatory services in managing this impact.
- 19.5 The effect of this Special Cumulative Impact Policy will affect applications in respect of the sale or supply of alcohol on or off the premises and/or late Night Refreshment for the following:

- New Premises Licences applications,
- New Club Premises Certificates applications
- Provisional Statements,
- Variation of Premises Licences and Club Premises Certificate applications (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity).

The Licensing Authority expects such applications to have regard for and make reference to the CIZ.

19.6 The Special Cumulative Impact policy creates a rebuttable presumption that where relevant representations are received by one or more of the responsible authorities and/or other persons against applications within the CIZ zones the application will be refused.

19.7 Where representations have been received in respect to applications within the CIZ zones the onus is on applicants to adequately rebut the presumption. Applicants will need to demonstrate in their applications why the granting of their application will not negatively add to the cumulative already experience within the CIZ Zones. Applicants may wish to address the following in their applications:

- Genuinely exceptional circumstances,
- Relevant good practices they employ (for example, this could include details of membership of local Pubwatch/other trade groups,
- Accreditation of Award Schemes (as applicable), and any participation in Police/Council initiatives),
- Other good operational/practice arrangements in respect of any outside drinking and smoking to control potential impact in the area,
- Measures used to promote the licensing objectives (for example, any relevant conditions to control noise, dispersal, litter and other anti-social issues).

19.8 **This Policy will be strictly applied and where relevant representations are received it is the view of the Council that the application will be refused. Applicants will need to demonstrate that there are exceptional circumstances and that granting their application will not negatively add to the cumulative effect on the Licensing Objectives within the Brick Lane and Bethnal Green CIZ if they wish to rebut this presumption.**

Examples of factors the Licensing Authority may consider as exceptional may include, though are not limited to:

- small premises with a capacity of fifty persons or less who only intend to operate during Framework Hours,
- premises which are not alcohol led and operate only within Framework Hours, such as coffee shops,

- instances where the applicant has recently surrendered a licence for another premises of a similar size and providing similar licensable activities in the same Special Policy Area.

Examples of factors the Licensing Authority will **not** consider as exceptional include:

- that the premises will be well managed and run,
- that the premises will be constructed to a high standard,
- that the applicant operates similar premises elsewhere without complaint.

19.9 The Special Cumulative Impact policy will not be used to revoke an existing licence or certificate and will not be applicable during the review of existing licences.

The Cumulative Impact Zones:

Figure One

Brick Lane area:

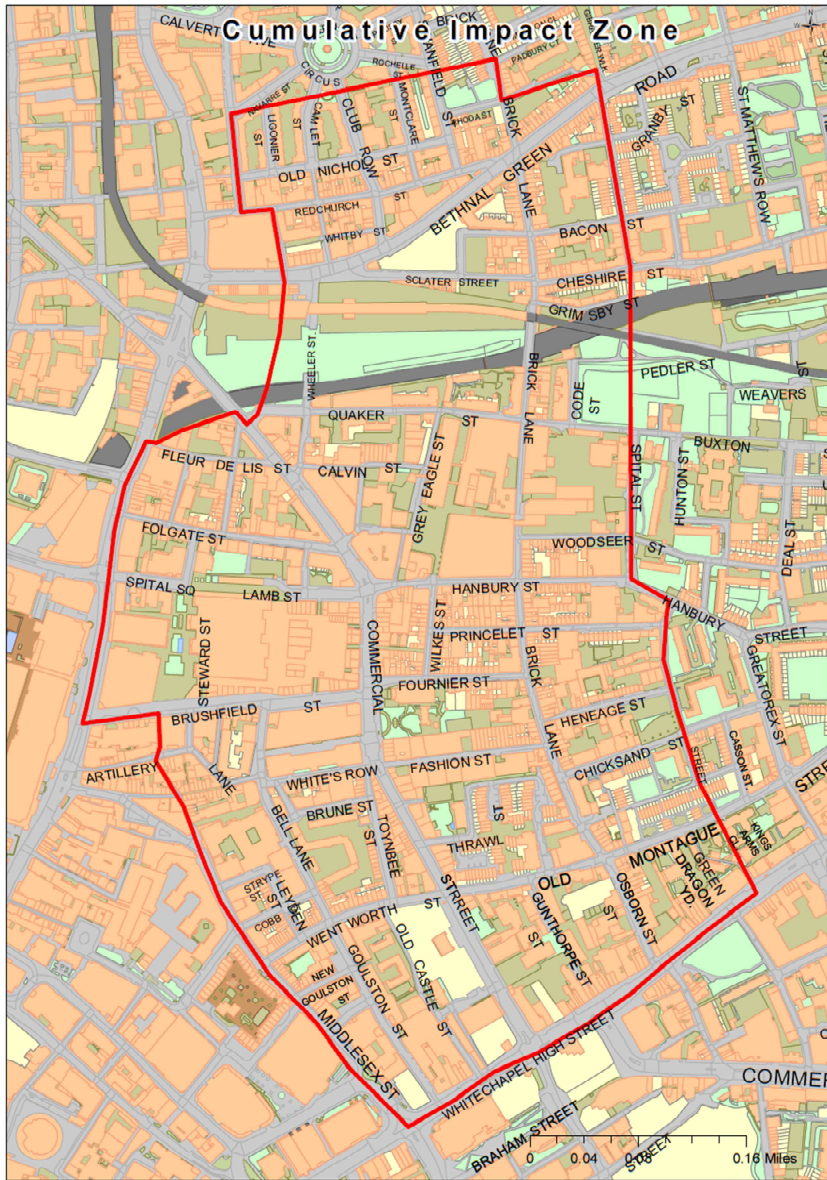
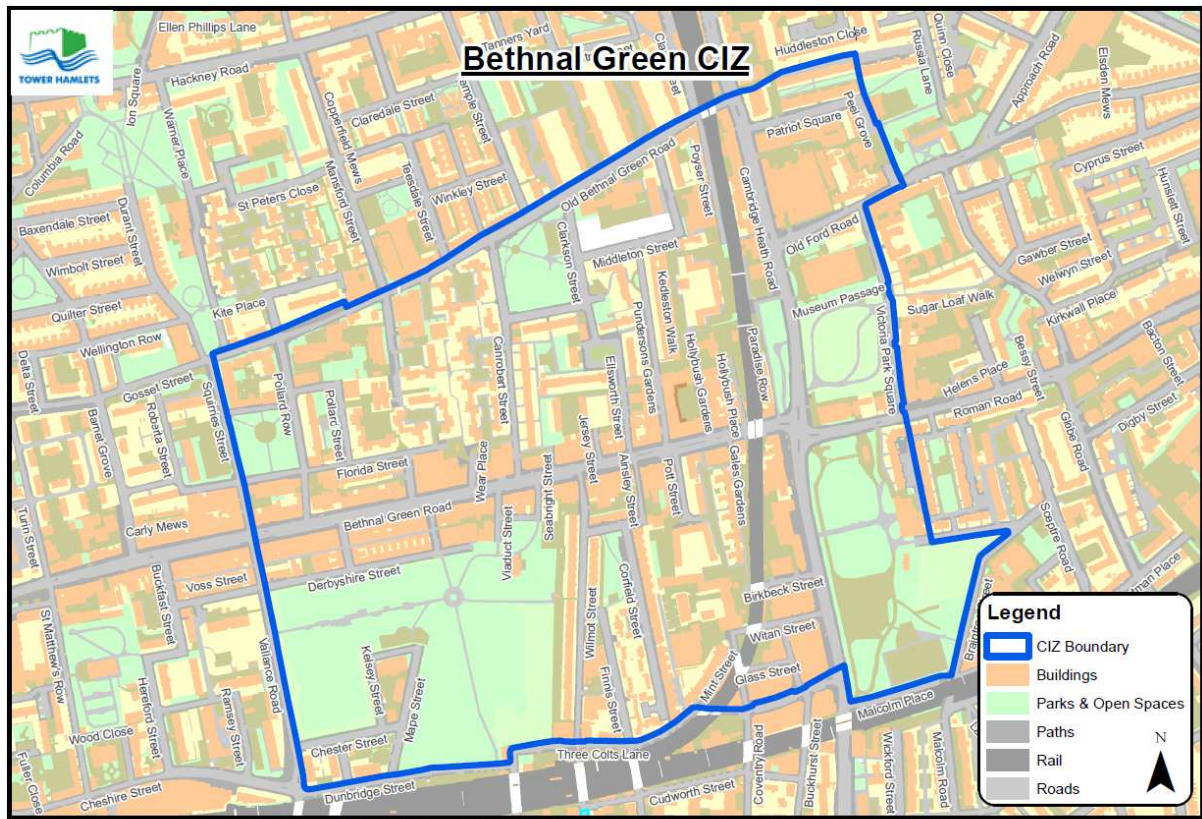


Figure Two:
Bethnal Green Area



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Appendix 22

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 of 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 23

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 4.2

Committee : Licensing Sub-Committee	Date 28 July 2020	Classification Unclassified	Report No.	Agenda Item No.
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Report of: David Tolley Head of Environmental Health and Trading Standards Originating Officer: Mohshin Ali Senior Licensing Officer	Title: Licensing Act 2003 Application for a Variation of a Premises Licence for (Dirty Bones) 1 Club Row, London E1 6JX Ward affected: Weavers
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1.0 Summary

Applicant:	DB Prop Ltd
Name and Address of Premises:	Dirty Bones 1 Club Row London E1 6JX
Licence sought:	Licensing Act 2003 - variation <ul style="list-style-type: none">• To extend the times for the sale by retail of alcohol• To extend the times for the provision of late night refreshment• Remove existing conditions
Representations:	Licensing Authority (Responsible Authority) Environmental Health Noise Team

2.0 Recommendations

- 2.1 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
<ul style="list-style-type: none">• 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 variation of a premises licence for (Dirty Bones) 1 Club Row, London E1 6JX.
- 3.2 There are currently two licences on the Council's system which is causing a confusing. A copy of the first existing licence is enclosed as **Appendix 1**. It should be noted that the annual fee for March 2020 has not been paid. The timings of the existing licence (Resam London BV, dated 10th March 2016) are detailed below:

The basement floor, ground floor, first floor, second floor and third floor

Sale by retail of alcohol (On sales only)

- Monday to Thursday, from 10:00 hours to 23:30 hours
- Friday and Saturday, from 10:00 hours to 00:00 hours (midnight)
- Sunday, from 10:00 hours to 22:30 hours

The provision of late night refreshment - Indoors

- Monday to Thursday, from 23:00 hours to 23:30 hours
- Friday and Saturday, from 23:00 hours to 00:00 hours (midnight)

Non-standard timings

- New Years, from 00:00 hours until the start of permitted hours the following day

The opening hours of the premises

- Monday to Thursday, from 09:00 hours to 00:00 hours (midnight)
- Friday and Saturday, from 09:00 hours to 00:30 hours (the following day)
- Sunday, from 09:00 hours to 23:00 hours

- 3.3 A copy of the second existing licence is enclosed as **Appendix 2**. The timings of the existing licence (Dirty Bones, dated 30th November 2005) are detailed below:

Alcohol shall not be sold or supplied except during permitted hours. In this condition, permitted hours means: (On and off sales)

- 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 10 30 pm
- 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 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.

The opening hours of the premises (includes recorded music)

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

- 3.4 Although, there is nothing stopping the licensee having two licences, it will be wise to surrender one of them to avoid any future confusion in terms of enforcement.
- 3.5 A copy of the variation application is enclosed as **Appendix 3**. The applicant has described the variation as follows:
“1) Vary the terminal hour for the sale of alcohol and late night refreshment to 01:00 Monday to Sunday, closing 30 minutes thereafter at 01:30;
2) Include the sale of alcohol for consumption off the premises, subject to the following condition:-
- All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
3) Amend the existing non-standard timing to read as:-
- From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day”.
- 3.6 The licensable activities and timings that have been applied for are clarified as follows:

Sale by retail of alcohol (On and off sales)

- *Monday to Sunday, from 10:00 hrs to 01:00 hrs the following day*

The provision of late night refreshment - Indoors

- *Monday to Sunday, from 23:00 hrs to 01:00 hrs the following day*

Non-standard timings

- *From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.*

The opening hours of the premises

- *Monday to Sunday, from 09:00 hrs to 01:30 hrs the following day*

The following conditions to be removed

1. *There shall be no off sales*
2. *No drinks shall be taken outside the premises.*

4.0 **Location and Nature of the premises**

- 4.1 The site plan of the venue is included as **Appendix 4**.
- 4.2 Maps and photographs showing the vicinity are included as **Appendix 5**.
- 4.3 Details of the nearest licensed venues are included as **Appendix 6**.

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 2018.
- 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 This hearing is required by the Licensing Act 2003, because relevant representations have been made by the following:
 - Licensing Authority (RA) - **(Appendix 7)**
 - Environmental Health Noise Team - **(Appendix 8)**
- 6.2 All of the responsible authorities have been consulted about this application. They are as follows:
 - The Licensing Authority
 - The Metropolitan Police
 - London Fire Brigade
 - Planning Department
 - Health and Safety
 - Environmental Health Noise Team
 - Trading Standards
 - Child Protection
 - Public Health
 - Home Secretary (Home Office Immigration Enforcement)

- 6.3 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
- 6.4 Essentially, the relevant parties oppose the application because the applicant has not explained how within the context of the application they will meet the licensing objectives, particularly the prevention of crime and disorder and the prevention of public nuisance.
- 6.5 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.
- 6.6 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

- 7.1 Save for the additional proposed condition and removal of existing conditions 1 and 2 at annex 3, the remaining conditions address all four licensing objectives.

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

Conditions attached following the Licensing subcommittee hearing of 10th March 2016

- 3. There shall be no off sales (to be removed)*
- 4. No drinks shall be taken outside the premises (to be removed).*
- 5. The number of smokers shall be limited to five at any one time.*
- 6. 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. Notices restricting the number of smokers to also be displayed at all exits;*
- 7. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the LBTH Police Licensing Team.*

- a. *All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.*
 - b. *The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises.*
 - c. *All recordings shall be stored for a minimum period of 31 days with date and time stamping.*
 - d. *Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.*
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.*
 9. *The Licence Holder shall ensure that the details of all complaints are recorded in an occurrence book and such book shall be available for police inspection.*
 10. *The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and/or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.*
 11. *Non-intoxicating beverages, including drinking water, shall be available to patrons throughout the permitted hours for the sale or supply of alcohol.*
 12. *No music or amplified sound shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance at the nearest noise sensitive premises.*
 13. *Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.*
 14. *A dedicated telephone number for the Designated Premises Supervisor or the duty manager shall be maintained for use by any person who may wish to make a complaint and shall be advertised at the premises or on its website.*
 15. *The premises shall operate a Challenge 21 Policy”.*

8.0 Conditions in consultation with the responsible authorities/other person (Agreed with Police Licensing Team – See Appendix 9)

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.*
2. *A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. 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.*
3. *An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any 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.*
4. *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*
 - d. *forensic investigation to be carried out by the police; and*
 - e. *such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.*
5. *There must be at the premises a lockable drugs box to which no member of staff, save the DPS and /or XX, shall have access. All controlled drugs (or items suspected to be controlled drugs or contain controlled drugs) found at the premises must be placed in this box as soon as practicable. Whenever this box is emptied, all of its contents must be given to the Police for appropriate disposal.*

6. *A Challenge 25 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.*
7. *A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer at all times whilst the premises is open.*
8. *The Premises shall adopt Central East Licensing drugs policy which is attached.*
9. *The premises shall have a written risk assessment for all licensable activities and events taking place at the venue which will be made available to Police upon request.*

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 (See 6.2). 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 10 - 16** 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 licence (Resam)
Appendix 2	A copy of the existing licence (Dirty Bones)
Appendix 3	A copy of the variation application
Appendix 4	Site plan of the venue
Appendix 5	Maps and photographs showing vicinity of the venue
Appendix 6	Details of nearest licensed venues
Appendix 7	Representation of Licensing Authority (RA)
Appendix 8	Representation of Environmental Health Noise Team
Appendix 9	Agreement with Police Licensing
Appendix 10	Licensing Officer comments on noise while the premise is in use
Appendix 11	Licensing Officer comments on access/egress Problems
Appendix 12	Licensing Officer comments on crime and disorder on the premises
Appendix 13	Licensing Officer comments on crime and disorder from patrons leaving the premises
Appendix 14	Planning
Appendix 15	Licensing Policy relating to hours of trading
Appendix 16	Tower Hamlets Cumulative Impact Zone

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Appendix 1

Part A - Format of premises licence

Premises licence number

19991

Part 1 - Premises details

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

(Resam London BV)
1 Club Row

Post town
London

Post code
E1 6JX

Telephone number
[REDACTED]

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

The sale by retail of alcohol
The provision of late night refreshment

The times the licence authorises the carrying out of licensable activities

The basement floor, ground floor, first floor, second floor and third floor

Sale by retail of alcohol

- Monday to Thursday, from 10:00 hours to 23:30 hours
- Friday and Saturday, from 10:00 hours to 00:00 hours (midnight)
- Sunday, from 10:00 hours to 22:30 hours

The provision of late night refreshment - Indoors

- Monday to Thursday, from 23:00 hours to 23:30 hours
- Friday and Saturday, from 23:00 hours to 00:00 hours (midnight)

Non-standard timings

- New Years, from 00:00 hours until the start of permitted hours the following day

The opening hours of the premises

- Monday to Thursday, from 09:00 hours to 00:00 hours (midnight)
- Friday and Saturday, from 09:00 hours to 00:30 hours (the following day)
- Sunday, from 09:00 hours to 23:00 hours

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

On sales only

Part 2

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

Resam London BV
200 Prins Bernhardplein
Amsterdam
1097 JB
Netherlands

C/O Parnell Properties Ltd
23 Mount Street
London
W1K 2RP

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

34289101

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

John Donnelly

[REDACTED]

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

Licence No: [REDACTED]

Issuing Authority: [REDACTED]

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

Not applicable

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

Conditions attached following the Licensing subcommittee hearing of 10th March 2016

1. There shall be no off sales
2. No drinks shall be taken outside the premises.
3. The number of smokers shall be limited to five at any one time.
4. 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. Notices restricting the number of smokers to also be displayed at all exits;
5. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the LBTH Police Licensing Team.
 - a. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
 - b. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises.
 - c. All recordings shall be stored for a minimum period of 31 days with date and time stamping.
 - d. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
6. 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. The Licence Holder shall ensure that the details of all complaints are recorded in an occurrence book and such book shall be available for police inspection.

8. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and/or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
9. Non-intoxicating beverages, including drinking water, shall be available to patrons throughout the permitted hours for the sale or supply of alcohol.
10. No music or amplified sound shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance at the nearest noise sensitive premises.
11. Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
12. A dedicated telephone number for the Designated Premises Supervisor or the duty manager shall be maintained for use by any person who may wish to make a complaint and shall be advertised at the premises or on its website.
13. The premises shall operate a Challenge 21 Policy.

Annex 4 - Plans

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

19th January 2016 - Basement (1405 P 2 005 01 A, dated March 2015)
Ground Floor (1405 P 2 010 02 A, dated March 2015)
First Floor (1405 P 2 010 03 A, dated March 2015)
Second Floor (1405 P 2 010 04 A, dated March 2015)
Third Floor (1405 P 2 010 05 A, dated March 2015)

Part B - Premises licence summary

Premises licence number

19991

Premises details

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

(Resam London BV)
1 Club Row

Post town
London

Post code
E1 6JX

Telephone number
0207 759 1683

Where the licence is time limited the dates

N/a

Licensable activities authorised by the licence

The sale by retail of alcohol
The provision of late night refreshment

The times the licence authorises the carrying out of licensable activities

The basement floor, ground floor, first floor, second floor and third floor

Sale by retail of alcohol

- Monday to Thursday, from 10:00 hours to 23:30 hours
- Friday and Saturday, from 10:00 hours to 00:00 hours (midnight)
- Sunday, from 10:00 hours to 22:30 hours

The provision of late night refreshment - Indoors

- Monday to Thursday, from 23:00 hours to 23:30 hours
- Friday and Saturday, from 23:00 hours to 00:00 hours (midnight)

Non-standard timings

- New Years, from 00:00 hours until the start of permitted hours the following day

The opening hours of the premises

- Monday to Thursday, from 09:00 hours to 00:00 hours (midnight)
- Friday and Saturday, from 09:00 hours to 00:30 hours (the following day)
- Sunday, from 09:00 hours to 23:00 hours

Name, (registered) address of holder of premises licence

Resam London BV
200 Prins Bernhardplein
Amsterdam
1097 JB
Netherlands

C/O Parnell Properties Ltd
23 Mount Street
London
W1K 2RP

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

On sales only

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

34289101

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

John Donnelly

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

Not restricted

Appendix 2

**(Dirty Bones)
1 Club Row
London
E1 6JX**

Licensable Activities authorised by the licence

**The sale by retail of alcohol
Late Night refreshment
Regulated Entertainment (recorded music only)**

See the attached licence for the licence conditions

Signed by

David Tolley 
**Head of Trading Standards & Environmental
Health**

Date: 30th November 2005

Minor Variation 3/10/18

**Part A - Format of premises licence**

Premises licence number

Part 1 - Premises details**Postal address of premises, or if none, ordnance survey map reference or description****(Dirty Bones)
1 Club Row****Post town
London****Post code
E1 6JX****Telephone number**
[REDACTED]**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

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 10 30 pm
- 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).

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

Alcohol may be sold or supplied for one hour following the hours set out above 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

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

**DB Prop 3 Ltd
1 Banbury Court
32 Floral Street
London WC2E 9DJ**

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

09646847

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

Christopher Ver Haest
[REDACTED]

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

Licence No: [REDACTED]
Issuing Authority: [REDACTED]

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

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 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 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 above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- (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;
- (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;
- (d) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or club for the purposes of the trade or club;
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there; or
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

Hot food and hot drinks may be sold for up to thirty minutes after the end of normal permitted Hours.

Off Sales

Alcohol shall not be sold in an open container or be consumed in the licensed premises

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

The above restrictions do not prohibit:

- (a) 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;
- (b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (c) the sale of alcohol to a trader or club for the purposes of the trade or club;
- (d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the

Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

Children in Bars

No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

- (1) He is the child of the holder of the premises licence.
- (2) He resides in the premises, but is not employed there.
- (3) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- (4) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

Private Entertainment

The premises may be used for the following purpose, that is to say, dancing, music, or other entertainment of the like kind which-

- a) is not a public entertainment but
- b) is promoted for private gain

Public Entertainment

Public Entertainment consisting of music and singing provided solely by the reproduction of recorded sound

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:

12 September 2018 Basement, Ground and first floor

Basement:



Ground:



First:

Part B - Premises licence summary

Premises licence number

Premises details

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

**(Dirty Bones)
1 Club Row**

**Post town
London**

**Post code
E1 6JX**

Telephone number

Where the licence is time limited the dates

N/a

Licensable activities authorised by the licence

The sale by retail of alcohol
Late Night refreshment
Regulated Entertainment (recorded music only)

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 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).

For conditions re. "drinking up time" see

Annex 1 Mandatory Conditions

Alcohol may be sold or supplied for one hour following the hours set out above 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.

See full licence for drinking up time

The opening hours of the premises

These are not restricted

Name, (registered) address of holder of premises licence

DB Prop 3 Ltd
1 Banbury Court
32 Floral Street
London WC2E 9DJ

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)

09646847

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

Christopher Ver Haest

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

No

Appendix 3

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We DB Prop 3 Ltd

(Insert name(s) of applicant)

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

Premises licence number 19991

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Dirty Bones 1 Club Row			
Post town	London	Postcode	E1 6JX

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£79500

Part 2 – Applicant details

Daytime contact telephone number	
E-mail address (optional)	
Current postal address if different from premises address	
Post town	
Postcode	

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes

No

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

DD	MM	YYYY

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

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

To vary the existing premises licence so as to:-

- 1) Vary the terminal hour for the sale of alcohol and late night refreshment to 01:00 Monday to Sunday, closing 30 minutes thereafter at 01:30;
- 2) Include the sale of alcohol for consumption off the premises, subject to the following condition:-
 - All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
- 3) Amend the existing non-standard timing to read as:-
 - From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

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

Part 4 Operating Schedule

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

Provision of regulated entertainment (Please see guidance note 3)

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

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

B

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

C

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

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
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 7)		
Fri					
Sat					
Sun					

E

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

F

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

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
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 7)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			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 4)	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 5)		
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 6)		
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 7)		
Sun					

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	10:00	01:00	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Tue	10:00	01:00			
Wed	10:00	01:00			
Thur	10:00	01:00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Fri	10:00	01:00			
Sat	10:00	01:00			
Sun	10:00	01:00			

K

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

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6) Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
Day	Start	Finish	
Mon	09:00	01:30	
Tue	09:00	01:30	
Wed	09:00	01:30	
Thur	09:00	01:30	
Fri	09:00	01:30	
Sat	09:00	01:30	
Sun	09:00	01:30	

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

1. There Shall be no off sales.
2. No drinks shall be taken outside the premises.

Please tick as appropriate

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

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

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

Awaiting revised licence following recent transfer.

M

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

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

Save for the additional proposed condition and removal of existing conditions 1 and 2 at annex 3, the remaining conditions address all four licensing objectives.

b) The prevention of crime and disorder

See a) above

c) Public safety

See a) above

d) The prevention of public nuisance

See a) above

e) The protection of children from harm

See a) above

Checklist:

Please tick to indicate agreement

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

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

Part 5 – Signatures (please read guidance note 12)

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

Signature	<i>Thomas and Thomas</i>
Date	22/05/2020
Capacity	Thomas & Thomas Partners LLP as solicitors on behalf of the applicant

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15) Our ref: PAN.1.5 Ryan Peermamode Thomas & Thomas Partners LLP 38a Monmouth Street			
Post town	London	Post code	WC2H 9EP
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) [REDACTED]			

Notes for Guidance

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

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

wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.

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

Appendix 4

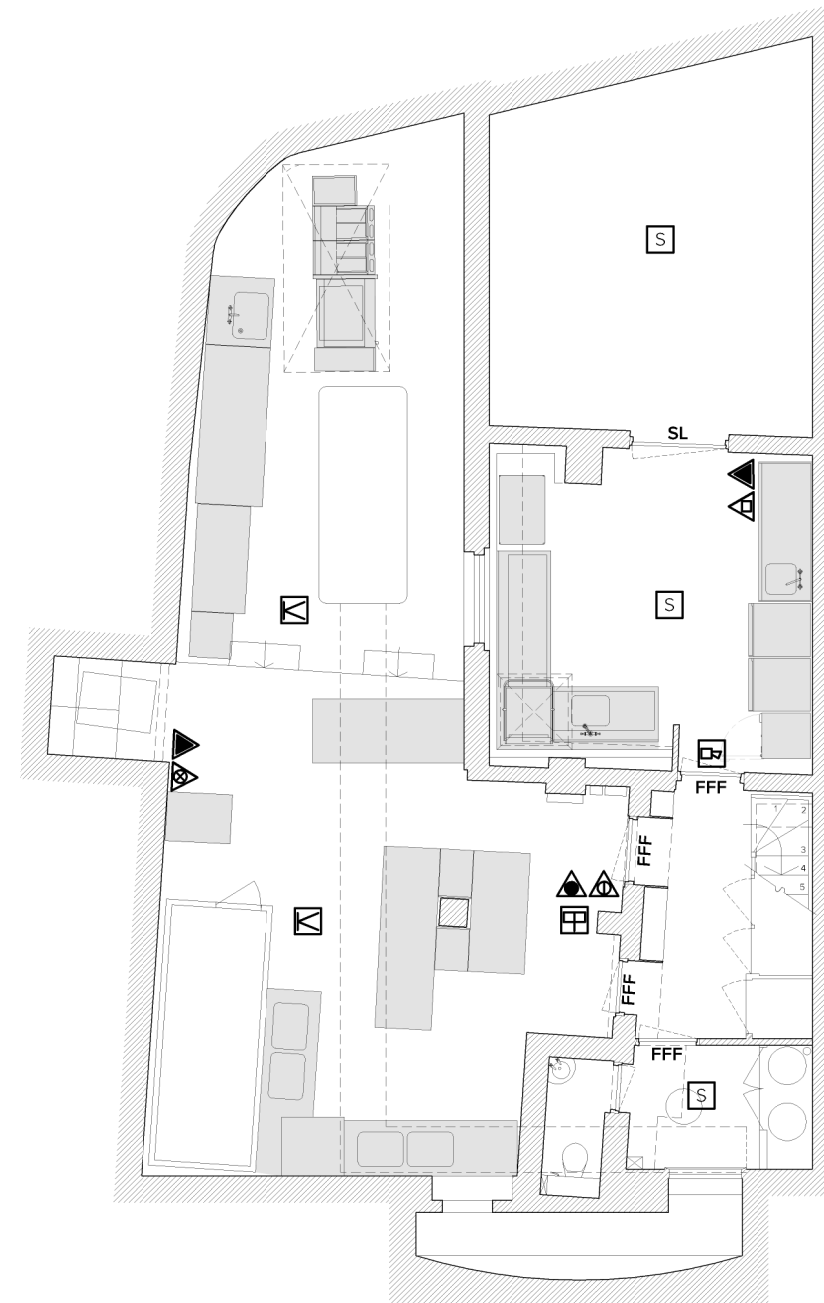
GENERAL NOTES


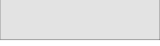
THESE DRAWINGS ARE PREPARED FOR PLANNING PURPOSES ONLY.









"EXISTING" DRAWINGS SHOW SITE SURVEY UNDERTAKEN IN MARCH 2015.

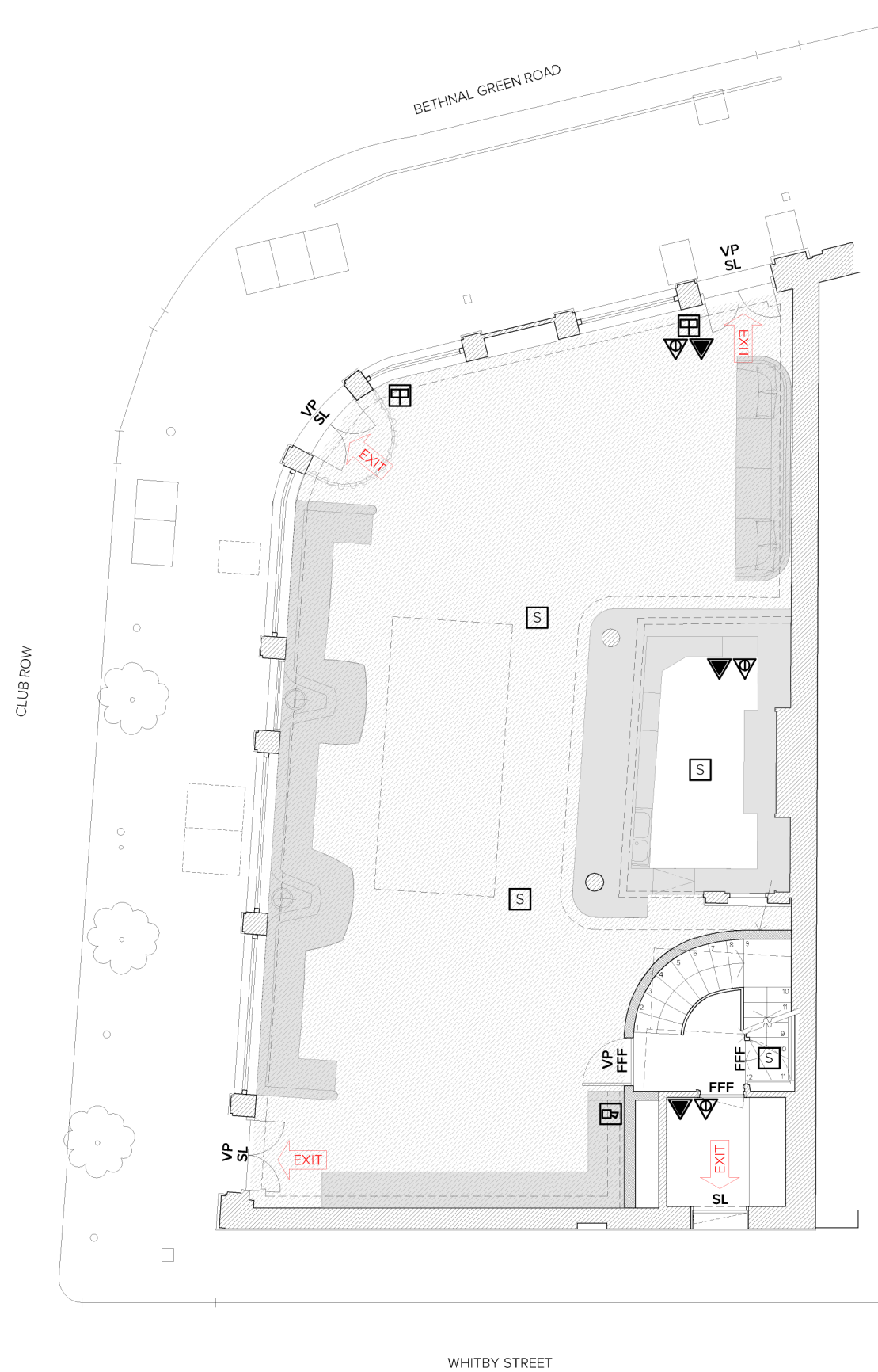
"PROPOSED" DRAWINGS RECORD THE CURRENT CONFIGURATION AND WORKS UNDERTAKEN BY OTHER PARTIES.

DRAWINGS ARE NOT FOR CONSTRUCTION PURPOSES.



-  LICENSED AREA
-  FIXED FURNITURE

- FFF** FREE FROM FASTENING
- SL** SECURITY LOCK
- VP** VISION PANEL
-  FIRE ALARM CALL POINT
-  SMOKE DETECTOR
-  HEAT DETECTOR
-  CONTROL PANEL SOUNDER
-  FIRE EXTINGUISHER
-  CARBON DIOXIDE FIRE EXTINGUISHER
-  DRY POWDER FIRE EXTINGUISHER
-  FCAM FIRE EXTINGUISHER
-  WATER FIRE EXTINGUISHER
-  WET CHEMICAL FIRE EXTINGUISHER




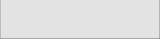
GENERAL NOTES

THESE DRAWINGS ARE PREPARED FOR PLANNING PURPOSES ONLY.

"EXISTING" DRAWINGS SHOW SITE SURVEY UNDERTAKEN IN MARCH 2015.

"PROPOSED" DRAWINGS RECORD THE CURRENT CONFIGURATION AND WORKS UNDERTAKEN BY OTHER PARTIES.

DRAWINGS ARE NOT FOR CONSTRUCTION PURPOSES.

-  LICENSED AREA
-  FIXED FURNITURE

FFF FREE FROM FASTENING

SL SECURITY LOCK

VP VISION PANEL

 FIRE ALARM CALL POINT

 SMOKE DETECTOR


 HEAT DETECTOR

 CONTROL PANEL SOUNDER

 FIRE EXTINGUISHER

 CARBON DIOXIDE FIRE EXTINGUISHER

 DRY POWDER FIRE EXTINGUISHER

 FCAM FIRE EXTINGUISHER

 WATER FIRE EXTINGUISHER

 WET CHEMICAL FIRE EXTINGUISHER

02
PROPOSED GROUND FLOOR PLAN

1 : 100

1 CLUB ROW, SHOREDITCH, E1 6JX
14211 002 02 A
EXISTING & PROPOSED GROUND FLOOR PLAN

ISSUED FOR APPROVAL
AUGUST 2018
1:100@A3, 1:50@A1

ISSUED FOR APPROVAL 31.08.18 REV A

**BOLTON
CHALKLIN
ARCHITECTS
LIMITED**

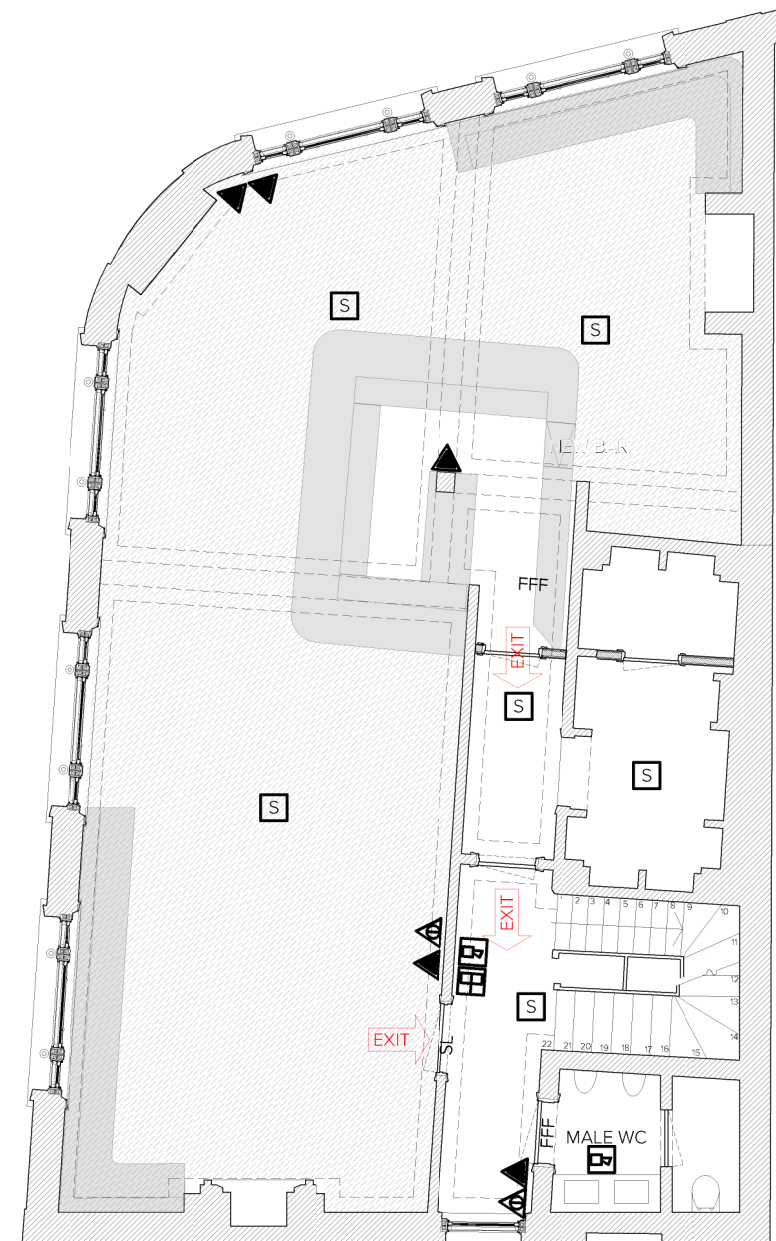
GENERAL NOTES


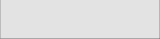










THESE DRAWINGS ARE PREPARED FOR PLANNING PURPOSES ONLY.

"EXISTING" DRAWINGS SHOW SITE SURVEY UNDERTAKEN IN MARCH 2015.

"PROPOSED" DRAWINGS RECORD THE CURRENT CONFIGURATION AND WORKS UNDERTAKEN BY OTHER PARTIES.

DRAWINGS ARE NOT FOR CONSTRUCTION PURPOSES.



-  LICENSED AREA
-  FIXED FURNITURE
- FFF FREE FROM FASTENING
- SL SECURITY LOCK
- VP VISION PANEL
-  FIRE ALARM CALL POINT
-  SMOKE DETECTOR
-  HEAT DETECTOR
-  CONTROL PANEL SOUNDER
-  FIRE EXTINGUISHER
-  CARBON DIOXIDE FIRE EXTINGUISHER
-  DRY POWDER FIRE EXTINGUISHER
-  FCAM FIRE EXTINGUISHER
-  WATER FIRE EXTINGUISHER
-  WET CHEMICAL FIRE EXTINGUISHER

02
PROPOSED FIRST FLOOR PLAN

1 : 100

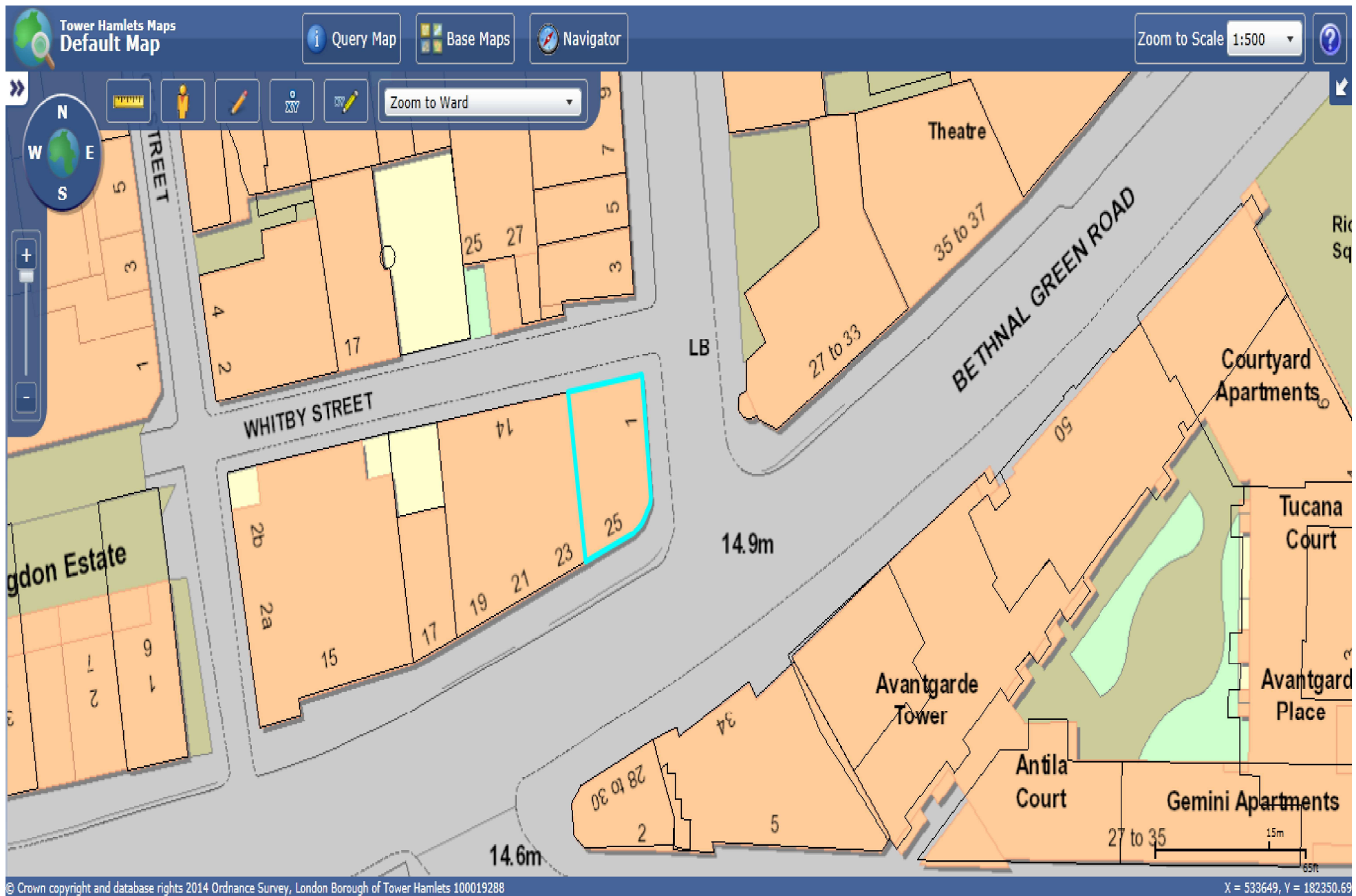
1 CLUB ROW, SHOREDITCH, E1 6JX
14211002 03 A
EXISTING & PROPOSED FIRST FLOOR PLAN

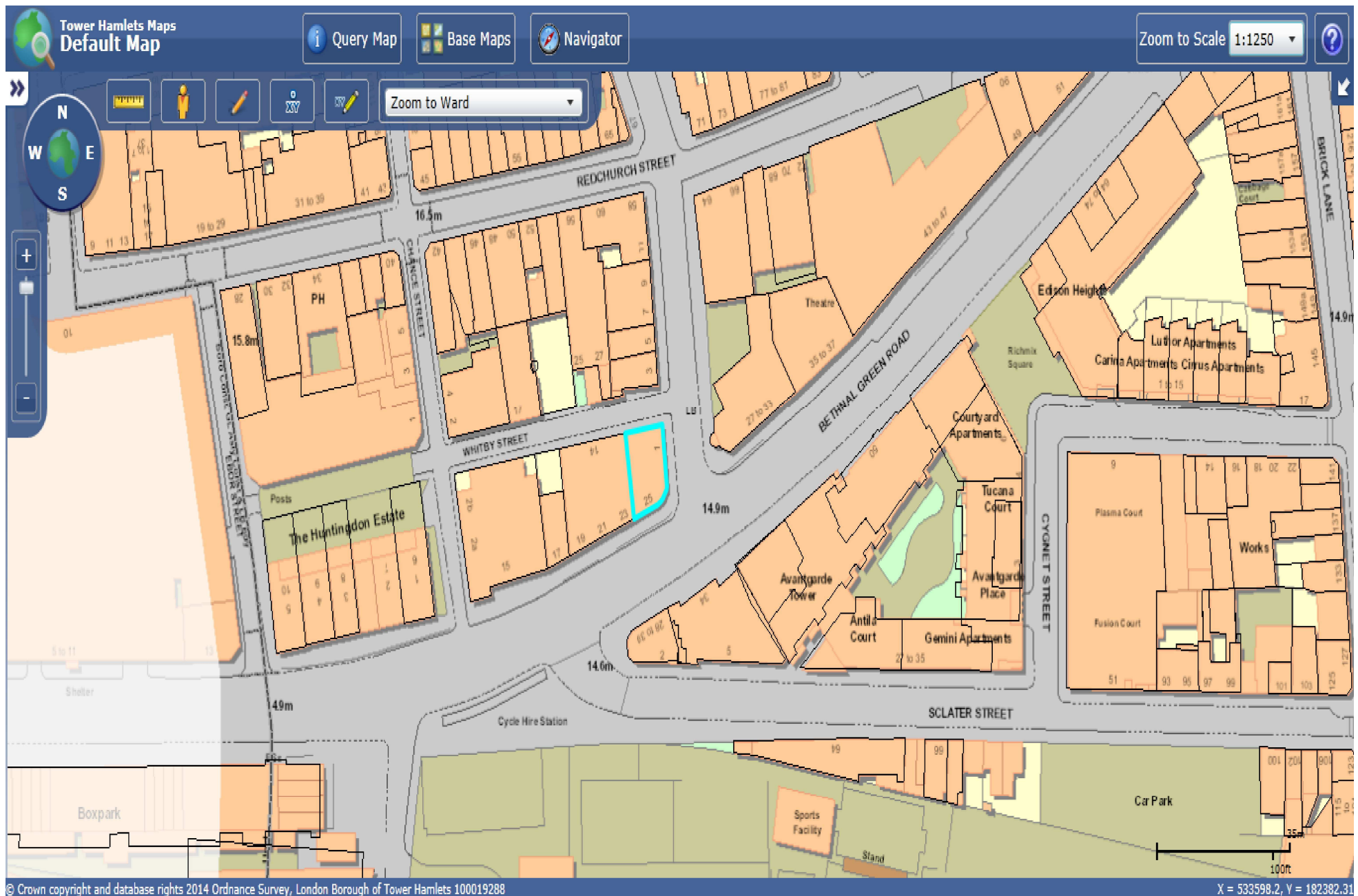
ISSUED FOR APPROVAL
AUGUST 2018
1:100@A3, 1:50@A1

ISSUED FOR PLANNING 31.08.18 REV A

**BOLTON
CHALKLIN
ARCHITECTS
LIMITED**

Appendix 5





Page 225





1 Club Row



1 Club Row



Appendix 6

1 Club Row - Nearest licences

Name and address	Licensable activities and hours	Opening hours
<p>17 Bethnal Green Road (Ground Floor. Inc. basement for toilet facilities only) London E1 6LA</p>	<p>Alcohol may be sold or supplied: (On sales only)</p> <p>(1) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 11am to 12pm.</p> <p>(2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12 noon to 11:30pm</p> <p>(3) On Christmas Day: 12 noon to 11:30pm;</p> <p>(4) On New Year's Eve, except on a Sunday, 11 a.m. to midnight;</p> <p>(5) On New Year's Eve on a Sunday, 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>There are no restrictions on the hours during which this premises is open to the public</p>
<p>Beach Blanket Babylon Basement, Ground and First Floor 19 – 23 Bethnal Green Road London E1 6LA</p>	<p>Alcohol (On sales only) and Regulated Entertainment - Indoors (live music, recorded music, provision of facilities for making music, provision of facilities for dancing)</p> <ul style="list-style-type: none"> • Sunday to Wednesday, from 10:00hrs to 01:00hrs (the following day) • Thursday to Saturday, from 10:00hrs to 03:00hrs (the following day) <p>Alcohol non-standard timings On no more that 12 occasions per calendar year, the terminal hours shall be one hour later that the standard timing show above, following 10 working days notice to the Police and licensing Authority and subject to the consent of the Police.</p> <p>Late Night Refreshment - Indoors</p> <ul style="list-style-type: none"> • Sunday to Wednesday, from 23:00hrs to 01:00hrs (the following day) • Thursday to Saturday, from 23:00hrs to 03:00hrs (the following day) <p>Further non-standard timings Licensable activities from New Years Eve until the start time on New Years Day for all of the above.</p>	<ul style="list-style-type: none"> • Monday to Sunday, from 10:00hrs to 30 minutes after the terminal hours for the sale of alcohol the following day

1 Club Row - Nearest licences

<p>(Private Members Club) First Floor 19-23 Bethnal Green Road London E1 6LA</p>	<p><u>Sale of Alcohol (On sales only)</u></p> <ul style="list-style-type: none"> Monday to Sunday from 10:00hrs to 01:00hrs (the following day) <p><u>The Provision of Late Night Refreshments (indoors)</u></p> <ul style="list-style-type: none"> Monday to Sunday from 10:00hrs to 01:00hrs (the following day) 	<p>Monday to Sunday from 10:00hrs to 01:00hrs (the following day)</p>
<p>(Rich Mix Cultural Foundation) 35-47 Bethnal Green Road London E1 6LA</p>	<p><u>THE SALE BY RETAIL OF ALCOHOL:</u> (On and off sales) Ground Floor Café, Ground Floor Visual Arts Gallery, Cinema 1, Cinema 2, Cinema 3 and 4th Floor venue and gallery: Sunday, Monday, Tuesday, Wednesday and Thursday from 09:00 hours to midnight Friday and Saturday from 09:00 hours to 01:00 hours the following day</p> <p>Basement: Visual Arts Gallery First Floor: Mezzanine Level, Gallery and Studio 3 Second Floor: Live Room and two Group Teaching Spaces, Office, Studio 1 and 2 Third Floor: Meeting Room Fourth Floor: Bar and Rehearsal Space : Sunday, Monday, Tuesday, Wednesday, Thursday, Friday and Saturday from 09:00 hours to 23:00 hours</p> <p><u>PLAYS:</u> 4th Floor Venue and gallery: Sunday, Monday, Tuesday, Wednesday and Thursday from 09:00 hours to midnight Friday and Saturday from 09:00 hours to 01:00 hours the following day 4th Floor Rehearsal Space: Sunday, Monday, Tuesday, Wednesday, Thursday, Friday and Saturday from 09:00 hours to 23:00 hours</p> <p><u>FILMS:</u> Cinema 1, 2 and 3 Sunday, Monday, Tuesday, Wednesday and Thursday from 09:00 hours to midnight Friday and Saturday from 09:00 hours to 01:00 hours the following day</p> <p><u>MOVING IMAGE INCIDENTAL TO OTHER ACTIVITIES AND FOR EDUCATIONAL AND</u></p>	<p>Sunday, Monday, Tuesday, Wednesday and Thursday from 09:00 hours to midnight Friday and Saturday from 09:00 hours to 01:00 hours the following day</p>

1 Club Row - Nearest licences

ARTISTIC PURPOSES ONLY:

**Basement: Visual Arts Gallery and Lobby
Ground Floor: Main Entrance Hall, Lobby
and Box Office & Concessions**

**First Floor: Gallery, Liftlobby, Stairlobby,
Cinema 1 Landing and Studio 3**

**Second Floor: Lobby, Live Room and two
Group Teaching Spaces, Office, Studio 1 and
2**

**Third Floor: Lift and Stair Lobbies and
Meeting Room**

**Fourth Floor: Bar, Bar Lobby, Stairs Lobby
and Rehearsal Space**

Sunday, Monday, Tuesday, Wednesday,
Thursday, Friday and Saturday from 09:00
hours to 23:00 hours

**INDOOR SPORTS AND BOXING OR
WRESTLING ENTERTAINMENT:**

4th Floor venue and gallery only

Sunday, Monday, Tuesday, Wednesday and
Thursday from 09:00 hours to midnight

Friday and Saturday from 09:00 hours to 01:00
hours the following day

**LIVE MUSIC AND RECORDED MUSIC AND
FACILITIES FOR MAKING MUSIC AND
ANYTHING OF SIMILAR:**

**Fourth Floor venue and gallery, Cinema 1, 2
and 3, Ground Floor Café and Ground Floor
visual arts gallery**

Sunday, Monday, Tuesday, Wednesday and
Thursday from 09:00 hours to midnight

Friday and Saturday from 09:00 hours to 01:00
hours the following day

Basement: Visual Arts Gallery

**First Floor: Mezzanine Level, Gallery and
Studio 3**

**Second Floor: Live Room and two Group
Teaching Spaces, Office, Studio 1 and 2**

Third Floor: Meeting Room

Fourth Floor: Bar and Rehearsal Space

Sunday, Monday, Tuesday, Wednesday,
Thursday, Friday and Saturday from 09:00
hours to 23:00 hours

**PERFORMANCE OF DANCE AND
PROVISION OF FACILITIES FOR DANCING**

1 Club Row - Nearest licences

	<p><u>AND ANYTHING OF SIMILAR:</u> Fourth Floor venue and gallery, Cinema 1, 2 and 3, Ground Floor Café and Ground Floor visual arts gallery Sunday, Monday, Tuesday, Wednesday and Thursday from 09:00 hours to midnight Friday and Saturday from 09:00 hours to 01:00 hours the following day Basement: Visual Arts Gallery First Floor: Mezzanine Level, Gallery and Studio 3 Second Floor: Live Room and two Group Teaching Spaces, Office, Studio 1 and 2 Fourth Floor: Bar and Rehearsal Space Sunday, Monday, Tuesday, Wednesday, Thursday, Friday and Saturday from 09:00 hours to 23:00 hours <u>LATE NIGHT REFRESHMENT:</u> 4th Floor Bar Sunday, Monday, Tuesday, Wednesday and Thursday until midnight Friday and Saturday until 01:00 hours the following day</p>	
<p>(Brewdog) 51 Bethnal Green Road London E1 6LA</p>	<p align="center"><u>GROUND FLOOR</u></p> <p><u>Sale of Alcohol (On and off sales)</u></p> <ul style="list-style-type: none"> • Sunday to Thursday, from 08:00 hours to 12midnight • Friday and Saturday, from 08:00 hours to 01:00 hours the following day <p><u>Provision of Late Night Refreshment</u></p> <ul style="list-style-type: none"> • Sunday to Thursday, from 23:00 hours to 12midnight • Friday and Saturday, from 23:00 hours to 01:00 hours the following day <p><u>Provision of Regulated Entertainment:</u> <u>Live Music, Recorded Music, Provision of Facilities for Making Music and Provision of Facilities for Dancing:</u></p> <ul style="list-style-type: none"> • Friday and Saturday, from 08:00 hours to 01:00 hours the following day <p align="center"><u>LOWER GROUND FLOOR</u></p>	<ul style="list-style-type: none"> • Sunday to Thursday, from 08:00 hours to 01:30 hours the following day • Friday and Saturday, from 08:00 hours to 02:30 hours the following day <p><u>Non-standard Times</u> From start of permitted hours on New Year's Eve until the end of the permitted hours on New Year's Day</p>

1 Club Row - Nearest licences

	<p><u>Sale of Alcohol</u> (On and off sales)</p> <ul style="list-style-type: none"> • Sunday to Thursday, from 08:00 hours to 01:00 hours the following day • Friday and Saturday, from 08:00 hours to 02:00 hours the following day <p><u>Provision of Late Night Refreshment</u></p> <ul style="list-style-type: none"> • Sunday to Thursday, from 23:00 hours to 01:00 hours the following day • Friday and Saturday, from 23:00 hours to 02:00 hours the following day <p><u>Provision of Regulated Entertainment:</u> <u>Live Music, Recorded Music, Provision of Facilities for Making Music, Performances of Dance and Provision of Facilities for Dancing</u></p> <ul style="list-style-type: none"> • Sunday to Thursday, from 08:00 hours to 01:00 hours the following day • Friday to Saturday, from 08:00 hours to 02:00 hours the following day <p><u>Non-standard Times for all of the above</u> From start of permitted hours on New Year's Eve until the end of the permitted hours on New Year's Day.</p>	
<p>(Lahpet) Unit 8 Ground Floor 58 Bethnal Green Road London E1 6JW</p>	<p>The sale by retail of alcohol (On sales only)</p> <ul style="list-style-type: none"> • Monday to Sunday, 10:00 hours to 00:00 hours <p>The provision of regulated entertainment – Indoors <u>(Recorded Music)</u></p> <ul style="list-style-type: none"> • Monday to Sunday, 10:00 hours to 00:00 hours <p>The provision of late night refreshment – Indoors and outdoors</p> <ul style="list-style-type: none"> • Monday to Sunday, 23.00pm to 00:00 hours 	<ul style="list-style-type: none"> • Monday to Sunday, 08:00 hours to 00:00 hours
<p>(Cocktail Trading Co) 64-68 Bethnal Green Road London E1 6GQ</p>	<p><u>The Supply of Alcohol (both on and off premises)</u></p> <ul style="list-style-type: none"> • From Monday to Sunday from 10:00hrs to 00:00hrs (midnight) <p><u>The provision of late night refreshment (indoors)</u></p> <ul style="list-style-type: none"> • From Monday to Sunday from 23:00hrs to 	<ul style="list-style-type: none"> • Monday to Sunday from 10:00hrs to 00:00hrs (midnight)

1 Club Row - Nearest licences

	<p style="text-align: center;">00:00hrs (midnight)</p> <p><u>Regulated Entertainment (in the form of music) (indoors)</u></p> <ul style="list-style-type: none"> From Monday to Sunday from 10:00hrs to 00:00hrs (midnight) 	
<p>(Cheeky Nails) 1st Floor 64-66 Redchurch Street London E2 7DP</p>	<p>The sale by retail of alcohol (On sales only) Monday to Sunday, 11.00am to 23.00pm</p>	<p>Monday to Sunday, 11.00am to 23.00pm</p>
<p>(Barber and Parlour) Basement, Ground and First Floors 64-66 Redchurch Street London E2 7DP</p>	<p><u>Sale of Alcohol (on sales only)</u></p> <ul style="list-style-type: none"> Monday to Saturday from 09:00hrs to 23:00hrs Sunday from 10:00hrs to 23:00hrs <p><u>The Provision of Regulated Entertainment in the form of Films (indoors) & Recorded Music (indoors)</u></p> <ul style="list-style-type: none"> Monday to Saturday from 09:00hrs to 23:00hrs Sunday from 10:00hrs to 23:00hrs 	<ul style="list-style-type: none"> Monday to Saturday from 09:00hrs to 23:30hrs Sunday from 10:00 hours to 23:30hrs
<p>(Redchurch Townhouse) 56 Redchurch Street London E2 7DP</p>	<p><u>The sale by retail of alcohol – (on sales only)</u></p> <ul style="list-style-type: none"> Sunday to Thursday, from 08:00 hours to 00:00 hours (midnight) Friday and Saturday, from 08:00 hours to 01:00 hours (the following day) For residents and bona fide guests: Monday to Sunday from 00:00 hours to 00:00 hours (24 hours a day) <p><u>The provision of late night refreshment - Indoors</u></p> <ul style="list-style-type: none"> Sunday to Thursday, from 23:00 hours to 00:30 hours (the following day) Friday and Saturday, from 23:00 hours to 01:30 hours the following day For residents (in rooms): Monday to Sunday from 23:00 hours to 05:00 hours the following day 	<p>Monday to Sunday, from 00:00 hours to 00:00 hours the following day</p>

1 Club Row - Nearest licences

	<p><u>The provision of regulated entertainment - Indoors</u> <u>(Films)</u></p> <ul style="list-style-type: none"> • Sunday to Thursday, from 08:00 hours to 00:00 hours (midnight) • Friday and Saturday, from 08:00 hours to 01:00 hours (the following day) • For residents (in rooms): Monday to Sunday from 00:00 hours to 00:00 hours (24 hours a day) <p><u>(Live Music and Recorded Music)</u></p> <ul style="list-style-type: none"> • Sunday to Thursday, from 08:00 hours to 00:00 hours (midnight) • Friday and Saturday, from 08:00 hours to 01:00 hours (the following day) <p><u>Non-standard timings</u> The premises may remain open for the above licensable activities from the terminal hour on New Year's Eve to the commencement time on New Year's Day.</p>	
<p>(Burro E Salvia) 52 Redchurch Street London E2 7DP</p>	<p>Sale of Alcohol (On and off sales)</p> <ul style="list-style-type: none"> • Monday to Wednesday from 10:00 hours to 19:00 hours • Thursday to Saturday from 10:00 hours to 21:30 hours • Sunday, from 11:00 hours to 17:00 hours 	<ul style="list-style-type: none"> • Monday to Wednesday from 10:00 hours to 19:00 hours • Thursday to Saturday from 10:00 hours to 22:00hours • Sunday, from 11:00 hours to 17:00 hours

Appendix 7

**Place Directorate
Public Realm**

Licensing Authority
John Onslow House
1 Ewart Place
London
E3 5EQ

Email: Licensing@towerhamlets.gov.uk

18th June 2020

My reference: LIC/128331/CH

Dear Sir/Madam,

Head of Environmental Health & Trading
Standards **David Tolley**

Licensing Section
John Onslow House
1 Ewart Place
London
E3 5EQ

Tel [REDACTED]
Fax [REDACTED]
Enquiries to **Corinne Holland**

Email
[REDACTED]

www.towerhamlets.gov.uk

Licensing Act 2003

Premise licence variation: Dirty Bones, 1 Club Row, London E1 6JX

The Licensing Authority (acting a Responsible Authority) is making a representation against the above application on the grounds of:

- *the prevention of crime and disorder and*
- *the prevention of public nuisance*

Cumulative Impact Policy

On 1st November 2013, Tower Hamlets Council adopted a Cumulative Impact Policy in the Brick Lane Area. The Council Cumulative Impact Zone (CIZ) was revised alongside this Statement of Licensing Policy on the 1st November 2018. *Local crime mapping showed that although there had been a reduction in crime and disorder linked to licensed premises within the CIZ since January 2015, the same crime mapping showed that the area of the CIZ is still higher than average in regards to crimes and disorder linked to licensed premises compared to the rest of the borough (19.3).*

The Licensing Authority is of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and/or the provision of late night refreshment in the Brick Lane area is having a cumulative impact on the licensing objectives and has therefore declared a cumulative impact zone within the area. The Brick Lane CIZ aims to manage the negative

cumulative impact of the concentration of licensed premises in the area and the stresses that the saturation of licensed premises has had on local amenity, environmental degradation and emergency and regulatory services in managing this impact.

The effect of this Special Cumulative Impact Policy will affect applications in respect of the sale or supply of alcohol on or off the premises and/or late Night Refreshment for the following:

- *New Premises Licences applications,*
- *New Club Premises Certificates applications*
- *Provisional Statements,*
- *Variation of Premises Licences and Club Premises Certificate applications (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity).*

The Licensing Authority expects such applications to have regard for and make reference to the CIZ (19.5).

The Special Cumulative Impact policy creates a rebuttable presumption that where relevant representations are received by one or more of the responsible authorities and/or other persons against applications within the CIZ zones the application will be refused (19.6).

Where representations have been received in respect to applications within the CIZ zones the onus is on applicants to adequately rebut the presumption. Applicants will need to demonstrate in their applications why the granting of their application will not negatively add to the cumulative already experience within the CIZ Zones. Applicants may wish to address the following in their applications:

- *Genuinely exceptional circumstances,*
- *Relevant good practices they employ (for example, this could include details of membership of local Pubwatch/other trade groups,*
- *Accreditation of Award Schemes (as applicable), and any participation in Police/Council initiatives),*
- *Other good operational/practice arrangements in respect of any outside drinking and smoking to control potential impact in the area,*
- *Measures used to promote the licensing objectives (for example, any relevant conditions to control noise, dispersal, litter and other anti-social issues (19.7)*

This Policy will be strictly applied and where relevant representations are received it is the view of the Council that the application will be refused. Applicants will need to demonstrate that there are exceptional circumstances and that granting their application will not negatively add to the cumulative effect on the Licensing Objectives within the Brick Lane and Bethnal Green CIZ if they wish to rebut this presumption.

Examples of factors the Licensing Authority may consider as exceptional may include, though are not limited to:

- *small premises with a capacity of fifty persons or less who only intend to operate during Framework Hours,*
- *premises which are not alcohol led and operate only within Framework Hours, such as coffee shops,*
- *instances where the applicant has recently surrendered a licence for another premises of a similar size and providing similar licensable activities in the same Special Policy Area.*

*Examples of factors the Licensing Authority will **not** consider as exceptional include:*

- *that the premises will be well managed and run,*
- *that the premises will be constructed to a high standard,*
- *that the applicant operates similar premises elsewhere without complaint (19.8).*

Licensable activities and times

All applications have to be considered on their own merits and the Council has however adopted a set of framework hours (14.8) as follows:

- *Monday to Thursday, until 23:30 hours*
- *Friday and Saturday, until 00:00 hours (midnight)*
- *Sunday, until 22:30 hours*

Applications in respect of premises licences and club premises certificates to authorise licensable activities outside the framework hours, and in respect of which relevant representations are made, will be decided on their own merits and with particular regard to the following.

a) The location of the premises and the general character of the area in which the premises are situated. (i.e. does the area include residential or business premises likely to be adversely affected).

b) The proposed hours during which licensable activities will be take place and the proposed hours during which customers will be permitted to remain on the premises.

*c) The adequacy of the applicant's proposals to address the issues of the prevention of crime and disorder **and** the prevention of public nuisance.*

d) Where the premises have been previously licensed, the past operation of the premises.

e) Whether customers have access to public transport when arriving at or leaving the premises at night time and in the early hours of the morning.

f) *The proximity of the premises to other licensed premises in the vicinity and the hours of those other premises.*

The Home Office guidance under Section 182 of the Licensing Act 2003 (8.42) says:

“Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:

- the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;*
- any risk posed to the local area by the applicants’ proposed licensable activities; and*
- any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.”*

Application

This application has three parts to the variation.

- The removal of condition 1 & 2 to allow off sales and drinking outside the premises.
- An increase in licensable hours for the Sale of Alcohol and Late Night Refreshments.
- Amend the wording on the existing ‘non-standing timings’ for New Year’s Eve.

The hours and licensable activities applied for are:

The sale of alcohol:

Monday – Sunday 10:00 – 01:00 hours

Late Night Refreshments:

Monday – Sunday 23:00 – 01:00 hours

Opening hours:

Monday – Sunday 09:00 – 01:30 hours

The application is to extend the licensable hours by:

The Sale of Alcohol

Monday – Thursday – 1.5 hours

Friday – Saturday 1 hour

Sunday – 2.5 hours

Late Night Refreshments:

Monday – Thursday – 1.5 hours

Friday – Saturday 1 hour

Sunday – 2 hours

The premise is advertised as a restaurant and cocktail bar offering DJs music on Friday and Saturday evening. With the later hours granted it is likely that customers will consume more alcohol than they currently would prior to leaving for the evening, or customers will stop here after leaving other premises on their way home, as it is very close to Shoreditch High Street station to consume some more drinks. This could lead to alcohol fuelled anti-social behaviour/crime and disorder as people leave the premises.

To remove condition 2 from the licence will allow drinking on the pavements outside until their terminal hour. The Licensing Authority understands that premises are wishing to conduct their business as best they can with Covid-19 restrictions limiting the numbers inside the premises but to have this condition removed permanently is likely to cause a noise nuisance to local residents plus a possible obstruction to passers-by. The Licensing Authority have received a number of complaints regarding pubs/bars offering 'off sales' during these lockdown restrictions as this attracts customers to stand in the street drinking thereby technically moving the pub/bar outside.

The Licensing Authority has no objection to the re-wording of the New Year's Eve non-standing timings.

The premise is within the Brick Lane CIZ where the Licensing Authority policy is to refuse the application unless the applicant can demonstrate there are exceptional circumstances to granting it. The applicant has not made any reference to the premises being within the Brick Lane CIZ within the operating schedule and not offered any additional conditions to address this fact whilst requesting increased hours and outside drinking.

On considering this application as it stands I feel it does not uphold the licensing objective for the 'prevention of crime & disorder/public nuisance' and therefore the Licensing Authority feel that the application should be rejected.

Yours faithfully



Corinne Holland
Licensing Officer
(Acting as a Responsible Authority)

CC: Applicants agent: 

Appendix 8

Mohshin Ali

From: Nicola Cadzow
Sent: 16 June 2020 09:48
To: Licensing
Subject: 128331 MAU REPRESENTATION Dirty Bones 1 Club Row, London

Follow Up Flag: Follow up
Flag Status: Completed

Dear Licensing,

Having considered the variation of premise licence application for Dirty Bones, 1 Club Row and the potential impact of public nuisance and measures to prevent noise generated from within the premises or outside it which could cause disturbance to people in the vicinity, the proposed increase in hours are well beyond the Council's framework hours, and consideration has to be given to the fact that the premises is in Brick Lane Cumulative Impact Zone.

It must be noted that the Council's framework hours (i.e. when premises are open) are as follows:-

- **Monday to Thursday 0600 hours to 2330 hours; and**
- **Friday & Saturday 0600 hours to midnight**
- **Sunday 0600 hours to 2230 hours**

Dirty Bones existing hours for licensable activities:-

Late Night refreshment:

- **Monday to Thursday 23:00 hours to 2330 hours; and**
- **Friday & Saturday 23:00 hours to midnight**
- **Sunday Not applicable**

Supply of Alcohol:

- **Monday to Thursday 10:00 hours to 2330 hours; and**
- **Friday & Saturday 10:00 hours to midnight**
- **Sunday 10:00 hours to 22:30 hours**

The applicant is proposing variation of hours for licensable hours as follows:-

Late night refreshment:-

- **Monday to Thursday until 01:00 (an increase of one and a half hours on existing licensable hours)**
- **Friday & Saturday until 01:00 hours (an increase of one hour on existing licensable hours)**
- **Sunday until 01:00 hours (from no late night refreshment to 2 hours from 23:00 to 01:00 hours)**

Supply of alcohol:-

- **Monday to Thursday until 01:00 (an increase of one and a half hours on existing licensable hours)**
- **Friday & Saturday until 01:00 hours (an increase of one hour on existing licensable hours)**
- **Sunday until 01:00 hours (an increase of two and a half hours on existing licensable activities)**

With premises opening seven days a week until 01:30 hours, extending existing opening hours

- **Monday to Thursday an increase of 1 and ½ hours**
- **Friday and Saturday an increase of 1 hour**
- **Sunday an increase of two and a half hours**

Noise Sensitive premises: residential premises in close proximity to Dirty Bones 1 Club Row

In my view the application, as it stands fails, to comply with the objective of the Licensing Act 2003 relating to “public nuisance” for the following reasons:-

- Noise breakout from the venue affecting neighbouring residents,
- Access & egress to and from the venue, of patrons, especially due to patrons likely to be in high spirits; and
- The hours of operation (inclusive of proposals)

CONCLUSION

Environmental Protection **does not** support the application for Dirty Bones 1 Club Row E1, as there is great likelihood of disturbance to residential premises at the noise sensitive hours sought, with consideration to the fact that the premises is in the Brick Lane Cumulative Impact Zone.

Kind regards

Nicola Cadzow

Environmental Health Technical Officer
Environmental Protection Team
Place Directorate
London Borough of Tower Hamlets
John Onslow House
London E3 5EQ


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Appendix 9

Mohshin Ali

From: Mohshin Ali on behalf of Licensing
Sent: 04 June 2020 18:06
To: Mohshin Ali
Subject: FW: Variation Dirty Bones
Attachments: DRUGS POLICY (003).doc

From: MARK.J.Perry [REDACTED]
Sent: 04 June 2020 15:23
To: TOMaoileoin [REDACTED]
Cc: Licensing
Subject: RE: Variation Dirty Bones

Hi Thomas,

Indeed good to talk earlier, and glad your clients have accepted the proposed conditions. No representation was made by myself so Tower Hamlets Council please see conditions agreed with the applicant.

Stay Safe.

Kind Regards

Mark



PC Mark Perry
Central East Licensing Unit
Metropolitan Police Service (MPS)
[REDACTED]
A: Licensing Office, 2nd Floor Stoke Newington Police Station

From: Thomas O'Maoileoin <[REDACTED]>
Sent: 04 June 2020 15:18
To: Perry Mark J - CE-CU <[REDACTED]>
Cc: Ryan Peermamode <[REDACTED]>
Subject: FW: Variation Dirty Bones
Importance: High

Dear Mark

Thank you for your email. Good to talk earlier.

I'm pleased to confirm that I have spoken to my clients and they are happy to amend their application to include all of your suggested conditions (some of which up-date conditions on their current licence).

On that basis I understand that you on behalf of the MPS are happy to withdraw?

All good wishes.

Stay safe.

Thomas

Thomas O'Maoileoin
Partner

Thomas & Thomas Partners LLP
38a Monmouth Street
London WC2H 9EP

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: "[MARK.J.Perry](#) [REDACTED]" [REDACTED]
Date: Thursday, 4 June 2020 at 14:54
To: Thomas O'Maoileoin [REDACTED] >
Subject: Variation Dirty Bones

Hi,

I am PC Mark Perry from Central East Police Licensing and I am dealing with the application. I have no objection to the increase in hours but would like the following conditions added to the license.

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.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. 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.
3. An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any 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.
4. 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.
5. There must be at the premises a lockable drugs box to which no member of staff, save the DPS and /or XX, shall have access. All controlled drugs (or items suspected to be controlled drugs or contain controlled drugs) found at the premises must be placed in this box as soon as practicable. Whenever this box is emptied, all of its contents must be given to the Police for appropriate disposal.
6. A Challenge 25 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.
7. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer at all times whilst the premises is open.
8. The Premises shall adopt Central East Licensing drugs policy which is attached.
9. The premises shall have a written risk assessment for all licensable activities and events taking place at the venue which will be made available to Police upon request.

Please feel free to contact me if you wish to discuss.

Kind Regards

Mark



PC Mark Perry
Central East Licensing Unit
Metropolitan Police Service (MPS)

████████████████████
A: Licensing Office, 2nd Floor Stoke Newington Police Station

DRUGS POLICY

The premises is to operate a zero tolerance policy towards drugs.

When the premises is running a promoted event where DJ's will be performing, customers as well as artists will be searched for illegal drugs.

This will be a thorough search of customers, including customers bags, jackets, pockets etc. Searching to be done in an area covered by CCTV.

If a guest is found in possession of Drugs/illicit substances and it is believed it is for personal use then the drugs must be seized, the duty manager informed and the drugs must go into a numbered sealable bag. Confiscated drugs must be placed in a safe as soon as practicable. The person is not to be allowed entry to the premises.

The drugs log must then be filled out with the name and SIA number of the person finding and seizing the drugs, date and time of seizure, location of drugs find, description of the drugs , number of drugs and date and time of drugs being locked in the safe.

If the person is suspected of supplying drugs, which Police say is anything over a combination of 4 wraps/pills then the following applies:

- The member of staff, door supervisor or security guard will immediately inform the DPS or other manager on duty.

- The DPS/manager and door supervisor/security guard will ask the individual to step into a quiet area (or if appropriate, a room) and ask the person to turn out their pockets and bags.

- If a personal/bodily search is unavoidable then the Police's assistance will be sought.

- Any drugs found will be confiscated and handed to the DPS or other manager to store and record in accordance with the procedures in this Policy.

- Security guards will (subject to the security guard firm's own policies, procedures, and health & safety requirement) seek to calmly detain suspected drug dealers in the Premises while the Police are contacted.

- However if there is difficulty in this respect with material resistance by the suspected drug dealer and/or if the Police are unable to attend the Premises without delay, to the

extent that the situation in seeking to detain the person becomes unmanageable, the security guards will not use powers of detainment under a citizens' arrest.

- In such cases where the detention of the suspected drug dealer becomes reasonably unmanageable, the premises cannot take responsibility for detaining a person suspected of supplying drugs if they want to leave and the Police have not yet attended the Premises. In such instances the person will be removed from the Premises and a full Incident Report of the incident shall be completed and added to the Premises' Incident Report File.

Drugs are to be sealed in Police bags that will be supplied to the venue.

At the beginning of every month the premises will contact Tower Hamlets Police Licensing and arrange to the licensing officers to come and collect the drugs. A receipt will be signed for at the premises to document that the drugs have been taken by Police.

WEAPONS

When a person is found in possession of a knife or other weapon then the Police are to be called immediately. If safe to do so, and in line with the security company's policies and procedures, the weapon is to be seized and the subject detained.

SIGNAGE

There will be signage in a visible location in the entrance to the premises confirming the following:

- 1) There is to be a zero tolerance to drug use or supply at the premises.
- 2) Drug use and the supply of drugs in the premises is not permitted.
- 3) An enforced search policy identify drugs on customers entering the Premises.
- 4) Persons suspected of being involved in the supply of drugs will be detained, the drugs seized and the Police called.
- 5) No person found with drugs will be allowed onto the premises.
- 6) Entry to the premises may be conditional on searching.
- 7) Any drugs found on customers will be confiscated and given to the Police.

8) Any customer refusing a search will be refused entry to the Premises.

9) Female customers will be searched by a female door supervisor only.

TOILETS

Toilets are to be checked every 30 minutes during promoted event where DJ's will be performing.

The checks will be to see if there is any drug usage taking place, and will include cubicles and the communal areas.

Any customers acting suspiciously are to be taken to a private area and searched for drugs, if drugs are found then they are to be seized and the person ejected if the drugs are for personal use. If more drugs are found then would indicate personal use then the guidance for supplying drugs is to be followed.

In the toilets all flat surfaces are to be either removed or altered in such a way so as to make it difficult for drugs to be taken on them.

SIA PATROLS

SIA security are required to carry out patrols inside the venue to check on the customers and look for signs of drug use or taking.

Any person found taking drugs are to be taken to a private area and searched for drugs. If drugs are found then they are to be seized and the person ejected if the drugs are for personal use. If more drugs are found then would indicate personal use then the guidance for supplying drugs is to be followed.

Any person who has taken drugs or who looks like they have taken drugs, is to be taken to a private area and searched for drugs with the usual conditions applying. Medical assistance is to be offered and the London Ambulance Service called.

Appendix 10

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 11

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 12

Anti-Social Behaviour on the Premises

Licensing Policy

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. (**See Section 6 of the Licensing Policy**)

The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. (**See Appendix 3 of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- Methods of management communication
- Use of registered Door Supervisors
- Bottle Bans
- Plastic containers
- CCTV
- Restrictions on open containers for “off sales”
- Restrictions on drinking areas
- Capacity
- Proof of Age scheme
- Crime prevention notices
- Drinks promotions-aimed at stopping irresponsible promotions
- Signage
- Seating plans
- Capacity

If Members believe that there is a substantial problem of anti-social behaviour and it cannot be proportionately addressed by licensing conditions they should refuse the application.

Police Powers

The Licensing Act 2003, Part 8 gives a senior police officer the power to close a premises for up to 24 hours where the officer believes there is, or is likely to be disorder on or in the vicinity and closure is necessary in the interests of public safety.

Guidance Issued under Section 182 of the Licensing Act 2003

The pool of conditions, adopted by the Council is recommended (Annexe D).

The key role of the Police and SIA is acknowledged (2.1-2.2).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder

and their staff or agents, but can directly impact on the behaviour of customers in the immediate vicinity of the premises as they seek entry or leave (1.16).

Conditions are best targeted on deterrence and preventing crime and disorder (2.3) communication, CCTV, police liaison, no glasses, capacity limits are all relevant (2.3 - 2.6).

The Guidance recognises working with Home Office Immigration Enforcement in the prevention of immigration crime. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check are retained at the licensed premises.

Guidance Issued under Section 182 of the Licensing Act 2003

Conditions can be imposed for large capacity “vertical consumption” premises (10.23 – 10.24).

Guidance Issued by the Office of Fair Trading

This relates to attempts to control minimum prices.

Other Legislation

- The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder

Appendix 13

Anti-Social Behaviour from Patrons Leaving the Premises

General Advice

Members need to bear in mind that once patrons have left a premises they are no longer under direct control. Members will need to be satisfied that there is a link between the way the premises is operating and the behaviour that is complained of. An example of this would be that irresponsible drinking is being encouraged. Before deciding that any particular licensing conditions are proportionate, Members will also need to be satisfied that other legislation is not a more effective route. For example, if the problem is drinking in the street it may be that the Council should designate the area as a place where alcohol cannot be consumed in public.

Members may also wish to consider whether the hours of opening relate to any problems of anti-social behaviour.

If Members believe that there is a substantial problem of anti-social behaviour and it cannot be proportionately addressed by licensing conditions they should refuse the application.

Licensing Policy

The policy recognises that other legislation or measures may be more appropriate but also states that licensing laws are “a key aspect of such control and will always be part of an overall approach to the management of the evening and night time economy” (**see Section 4.15 and 4.16 of the Licensing Policy**).

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. (**See Sections 6.2 of the Licensing Policy**)

The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include Conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. (**See Appendix 3 of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- Bottle Bans
- Plastic containers
- CCTV (outside the premises)
- Restrictions on open containers for “off sales”
- Proof of Age scheme
- Crime prevention notices
- Drinks promotions-aimed at stopping irresponsible promotions
- Signage

Cumulative Impact

There is a process by which the Licensing Authority can determine that an area is saturated following representations. However, the process for this involves wide consultation and cannot come from representations about a particular application. (**See Section 8 of the Licensing Policy**).

Police Powers

The Licensing Act 2003, Part 8 gives a senior police officer the power to close a premises for up to 24 hours where the officer believes there is, or is likely to be disorder on or in the vicinity and closure is necessary in the interests of public.

Guidance Issued under Section 182 of the Licensing Act 2003

The key role of the Police is acknowledged (2.1).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder, but can relate to the immediate vicinity of the premises as they seek entry or leave (1.16).

Conditions are best targeted on deterrence and preventing crime and disorder (2.3) CCTV inside & out, communication, police liaison, no glasses are all relevant

There is also guidance issued around public nuisance (2.15 – 2.21).

The pool of conditions, adopted by the Council is recommended (see Appendix 3 of the Licensing Policy). Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods 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 (2.18/2.21).

Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned (14.13).

Other Legislation

Crime and Disorder Act 1998

The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder.

The Act also introduced a wide range of measures designed to address anti-social behaviour committed by adults and young people. These include:

- Anti-Social Behaviour Orders
- Child Curfew Schemes
- Truancy
- Parenting Orders
- Reparation Orders
- Tackling Racism

Appendix 14

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 of 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 15

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

Appendix 16

Special Cumulative Impact Policy for the Brick Lane and Bethnal Green Area

- 19.1 As with many other London Borough's the majority of late night licensed premises are concentrated within one area of the Borough. Following guidance issued under the Licensing Act 2003 a cumulative impact policy for the Brick Lane area was adopted on 18th September 2013 by the Council and came into effect on the 1st November 2013.
- 19.2 After consultation the Council recognised that because of the number and density of licensed premises selling alcohol, on and off the premises and the provision of late night refreshment (sale of hot food after 11pm) within the Brick Lane Area as defined in Figure One, there might be exceptional problems of nuisance, disturbance and/or disorder outside or away from those licensed premises as a result of their combined effect.
- 19.3 The Council Cumulative Impact Zone (CIZ) was reviewed alongside this Statement of Licensing Policy by the Licensing Committee on 14th December 2017. Following this review and consultation in early 2018 the Council has decided to keep the Cumulative Impact Zone (CIZ). Local crime mapping showed that although there had been a reduction in crime and disorder linked to licensed premises within the CIZ since January 2015, the same crime mapping showed that the area of the CIZ is still higher than average in regards to crimes and disorder linked to licensed premises compared to the rest of the borough.

Further to the CIZ in the Brick Lane Area shown in Figure One below, data from 999/101 calls to Police in 2016/17 showed a large number of incidents linked to licensed premises within the area shown in Figure Two below (Bethnal Green Area). In light of this evidence and following consultation mentioned above the Council has decided to adopt a second CIZ in the Bethnal Green Area.

- 19.4 The Licensing Authority is of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and/or the provision of late night refreshment in the area highlighted in Figures One and Two is having a cumulative impact on the licensing objectives and has therefore declared a cumulative impact zone within these areas. The Brick Lane and Bethnal Green CIZ aims to manage the negative cumulative impact of the concentration of licensed premises in these areas and the stresses that the saturation of licensed premises has had on local amenity, environmental degradation and emergency and regulatory services in managing this impact.
- 19.5 The effect of this Special Cumulative Impact Policy will affect applications in respect of the sale or supply of alcohol on or off the premises and/or late Night Refreshment for the following:

- New Premises Licences applications,
- New Club Premises Certificates applications
- Provisional Statements,
- Variation of Premises Licences and Club Premises Certificate applications (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity).

The Licensing Authority expects such applications to have regard for and make reference to the CIZ.

19.6 The Special Cumulative Impact policy creates a rebuttable presumption that where relevant representations are received by one or more of the responsible authorities and/or other persons against applications within the CIZ zones the application will be refused.

19.7 Where representations have been received in respect to applications within the CIZ zones the onus is on applicants to adequately rebut the presumption. Applicants will need to demonstrate in their applications why the granting of their application will not negatively add to the cumulative already experience within the CIZ Zones. Applicants may wish to address the following in their applications:

- Genuinely exceptional circumstances,
- Relevant good practices they employ (for example, this could include details of membership of local Pubwatch/other trade groups,
- Accreditation of Award Schemes (as applicable), and any participation in Police/Council initiatives),
- Other good operational/practice arrangements in respect of any outside drinking and smoking to control potential impact in the area,
- Measures used to promote the licensing objectives (for example, any relevant conditions to control noise, dispersal, litter and other anti-social issues).

19.8 **This Policy will be strictly applied and where relevant representations are received it is the view of the Council that the application will be refused. Applicants will need to demonstrate that there are exceptional circumstances and that granting their application will not negatively add to the cumulative effect on the Licensing Objectives within the Brick Lane and Bethnal Green CIZ if they wish to rebut this presumption.**

Examples of factors the Licensing Authority may consider as exceptional may include, though are not limited to:

- small premises with a capacity of fifty persons or less who only intend to operate during Framework Hours,
- premises which are not alcohol led and operate only within Framework Hours, such as coffee shops,

- instances where the applicant has recently surrendered a licence for another premises of a similar size and providing similar licensable activities in the same Special Policy Area.

Examples of factors the Licensing Authority will **not** consider as exceptional include:

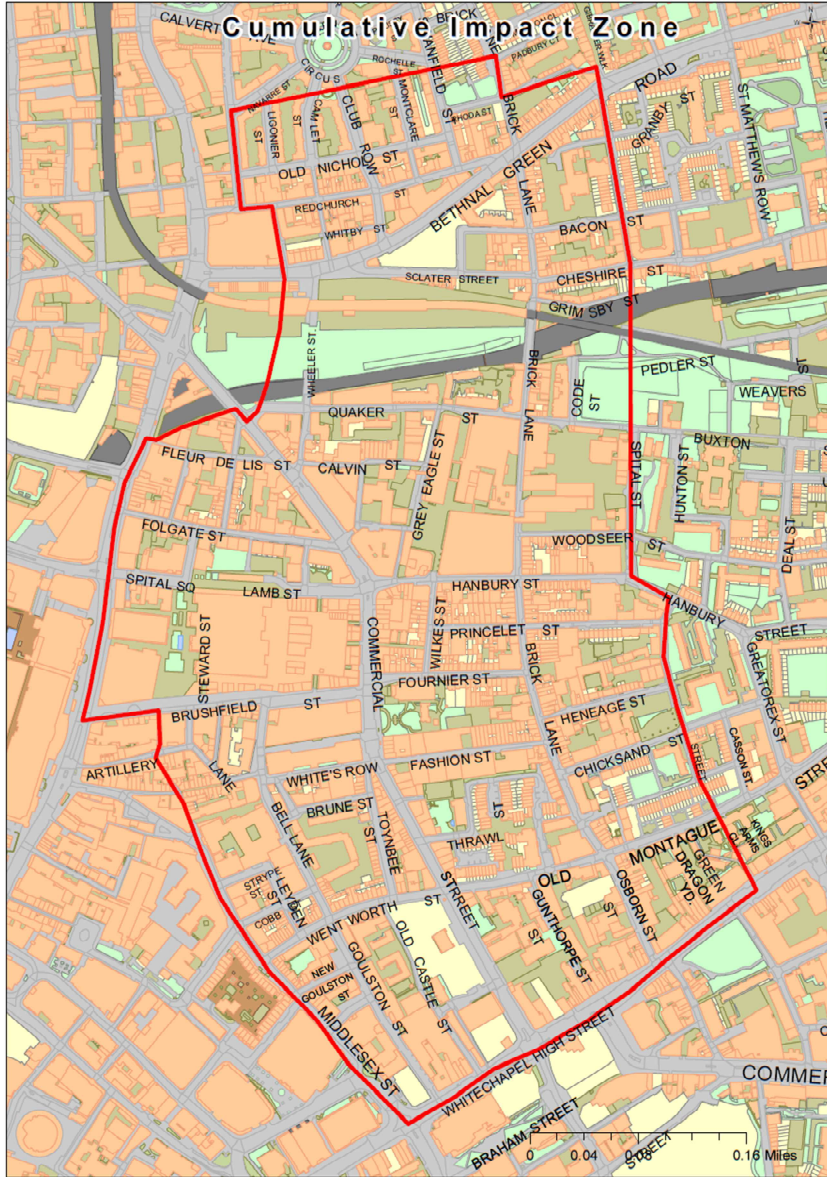
- that the premises will be well managed and run,
- that the premises will be constructed to a high standard,
- that the applicant operates similar premises elsewhere without complaint.

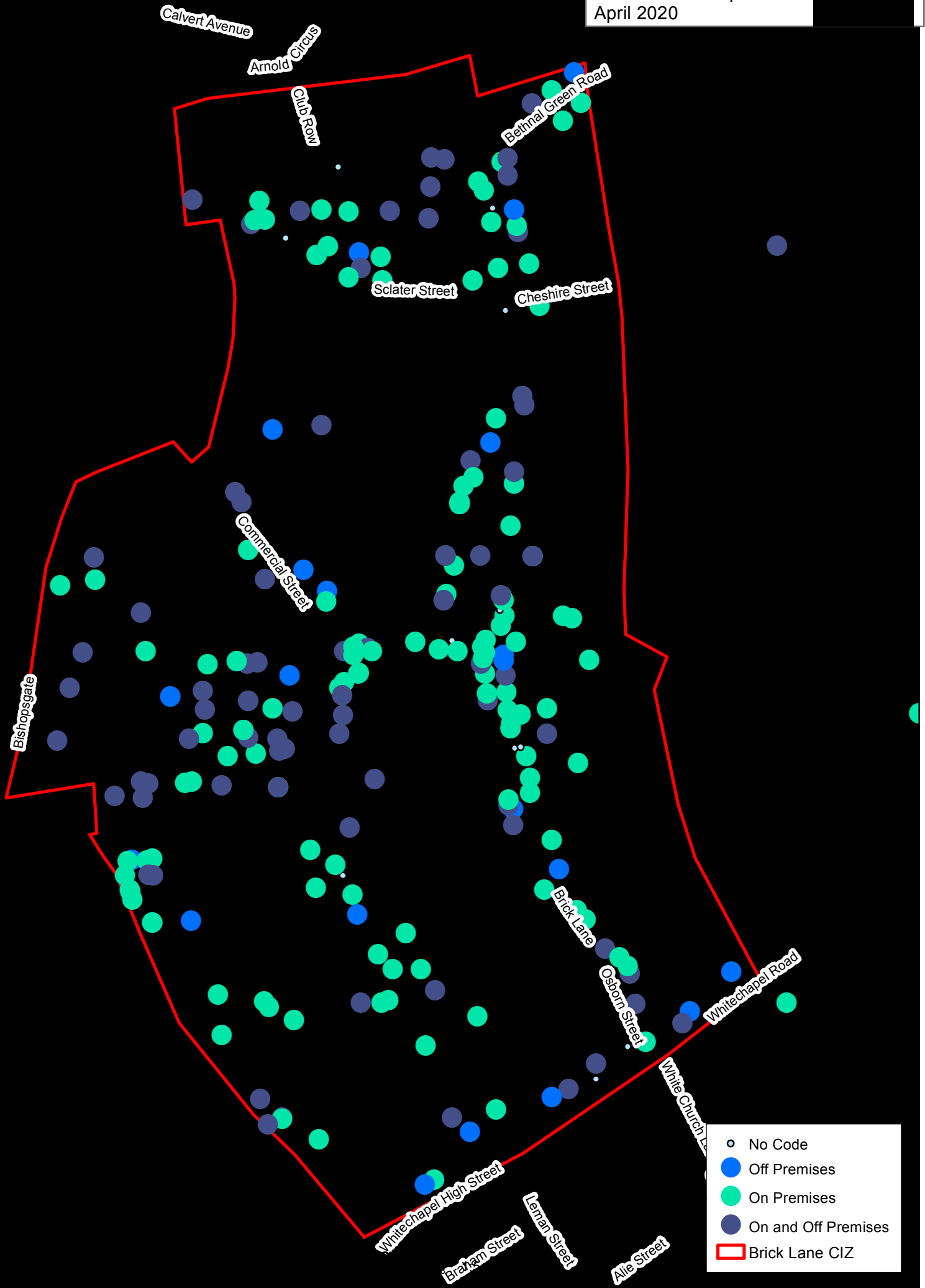
19.9 The Special Cumulative Impact policy will not be used to revoke an existing licence or certificate and will not be applicable during the review of existing licences.

The Cumulative Impact Zones:

Figure One

Brick Lane area:





- No Code
- Off Premises
- On Premises
- On and Off Premises
- Brick Lane CIZ