

LICENSING SUB COMMITTEE

Tuesday, 25 April 2017 at 6.30 p.m.

MP 702, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14
2BG

This meeting is open to the public to attend.

Contact for further enquiries:

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Website: <http://www.towerhamlets.gov.uk/committee>

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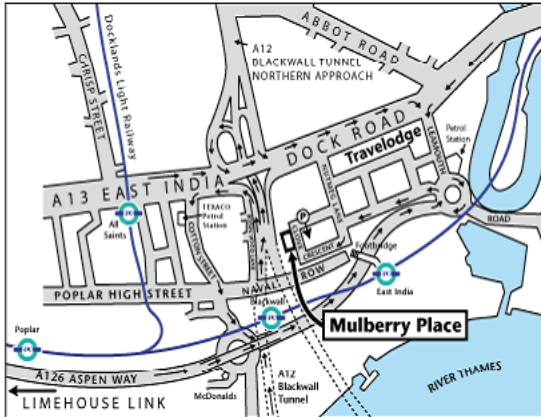
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APOLOGIES FOR ABSENCE

To receive any apologies for absence.

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST (Pages 1 - 4)

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

2. RULES OF PROCEDURE (Pages 5 - 14)

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

3. MINUTES OF THE PREVIOUS MEETING(S) (Pages 15 - 60)

To confirm as a correct record the minutes of the Licensing Sub-Committee meetings held on 25.10.16, 10.01.17, 14.02.17, 28.02.17 & 14.03.17.

	PAGE NUMBER(S)	WARD(S) AFFECTED
4. ITEMS FOR CONSIDERATION		
4 .1 Licensing Act 2003 Application for a New Premises Licence for Poplar Union, 2 Cotall Street, London, E14 6TL	61 - 152	Lansbury
Licensing Objectives		
<ul style="list-style-type: none"> • Crime and Disorder • Public Nuisance 		
Representations by: Local residents		
4 .2 Licensing Act 2003: Application for a Time Limited Premises Licence for The London Shuffleboard Club, 1 Chance Street, London E1 6JT	153 - 226	Weavers

Licensing Objectives

- Crime and Disorder
- Public Nuisance

Representations by: Local residents

- 4 .3 Licensing Act 2003: Variation to Premises Licence for Agah, 43 Commercial Street, E1 6BD** **227 - 304** **Spitalfields & Banglatown**

Licensing Objectives

- Crime and Disorder
- Public Nuisance

Representations by: Metropolitan Police, Licensing Authority, SPIRE Residents Association

**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.

Agenda Item 1

DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER

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

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

Interests and Disclosable Pecuniary Interests (DPIs)

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

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

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

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

Effect of a Disclosable Pecuniary Interest on participation at meetings

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

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

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

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

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

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

Further advice

For further advice please contact:-

Acting Corporate Director, Governance and Interim Monitoring Officer

Telephone Number: 020 7364 4800

APPENDIX A: Definition of a Disclosable Pecuniary Interest

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

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

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TOWER HAMLETS



LICENSING SUB COMMITTEE

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

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.

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Guidance for Licensing Sub-Committee Meetings.

(1) Attendance at Meetings.

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

(2) Licensing Sub-Committee Role and Membership.

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

Licensing Sub-Committee Webpages

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

The pages include:

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

(3) Access to Committee Papers.

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

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

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

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

(5) What can be circulated?

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

(6) How will the applications be considered?

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

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

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

(8) Queries on reports.

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

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

Public Seating		Objectors Benches		Sub-Committee Members
Public Seating				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. 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 6.35 P.M. ON TUESDAY, 10 JANUARY 2017

**COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, 5 CLOVE CRESCENT,
LONDON E14 2BG.**

Members Present:

Councillor Rajib Ahmed (Chair)
Councillor Candida Ronald
Councillor Shah Alam

Officers Present:

Kathy Driver – Principal Licensing Officer
Victoria Fowler – Legal Services
Charles Yankiah – Democratic Services

Applicants in Attendance

Tuba Korkmaz – Vicolo Romano
Semih Lekesiz – Vicolo Romano
Volkan Yildirim – Vicolo Romano
Shelbia Gegum – Tasnim Superstore
Omar Beg – Tasnim Superstore
David Dadds – Efes Express
Ibrahim Uzun – Efes Express
Ahmed Uzun – Efes Express

Objectors in Attendance:

Mohshin Ali – Tower Hamlets Licensing Authority
Alan Cruickshank – Metropolitan Police
Nicola Cadzow – Tower Hamlets Environmental
Protection
Jon Shapiro – Local Resident

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

No declarations of disclosable pecuniary interests were declared.

2. RULES OF PROCEDURE

The Rules of Procedure were noted by the Sub Committee.

3. ITEMS FOR CONSIDERATION

3.1 Licensing Act 2003: Application for a Premises Licence for Vicolo Romano, 420 Roman Road, London, E3 5LX

At the request of the Chair, Kathy Driver introduced the report which detailed the application for a Premises Licence for Vicolo Romano at 420 Roman Road, London, E3 5LX. It was noted that the applicant wanted to withdraw the application for the provision of regulated entertainment licence having considered the concerns raised by local residents.

At the request of the Chair, Ms Tuba Korkmaz, the applicant's representative informed the Sub Committee that the applicant had reconsidered his application given the concerns raised by the local residents and was willing to withdraw his application for the provision of a regulated entertainment licence and confirmed that any music played would be at background level only. Ms Korkmaz informed the Sub Committee that the premises were hoping to improve trade in the area and enhance the area with the business. It is only a small area and there were no concerns from the local residents who are happy with the business and with the premises. It is a 15 seater premises and is funded by the Roman Road Trust and is an area with existing businesses and the local residents have been happy with no recent complaints relating to the premises. Members also heard from Semih Lekesiz, the Restaurant Manager who also informed the Sub Committee that he was an experienced manager who would uphold the licensing objectives and contribute to ensuring that the conditions of the licence are enforced. He also stated that the restaurant is adding to the improvement of the area and the alcohol licence is necessary for the survival of the business.

In response to questions from Members it was noted, that:

- customers would only be able to purchase alcohol with a meal and would not be allowed to solely use the premises to purchase alcohol.
- The sale of alcohol was an extra option for customers who would like an alcoholic drink with their meal.
- The Premises Manager had taken appropriate action to address the complaints with the assistance of the Environmental Inspectors.

Members adjourned the meeting at 6.57pm to consider the decision and reconvened at 7.15pm

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. Prevention of Public Nuisance; and
4. The Protection of Children from Harm

Consideration

Each application must be considered on its own merit. The Sub Committee has carefully considered all of the evidence before them and considered written and verbal representation on behalf of the applicant and the objectors with particular regard to the licensing objections of prevention of public nuisance and the prevention of crime and disorder.

In addition Members took note of the Home Office guidance which states that “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”.

Members noted that there were complaints dated back to October 2016 relating to noise and smells emanating from the premises, but were of the view that the premises Manager had taken the necessary steps with the assistance of the Environmental Inspectors to address the issues raised. The applicant accepted that on the night of opening, the music may have been slightly louder than was appropriate but once a request was made for him to turn the music down he did so immediately and has ensured that this situation has not occurred again since.

Therefore considering all of the above, Members decided to grant the application for a Premises Licence with additional conditions.

Decision

Accordingly, the Sub Committee unanimously –

RESOLVED

That the application for a Premises Licence for Vicolo Romano at 420 Roman Road, London, E3 5LX be GRANTED with conditions.

1. **The sale by retail of alcohol (on sales only)**
 - Monday to Sunday from 11:00 hours to 22:30 hours
2. **The opening hours of the premises**
 - Monday to Sunday from 08:00 hours to 23:00 hours
3. The premises licence holder shall ensure that 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 period of 31 days with date and time stamping. The system will comply with other essential legislation and all signs as required will be clearly displayed. Someone

must always be on the premises who is trained and can download the recordings upon request. Recordings shall be made available for inspection at the premises by representatives of all the Responsible Authorities 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
4. No drinks of any sort to be consumed outside of the premises.
 5. Music will be background music only, sufficient to have a conversation without raising your voice.
 6. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
 7. The Extractor fan must be maintained and kept in a working condition and be kept on during trading (cooking) hours.
 8. A "Challenge 21" Scheme shall operate to ensure that any person attempting to purchase alcohol who appears to be under the age of 21 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, a photo card driving licence and EU/EEA national ID card or similar document, or an industry approved proof of age identity card.
 9. Signage informing patrons to leave the premises quietly must be displayed in appropriate areas of the premises.

3.2 Licensing Act 2003: Application for a New Premises Licence for Tasnim Superstore, 49 Old Ford Road, London, E2 9PJ

At the request of the Chair, Kathy Driver introduced the report which detailed the application for a New Premises Licence for Tasnim Superstore, 49 Old Ford Road, London, E2 9PJ.

At the Request of the Chair, Omar Beg, the applicant's representative informed the Sub Committee that the business is a small local shop on an "estate" selling convenience goods for the past 8 months and is a growing business. The applicant would like to expand their business to sell alcohol due to the economic climate as without expansion the applicant may have to close down the business. The applicant will comply with the appropriate

requirements including CCTV and “Challenge 21” and will ensure that staff are trained appropriately and that the alcohol is locked and secure at all times. The applicant will also take a sensitive approach when selling alcohol and based upon previous complaints relating to previous premises owners, will take the necessary measures to ensure the Licensing Objectives are met.

In response to questions from Members it was noted, that:

- A large group of younger individuals came into the shop. The shop owner asked the group to come into the shop in sections. When they refused she advised them that the shop had working CCTV and should they cause any trouble they would be reported to the police. The shop owner then asked the group to leave.
- The owner believes that a firm approach from the outset will go some way to prevent the historical problems of ASB re-occurring.
- The applicant’s representative believed that the conditions set out within the operating schedule would hopefully alleviate some of the concerns of the residents.

Members adjourned the meeting at 7.27pm to consider the decision and reconvened at 7.45pm.

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. Prevention of Public Nuisance; and
4. The Protection of Children from Harm

Consideration

Each application must be considered on its own merits. The Sub Committee has carefully considered all of the evidence before them and considered written and verbal representation on behalf of the applicant and the objectors with particular regard to the licensing objectives of prevention of public nuisance and the prevention of crime and disorder.

In addition Members took note of the Home Office Guidance which states that “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”.

Members took into account the representation made by a local resident and the two petitions signed by local residents. Members also considered the impact of the sale of alcohol in the area and noted that there had been no recent trouble with local youths hanging around the premises. Members were also aware that the applicant should not be prejudiced by the actions of previous licence holders, however, it is the view of the members that should the new licence holder start to experience problems surrounding ASB they should work with the police to try and overcome these issues before they start to become a bigger issue for the local community.

Therefore considering all of the above, Members decided to grant the application for a new Premises Licence with additional conditions.

Decision

Accordingly, the Sub Committee unanimously –

RESOLVED

That the application for a New Premises Licence for Tasnim Superstore at 49 Old Ford Road, London, E2 9PJ be GRANTED with conditions.

Opening Hours

- Monday to Thursday, from 09:00 hours to 22:00 hours
- Friday and Saturday, from 09:00 hours to 23:00 hours
- Sunday, from 09:00 hours to 22:00 hours

Sale of Alcohol

- Monday to Thursday, from 09:00 hours to 22:00 hours
- Friday and Saturday, from 09:00 hours to 23:00 hours
- Sunday, from 09:00 hours to 22:00 hours

Additional Conditions –

- No beer or cider will be sold on premises that exceeds a strength of 5.6% ABV (alcohol by volume) or above unless it is sold collectively as 3 bottles/cans or more.
- An incident log book shall be kept on the premises detailing all refused sales of alcohol. The log should include the date and time of the refused sale, the reason for refusal and the name of the member of staff who refused the sale. This log shall be available for inspection at the premises by the police or an authorised officer of the licensing authority at all times whilst the premises are open.
- All sales of alcohol shall be in sealed containers only and no alcoholic drinks shall be opened on the premises.

- 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 an licensable activity.
 - There will also be someone on the premises, who can download the images and present them on request to a Police Officer or other Responsible Authority.
 - There will be two cameras fitted outside the entrance and four inside with one internally facing the entrance logging who is coming in and leaving the premises.

- Alcohol is kept inside the premises out of reach of children. The area specified for child friendly products is kept away from the alcohol so as to divert the attention of children away from it.

- A “Challenge 21” Scheme shall operate to ensure that any person attempting to purchase alcohol who appears to be under the age of 21 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, a photo card driving licence and EU/EEA national ID card or similar document, or an industry approved proof of age identity card.

- No plastic cups to be sold at the premises.

3.3 Licensing Act 2003: Application for a Premises Licence for Efes Express, 79 Brick Lane, E1 6Q

The Principal Licensing Officer, Kathy Driver together with the applicant's representative, Mr Dadds and the applicant, Mr Uzun and all the responsible authorities present requested a 5 minute adjournment to discuss the objections and to provide a way forward.

The meeting adjourned at 7.55pm and resumed at 8.04pm

At the request of the Chair, Kathy Driver introduced the report which detailed the application for a Premises Licence for Efes Express, 79 Brick Lane, London, E1 6QL. It was noted that following the adjournment the parties had reached an agreement and that the Responsible Authorities and the Local Residents had withdrawn their objections, although there was one point which the Licensing Authority wanted clarification by the applicant regarding the proposed draft condition surrounding CCTV requests.

Both the local residents and the Responsible Authorities confirmed this.

At the request of the Chair, Mr Dadds, the applicant's representative informed the Sub Committee that the applicant had substantial experience of owning and managing businesses and is well known by the local residents. He confirmed that the applicant was happy to review its application and amend it accordingly to satisfy the objectors. He informed the Sub Committee that the application was for food and not alcohol and that the premises had been refurbished to a very high standard. Mr Dadds also submitted that the Cumulative Impact Zone was a policy that had not been reviewed since its introduction and that there had also been a reduction in ASB and crime since the policy was introduced. He also stated that when the policy was adopted the premises was already licensed so to approve this application would be not adding to the number of licensed premises in the area and as such the premises would not be contributing to the crime and disorder in the area neither would it be undermining the Licensing Objectives as it is operating a "takeaway" and would only be selling food. He further stated that the premises is an asset and would improve the environment. Mr Dadds stated that in order to rebut the presumption within the CIZ policy the applicant would be required to provide evidence that granting the licence would not have a negative impact in the locality. Mr Dadds referred the Committee to 2.1 of the Home Officer Guidance which says that the Licensing Authority should look to the Police as the main source of advice on crime and disorder. In this application the Police had agreed conditions with the applicant and have now withdrawn their objections. In addition to this the applicant has the relevant experience and coupled with the agreed conditions this would be sufficient evidence to rebut the presumption created by the CIZ policy.

In response to questions from Members it was noted, that:

- In relation to the CCTV, the applicant would prefer the appropriate wording which had been confirmed by the Information Commissioner Officer and that it may also assist ill-trained officers when requesting CCTV and that the legislation would still need to be complied with even if the requirement was not specified in the condition itself.
- All objectors had now withdrawn their objections following agreement on opening times and conditions attached to the licence.
- The application was amended in light of the premises operating within the Cumulative Impact Zone and had concerns that an additional takeaway would allow people to remain in the area for longer and may not assist the crowd dispersal.

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. Prevention of Public Nuisance; and
4. The Protection of Children from Harm

Consideration

Each application must be considered on its own merits. The Sub Committee has carefully considered all of the evidence before them and considered written and verbal representation on behalf of the applicant and the objectors with particular regard to the licensing objectives of prevention of public nuisance and the prevention of crime and disorder.

In addition Members took note of the Home Office Guidance which states that “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”.

Members took into account the representation made by a local resident, but noted that all objectors had withdrawn their objections following agreement on opening times and conditions attached to the licence. Members also considered the amended application in lights of the premises operating within the Cumulative Impact Zone and had concerns that an additional takeaway would allow people to remain in the area for longer and may not assist the crowd dispersal, however, Members were mindful of the conditions which had been agreed, specifically that of the SIA door staff.

Therefore considering all of the above, Members decided to grant the application for a new Premises Licence with additional conditions.

Decision

Accordingly, the Sub Committee unanimously –

RESOLVED

That the application for a Premises Licence for Efes Express at 79 Brick Lane, London, E1 6QL be GRANTED WITH VARIATION.

Opening Hours

- Sunday to Thursday, from 08:00 hours to midnight
- Friday and Saturday, from 08:00 hours to 01:00 hours (the following night)

Provision of Late Night Refreshments

- Sunday to Thursday, from 23:00 hours to midnight
- Friday and Saturday, from 23:00 hours to 01:00 hours (the following day)

Seated

- Sunday to Thursday up to midnight

- Friday and Saturday up to 00:30

All conditions identified in the Operating Schedule shall be retained bar the following which were amended, as agreed by all objectors:

Condition 4 – The premises shall install and maintain a comprehensive CCTV system. All entry and exit points will be covered enabling frontal identification with a “head and shoulder” image of every person entering, in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available upon request of Police or authorised officer throughout the preceding 31-day period.

Condition 6 – A minimum of one SIA registered door supervisor shall be on duty from 22:00 hours on Friday and Saturday until the closure of the premises to the public.

Toilets – Will be available at any time to all seated persons. All other persons until 22:30 hours.

The meeting ended at 8.50 p.m.

Chair, Councillor Rajib Ahmed
Licensing Sub Committee

LONDON BOROUGH OF TOWER HAMLETS**MINUTES OF THE LICENSING SUB COMMITTEE****HELD AT 6.40 P.M. ON TUESDAY, 14 FEBRUARY 2017****THE COUNCIL CHAMBER, TOWN HALL, MULBERRY PLACE, 5 CLOVE
CRESCENT, LONDON, E14 2BG****Members Present:**

Councillor Rajib Ahmed (Chair)
Councillor Dave Chesterton
Councillor Peter Golds

Officers Present:

Corinne Holland	–	Licensing Officer
Tom Lewis	–	Team Leader - Licensing Services
Gurwinder Kaur Olive	–	Senior Lawyer, Legal Services
Antoinette Duhaney	–	Interim Senior Committee Officer

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

No declarations were made.

2. RULES OF PROCEDURE

The rules of procedure were noted.

3. ITEMS FOR CONSIDERATION**3.1 Licensing Act 2003 Application for a New Premises Licence for Poplar Union, 2 Cotall Street, London, E14 6TL****Attendees**

Andrew Woods, Woods Whur 2014 Ltd (legal representative)
Patrick Harrison, Poplar HARCA (applicant)
Babu Bahattacherjee, Poplar HARCA (applicant)
Tony Portacio (objector)
Roxanna Ong (objector)

The report was introduced by Andrew Heron, Licensing Officer who advised that this application was for a premises licence for new premises, Poplar Union, 2 Cotall Street, E14 6TL.

Andrew Woods addressed the meeting on behalf of the applicant and advised that the new premises was a community resource which would promote the licensing objectives and provide visibility to deter crime and disorder and anti-social behaviour. Amended hours had been agreed in consultation with the

Metropolitan Police and Environmental Health along with additional conditions set put in the operating schedule on pages 46 – 52 of the agenda pack. The applicant had also received emails supporting the application.

Tony Portacio addressed the meeting objecting to the application on the grounds of concerns about the impact of long hours for alcohol sales in a building adjacent to Bartlett Park which had a history of anti-social behaviour issues. Although the provision of a new community resource venue was supported in principle, Mr Portacio was concerned that whilst the premises was in use, patrons consuming alcohol could leave the premises and spill out into Bartlett Park, potentially causing nuisance to residents and park users and encouraging anti social behaviour.

Roxanna Ong addressed Members and advised that a new community resource was a great idea. However she had concerns about the impact of live recorded music and how events would be managed. Coupled with the sale of alcohol, Ms Ong stated that she was not convinced that the premises would have no negative impact on the locality.

In response to questions and comments from Sub Committee Members, Mr Woods and the applicants stated that

- Alcohol sales would be “on sales” only and that conditions could be agreed to so that no unaccompanied children were allowed on the premises after 9pm.
- Staff on duty would ensure that there was no conflict between alcohol consumers and children by segregating the different types of users of the premises and using partitions
- The applicant had applied for extended hours for alcohol sales to provide flexibility. However the applicant was willing to agree to no alcohol sales before 11am and no off sales.
- Responsible Authorities were satisfied that the premises would not contribute to anti social behaviour and all suggestions from the Metropolitan Police, Environmental Health and Childrens’ Services had been acted on.
- The applicant was willing to agree to conditions to ensure that no alcohol was consumed in areas of the premises where children or young people were involved in non licensable activities.
- Staff on duty would monitor entrances/exits to ensure that doors were only opened for access/egress. As the premises were fully air conditioned, room temperatures could be regulated without the need to open windows/doors.

- The premises would operate in a cafe environment selling alcohol and trained Youth Workers would be on the premises
- As responsible operators, robust management of the premises would allay all of the concerns raised by Members and objectors whilst meeting the Licensing Objectives

The Sub Committee withdrew from the meeting to deliberate in private.

Deliberations

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. Prevention of Public Nuisance
4. The Protection of Children from Harm

Consideration

Each application must be considered on its own merit. The Sub Committee has carefully considered all of the evidence before them, namely the written and verbal representations from the applicant and local residents and the written representations from Metropolitan Police, Environmental Health and Child Protection.

The Sub Committee noted that it was requested to grant a New Premises Licence for Poplar Union, 2 Cotall Street, London, E14 6TL. Members heard from the applicant's legal representative that a compromise had been reached with the Metropolitan Police, Environmental Health and Child Protection and as a result, they had now withdrawn their representations however it was noted that the Operating Schedule was predominately blank.

Members were advised by the applicant's legal representative that the new premises would promote the licensing objectives and would be a valuable community asset which would deter Anti-Social Behaviour. The Sub Committee also heard oral representations from residents highlighting concerns about the potential for Anti-Social Behaviour and nuisance while the premises were in use and the impact on Bartlett Park, especially due to the sale of alcohol seven days a week.

Although the Sub Committee accepted that the Metropolitan Police, Environmental Health and Child Protection had withdrawn their representations following an agreement in respect of opening times and additional conditions listed in the Operating Schedule, Members also

accepted the genuine concerns of residents. The Sub Committee was not satisfied that the application was sufficiently clear in what activities would take place in which part of the premises, with the demarcation and separation of children and alcohol and that the conditions set out in the Operating Schedule were robust enough to ensure promotion of the licensing objectives. The applicant's representative was reminded that necessary conditions should emerge from a risk assessment by the applicant and reflected in the Operating Schedule and that it was not for the responsible authorities nor the Sub-Committee to put forward suggested conditions. In light of these comments an application was made by the applicant to adjourn the hearing of the application.

RESOLVED – That the application for a New Premises License for Poplar Union, 2 Cotall Street, London, E14 6TL be **DEFERRED** until 11 April 2017 to allow the applicant to provide further clarification and/or propose further conditions in respect of

- Appropriate hours for the sale of alcohol
- Operation of Challenge 21 or Challenge 25 Policies
- The segregation of licensed and unlicensed activities
- Entrance and Egress from the premises
- Staffing levels
- Measures to ensure that no alcohol is taken outside the premises
- Supervision of young children when licensed activity is taking place
- Risk assessment arrangements

3.2 Licensing Act 2003 Application for a Variation to Premises Licence for Original Taste, 74 Bow Road, London, E3 4DL

Attendees

Mohammed Chowdhury, KC Solicitors (legal representative)

Shahin Ahmed, Original Taste (applicant)

No objectors were in attendance

The report was introduced by Tom Lewis, Licensing Team Leader who advised that this application was for a premises licence variation for Original Taste, 74 Bow Road, E3 4DL. Mr Lewis reported that since 2013, the Council had received no complaints regarding the management of the premises.

Mr Chowdhury addressed the meeting on behalf of the applicant and advised that a variation was being sought to allow the premises to open until 12 midnight on Friday and Saturday. Mr Chowdhury referred to other nearby premises with a late licence as listed on pages 123 – 125 of the agenda pack and argued that extending the licence for an extra hour to provide late night refreshment would not contribute to noise disturbance or anti social behaviour.

There was no evidence to suggest that the premises was associated with littering as effective litter control measures were already in place including signage to encourage customers to dispose of litter appropriately. Allegations

that a person had been stabbed on the premises were incorrect as the stabbing had occurred outside a pub near the premises. Measures already in place under the current licence including CCTV would ensure that the licensing objectives continued to be met.

The applicant responded to questions and comments from Sub Committee Members and the Legal Services Advisor sought clarification on the conditions set out on pages 97 - 98 of the agenda pack.

Deliberations

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. Prevention of Public Nuisance
4. The Protection of Children from Harm

Consideration

Each application must be considered on its own merit. The Sub Committee has carefully considered all of the evidence before them and considered written and verbal representations from the applicant and written representations from local residents (no objectors attended to make oral representations).

The Sub Committee noted that it was requested to grant a variation to a Premises Licence for Original Taste, 74 Bow Road, E3 4DL. Members heard from the applicant's legal representative that a variation to opening hours was being sought to allow the premises to open until midnight on Friday and Saturday in order to provide late night refreshment. The Legal representative stated that the premises was not associated with Anti-Social Behaviour and the extended hours would still promote the Licensing Objectives. Furthermore adequate measures were already in place to ensure that the premises did not cause disturbance to residents.

Having considered all the written and oral representations, the Sub Committee noted that no representations had been made by any responsible authority and that no written or verbal evidence had been presented to suggest that there was any record of complaints to the Council regarding nuisance nor disturbance directly linked to the premises.

Members were satisfied that the conditions listed in the Operating Schedule attached to the application were adequate and proportionate subject to alterations in respect of the timing of deliveries, retention of CCTV footage, incident books and the provision/use of waste receptacles

RESOLVED – That the application for a Variation to the Premises License for Original Taste, 74 Bow Road, E3 4DL, be **GRANTED** subject to the conditions set out below.

CONDITIONS

1. CCTV System installed to monitor entrances, exits, and other parts of the premises in order to address the prevention of crime objective; CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum period of 31 days with date and time stamping. The system will comply with other essential legislation and all signs as required will be clearly displayed. Someone must always be on the premises who is trained and can download the recordings upon request. Recordings shall be made available for inspection at the premises by Responsible Authorities.
2. A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted;
3. Clear and conspicuous notices warning of potential criminal activity, such as theft, that may target customers will be displayed;
4. Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises;
5. Prevention and vigilance in illegal drug use at the retail unit area;
6. An incident book and recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation;
7. Noise reduction measures to address the public nuisance objective; in the form of signage and advice to patrons
8. Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly;
9. Deliveries of goods necessary for the operation of the business will be carried out between the hours of 11:00 hrs to 14.00 hrs only in such a manner as to prevent nuisance and disturbance to nearby residents;

10. The Licensee will ensure that staff who arrive early morning or depart late at night (ex. for unpacking, pricing newly delivered goods) when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents;
11. Customers will be asked not to stand around loudly talking in the street outside the premises;
12. The movement of bins and rubbish outside the premises will be kept to a minimum after 20:00hrs. This will help to reduce the levels of noise produced by the premises;
13. Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents;
14. Adequate waste receptacles for use by customers will be provided in the local vicinity (1 waste bin inside the premises and 1 waste bin outside the premises)
15. A full training record to be retained in the retail unit at all times.

3.3 Licensing Act 2003 Application for New Premises Licence for Sakana Sushi, Unit E, 43a Commercial Street, London, E1 6BD

Attendees

Shibli Alam, Director Sakana Sushi (applicant)

No objectors were in attendance

The report was introduced by Tom Lewis, Licensing Team Leader who advised that this application was for a new premises licence for Sakana Sushi, Unit E, 43A Commercial Street, E1 6BD. Mr Lewis reported that the premises was located within the Cumulative Impact Zone and that the Council had no record of any complaints regarding the management of the premises under a previous license which became void on 23 February 2016.

The Sub Committee was concerned that the application did not address the presumption that any new premises within the Cumulative Impact Zone (CIZ) would have a detrimental impact on the CIZ.

RESOLVED – That the application for a New Premises License for Sakana Sushi, Unit E, 43A Commercial Street, E1 6BD, be **DEFERRED** until 11 April 2017 to allow the applicant to provide further information on measures to rebut the presumption that the application will impact on the Cumulative Impact Zone.

4. EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003

RESOLVED – That due to the volume of applications to be considered by the Licensing Sub Committee. the decision deadline for Trade Union, Grand Union Company Ltd, Units 1,2 & 3 Thomas Moore Square, E1W 1YN, be extended from 03.03.17 to 14.03.17.

The meeting ended at 8.35 p.m.

Chair, Councillor Rajib Ahmed
Licensing Sub Committee

LONDON BOROUGH OF TOWER HAMLETS**MINUTES OF THE LICENSING SUB COMMITTEE****HELD AT 6.30 P.M. ON TUESDAY, 28 FEBRUARY 2017****THE COUNCIL CHAMBER, TOWN HALL, MULBERRY PLACE,****5 CLOVE CRESCENT, LONDON, E14 2BG****Members Present:**

Councillor Dave Chesterton
Councillor Peter Golds
Councillor Khales Uddin Ahmed

Officers Present:

Kathy Driver – Principal Licensing Officer
Corinne Holland – Licensing Officer
Vivienne Walker – Legal Services
Charles Yankiah – Democratic Services

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

No declarations of disclosable pecuniary interests were declared.

2. RULES OF PROCEDURE

The Rules of Procedure were noted by the Sub Committee.

3. ITEMS FOR CONSIDERATION**3.1 Licensing Act 2003: Application for a New Premises Licence for (Tea Leaf London), 65 Roman Road, E2 0QN APPLICATION WITHDRAWN**

The Chair informed the meeting that the application had been withdrawn.

3.2 Licensing Act 2003 Application for a New Premises Licence for Time Out Market, 106 Commercial Street, E1 6LZ

At the request of the Chair, Kathy Driver introduced the report which detailed the application for a New Premises Licence for Time Out Market, 106 Commercial Street, E1 6LZ. It was noted that the applicant amended the application as follows: -

- Withdrawing “recorded music” from the application and to keep the noise limiter condition to provide additional comfort to the residents.
- The sale by retail of alcohol will be ancillary to food throughout the building with the following exceptions –
 - Before 9pm, the ground floor area cross hatched black (on the recently served plan)
 - The basement area cross hatched black (on the recently served plan)

At the request of the Chair, Mr Gareth Hughes, applicant’s representative requested that the “Resident Observations London” contained in the Supplementary Pack from pages 70-79 that had been “redacted” be re-circulated to the Sub Committee to be considered in support of their application.

The Chair, Councillor Peter Golds sought the advice of Vivienne Walker (Legal Services) who advised the Sub Committee that the information should be circulated to the Sub Committee for consideration during the deliberations.

Members then heard from Mr Gareth Hughes (applicant’s representative) who informed the Sub Committee that the premises already had two existing licenses in place and the licence holders were prepared to surrender their licences if the application were to be granted. The application was for a fine dining restaurant with 17 kitchens providing a family friendly environment with local artists’ demonstrations and involving local residents similar to the offer at the Lisbon Branch. The applicant met with local residents on about 5 occasions and listened to their concerns and as a result proposed 6 new conditions as follows: -

- Condition 24 – The sale by retail of alcohol will be ancillary to food throughout the building, with the following exceptions –
 - Before 9pm, the ground floor area cross hatched black (on the recently served plan)
 - The basement area cross hatched black (on the recently served plan)
- Condition 25 – The premises licence holder shall ensure that any patrons smoking outside the premises after 9pm are limited to the area cross hatched blue on the ground floor plan and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
- Condition 26 – 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.
- Condition 27 – There will be at least three (3) Time out Ambassadors employed at the premises whose duties are solely to assist in promoting the four licensing objectives. They will be fully trained in respect of all aspects of the premises licence. They will assist the Time

out Market Operations Team monitor and manage customers' behaviour.

- Condition 28 – A direct telephone number for the managers 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.
- The licence holder shall meet with local residents not less than once every month (as required by the local residents).

Mr Hughes informed the Sub Committee that Mr Souillat (applicant) and Ms Parrish (Commercial Director) had significant experience between them in the restaurant business and that was supported by various letters of support from leading Chefs and restaurants in the London area, Trip Advisor feedback (Time Out Market, Lisbon), design and access statements, concept visuals and plans, an acoustics report, an operational management statement, a report from Mr Adrian Studd (former Chief Inspector with the Metropolitan Police), market design statement, market transport statement, statement of community engagement, a customer journey and a risk assessment and fire evacuation plan. Mr Hughes also referred to the quality of the documentation that had been submitted on behalf of the applicant, together with all the policy and design plans.

Members heard representations from Mr Edwards, Mr Wheeler, Ms Kay and Mr Jenkins who each referred to their own experiences of the area and the existing premises together with the following concerns: -

- Residents fear that the inevitable failure of the fine dining operation will be followed by the conversion of the entire premises to a full on bar;
- It will be one of the largest bar operations in London, entirely contrary to licensing policy in the area;
- The prospect of approximately 450 drinkers exiting onto the street at closing time, right on a very busy road junction, is quite horrendous;
- The proposed operation offers just 6 female toilets, 2 male toilets and 4 urinals which is hopelessly below the building regulation standards;
- The problems with urination in the local streets is well documented and can only be made worse by such a larger bar operation with such a low standard of sanitation;
- All deliveries will also use the same entrance as the 2,000 daily customers and at the same time during normal opening hours;
- This poses a real danger to public safety and certainly does not fit with the idea of a fine dining experience;
- There are 3 escape routes from the premises, in the event of a fire any one of these must be discounted so the other 2 must be able to accommodate the numbers to be evacuated;
- There is only one 3-foot wide staircase available to customers between the 1st and 2nd floors;

- The kitchen extract duct to serve all 17 restaurants is proposed to be mounted externally above the roof with a high velocity discharge directed at many residential properties to the south of the site;
- The noise created by this badly designed ventilation strategy will cause a serious public nuisance;
- Time Out's acoustic consultant has made recommendations on how to minimise this noise but their architects have not incorporated these recommendations into their scheme;
- There has been an increase of a massive proliferation of clubs, pubs, restaurants and licensed premises in the area over the last 5 years;
- This increase has caused more and more anti-social behaviour on the street outside their homes;
- Woken up by drunken people regularly, screaming, singing and arguing loudly on the streets;
- Plagued by broken glass, signs of urination and vomit in the gardens;
- The premises is landlocked on all 4 sides by residential properties;
- Many properties have living and sleeping spaces which are directly adjoining the former stable walls of the site;
- The entrance is meant to be able to cope with the expected 2,000 + daily visitors;
- Smokers will use the already congested narrow pavement outside the premises;
- The noise and disorderly behaviour that will be generated by over 2,000 customers a day together with the waste collections, food and drink deliveries will be unbearable; and
- The Cumulative Impact Zone (C.I.Z) policy exists for a particular reason in relation to the Brick Lane area and this application is within that area.

In response to questions from Members it was noted, that:

- the applicant confirmed that the C.I.Z was a rebuttable presumption;
- there was no representations from any of the Responsible Authorities and the evidence presented by Mr Studds showed that the operation of the restaurant would not contribute to the crime and disorder in the area.
- The number of people visiting the premises based upon 450 seats is within the region of 2,000 people per day when it is busy.
- The restaurants would be offering 16 types of food with a "buzzer" option for when the food order is placed.
- There would be seats on every floor, so there would be very little traffic between floors and the space is family oriented.
- The restaurant would operate properly with street marshals monitoring the behaviour of people on the streets and would not have an impact on the area and the number of people entering and leaving the premises.

Members adjourned the meeting at 7:55pm to consider the decision and reconvened at 8:07pm.

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. Prevention of Public Nuisance; and
4. The Protection of Children from Harm

Consideration

Each application must be considered on its own merit. The Sub Committee has carefully considered all of the evidence before them and considered written and verbal representation on behalf of the applicant and the objectors with particular regard to the licensing objections of prevention of public nuisance and the prevention of crime and disorder.

In addition Members took note of the Home Office guidance which states that "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".

Members took into account and considered representation made by local residents and the impact on the CIZ. Members also considered the amended application and the proposed conditions by the applicant and the impact of the application on the local area and the Licensing Objectives as it related to the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm. Members also considered the increase in number of people that would be visiting the premises on a daily basis.

Therefore considering all of the above, Members decided to REFUSE the application.

Decision

Accordingly, the Sub Committee unanimously –

RESOLVED

That the application for a New Premises Licence for Time Out Market, 106 Commercial Street, E1 6LZ be REFUSED.

3.3 Licensing Act 2003: Application for a New Premises Licence for Hub by Premier Inn, Silvex House, Quaker Street, E1 6SN

At the request of the Chair, Kathy Driver introduced the report which detailed the application for a New Premises Licence for Hub by Premier Inn, Silvex House, Quaker Street, E1 6SN.

At the request of the Chair, Mr John Gaunt (applicant's representative) informed the Sub Committee that there were over 750 Premier Inns nationally that were licensed for residents and non-residents. There was an approach for licenses to be consistent in all if its hotels together with offering a warm and clean environment. The premises would consist of 246 beds and would cost approximately £30m and would create a number of jobs locally. It was intended that the developers would be on site by October 2017 and that the hotel would open in June 2019. The ground floor of the hotel would consist of a lobby and a permanently "manned" reception area and a restaurant area for 87 covers. The applicant was experienced with building the Premier Inn brand and was fully aware of the noise sensitivity and the residents and non-residents offer of both food and alcohol. The hotel would be open to non-residents from 6:00 hours to 23:00 hours who would only be able to access the food and beverage area. Residents of the hotel would be issued with a purple swipe card and would be able to gain access to hotel floors and bedrooms and between 23:00hours and 6:00hours. There were no representations from the Responsible Authorities and only 4 local residents have raised concerns regarding the off-sales of alcohol, but that had now been clarified.

In response to questions from Members it was noted, that:

- The number of people that would be entering and leaving the premises on a daily basis, would consist of non-residents averaging between 5-10 people every day at the hotel's other locations.
- Those people would usually be meeting a guest at the hotel or local residents walking by and coming in for a drink or a sandwich.
- A bar/restaurant would be on the ground floor but there will be no promotions, or Christmas lunches or happy hours.
- There will be no set menu or anything like that available at the premises. Breakfast will be served and lunch but no evening meal.

Members adjourned the meeting at 8:30pm to consider the decision and reconvened at 8:35pm.

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. Prevention of Public Nuisance; and
4. The Protection of Children from Harm

Consideration

Each application must be considered on its own merits. The Sub Committee has carefully considered all of the evidence before them and considered written and verbal representation on behalf of the applicant and the objectors with particular regard to the licensing objectives of prevention of public nuisance and the prevention of crime and disorder.

In addition Members took note of the Home Office Guidance which states that “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”.

Members took into account the written representation made by a local resident and the responses provided by Mr Gaunt when questioned by the Sub Committee.

Therefore considering all of the above, Members decided to GRANT the application for a new Premises Licence.

Decision

Accordingly, the Sub Committee unanimously –

RESOLVED

That the application for a New Premises Licence for Hub by Premier Inn, Silvex House, Quaker Street, E1 6SN be GRANTED.

The Sale by retail of alcohol (On and off sales)

- Monday to Sunday, from 10:00 hours to 23:00 hours

The provision of regulated entertainment – Indoors

(Films only)

- Monday to Sunday, from 10:00 hours to 23:00 hours

Non-standard timings

- On New Year's Eve, permitted hours from 10:00 hours to 23:00 hours on New Year's Day

- The premises shall remain open to permit the sale of alcohol, provision of late night refreshment and the provision of films to hotel residents 24 hours a day.

Note: the off sale of alcohol is limited to the resident's bedrooms only

The opening hours of the premises

- Monday to Sunday, from 06:00 hours to 23:30 hours

Non-standard timings

- On New Year's Eve, permitted hours from 10:00 hours to 23:30 hours on New Year's Day
- The premises shall remain open 24 hours a day for hotel residents.

All conditions identified in the Operating Schedule shall be retained as follows: -

- 1.1 The use of door staff will be risk assessed on an ongoing basis by the licence holder of premises supervisor. Where engaged, door staff shall be licensed by the Security Industry Authority.
- 1.2 Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in the hotel bedrooms.
- 1.3 Staff will receive training on matters concerning underage sales, drugs policies and operating procedures.
- 1.4 There shall be a zero tolerance policy in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely and handed to the police.
- 1.5 The premises shall operate a proof of age scheme and will require photographic identification from any person who appears to be under the age of 21 years.
- 1.6 The management of the premises will liaise with police on issues of local concern or disorder.
- 1.7 There shall be no drinks promotions at the premises which are inconsistent with the need to promote responsible drinking.
- 1.8 Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.
- 1.9 Patrons will be encouraged by staff to leave quietly and respect the interests of the occupiers of any nearby noise sensitive premises; where appropriate the licensee or a suitable staff member will monitor patrons leaving at the closing time.

- 1.10 Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
- 1.11 Contact numbers for local taxi firm(s) shall be kept at the premises and made available to patrons requiring a taxi.
- 1.12 There shall be adequate controls in place including staff training to safeguard against the sale of alcohol to persons under 18 years
- 1.13 Policies in relation to children shall be adequately communicated to patrons by staff or through appropriate signage.

The following conditions in consultation with the Responsible Authorities/other persons shall also apply:

- 1.1 Environmental Health (Noise) has agreed the following with the applicant:
 - 1) No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
 - 2) Loudspeakers shall not be located in the entrance lobby or outside the premises building.
 - 3) All windows and external doors shall be kept closed after 21:00 hours, or at any time when regulated entertainment takes place, except for the immediate access & egress of persons.”
- 1.2 Met Police has also agreed the following with the applicant:
 - 1) 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.
 - 2) There must also be someone on the premises, who can download the images and present them on request by a police officer or other responsible authority whilst ever the premises are open to non-residents and otherwise within a reasonable period”. The applicant has amended the application to permit the off-sale of alcohol to the bedrooms only

4. EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003

The Sub Committee agreed the following Extension of Decision Deadlines according to the Licensing Act 2003:

Premises	Type of Licence	Consultation deadline	Hearing date	Decision deadline	Decision deadline extended to
Trade Union Grand Union Company Ltd. Units 1, 2 and 3, Thomas More Square E1W 1YN	Variation	03/02/17	14/03/17	03/03/17	14/03/17
Phoenix Off Licence 104 East India Dock Road E14 03B	New	11/02/17	14/03/17	10/03/17	14/03/17
Mile End Park Burdett Road E3	New	20/02/17	28/03/17	20/03/17	28/03/17
Renegade London Wine 12 Gales Gardens E2 0EJ	New	08/02/;17	28/03/17	08/03/17	28/03/17
Sakana Sushi Unit E 43a Commercial Street E1 6BD.	New	20/01/17	Adjourned from 14/02/17 to 11/04/17	17/02/17	11/04/17
Poplar Union 2 Cotall Street E14 6TL	New	23/01/17	Adjourned from 14/02/17 to 11/04/17	20/02/17	11/04/17

The meeting ended at 8.45 p.m.

Chair, Councillor Rajib Ahmed
Licensing Sub Committee

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LONDON BOROUGH OF TOWER HAMLETS**MINUTES OF THE LICENSING SUB COMMITTEE****HELD AT 6.40 P.M. ON TUESDAY, 25 OCTOBER 2016****COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, 5 CLOVE CRESCENT,
LONDON E14 2BG.****Members Present:**

Councillor Rajib Ahmed (Chair)
Councillor Dave Chesterton
Councillor Candida Ronald

Officers Present:

Mohshin Ali – Senior Licensing Officer
Vivienne Walker – Legal Services
Charles Yankiah – Democratic Services

Applicants In Attendance:

Mr Giuseppe Pollifrone - The Symposium
Mr Azmal Hussain - Preem Restaurant
Mr Simon Hill - Preem Restaurant

Objectors In Attendance:

Ms Annie Gammon - The Symposium
Mr Charlie Paterson - The Symposium
Ms Nivetha Tarcisius - The Symposium
Mr Roger Evans - The Symposium
PC Alan Cruickshank - Metropolitan Police
Ms Kathy Driver - Tower Hamlets Licensing Authority
Mr Razaul Haque - Tower Hamlets Environmental Health
Mr Roger Evans - Preem Restaurant

The Chair welcomed everyone to the meeting, ensured that introductions were made and then briefly outlined the procedure for the meeting.

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

In relation to Item 3.3 – Application for Premises Licence Variation for Preem Restaurant, 118-122 Brick Lane, London, E1 6RL -

- Councillor Rajib Ahmed declared a non-pecuniary interest as someone who is known to the applicant.
- Councillor Dave Chesterton declared a non-pecuniary interest having been indirectly lobbied for this application.

- Councillor Candida Ronald declared a non-pecuniary interest having been indirectly lobbied for this application.

2. RULES OF PROCEDURE

The rules of procedure, as circulated at Agenda Item 2 were noted.

3. ITEMS FOR CONSIDERATION

3.1 Licensing Act 2003: Application for a New Premises Licence for The Symposium, 363 Roman Road, London E3 5QR

At the request of the Chair, Mr Mohshin Ali, introduced the report which detailed the application for the new premises licence for The Symposium, 363 Roman Road, London, E3 5QR. It was noted that the applicant was applying to sell alcohol for consumption both on and off the premises and that the applicant had already responded to a number of local concerns raised by local residents. Mr Ali also informed the meeting that there were no representations made by any of the responsible authorities that had been consulted.

At the request of the Chair, Mr Giuseppe Pollifrone explained that the application for a new premises licence involved alcohol being sold throughout the day, but that the premises would be opened as a café in the morning and then later on in the day as a family restaurant with wine and beer being offered for sale. He informed the meeting that the premises would also be selling imported wines and would operate as a Wine Merchant for most of the day. He stated that he would be happy to respond to the concerns raised by the local residents and would be willing to have specific conditions attached to the premises licence that addressed the concerns of the local residents including the "external courtyard", hours of operation and the window at the back of the premises. He further stated that the premises would be family and disabled friendly with 2 accessible toilets and would welcome families with children.

Members heard from Ms Annie Gammon, Mr Charlie Paterson and Mr Roger Evans, local residents who stated that they were concerned mainly with the hours of operation, drunkenness in the local area, disposal of waste and customers causing a nuisance, the window at the back of the premises and the noise and light pollution that would emanate from it and the access and egress from the premises and the area late at night.

In response to questions from Members it was noted, that:

- the Applicant was willing to make changes to the premises to accommodate the concerns of the local residents;
- the Applicant was willing to keep within the Framework Hours;
- the Applicant would ensure that there was no standing while drinking on the premises;

- the Applicant would ensure that the premises remained a family and disabled friendly environment;
- the Applicant would ensure that the Licensing Objectives would be met;
- the Applicant would ensure that “external Courtyard” at the back of the building would not be used unless for business purposes; and
- the Applicant would ensure that the window at the back of the premises would be “blacked out” with blinds to avoid light pollution.

Members adjourned the meeting at 7:15pm to consider the decision and reconvened at 7:35pm.

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.

Consideration

Each application must be considered on its own merits. The Sub Committee had carefully considered all of the evidence before them and considered written and verbal representation on behalf of the applicant and the objectors with particular regard to the licensing objective of the prevention of public nuisance and the prevention of crime and disorder.

Members heard concerns of the local residents that if a licence was granted as requested that there would be concerns regarding the later opening hours, noise levels, drunkenness, the public nuisance, the close proximity of the back window to residential property which will result in noise and light pollution, the external courtyard being used for storage or as a smoking area for customers or staff members and how issues with nuisance and drunkenness will be managed. Members noted that the applicant was willing to give certain assurances to local residents regarding dealing with nuisance, the use of the external courtyard being restricted and assurances that the premises will be managed properly.

Members were mindful that no representations had been made by the Police or Responsible Authorities.

Members were encouraged by the applicant’s willingness to ensure that the local residents’ concerns and that of the Panel would be addressed and taken seriously.

Therefore considering all of the above, Members decided to grant the application for a new premises licence with additional conditions.

Decision

Accordingly, the Sub-Committee unanimously –

RESOLVED

That the application for a New Premises Licence for The Symposium, 363 Roman Road, London, E3 5QR be **GRANTED** with conditions.

Sale of Alcohol (on and off sales)

- Monday – Saturday from 09:00 hours to 23:00 hours
- Sunday from 09:00 hours to 22:30 hours

The Opening Hours of the Premises

- Monday – Saturday from 07:00 hours to 23:30 hours
- Sunday from 07:00 hours to 23:00 hours

Additional Conditions

1. To erect and maintain “blackout blinds” at the rear of the premises, the blinds must be closed by 20:00 hours each evening.
2. The “External Courtyard” at the rear of the premises must not be used for any business purposes, other than for the installation and maintenance of plants
3. There shall be no ambulant drinking at any-time in the premises.
4. All the existing conditions identified in the Operating Schedule by the applicant be retained.

3.2 Licensing Act 2003: Application for Premises Licence Variation for Hungry Donkey, 56 Wentworth Street, London, E1 7AL

The Chair informed the meeting that the applicant had requested an adjournment, earlier in the day due to a medical appointment and that Legal Services had confirmed the information via an email sent from the hospital and as such there were no legal reasons not to adjourn the application.

RESOLVED

That the application for Premises Licence Variation for Hungry Donkey, 56 Wentworth Street, London, E1 7AL be adjourned to a date to be confirmed.

3.3 Licensing Act 2003: Application for Premises Licence Variation for Preem Restaurant, 118 - 122 Brick Lane, London, E1 6RL

At the request of the Chair, Mr Mohshin Ali, introduced the report which detailed the application for the variation of the premises licence for Preem Restaurant, 118-122 Brick Lane, London, E1 6RL. It was noted that the applicant described the nature of the variation as:

1. Add the provision of late night refreshment until 02:30hours; and extend the supply of alcohol until 02:00hours with additional off sales;

and add the provision of regulated entertainment in the form of recorded (background) music from 23:00 hours to 02:30 hours.

The application also sought to remove the following conditions attached to the current premises licence:

2. Annex 3, Condition 1 – No regulated entertainment is to be provided except low key background music only. A noise limiter is to be installed, the settings (maximum music noise levels generated) of which are to be set and agreed beforehand with Environmental Protection Service, and the agreed level to be made available to the public on request.
3. Annex 3, Condition 5 – No food or drink will be allowed to be consumed outside the premises.
4. Condition 10 – Alcohol to be only served ancillary to a meal.
5. Condition 13 – At all times two trained security staff will be on duty within the premises with one person on door control to maintain good order and public safety.
6. Condition 15 - No regulated entertainment is to be provided except low key background music only. A noise limiter is to be installed, the settings (maximum music noise levels generated) of which are to be set and agreed beforehand with Environmental Protection Service. To ensure, as far as reasonably practical, that patrons that enter and exit the premises, especially late at night will act quietly and considerately at all times. No anti-social behaviour (shouting and screaming) or other forms of anti-social behaviour will be tolerated.
7. Condition 16 – No food or drinks to be allowed to be consumed immediately outside the premises in the street.

Mr Ali also informed the meeting that representatives of the Metropolitan Police, Licensing Authority and Environmental Health together with local residents were present and would be objecting to the application.

At the request of the Chair, Mr Simon Hill, Legal Representative on behalf of the Applicant explained that the application for variation was to extend the hours and to withdraw the applicants request to remove some of the conditions identified in the application. He explained that some of the conditions were no longer needed, for example, Condition 1 (Annex 3) and Condition 15 relating to regulated music as the Applicant only played low key background music on the premises. He also informed the meeting that Condition 13 was also no longer needed as the premises was a restaurant and there was no need for security as there had not been any anti-social behaviour recently at the premises.

He concluded that the premises was no different from any other premises in the local area and that many other premises operated later hours outside of the framework hours and the Applicant only wanted to be consistent with the other premises. He also explained that the application for extended hours would not cause any additional problems in the local area as people would already be in the area due to the later hours of operation of the other premises and that the Applicant's hours of operation would not contribute to any anti-social behaviour or crime and disorder in the local area.

Members heard representations from PC Alan Cruickshank (Metropolitan Police), Ms Kathy Driver (London Borough Tower Hamlets Licensing Authority), Mr Razaul Haque (London Borough Tower Hamlets Environmental Health) and Mr Roger Evans (local resident) who each expressed concerns regarding the premises being in the Cumulative Impact Zone and already operating outside the framework hours with the applicant having a history of breaches, licence suspensions, prosecutions, offences and fines. That the late hours of operation applied for by the Applicant does not reflect the purpose of the Cumulative Impact Zone and would contribute further to the concerns of anti-social behaviour and violence in the area. Members heard that the applicant had not shown how it would meet the licensing objectives and by requesting that Condition 13 be removed, had no consideration for the impact on the area and local residents, including the public access and egress from the premises and the local area as it would also mean that more people would remain in the area for longer periods and would eventually disperse later giving rise to public nuisance and contributing to crime & disorder in the area. Members also heard that there were previous complaints relating to loud noise coming from the premises and that on occasion the Applicant had sub-let the premises and the occupants played loud music. Members also heard from a local resident who expressed concern that if the application was granted there would be concerns regarding the later opening hours, drunkenness, the public nuisance, noise levels, the Cumulative Impact Zone and the access and egress of people in the local area.

In response to questions from Members it was noted, that:

- the Applicant was willing to withdraw the request to remove certain conditions attached to the current premises licence;
- the Applicant was willing to provide assurances that background music will be kept low; and
- the Applicant was willing to provide assurances that there would be no sub-letting of the premises in future.

At the request of the Chair, Mr Simon Hill, Legal Representative on behalf of the Applicant summarised by informing the meeting that the Applicant was prepared to withdraw the request to remove some of the conditions and that the Applicant was prepared to give some assurances regarding the premises and that there was no evidence presented that people would stay longer in the local area as a result of the Applicant's request to extend the hours of operation. He also stated that the Applicant would meet the Licensing Objectives and that the customers would normally stay in the area as other premises already operated outside of the framework hours.

Members adjourned the meeting at 8:40pm to consider the decision.

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.

Consideration

Each application must be considered on its own merits. The Sub Committee had carefully considered all of the evidence before them and considered written and verbal representation on behalf of the applicant, the objectors and responsible authorities with particular regard to the licensing objective of the prevention of public nuisance and the prevention of crime and disorder.

Members heard from Mr Hill (applicant's representative) that the applicant had agreed to amend the application for the Provision of Late Night Refreshment (indoors) hours to:

- Monday to Sunday until 02:00 hours (the following day)

He had also agreed to withdraw the request to remove the following conditions attached to the current premises license -

- Annex 3, Condition 5 – No food or drink will be allowed to be consumed outside the premises.
- Condition 10 – Alcohol to be only served ancillary to a meal.
- Condition 16 – No food or drinks to be allowed to be consumed immediately outside the premises in the street.

The applicant confirmed that he was not applying for a regulated entertainment licence, but was prepared to only use background music at the restaurant and as such requested that the following conditions be removed accordingly –

- Annex 3, Condition 1 – No regulated entertainment is to be provided except low key background music only. A noise limiter is to be installed, the settings (maximum music noise levels generated) of which are to be set and agreed beforehand with Environmental Protection Service, and the agreed level to be made available to the public on request.
- Condition 15 - No regulated entertainment is to be provided except low key background music only. A noise limiter is to be installed, the settings (maximum music noise levels generated) of which are to be set and agreed beforehand with Environmental Protection Service. To ensure, as far as reasonably practical, that patrons that enter and exit the premises, especially late at night will act quietly and considerately at all times. No anti-social behaviour (shouting and screaming) or other forms of anti-social behaviour will be tolerated.

Members also considered the applicants request to remove the following condition

- Condition 13 – At all times two trained security staff will be on duty within the premises with one person on door control to maintain good order and public safety.

Mr Hill made representation that the premises operates as a restaurant and there is no need to have trained security at the door. Members heard that although the premises is in the Cumulative Impact Zone and already operates outside the framework hours, it has not contributed to any public nuisance or crime & disorder and the application for a Premises Licence Variation will not incur any difference to conditions that already exist. Mr Hill also informed Members that the application would then be consistent with other premises in the area, that already have long hours of operation.

Members heard representations from the Metropolitan Police, London Borough Tower Hamlets Environmental Health and the London Borough Tower Hamlets Licensing Authority who expressed concerns regarding the premises being in the Cumulative Impact Zone and already operating outside the framework hours with the applicant having a history of breaches, licence suspensions, prosecutions, offences and fines. Members also heard that there were concerns with violence and anti-social behaviour if the application would be granted as it would mean that more people would remain in the area for longer periods and would eventually disperse later giving rise to public nuisance and contributing to crime & disorder in the area. Members heard that the applicant had not shown how it would meet the licensing objectives and by requesting that Condition 13 be removed, had no consideration for the impact on the area and local residents, including the public access and egress from the premises and the local area.

Members also heard from local residents who expressed concern that if the application was granted there would be concerns regarding the later opening hours, drunkenness, the public nuisance, noise levels, the Cumulative Impact Zone and the access and egress of people in the local area.

Members noted that the applicant was willing to withdraw the request to remove certain conditions attached to the current premises licence and was also willing to provide assurances that background music will be kept low and there would be no further sub-letting of the premises and that despite the application for an increase in hours that people would already be in the area due to other premises already having later hours of operation.

Therefore considering all of the above, Members decided to grant with variation the application for a variation of the premises licence with additional conditions.

Decision

Accordingly, the Sub-Committee unanimously –

RESOLVED

That the application for a Variation of the Premises Licence for Preem Restaurant, 118-122 Brick Lane, London, E1 6RL be **GRANTED WITH VARIATION**.

Application to extend the provision of Late Night Refreshment and to extend the supply of alcohol with additional off sales – **REFUSED**

The existing hours be retained as follows: -

Sale of Alcohol (on sales only)

- Monday – Sunday from 12:00 hours (midday) to 01:00 hours (the following day)

The Provision for Late Night Refreshment

- Monday – Sunday from 23:00 hours to 01:00 hours (the following day)

The following existing Conditions remain: -

- Annex 3, Condition 5 – No food or drink will be allowed to be consumed outside the premises.
- Condition 10 – Alcohol to be only served ancillary to a meal.
- Condition 16 – No food or drinks to be allowed to be consumed immediately outside the premises in the street.

The following Conditions be revised as follows: -

- Annex 3, Condition 1 – No regulated entertainment is to be provided except low key background music only.
- Condition 15 – No regulated entertainment is to be provided except low key background music only.
- Condition 13 – From 18:00 hours each evening two (2) SIA staff to be employed until closing.

ALL OTHER EXISTING CONDITIONS IN ANNEXE 1, ANNEXE 2, ANNEXE 3 AND ANNEXE 4 BE RETAINED.

The meeting ended at 9.30 p.m.

Chair, Councillor Rajib Ahmed
Licensing Sub Committee

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LONDON BOROUGH OF TOWER HAMLETS
MINUTES OF THE LICENSING SUB COMMITTEE
HELD AT 6.30 P.M. ON TUESDAY, 14 MARCH 2017
THE COUNCIL CHAMBER, TOWN HALL, MULBERRY PLACE,
5 CLOVE CRESCENT, LONDON, E14 2BG

Members Present:

Councillor Rajib Ahmed (Chair)
Councillor Peter Golds
Councillor Candida Ronald

Officers Present:

Corinne Holland – (Licensing Officer)
Mohshin Ali – (Senior Licensing Officer)
Victoria Fowler – (Legal Services)
Antoinette Duhaney – (Democratic Services)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

Councillor Peter Golds declared a non pecuniary interest in item 4.1 – Phoenix Off Licence, on the grounds that he was a customer at another premises where the applicant was employed (Equinox Supermarket in Island Gardens). However he did not know the applicant personally

2. RULES OF PROCEDURE

The Rules of Procedure were noted.

3. MINUTES OF PREVIOUS MEETING(S)

The minutes of the meeting were agreed and approved as a correct record.

4. ITEMS FOR CONSIDERATION**5. LICENSING ACT 2003: APPLICATION FOR A PREMISES LICENCE FOR PHOENIX OFF LICENCE, 104 EAST INDIA DOCK ROAD, E14 0BP****Attendees**

Narin Karakus (applicant)
Jamir Chowdury (objector)

The report was introduced by Corinne Holland, Licensing Officer who advised that this application was for a new premises licence for Phoenix Off Licence, 104 East India Dock Road, E14 0BP. The representation from Mr Chowdury was a borderline representation but on balance had been accepted as valid.

Ms Karakus addressed the meeting and stated that she had 8 years experience as a personal licence holder for retail premises elsewhere in Tower Hamlets and was well aware of the processes and rules for managing premises selling alcohol as demonstrated in her application and she had nothing further to add.

Mr Chowdury addressed Members opposing the application on the grounds that if this application was granted, it would have a negative impact on his business and there was potential for anti social behaviour. Previous premises on the same site had a history of nuisance and anti social behaviour and was also linked to premises on poplar high street nearby which had been closed. There was also a green open space and children's playground which could put children at risk.

In response to questions from Members, Ms Karakus advised that she was willing to agree to amended/additional conditions regarding hours for the sale of alcohol, restrictions on the sale of single cans or bottles beer/lager/cider with ABV level above 5.6, Challenge 21 and the sale of single disposable cups.

Members then withdrew to deliberate in private.

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. Prevention of Public Nuisance
4. The Protection of Children from Harm

Deliberations

Each application must be considered on its own merit. The Sub Committee has carefully considered all of the evidence before them and considered written and verbal representations from the applicant and written representations from local residents (no objectors attended to make oral representations).

The Sub Committee noted that it was requested to consider an application for a New Premises License for Phoenix Off Licence, 104 East India Dock Road, E14 0BP. Members heard oral representations from the applicant (Narin Karakus) and the objector (Jamir Chowdhury)

Having considered all the written and oral representations from the applicant and objector, the Sub Committee noted that the representation from Mr Chowdhury was a borderline representation and some of the issues and concerns raised were not licensing considerations. Members had genuine concerns about the potential for anti social behaviour given the close proximity of the premises to public open space. The

Sub Committee also had reservations about the impact of the premises taken into account the nearby hostel for vulnerable people as well as a childrens' playground and a primary school.

Members were satisfied that the conditions listed in the Operating Schedule attached to the application were adequate and proportionate subject to alterations/additions in respect of hours for alcohol sales, the sale of single cans or bottles beer/lager/cider with ABV level above 5.6, the sale of single disposable cups and Challenge 21.

RESOLVED – That the application for a New Premises License for Phoenix Off Licence, 104 East India Dock Road, E14 0BP, be **GRANTED** subject to the conditions set out below.

Opening Hours

07.00 – 23.00 daily

Hours for sale of alcohol

11.00 – 23.00 daily

CONDITIONS

1. CCTV System installed to monitor entrances, exits, and other parts of the premises in order to address the prevention of crime objective; CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum period of 31 days with date and time stamping. The system will comply with other essential legislation and all signs as required will be clearly displayed. Someone must always be on the premises who is trained and can download the recordings upon request. Recordings shall be made available for inspection at the premises by Responsible Authorities.
- 2 To look to the Police as main source of advice on crime and disorder;
- 3 To prevent poor management which could lead to any disorder and risk public safety i.e. not to sell alcohol to someone who is already under influence of alcohol to prevent any disorder from rising;
- 4 Ensuring adequate lighting outside to the premises to prevent any crime / disorder to keep area safe;
- 5 Ensuring all waste is disposed of correctly;
- 6 Try to reduce light disturbance from the lights in the shop/sign to the residents around while balancing the need of light to maintain public safety and prevent crime and disorder;
- 7 Address any disturbance caused as customers leave and enter during late hours to prevent residents being disturbed;

- 8 Preventing purchase of alcohol by or on behalf of a child/children;
 - 9 No sale of alcohol to anyone under the age of 18.
 - 10 No single disposables cups to be sold
 - 11 No super-strength beer, lagers, ciders or spirit mixtures of 5.6% ABV (alcohol by volume) or above shall be sold in single cans or bottles
 - 12 There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol
 - 13 Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff
 - 14 Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
 - 15 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.
 - 16 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 to the public.
6. **LICENSING ACT 2003: APPLICATION FOR A VARIATION OF A PREMISES LICENCE FOR TRADE UNION, UNITS 1, 2 & 3 THOMAS MORE SQUARE, E1W 1YN (APPLICATION WITHDRAWN)**

Application withdrawn.

7. **APPLICATION TO REVIEW THE PREMISES LICENCE FOR CURRY BAZAAR, 77 BRICK LANE, E1 6QL (APPLICATION DEFERRED)**

Application deferred.

8. **EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003**

Nil.

The meeting ended at 7.20 p.m.

Chair, Councillor Rajib Ahmed

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Agenda Item 4.1

Committee :	Date	Classification
Licensing Sub Committee	14th February 2017	Unrestricted

Report of : David Tolley Head of Environmental Health & Trading Standards	Title: Licensing Act 2003 Application for a New Premises Licence for Poplar Union, 2 Cotall Street, London, E14 6TL
Originating Officer: Andrew Heron Licensing Officer	Ward affected: Lansbury

1.0 Summary

Applicant: **Poplar Housing & Regeneration Community Association Limited**

Name and Address of Premises: **Poplar Union
2 Cotall Street
London E14 6TL**

Licence sought: **Licensing Act 2003
The Sale of Alcohol
Provide regulated entertainment**

Objectors: **Local Residents**

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

File Only

Andrew Heron
020 7364 2665

3.0 **Background**

3.1 This is an application for a new premises licence for Poplar Union, 2 Cotall Street, London, E14 6TL. The premises has not been previously licensed.

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

3.3 The applicant has described the nature of the application as:

- The sale of alcohol
- Providing regulated entertainment

3.4 The hours that have been applied for are as follows:-

Sale of Alcohol (on sales only)

- Monday to Saturday from 08:00hrs to 22:30hrs
- Sunday from 09:00hrs to 20:30hrs

The Provision of Regulated Entertainment in the form of Live Music, Recorded Music and anything of a similar description (indoors):

- Monday to Saturday from 08:00hrs to 22:30hrs
- Sunday from 09:00hrs to 20:30hrs

Hours premises is open to the public:

- Monday to Saturday from 08:00hrs to 22:30hrs
- Sunday from 09:00hrs to 20:30hrs

3.5 Members should note that the application states that the terminal hour for all licensable activities to be Monday to Saturday at 23:00hrs and Sunday at 21:00hrs. This reduction has been agreed with the Responsible Authorities.

3.6 Please see Appendix 2-4 for copies of emails between the Applicant and the Responsible Authorities, agreeing new timings and additional conditions for the Operating Schedule.

- **Appendix 2** Nicola Cadzow, LBTH Environmental Health (Noise)
- **Appendix 3** PC Alan Cruickshank, Metropolitan Police
- **Appendix 4** James Gilley, LBTH Child Protection

4.0 **Location and Nature of the premises**

4.1 Photographs of the venue and immediate vicinity will be provided at the hearing.

4.2 The site plan of the venue is included as **Appendix 5**.

- 4.3 Maps showing the vicinity are included as **Appendix 6**.
- 4.4 There are no other licensed venues in the immediate vicinity. There is however, a convenience store (off licence only) at Dod Street, more than some 170 metres from the premises licenced for alcohol from 08:00hrs to 23:00hrs 7days-a-week.

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 1st November 2013.
- 5.2 Relevant Sections of the policy are brought to the attention of Members within the Licensing Officers report.
- 5.3 The Home Secretary has issued Guidance under Section 182 of the Licensing Act 2003. This is available on the Government's website, www.homeoffice.gov.uk. It was last revised in March 2015.
- 5.4 Relevant Sections of this advice are brought to Members attention within the Licensing Officers report. Members should note however, than in some areas Tower Hamlets, after a proper consideration of local circumstances, has not followed the Government's advice, or has developed it further.

6.0 **Representations**

- 6.1 All representations have to meet basic legal and administrative requirements. If they fail to do so they cannot be accepted. When rejected the person sending in the representation must be written to, and an explanation for rejection given in writing
- 6.2 A responsible authority or other person can make a representation. There are two tests for other persons and only one for a responsible authority. The two tests are contained in Section 18 of the Act.
- 6.3 All representations must be "about the likely effect of the grant of the premises licence on the promotion of the licensing objectives." Likely means something that will probably happen, i.e. on balance more likely than not.
- 6.4 Representations by responsible authorities do not have to meet the second test of not being vexatious and frivolous. Other persons have to meet this test.
- 6.5 The Home Office recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation.

- 6.6 Section 182 Advice by the Home Office concerning relevant, vexatious and frivolous representations is attached as **Appendix 7**.
- 6.7 All the representations in this report have been considered by the relevant officer (Team Leader Licensing & Safety) and determined to have met the requirements of the Licensing Act 2003.
- 6.8 This hearing is required by the Licensing Act 2003, because relevant representations have been made by the following local residents:
- **Appendix 8** Darren Buckingham
 - **Appendix 9** Jimmy Mian Guan Lim
 - **Appendix 10** Roxanna Ong
 - **Appendix 11** Heeten Patel
 - **Appendix 12** Tony Portacio
 - **Appendix 13** Mr F Wymont
 - **Appendix 14** A Petition headed by Mohammed Rashid

Members may wish to note that the petition received from Mr Rashid contains 24 signatories. Members will note that some signatories have not fully completed the sections asking for their name and/or address. In some instances, the details provided by the signatory are wholly illegible. It is not practice for the Licensing Authority administering an application to contact all the signatories on a petition to verify that the objection has been properly sought and understood. Therefore Members may wish to decide how much weight to give to the petition in its current form. Signatories to the petition may attend the Hearing; however it is customary that the lead petitioner (Mr Rashid in this case) will represent any countersigners.

- 6.9 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
 - Primary Care Trust (Public Health England)
- 6.10 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

6.11 The objections cover allegations of:

- The potential for anti-social behaviour on the premises
- The potential for anti-social behaviour from patrons leaving the premises
- Noise while the premise is in use
- Disturbance from patrons leaving the premises on foot
- Disturbance from patrons leaving the premises by car
- Lack of adequate car parking facilities
- Close proximity to residential properties
- Excessive licensed hours

6.12 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.

6.13 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.

7.0 **Conditions consistent with Operating Schedule**

7.1 Members will note from the application for that the Operating Schedule is predominately blank. The conditions offered are listed as:

1. Suitable CCTV system will be operational at all times when licensable activities are being carried out and at any other times where member of the public are present on the premises;
2. All staff will receive full training in respect of the Licensing Act 2003;
3. The PLH/DPS staff will ask for proof of age from any person appearing to be under the age of 25 who attempts to purchase alcohol at the premises.

8.0 **Conditions Agreed/Requested by Responsible Authorities**

8.1 Members may wish to consider applying the following conditions as listed in the emails available in **Annexes 2-4**:

1. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance;
2. Loudspeakers shall not be located in the entrance lobby or outside the premises building;
3. All windows and external doors shall be kept closed after 21:00hrs, or at any time when regulated entertainment takes place, except for the immediate access & egress of persons;
4. Premises to be manned at all times by staff who will monitor Young Persons on the premises at all times;
5. No unaccompanied persons under 16 on the premises after 2100hrs;
6. A CCTV system to be put in place, the cameras are to be of sufficient quality so that people's faces are clearly identifiable from the footage. The cameras are to be placed in such a way as they cover areas of the inside of the venue and the entrance. The system is to record the footage and to keep it for a minimum of 30 days and a copy off CCTV footage is to be made available to Police or the Local Authority upon request and supplied within 24 hours. While the premises are open to the public a member of staff must be on duty who can operate the CCTV system;
7. The premises will operate a Challenge 21 policy, all those who look under 21 years of age will asked for proof of age;
8. An incident record book is to be kept at the premises, this book will record all refusals of the sale of alcohol, all disorder and crimes that occur either in the premises or involve the premises customers, or any other incident of note.

9.0 Licensing Officer Comments

9.1 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.

9.2 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)

- 9.3 The Licensing Act 2003 permits children of any age to be on premises which primarily sell alcohol, providing they are accompanied by an adult. It is not necessary to make this a condition.
- 9.4 In all cases the Members should make their decision on the civil burden of proof, that is “the balance of probability.”
- 9.5 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.
- 9.6 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)
- 9.7 The Council’s Licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.
- 9.8 In **Appendices 15-18** 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 application |
| Appendix 2 | Email from the Applicant’s Legal Agent to Nicola Cadzow, LBTH Environmental Health (Noise) |
| Appendix 3 | Email from the Applicant’s Legal Agent to PC Alan Cruickshank, Metropolitan Police |
| Appendix 4 | Email from the Applicant’s Legal Agent to James Gilley, |

LBTH Child Protection

- Appendix 5** Site plan
- Appendix 6** Maps of the surrounding area
- Appendix 7** Section 182 Advice by the DCMS- Relevant, vexatious and frivolous representations
- Appendix 8** Representation of local resident Darren Buckingham
- Appendix 9** Representation of local resident Jimmy Mian Guan Lim
- Appendix 10** Representation of local resident Roxanna Ong
- Appendix 11** Representation of local resident Heeten Patel
- Appendix 12** Representation of local resident Tony Portacio
- Appendix 13** Representation of local resident Mr F Wymont
- Appendix 14** Representation of local resident A Petition headed by Mohammed Rashid
- Appendix 15** Licensing Officer comments on Anti-Social Behaviour on the Premises
- Appendix 16** Licensing Officer comments on Anti-Social Behaviour from Patrons Leaving the Premises
- Appendix 17** Licensing Officer comments on Access and Egress Problems
- Appendix 18** Licensing Officer comments on Licensing Policy Relating to Hours of Trading

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Appendix 1

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST


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

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

I/We Poplar Housing & Regeneration Community Association Limited
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Poplar Union 2 Cotall Street			
Post town	London		
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£47,500.00	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |

- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name Poplar Housing & Regeneration Community Association Limited
Address 167a East India Dock Road Poplar London E14 0EA
Registered number (where applicable) 03249344
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
A S	A P	

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

DD	MM	YYYY

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

The Premises will be a Community Centre operated by Poplar Housing and Regeneration Community Association Limited with a café facility for the sale of food and drinks including alcohol. A range of activities will take place which are not licensable activities (e.g. education classes/leisure activities/group meetings) and the premises will be available for hire.

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

N/A

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

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

Provision of regulated entertainment

Please tick any 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 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed				State any seasonal variations for performing plays (please read guidance note 4)	
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 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>

Tue			
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)
Thur			
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Sat			
Sun			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<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 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
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 5)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	08.00	23.00			
Tue	08.00	23.00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Wed	08.00	23.00			

Thur	08.00	23.00	<u>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 5)</u>
Fri	08.00	23.00	
Sat	08.00	23.00	
Sun	09.00	21.00	

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)</u>	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
Day	Start	Finish		Both <input type="checkbox"/>
Mon	08.00	23.00	<u>Please give further details here (please read guidance note 3)</u>	
Tue	08.00	23.00		
Wed	08.00	23.00	<u>State any seasonal variations for the playing of recorded music (please read guidance note 4)</u>	
Thur	08.00	23.00		
Fri	08.00	23.00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)</u>	
Sat	08.00	23.00		
Sun	09.00	21.00		

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the performance of dance (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	08.00	23.00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	08.00	23.00	Please give further details here (please read guidance note 3)		
Wed	08.00	23.00			

Thur	08.00	23.00	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)
Fri	08.00	23.00	
Sat	08.00	23.00	<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 5)
Sun	09.00	21.00	

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)					
Mon	08.00	23.00						
Tue	08.00	23.00						
Wed	08.00	23.00						
Thur	08.00	23.00				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 5)		
Fri	08.00	23.00						
Sat	08.00	23.00						
Sun	09.00	21.00						

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

Name [REDACTED]
Address [REDACTED]
Postcode [REDACTED]
Personal licence number (if known) TBC
Issuing licensing authority (if known) TBC

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	08.00	23.00	
Tue	08.00	23.00	
Wed	08.00	23.00	
Thur	08.00	23.00	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)
Fri	08.00	23.00	
Sat	08.00	23.00	
Sun	09.00	21.00	

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

b) The prevention of crime and disorder

1. A suitable Closed-Circuit (CCTV) system will be operational at all times when licensable activities are being carried out and at any other times where members of the public are present on the premises.
2. All staff will receive full training in respect of the Licensing Act 2003.

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

1. The PLH/DPS staff will ask for proof of age from any person appearing to be under the age of 25 who attempts to purchase alcohol at the premises.

Checklist:

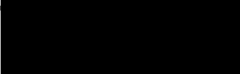
Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	19 December 2016
Capacity	Woods Whur 2014 Limited - Solicitors for the applicant

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) Andrew Woods Woods Whur 2014 Limited Devonshire House 38 York Place			
Post town	Leeds	Postcode	LS1 2ED
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) [REDACTED]			

Appendix 2

Andrew Heron

From: Nicola Cadzow
Sent: 04 January 2017 08:45
To: 'Andrew Woods'; Andrew Heron; Amy Hayward; Licensing
Cc: [REDACTED]
Subject: RE: New premise License Application - Poplar Union 2 Cotall Street, London ref M/097346

Follow Up Flag: Follow up
Flag Status: Completed

Hi Andrew

That's great.

Thank you, as have agreed the times and conditions for the application, nothing else is required from me at this time.

Licensing, as amendments to the hours and conditions have been agreed (see email trail), I have no objections to the New Premise License Application for Poplar Union 2 Cotall Street, London ref M/097346, as follows:-

Premises hours as follows:-

Monday to Saturday:- Licensable Activities Regulated Entertainment (live & recorded music), Anything of Similar description (description not given- please provide information), Supply of Alcohol until 22:30 hours, allowing 30 minutes for drink up time, music to background level) with premises closing at 23:00 hours (as per your application)

Sunday:- Licensable Activities Regulated Entertainment (live & recorded music), Anything of Similar description (description not given- please provide information), Supply of Alcohol until 20:30 hours, allowing 30 minutes for drink up time, music to background level) with premises closing at 21:00 hours (as per your application)

(1) The following conditions to be applied as below:-

- (a) No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- (b) Loudspeakers shall not be located in the entrance lobby or outside the premises building.
- (c) All windows and external doors shall be kept closed after **21:00 hours**, or at any time when regulated entertainment takes place, except for the immediate access & egress of persons.

Kind regards

Nicola Cadzow
Environmental Health Technical Officer
Noise Pollution Team
Environmental Protection
London Borough of Tower Hamlets

From: Andrew Woods [REDACTED]
Sent: 03 January 2017 18:01
To: Nicola Cadzow; Andrew Heron; Amy Hayward; Andrew Woods
Cc: [REDACTED]
Subject: RE: New premise License Application - Poplar Union 2 Cotall Street, London ref M/097346

Hi Nicola

I have taken instructions and confirm that I am happy to agree your proposed times and proposed conditions.

I ticked the 'anything of a similar description' box although it is debatable as to whether we need this . As a community hall we will be holding various theatre events , performances of dance , open mike talks and debates etc etc.

As I have agreed your times and conditions do you need anything else from me?

Regards
Andy

Andrew Woods

[REDACTED]
[REDACTED]
[REDACTED]

From: Nicola Cadzow [REDACTED]
Sent: 23 December 2016 12:22
To: Andrew Woods
Cc: [REDACTED]
Subject: RE: New premise License Application - Poplar Union 2 Cotall Street, London ref M/097346

Hi Andy

Great! I shall wait to hear from you in due course.

Kind regards

Nicola

From: Andrew Woods [REDACTED]
Sent: 23 December 2016 11:58
To: Nicola Cadzow
Cc: [REDACTED]
Subject: RE: New premise License Application - Poplar Union 2 Cotall Street, London ref M/097346

Hi Nicola

Thanks for the e mail – I will take instructions and get back to you asap.
Andy

Andrew Woods

[REDACTED]
[REDACTED]
[REDACTED]

From: Nicola Cadzow [REDACTED]
Sent: 22 December 2016 12:10
To: Andrew Woods
Cc: [REDACTED]
Subject: New premise License Application - Poplar Union 2 Cottall Street, London ref M/097346

Dear Mr Woods

I am the Noise Officer who is looking at the Premise License Application for Poplar Union for 2 Cottall Street, ref M/097346.

I wish to discuss the following:-

- (1) The application is completed for the Licensing Objective for Prevention of Crime however I would be grateful if you could provide information regarding the other three Licensing Objectives. In particular for the Noise Team, to show how you propose to comply with the Licensing Objective for the Prevention of Public Nuisance.
- (2) The Application shows that the Licensable Activities: Regulated Entertainment (live & recorded music), Anything of Similar description (description not given- please provide information), Supply of Alcohol are until the same hours as the Premises Closing time.

I would consider the following hours:

Monday to Saturday:- Licensable Activities Regulated Entertainment (live & recorded music), Anything of Similar description (description not given- please provide information), Supply of Alcohol until 22:30 hours, allowing 30 minutes for drink up time, music to background level) with premises closing at 23:00 hours (as per your application)

Sunday:- Licensable Activities Regulated Entertainment (live & recorded music), Anything of Similar description (description not given- please provide information), Supply of Alcohol until 20:30 hours, allowing 30 minutes for drink up time, music to background level) with premises closing at 21:00 hours (as per your application)

- (3) The following conditions to apply as below:-

- (a) No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- (b) Loudspeakers shall not be located in the entrance lobby or outside the premises building.
- (c) All windows and external doors shall be kept closed after **21:00 hours**, or at any time when regulated entertainment takes place, except for the immediate access & egress of persons.

I await your response to the above at your earliest convenience.

Kind regards

Nicola Cadzow
Environmental Health Technical Officer
Noise Pollution Team

Appendix 3

Andrew Heron

From: Andrew Woods [REDACTED]
Sent: 04 January 2017 11:40
To: [REDACTED] Andrew Woods
Cc: Nicola Cadzow; Andrew Heron
Subject: RE: New premise License Application - Poplar Union 2 Cotall Street, London ref M/097346

Follow Up Flag: Follow up
Flag Status: Completed

Hi Mark

Thanks for calling. I am happy to confirm that all the below conditions are agreed.

Regards
Andy

Andrew Woods

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 4 January 2017 11:21
To: Andrew Woods
Cc: [REDACTED]
Subject: RE: New premise License Application - Poplar Union 2 Cotall Street, London ref M/097346

Hi Andrew,

Good to speak to you today. Following our conversation please see the conditions we agreed:

1) A CCTV system to be put in place, the cameras are to be of sufficient quality so that peoples faces are clearly identifiable from the footage. The cameras are to be placed in such a way as they cover areas of the inside of the venue and the entrance.

The system is to record the footage and to keep it for a minimum of 30 days and a copy off CCTV footage is to be made available to Police or the Local Authority upon request and supplied within 24 hours.

While the premises are open to the public a member of staff must be on duty who can operate the CCTV system.

2) The premises will operate a Challenge 21 policy, all those who look under 21 years of age will asked for proof of age.

3) A incident record book is to be kept at the premises, this book will record all refusals of the sale of alcohol, all disorder and crimes that occur either in the premises or involve the premises customers, or any other incident of note.

Please can you reply to confirm that these conditions are acceptable.

Thanks

Mark

PC Mark Perry
Police Licensing Officer

From: Nicola Cadzow [REDACTED]
Sent: 04 January 2017 08:45
To: 'Andrew Woods'; Andrew Heron; Amy Hayward; Licensing
Cc: Cruickshank Alan D - HT; Perry MARK J - HT
Subject: RE: New premise License Application - Poplar Union 2 Cotall Street, London ref M/097346

Hi Andrew

That's great.

Thank you, as have agreed the times and conditions for the application, nothing else is required from me at this time.

Licensing, as amendments to the hours and conditions have been agreed (see email trail), I have no objections to the New Premise License Application for Poplar Union 2 Cotall Street, London ref M/097346, as follows:-

Premises hours as follows:-

Monday to Saturday:- Licensable Activities Regulated Entertainment (live & recorded music), Anything of Similar description (description not given- please provide information), Supply of Alcohol until 22:30 hours,

allowing 30 minutes for drink up time, music to background level) with premises closing at 23:00 hours (as per your application)

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Kind regards

Nicola Cadzow
Environmental Health Technical Officer
Noise Pollution Team

Environmental Protection
London Borough of Tower Hamlets

From: Andrew Woods [REDACTED]
Sent: 03 January 2017 18:01
To: Nicola Cadzow; Andrew Heron; Amy Hayward; Andrew Woods
Cc: [REDACTED]
Subject: RE: New premise License Application - Poplar Union 2 Cotall Street, London ref M/097346

Hi Nicola

I have taken instructions and confirm that I am happy to agree your proposed times and proposed conditions.

I ticked the 'anything of a similar description' box although it is debatable as to whether we need this . As a community hall we will be holding various theatre events , performances of dance , open mike talks and debates etc etc.

As I have agreed your times and conditions do you need anything else from me?

Regards
Andy

Andrew Woods

[REDACTED]
[REDACTED]
[REDACTED]

From: Nicola Cadzow [REDACTED]
Sent: 23 December 2016 12:22
To: Andrew Woods
Cc: [REDACTED]
Subject: RE: New premise License Application - Poplar Union 2 Cotall Street, London ref M/097346

Hi Andy

Great! I shall wait to hear from you in due course.

Kind regards

Nicola

From: Andrew Woods [REDACTED]
Sent: 23 December 2016 11:58
To: Nicola Cadzow

Cc: [REDACTED]

Subject: RE: New premise License Application - Poplar Union 2 Cotall Street, London ref M/097346

Hi Nicola

Thanks for the e mail – I will take instructions and get back to you asap.

Andy

Andrew Woods

[REDACTED]

[REDACTED]

[REDACTED]

From: Nicola Cadzow [REDACTED]

Sent: 22 December 2016 12:10

To: Andrew Woods

Cc: [REDACTED]

Subject: New premise License Application - Poplar Union 2 Cotall Street, London ref M/097346

Dear Mr Woods

I am the Noise Officer who is looking at the Premise License Application for Poplar Union for 2 Cottall Street, ref M/097346.

I wish to discuss the following:-

- (1) The application is completed for the Licensing Objective for Prevention of Crime however I would be grateful of you could provide information regarding the other three Licensing Objectives. In particular for the Noise Team, to show how you propose to comply with the Licensing Objective for the Prevention of Public Nuisance.
- (2) The Application shows that the Licensable Activities: Regulated Entertainment (live & recorded music), Anything of Similar description (description not given- please provide information), Supply of Alcohol are until the same hours as the Premises Closing time.

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(c) All windows and external doors shall be kept closed after **21:00 hours**, or at any time when regulated entertainment takes place, except for the immediate access & egress of persons.

I await your response to the above at your earliest convenience.

Kind regards

Nicola Cadzow
Environmental Health Technical Officer
Noise Pollution Team
Environmental Protection
London Borough of Tower Hamlets

*

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Web site : <http://www.towerhamlets.gov.uk>

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Appendix 4

Andrew Heron

From: Andrew Woods [REDACTED]
Sent: 03 January 2017 18:05
To: James Gilley
Cc: Andrew Woods; Andrew Heron
Subject: RE: Licensing application Cottall Street YOUNG PERSONS

Follow Up Flag: Follow up
Flag Status: Completed

Hi James

I have spoken to the operators who fully understand your concerns – I wonder if you would be happy with the below proposals (my clients would be happy to consider any others). I appreciate that the first one is an all encompassing proposal but hopefully the second one deals with any issues over vulnerable children at night.

- Premises to be manned at all times by staff who will monitor Young Persons on the premises at all times.
- No unaccompanied persons under 16 on the premises after 2100?

Regards
Andy

Andrew Woods

[REDACTED]

[REDACTED]

[REDACTED]

From: James Gilley [REDACTED]
Sent: 22 December 2016 10:57
To: Andrew Woods
Subject: Licensing application Cottall Street

Dear Andrew

Re: your Licensing Act application in relation to Poplar Union – 2 Cottall Street London E14 6TL

there is insufficient information as to how you will ensure "the protection of children from harm".

Given the premises function is that of a Community Centre could you please be specific as to what steps your client intends ie regarding children/young people remaining on the premises late into the night - especially on school nights? Children/young people left unaccompanied, children who may be vulnerable to sexual exploitation etc..

Please do not hesitate to contact me should you wish to discuss any of the above

Yours

James

James Gilley
Local Authority Designated Officer (LADO)
Safeguarding Children's Hub

[Redacted]

[Redacted]

Through our practice, we help children, young people and their families to have safer and better lives

Working Together for a Better Tower Hamlets
Web site : <http://www.towerhamlets.gov.uk>

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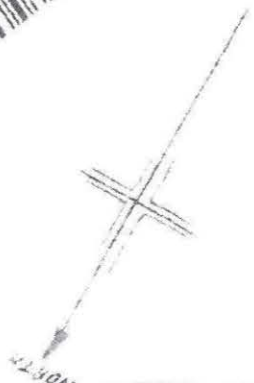
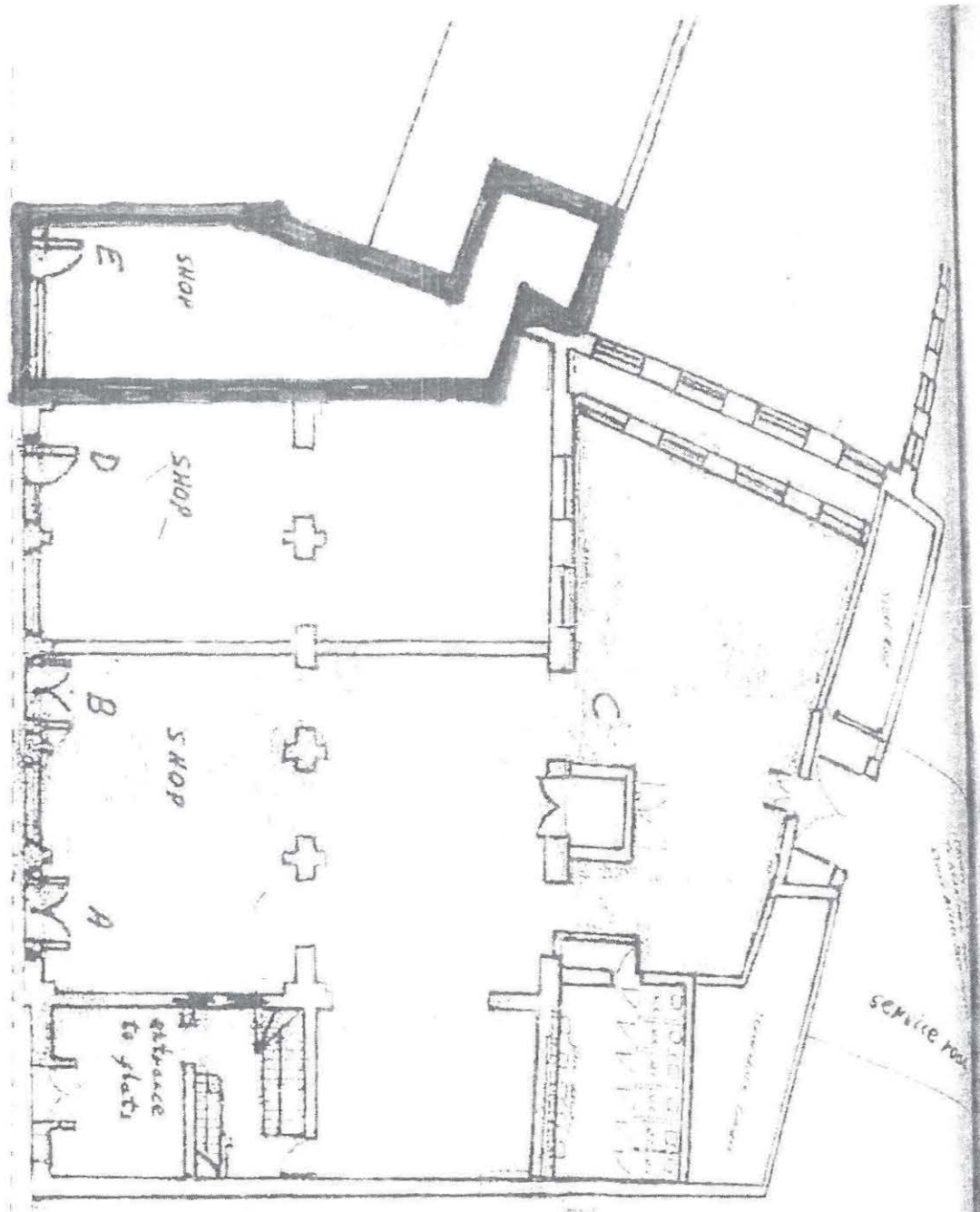
Appendix 5

GROUND FLOOR PLAN
43a COMMERCIAL STREET
LONDON E1 6BD
UNIT E

SCALE 1:200

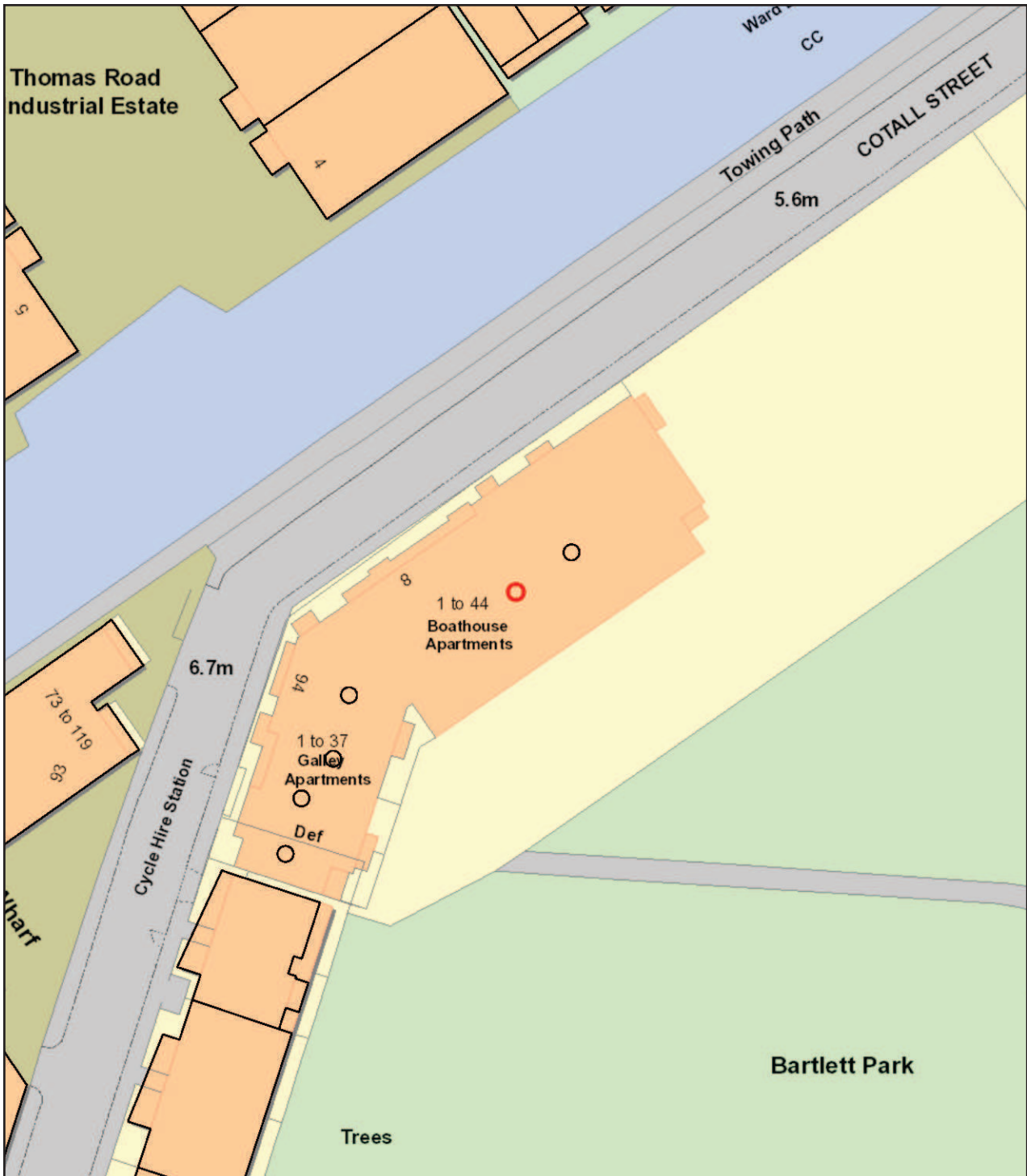
NOTICE OF INTENT TO APPLY

COMMERCIAL STREET



Handwritten notes:
Party release
Attention
M. J. H. H. H.

Appendix 6

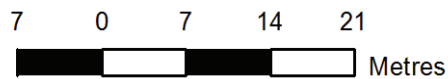


2 Cotall Street

Map 1



Scale 1:769



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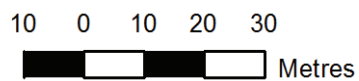


2 Cotall Street

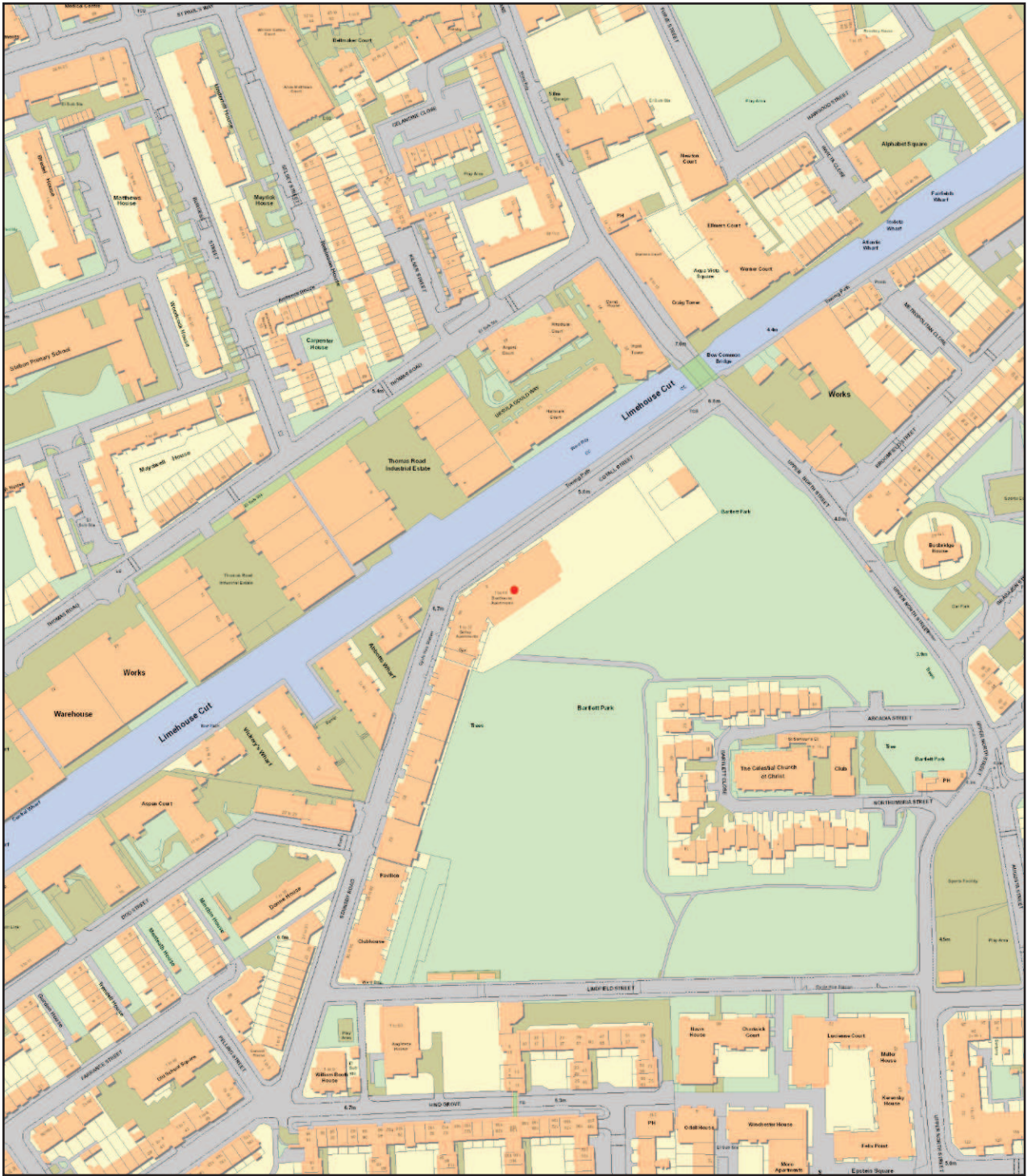
Map 2



Scale 1:1537



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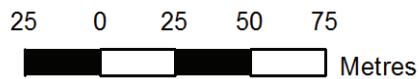


2 Cotall Street

Map 3



Scale 1:3074



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Appendix 7

Section 182 Advice by the Home Office Updated on March 2015

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 8

Andrew Heron

From: Daren Buckingham [REDACTED]
Sent: 11 January 2017 16:41
To: Licensing
Subject: Attn: Mr Andrew Heron - Poplar Union Licensing Application 097346

Dear Mr Heron,

I am a local resident who lives a few metres from the Poplar Union Community Hall and was shocked to find out that they have applied for a drinks and music licence. Living so close to the community hall I am very unhappy that they have decided not to notify local residents directly. Indeed I understood that it is a legal requirement of such applications that residents who live within 40 metres should be notified of such application directly.

I understand that the application was made shortly before the Christmas break on the 20th December and if I was being cynical I would suggest that the application was trying to slip through unnoticed during the holidays. An A4 sized poster on a lamp post is not going to gain the awareness of local residents and therefore a realistic assessment of the impact of granting this licence will not be achieved. Especially with the time limit of 17th January for comments on this application. It really is unacceptable.

I have lived in [REDACTED] for 12 years and in the local area for over 30 years and have some concerns about licensing these premises:

- We already have a problem with anti social behaviour, especially in Bartlet Park, and the introduction of alcohol will surely exacerbate this problem.
- Noise nuisance in the park late at night is a big problem, and music noise from the community hall is really not fair on us local residents, compounded with drinkers spilling into the park.
- Parking too is a massive problem for me and is already at breaking point. This licence being granted is only going to make things worse.

I sincerely hope that this licence application is rejected and the local residents consulted in an open and transparent way so the application can be considered fairly by local residents.

Kind Regards,

Daren Buckingham
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Appendix 9

Andrew Heron

From: Jimmy MG Lim [REDACTED]
Sent: 13 January 2017 23:59
To: Licensing
Subject: Poplar Union Licensing Application 097346 - Attn Andrew Heron

Hi Mr Heron,

I am long time a resident in the area of poplar, [REDACTED]. I am deeply concerned by the poplar union applying for a drinks and music license. I worry for the locals particularly the nursing home*, aged community and quiet community housing in the area.

I have been here for slightly over 11 years, and have grown with the local peaceful community. As you may already understand, on Stainsby road, the population is of higher density considering the number of high rise apartments and public park (Baratte Park). A music and drinking licence will encourage more antisocial behavior and cause unnecessary costs to both the police and local governance parties; as well as endanger the high volume of older residents that will be the result of noise and drunk individuals (refer to above *). From all perspectives of this concerning matter, there will be of little value achieved in allowing such establishments; it will be much a better cause approving developments such as community gyms and learning centres to encourage on improving the community as a whole.

I encourage you to take a deeper consideration on this matter and strongly support your cause in REJECTING the unnecessary "drinks and music" application for a designated residential area.

kind regards,
Jimmy MG Lim

[REDACTED]

--
Jimmy Mian Guan Lim

[REDACTED]

[REDACTED]

Appendix 10

Andrew Heron

From: Roxanna Ong [REDACTED]
Sent: 15 January 2017 18:54
To: Licensing
Subject: Attn: Mr Andrew Heron - Poplar Union Licensing Application 097346

Dear Mr Heron,

I am a local resident who lives very close to the Poplar Union Community Hall and was surprised to find out that they have applied for a drinks and music licence.

I understand that it is a legal requirement for this type of application that residents who live within 40 metres should be notified directly of such an application. I only found out about it by accident via a neighbour . I have not seen any notices for this application on Stainsby Road. It's also very disappointing that notification wasn't provided directly. Why did that not happen?

I have lived in [REDACTED] for over 10 years and have some serious concerns about licensing these premises as I believe it will have an adverse effect on the quality of life for the residents as it is likely to result in:

Noise nuisance

The music noise from the community hall is not fair to local residents and is likely to result in drinkers continuing their revelry into the park once the Union closes.

Anti-social behaviour

This is already a problem in the area and selling alcohol at a premises next to Bartlett Park will only make it worse.

Parking issues

Parking is a big problem, it is very limited and at breaking point. If the licence is granted it'll only make things much worse.

I object to the licence application on these grounds and hope that it will be rejected. I also hope that the local residents will be consulted in an open and transparent way, on a timely basis, so the application can be considered fairly by local residents.

Yours sincerely,

Ms Roxanna Ong
[REDACTED]
[REDACTED]
[REDACTED]

Appendix 11

Andrew Heron

From: H Patel [REDACTED]
Sent: 17 January 2017 08:46
To: Licensing
Subject: Attn: Mr Andrew Heron - Poplar Union Licensing

Follow Up Flag: Follow up
Flag Status: Completed

Dear Mr Heron

I am writing to object to the application for a drinks and music licence for Poplar Union. Despite living so close to the actual venue, I received no indication of the application which I think will have a negative impact on the community within which we live.

Stainsby Road is already congested with cars and to allow an events venue to be located so close to my residential property would only increase the traffic on the actual road and cause further issues with parking. The option of being able to serve alcoholic drinks in the venue is also something I would like to object to. It would lead to anti-social behaviour and noise pollution, especially if the venue is allowed to use the park as a space where people could congregate. We already have problems now and again with anti-social behaviour in the park and objectionable music played late into the night, which keeps us awake. As a father with a four year old son, I would not want there to be excess noise coming from the venue, which would be inevitable given the proposal of a licence, to disturb the sleep of hard working residents, who moved into the area to live a quiet life and escape some of the more challenging behaviour we see on the streets. It is a given that where there are bars and venues that serve alcohol, then there is a rise of anti-social behaviour. I don't see how a meaningless sign which asks for patrons to keep the noise level down is really going to alleviate issues which will undoubtedly arise from people who overconsume alcohol to the point where they don't really care about their actions. I would be most interested to hear your views on this matter.

It would have been just to allow the people in the community to actually have a say about what happens in their local community by actually being consulted by something which will affect our quality of life.

I reiterate that I object most strongly about the proposals for Poplar Union and I look forward to hearing from you in due course.

Yours sincerely

Mr Heeten Patel
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Appendix 12

Andrew Heron

From: [REDACTED]
Sent: 11 January 2017 11:32
To: Licensing
Subject: Poplar Union Licence Application

Follow Up Flag: Follow up
Flag Status: Completed

Dear Mr Andrew Heron,

Re: Ref: 097346 Poplar Union Licensing Application

I live a few yards from the Poplar Union at [REDACTED] and was surprised yesterday to be informed by my neighbour that the Community Centre has applied for a alcoholic drinks licence.

I understand that if a property is within 40 metres of a licence application the resident should be informed in writing. Needless to say there has been no such notification.

The application was submitted just before the Christmas shutdown (20th Dec) which suggests that there has been an attempt to slip this through during a quiet period.

A letter pinned up on a door amongst other publicity material is not a public consultation. As there is a time limit on representations (in this case only a few more days) plus the apparent attempt to keep the application a secret I believe the Council will not get a realistic assessment of the impact of the licence on the area.

I have lived in a property overlooking Bartlett Park for the past 40 years and would like to feed in these comments.

The licensing hours requested by Poplar Union effectively turn a community centre into a pub. Opening times are from early in the morning until eleven at night. This will negatively impact the area in several ways.

Anti-social behaviour: as drinkers pour out into Cotall St and Stainsby Rd. These are the only two dispersal roads.

Impact on Bartlett Park: The doors of the Poplar Union open out onto the park. Drinkers will spill into the park and continue drinking causing a nuisance well into the early hours. We suffer from problems of this nature already. Adding a pub to the problem will on cause late night mayhem.

Parking: there is no room for cars in this area. Local residents will not be able to park until throwing out time. The parking problem is critical now.

Limehouse canal. Directly opposite the Poplar Union is the Limehouse Cut. There have been many incidents of drunks drowning in this canal. I want it placed on record that there is a potential health and safety risk of late night drinking within easy access to a canal.

Tony Portacio
[REDACTED]
[REDACTED]
[REDACTED]

Appendix 13

Andrew Heron

From: Ann Wymont [REDACTED]
Sent: 11 January 2017 16:51
To: Licensing
Subject: Poplar Union Licensing Application 097346 - Attn: Mr Andrew Heron

Dear Mr Heron,

I live a few hundred yards from the Poplar Union and was surprised yesterday to be informed by a local neighbour that the Poplar Union has applied for an alcoholic drinks and music licence.

I have lived nearby to Bartlett Park for over 50 years and have some serious concerns about licensing these premises:

- There is a big problem with anti social behaviour already and the introduction of alcohol will surely exacerbate this problem.
- Noise nuisance can be a really big issue and music noise from the community hall is really not fair on us local residents, compounded with drinkers spilling into the park.
- Car parking too is extremely difficult in the area and is already at breaking point. This licence will only make things worse.

I sincerely hope that my comments are noted and this this licence application is rejected and the local residents consulted in an open and transparent way so the application can considered fairly by local residents. An A4 poster on a lamp post is really not letting the locals know what happening in a fair way.

Regards,

Mr F. Wymont
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Appendix 14

LBTH
TRADING STANDARDS
17 JAN 2017
LICENSING

10th January 2017

David Tolley

Application (Head of Environmental Health & Trading Standards)

Licensing Section

John Onslow House

1 Ewart Place

London,

E3 5EQ

Galley Apartments Residents

Mohammed Rashid



App Number:

Ref: CLC/EHTS/LIC/097346

Dear David,

We are writing to express our Deep Concern regarding Poplar Union, 2 Cottal Street London E14 6TL where the Licencing Authority has received an application for the premises licence that can include; the selling of alcohol, regulated entertainment or late night refreshment (this means the supply of hot food after 11.00PM).

Galley Apartment is a residential building with a strong community feel – a number of our residents have lived there for over few years. We are extremely worried that this proposal will destroy the fabric of this community as the introduction of a premises licence to sell alcohol, late night refreshment including supply of hot food after 11.00PM that will change the character of this area, bringing in people from very different walks of life and ultimately change the equilibrium. We do not need any very late night (Especially after 11.00PM) restaurant/pub style space which forcefully gentrifies a whole neighbourhood!

Aside from this, we have a number of further concerns which outlined below:

Security and Anti-Social Behaviour – Our building is accessed through key fob enable security doors, with a separate space for bikes in the basement. Non-residents of Galley Apartments who are not residents accessing the building to consume alcohol, drugs, eating food in the stairs, and also stole bikes from the basement and additionally broken cleaners cupboard in the Galley Apartments and this poses a number of problems as it means that potential anyone from different location would try to gain access to the building. In an area where crime is already an issue, opening a centre where Hot Food and Alcohol will be served after 11.00PM to people definitely would increase crime and increase the risk for vulnerable people living in the Stainsby Road and Cottal Street near Barlett Park (such as pensioners), and this is a very deep concerns.

Furthermore, if you allow to serve food and consume alcohol after 11.00PM in this area than there will be people who will be smoking/"hanging out" near the Lime house Canal, Barlett Park and also on the Cottal Street or Stainsby Road and this not only will give a bad impression to visitors but will also impact the health of residents specially the growing children's living in this area.

Traffic – introducing a refreshment centre to sell hot food, serve alcohol in the space will undoubtedly increase the traffic around the building. Stainsby Road, Dodd Street near Cottal Street is already heavily congested and this will compound the problem. Furthermore, finding parking for residents is already extremely difficult and we fear that this proposal will only exasperate this issue further.

Noise/food smell/pollution/litter/dust/Invite Pests like mice, rats etc. : – the proposed space has been disused for a long time to date and after the recent developments it has reached to a nice and tolerable area for local residents and youngsters. If you allow to open a refreshment centre even after 7.00PM to sell hot food, serve alcohol then the food smell will spread in the area which will ultimately destroy the beauty and standard of resident's life and it will create noise from vehicles that people will bring into the locality, various group of people coming and going from the refreshment centre would produce dust in summer and considerable amount of group of people to visit the refreshment centre to eat food or consume alcohol would create noise, litter in the street,. And this will impact residents such as working professionals, pensioners and young children and not to mention inconvenience for the rest.

Destroy the value of Residential area: The people In this surrounding area are mainly working class people with family and children's. People comeback at evening to their flats/premises to take some relax/rest/refresh to reenergise for next day work. If you offer the permission to open a refreshment centre to keep open till late (Anything after 7.00PM that will invite people from various location to have party/social gathering/functions which will not only disturb resident's personnel life but also ultimately push residents to move out from the area.

Disrupt the Children's / Baby's social life and interrupt the privacy of life: Stainsby Road/Cottal Street is comprise with mainly family houses where each family have at least two kids/children's. The children's come back from school and go to bed around 7.00PM. If the proposed location used for refreshments at evening then it would cause noise from Cottal street or Stainsby Road from people's vehicle, group chit-chats in Barlett Park and open an opportunity for various group of people to engage in different kind of unsocial activities in the park and that would ultimately effect the growing children's life and disrupt their social life.

Invite Strangers/Anti-social group to the Barlett Park: If you allow the proposed location for selling food and alcohol then this would invite various group of people into the place and they would potentially cause noise/chaos or even fights after having too much drink or some other anti-social group to gather around in the park and disturb the living neighbours. Without a place to serve alcohol and food, there was various incidents that was reported by me to Lime house police on summer 2016 to control unsocial activities in the Barlett Park. I still find lots of trouble klds/youngsters muck around the park throughout night and thorough rubbish in the street and also the park. Your proposed location for serving food and alcohol is adjacent to the park and no doubt it would bring more troubles to the locality.

Health and Safety and Environmental Issues: Serving Hot Food, Serving Alcohol would invite various people to the place and if people can't find a space in the place then they would hang around outside/Street/Park where they may smoke or even they may bring their cars/vehicle which would increase the air pollution in the area and may increase the risk of security for the local residents.

Better options –

Option A: Serve food and alcohol not later than 7.00PM due to consideration of Residential Area and the location near to the park.

Option B: we firmly believe that there are better options for refreshments within half a mile at Chrisp Market or West India Dock Road with easy access or within one mile Canary Wharf that would not impact on residents and is far better offer for economy, society and balance of life than what is on offer in the proposed location. We urge you to look at this as an option over road, our residential place and near our building.

We have stated above that we strongly disagree with the proposal and feel that it hasn't been anticipated suitably and the needs/views of residents should take priority over commercial activity.

We would be much appreciated if you could reconsider this proposal and have a serious consideration to the local residents.

Yours Sincerely,

The Residents of Galley Apartments, (as signed below)

Signature: [Redacted]
Name: [Redacted]
House no. [Redacted]

Signature: [Redacted]
Name: Alessandro
House no. [Redacted]

Signature: [Redacted]
Name: SAMU A ALMARAZ
House no. [Redacted]

Signature: [Redacted]
Name: APRY MARY
House no. [Redacted]

Signature: [Redacted]
Name: Anne Aled
House no. [Redacted]

Signature: [Redacted]
Name: SHELNA BEGUM
House no. [Redacted]

Signature: [Redacted]
Name: Halima Ali
House no. [Redacted]

Signature: [Redacted]
Name: _____
House no. _____

Signature: [Redacted]
Name: Abdul malik
House no. [Redacted]

Signature: [Redacted]
Name: JOE HNSL
House no. [Redacted]

Signature: _____

Signature: _____

Name: RASHVA

House no. [REDACTED]

Signature: [REDACTED]

Name: _____

House no. _____

Signature: [REDACTED]

Name: SAKIR AHMED

House no. [REDACTED]

Signature: [REDACTED]

Name: ELENA MURDO

House no. [REDACTED]

Signature: [REDACTED]

Name: BOBIR ALI

House no. [REDACTED]

Signature: [REDACTED]

Name: PARTH PAMRANI

House no. [REDACTED]

Signature: [REDACTED]

Name: CIORSA STARA

House no. [REDACTED]

Signature: [REDACTED]

Name: PAUL BRADY

House no. [REDACTED]

Signature: _____

Name: _____

House no. _____

Signature: [REDACTED]

Name: JOAN

House no. [REDACTED]

Signature: [REDACTED]

Name: JENNY

House no. [REDACTED]

Signature: [REDACTED]

Name: MUSA

House no. [REDACTED]

Signature: [REDACTED]

Name: MD ASKIR ALI

House no. [REDACTED]

Signature: [REDACTED]

Name: MIS LIPI B. NEAH

House no. [REDACTED]

Signature: [REDACTED]

Name: Tahsin Pamuk

House no. [REDACTED]

Signature: _____

Name: _____

House no. _____

Signature: _____

Appendix 15

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 - 2.7).

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 16

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 7 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 (2.14 – 2.20).

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 (2.18/2.20).

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 (13.13).

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 17

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. (2.19).

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. (2.20)

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 (2.22) 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 18

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	06:00hrs to 23:30hrs
Friday and Saturday	06:00hrs to 00:00hrs (midnight)
Sunday	06:00hrs to 22:30hrs

(see 12.8 Of the Licensing Policy)

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

- Location
- Proposed hours of regulated activities, and the proposed hours the premises are open to the public
- The adequacy of the applicants 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 12.8 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
- Premises licensed for off sales only

What's On Jan, Feb, Mar 2017

Mondays
23, 30 January
6, 13, 20, 27 February
6, 13, 20, 27 March



Dance Aerobics (Health)
with Massaging
Time: 7.30pm
Suitable for ages 14+
Tickets: £9 per session, £21 for 3 weeks
or £24 for 4 weeks; concessions available

Mondays
23, 30 January
6, 13, 20, 27 February
6, 13, 20, 27 March



CREATE: LEARN: SPEAK (Class)
Time: 10am
Suitable for ages 16+
Tickets: FREE - booking required

Mondays
23, 30 January
6, 13, 20 February



ACTO YOGA (Health)
with Sarah Hill-Crofts
Time: 6.30pm
Suitable for ages 18+
Tickets: £6 per session, £25 for 5 weeks

Tuesdays
24, 31 January
7, 14 February



Baby Yoga (Health)
with Alice Parascio
Time: 10am
Suitable for babies from 12 weeks old to crawling
Tickets: £7 per session, £20 for 4 weeks

Tuesdays
7, 14, 21, 28 February
7, 14, 21, 28 March



Mindful Music (Workshop)
Time: 4pm (1, 10 weeks) 5pm (2, 16 weeks)
Suitable for ages 3 - 10
Tickets: £2.50 for four weeks

Wednesdays
15, 22 February
1, 8 March



Jungle Book (Children's Theatre)
by Indigo Moon Theatre - directed by Steve Topleady
Time: 7pm
Suitable for ages 4+
Tickets: £5 adults, £3 children, £14 family of 4

Sunday
19 February



Monski Mouse's Baby Disco Dance Hall (Family)
Time: 3pm
Suitable for ages 0 - 5
Tickets: £3 adult, 3 children go free per adult

Tuesdays
21, 28 February
7, 14, 21 March



Toddler Yoga (Health)
with Alice Parascio
Time: 10am
Suitable for ages 10 - 18 months
Tickets: £7 per session, £25 for 5 weeks

Thursday
2 March



Fat Girls Don't Dance (Theatre)
Time: 7.30pm
Suitable for ages 18+
Tickets: £10, concessions £9

Saturday
4th March



Lights Up! (Music)
Time: 7pm
Suitable for ages 16+, photo ID required
Tickets: £5 early bird (until 22 Feb)
£8 thereafter

Thursday
9, 23 March



Designing and Building Furniture
with MAA and Co-Op (Workshop)
Time: 10am
Suitable for all ages, under 16 must be accompanied by an adult
Tickets: FREE - booking required

Friday 10 March
Saturdays 18 & 25 March



Fabric Printing Fun
with MAA and Co-Op (Workshop)
Time: 10am
Suitable for all ages, under 16 must be accompanied by an adult
Tickets: FREE - booking required

Friday
10 March



Daughters of the Curry Revolution! (Theatre)
Time: 7pm
Suitable for ages 6+, under 16 must be accompanied by an adult
Tickets: £8

Saturday
11 March



Michele Drees' Jazz Tap Project (Workshop)
Time: 7.30pm
Suitable for all ages
Tickets: £10 advance, £4 on the door

Friday
17 March



Words in Motion presents: Poetry Goes Pop! (Open Mic - MusicPoetry)
with Vajjala & Simon
Time: 8pm (7.30pm sign up for open mic)
Suitable for ages 14+ under 16 must be accompanied by an adult
Tickets: £4 early bird (until 10 March)
£7 thereafter

Sunday
26 March



POP-Com: Short Film Night (Film)
Time: 8pm
Suitable for all ages
Tickets: £5 on the door
Film submissions to be on the door at popcorn@poplarunion.com before 27 Feb

Friday 31 March
Saturday 1 April



Musicjelly: Audio-Visual Music Machine (Music/Workshop)
Time: from 7pm Friday 6 11am Saturday
Suitable for all ages
Tickets: FREE - booking required



The London House and Food of Poplar



Flavors & Workshops



Mix of Jamah



Learning & Engagement



Work & Home



Theatre & Film



Health & Wellbeing

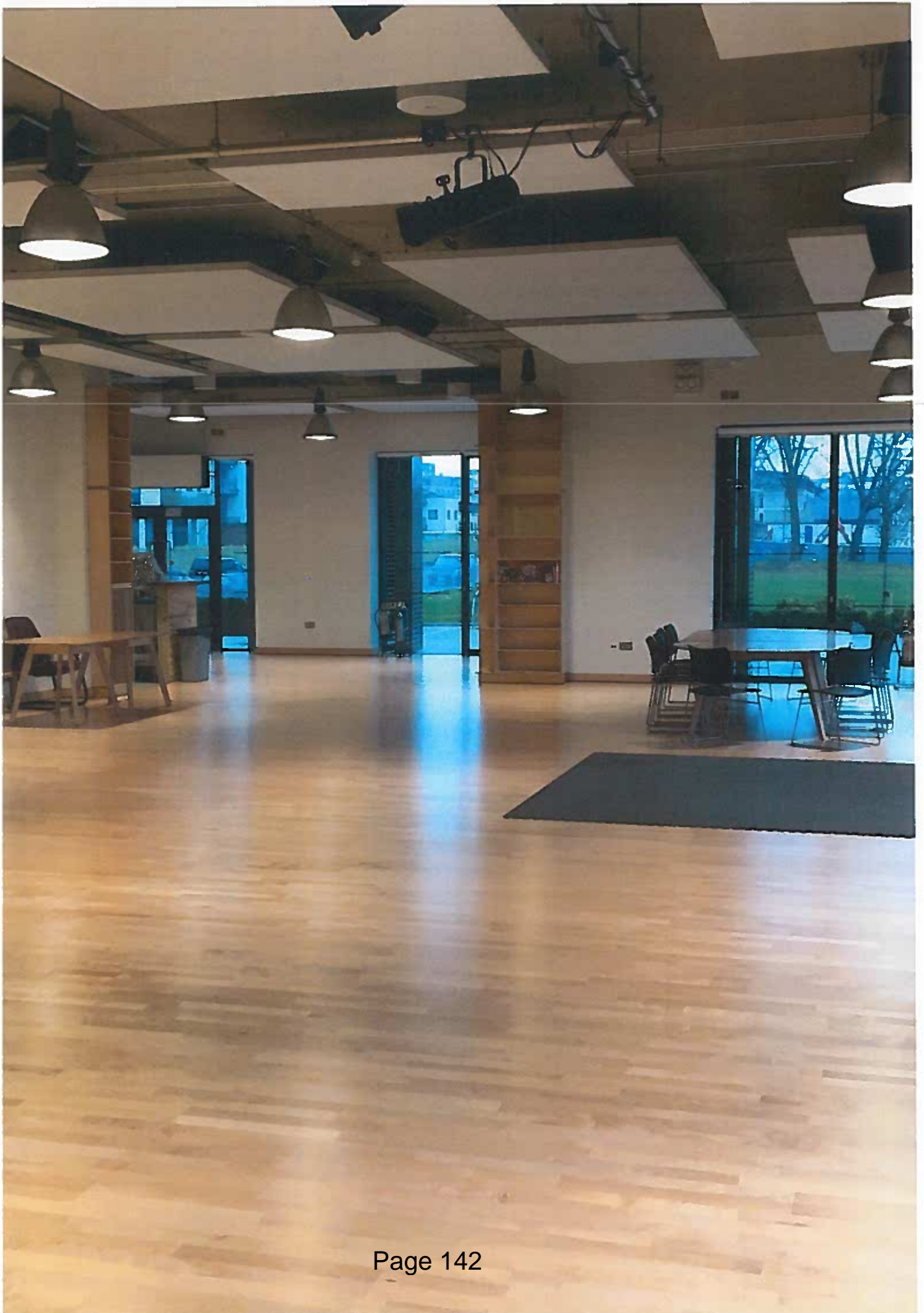


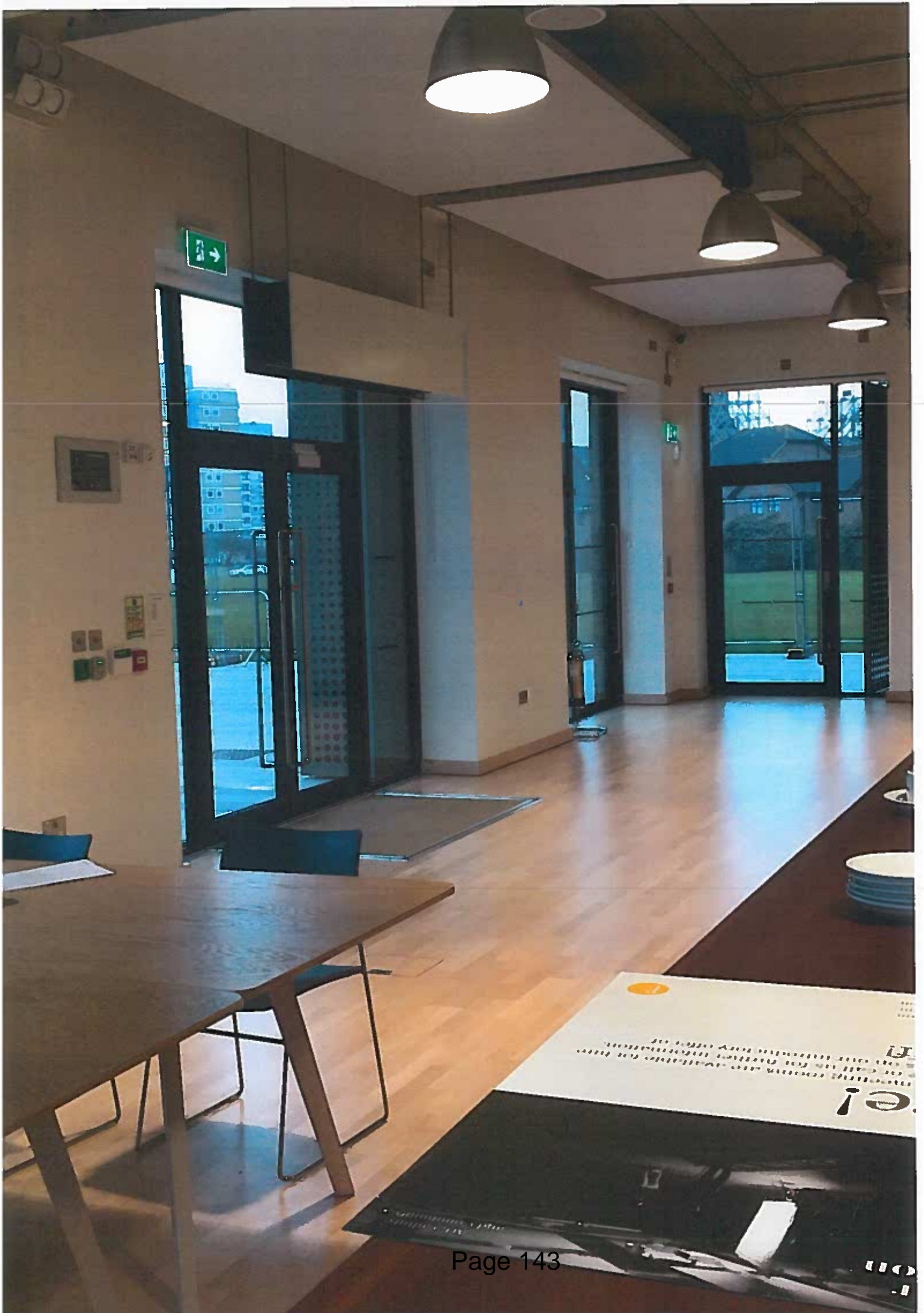
Hire!

Our studio and meeting rooms are available for hire with 50% off between January and March 2017. Visit our website or email us for further information. hire@poplarunion.com



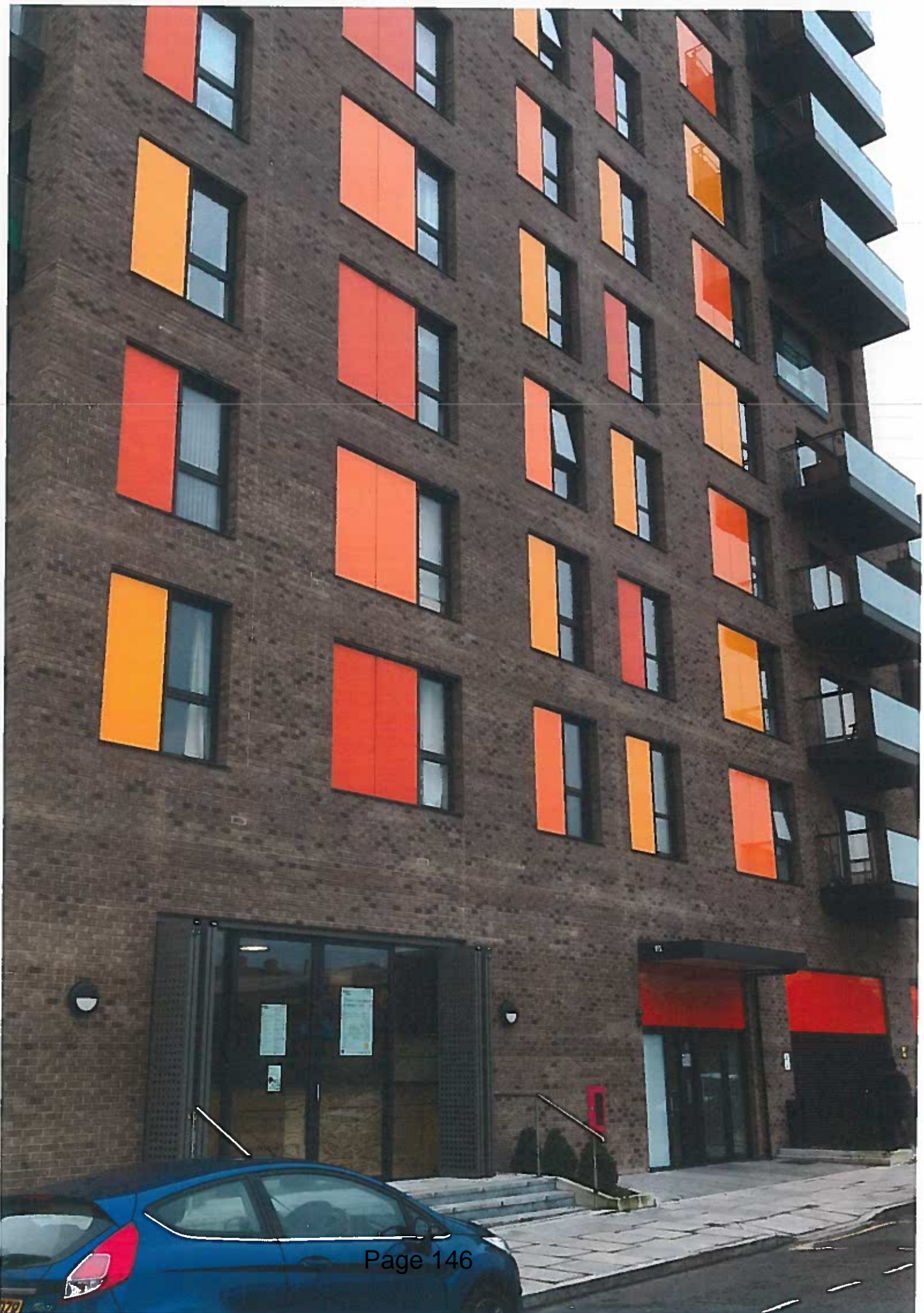


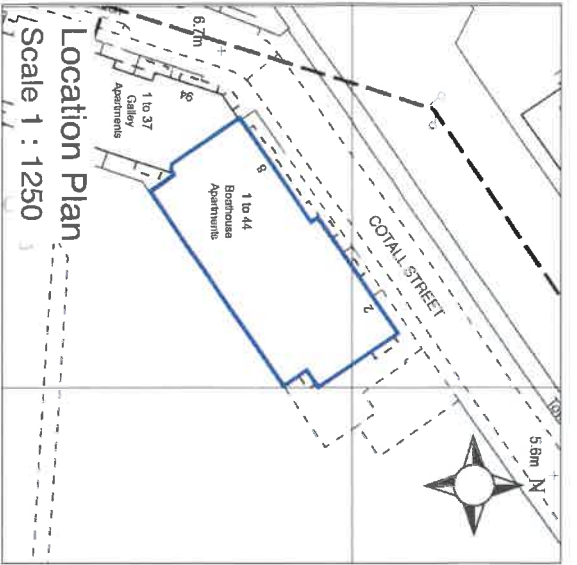












Commercial Premises
2 Cotall Street
London
E14 6TL

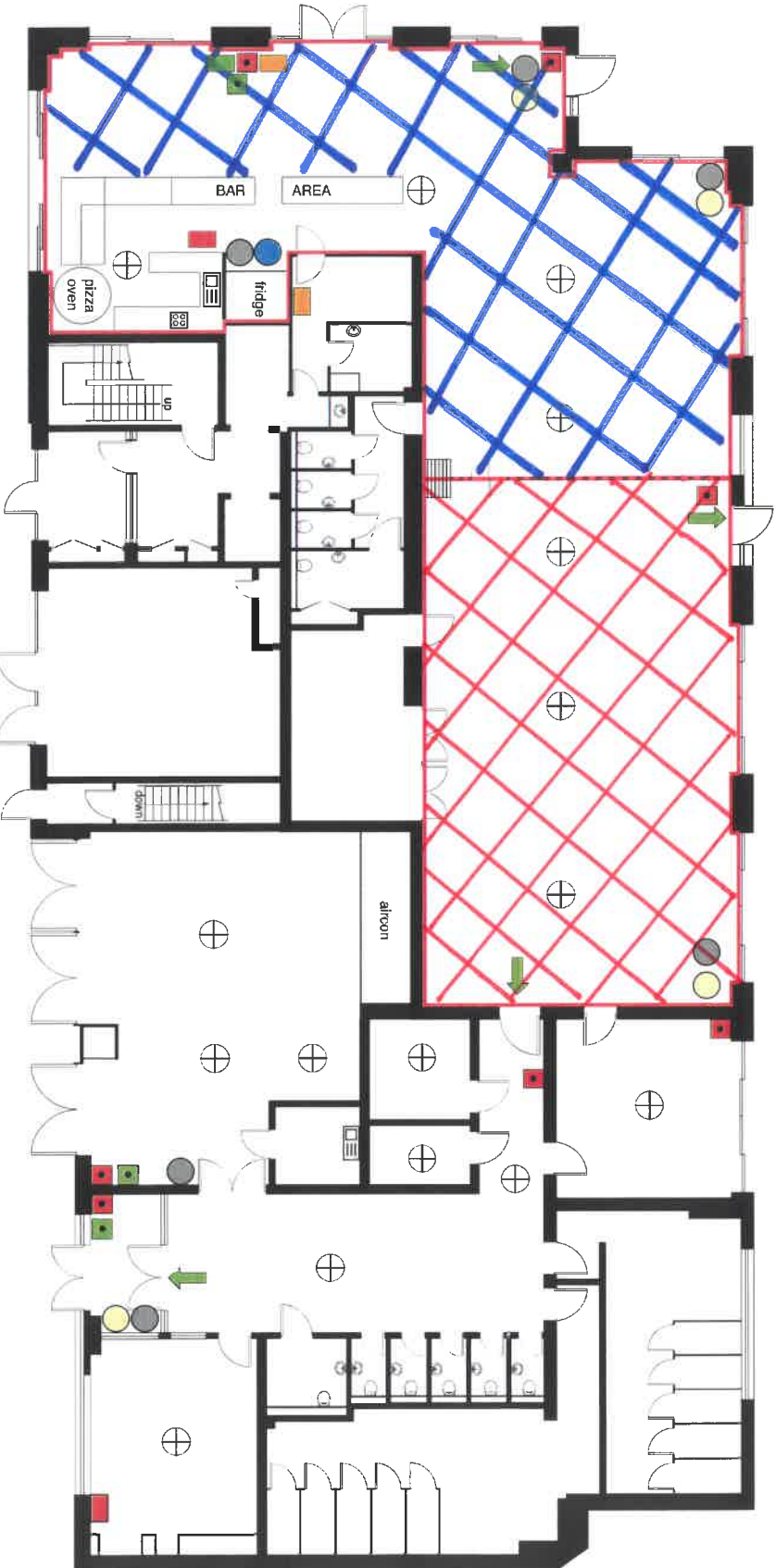
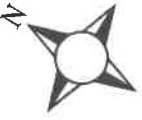
Scale 1:200
Ground Floor



Legend	
	Fire Blanket
	Fire Extinguisher Wet Chemical
	Fire Extinguisher CO2
	Fire Extinguisher Foam
	Break Glass Fire Alarm
	Alarm Control Panel
	Emergency Light
	Directional Fire Escape Sign
	Emergency Door Release
	Denotes the area where licensable activities will take place

Note: The Location and type of any fire safety and other fire safety equipment is shown as it is at present. This may be varied from time to time with the agreement of the fire officer or after fire risk assessment.

Direction of Cotall Street




 Magnolia Square Limited
 57 Rathbone Place
 London
 W1T 1JU
 020 7479 4855

PROJECT
 2 Cotall Street
 London
 E14 6TL

PRINT AT A4 PAPER SIZE

JOB TYPE	DRAWING TITLE	DATE	SCALE	DRAWING NUMBER
MEASURED SURVEY	LEASEPLAN	OCT 2016	1:200	11711

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Poplar Housing and Regeneration Community Association Limited

Poplar Union

2 Cotall Street, London, E14 6TL

Proposed Conditions

1. CCTV system to be in place with the cameras of sufficient quality so that people's faces are clearly identifiable from the footage. The cameras are to be placed in such ways they cover areas of the inside of the venue and the entrance. The system is to record the footage and to keep it for a minimum of thirty days, a copy of the CCTV footage is to be made available to the Police or the Local Authority upon request and supplied within 24 hours. Whilst the premises are open to the public a member of staff must be on duty who can operate the CCTV system.
2. The premises will operate a Challenge 25 policy and all those who look under 25 years of age will be asked for proof of age.
3. An incident book will be kept at the premises which will record all refusals of the sale of alcohol, all disorder and crimes that occur either in the premises or involve the premises' customers or any other incident of note.
4. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that give rise to a nuisance.
5. Loud speakers shall not be located in the entrance lobby or outside the premises' building.
6. All windows and external doors shall be kept closed after 21:00 hours OR at any time when regulated entertainment takes place except for the immediate access and egress of persons.
7. No unaccompanied persons under the age of 16 shall be permitted on the licensed premises after 21:00 hours.
8. Staff training will include training on the protection of the vulnerable which will include persons under the age of 16 at the premises.

9. Alcohol will only be consumed inside the premises and within the red line shown on the plan. Customers will not be permitted at any time to take alcoholic drinks either in a drinking vessel or unopened outside the premises (this includes the patio area and the park).
 10. The premises licence holder will risk assess at all times the requirement for additional staff to be employed so as to prevent customers taking alcohol off the premises (and in particular onto the patio area and the park). Staff will at all times ensure that customers do not take alcohol outside the premises.
 11. The premises licence holder will risk assess the requirement to employ SIA licensed door supervisors to be on duty at certain events and certain times so as to ensure compliance with all conditions.
 12. No customer will be permitted to be outside the premises (red line area) after 21:00 hours except for those customers who wish to smoke in a managed area on the patio and the premises licence holder will ensure compliance with this condition. Customers who go outside to smoke will not be permitted to take any drinks with them.
 13. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
 14. (a) A direct telephone number for an operations manager at the premises shall be publically available and operational (capable of being answered / any message left returned quickly) at all times the premises are open . The telephone number is to be made available to residents and businesses in the vicinity.

(b) An e mail address for an operations manager at the premises shall be publically available to residents and local businesses and operational at all times.
- © Quarterly meetings with be held with local businesses and residents with details of the time and date of the meeting posted on a public notice board at the premises.

15. No super strength beer, lagers, ciders of 5.5% ABV or above shall be sold at the premises except for premium beers and ciders supplied to customers in drinking vessels.
16. Substantial food including drinking water shall be available in all parts of the premises where alcohol is available.
17. In the area hatched red on the attached plan the hours for licensable activities will be Monday to Friday 17:00 - 22:30 , Saturday 12.00 – 22:30 and Sunday 12:00 - 20:30.
18. In the area hatched blue the hours for licensable activities will be Monday to Saturday 12:00 (midday) - 22:30 and Sunday 12:00 (midday) - 20:30.
19. When the area hatched red is being used for non-licensable activities or by vulnerable persons or persons under the age of 16 it will be separated from the area hatched blue by a floor to ceiling screen and alcohol will not be permitted in that area during those times.
20. The Premises Licence Holder will at all times Risk Assess all activities and events at the premises in particular with regard to the protection of children and the vulnerable and not permit the sale of alcohol if it does not promote the Licensing Objectives. The Premises Licence Holder will Risk Assess whether it is appropriate to allow children on the premises when alcohol is being sold to customers.

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Agenda Item 4.2

Committee : Licensing Sub Committee	Date 28th March 2017	Classification Unrestricted
Report of: David Tolley Head of Environmental Health & Trading Standards	Title: Licensing Act 2003 Application for a time limited-premises licence for (The London Shuffleboard Club), 1 Chance Street, London E1 6JT	
Originating Officer: Mohshin Ali Senior Licensing Officer	Ward affected: Weavers	

1.0 Summary

Applicant:	The Shuffle Group Ltd
Name and	The London Shuffleboard Club
Address of Premises:	1 Chance Street London E1 6JT
Licence sought:	Licensing Act 2003 – time limited-premises licence (ASAP to 01/03/2020) <ul style="list-style-type: none">• The sale by retail of alcohol (on sales)• The provision of regulated entertainment
Representations:	Local Residents

2.0 Recommendations

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

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

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

File Only

Mohshin Ali
020 7364 5498

3.0 **Background**

3.1 This is an application for a time limited-premises licence for (The London Shuffleboard Club), 1 Chance Street, London E1 6JT. The application has been applied from as soon as possible to 1st March 2020.

3.2 A copy of the timed limited premises licence application form is enclosed as **Appendix 1**.

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

The Sale by retail of alcohol (on and off sales)

- Monday to Saturday, from 12.00 hours to 22:00 hours
- Sunday, from 12.00 hours to 21:00 hours

The provision of regulated entertainment – Indoors

(Indoor sporting events)

- Monday to Saturday, from 12.00 hours to 22:30 hours
- Sunday, from 12.00 hours to 21:30 hours

(Recorded music only)

- Monday to Saturday, from 12.00 hours to 22:00 hours
- Sunday, from 12.00 hours to 21:00 hours

The opening hours of the premises

- Monday to Saturday, from 12.00 hours to 23:00 hours
- Sunday, from 12.00 hours to 22:00 hours

4.0 **Location and Nature of the premises**

4.1 Photographs of the venue and immediate vicinity will be provided at the hearing.

4.2 The site plan of the venue is included as **Appendix 2**.

4.3 Maps showing the vicinity are included as **Appendix 3**.

4.4 Details of the nearest licensed venues are included as **Appendix 4**.

5.0 **Licensing Policy and Government Advice**

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

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

- 5.3 The Home Secretary has issued Guidance under Section 182 of the Licensing Act 2003. This is available on the Government's website, www.homeoffice.gov.uk. It was last revised in March 2015.
- 5.4 Relevant Sections of this advice are brought to Members attention within the Licensing Officers report. Members should note however, than in some areas Tower Hamlets, after a proper consideration of local circumstances, has not followed the Government's advice, or has developed it further.
- 6.0 Representations**
- 6.1 All representations have to meet basic legal and administrative requirements. If they fail to do so they cannot be accepted. When rejected the person sending in the representation must be written to, and an explanation for rejection given in writing
- 6.2 A responsible authority or other person can make a representation. There are two tests for other persons and only one for a responsible authority. The two tests are contained in Section 18 of the Act.
- 6.3 All representations must be "about the likely effect of the grant of the premises licence on the promotion of the licensing objectives." Likely means something that will probably happen, i.e. on balance more likely than not.
- 6.4 Representations by responsible authorities do not have to meet the second test of not being vexatious and frivolous. Other persons have to meet this test.
- 6.5 The Home Office recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation.
- 6.6 Section 182 Advice by the Home Office concerning relevant, vexatious and frivolous representations is attached as **Appendix 5**.
- 6.7 All the representations in this report have been considered by the relevant officer (Team Leader Licensing & Safety) and determined to have met the requirements of the Licensing Act 2003.
- 6.8 This hearing is required by the Licensing Act 2003, because relevant representations have been made the following local resident:
- Tim Noble & Sue Webster – **Appendix 6**
 - Robin Fellgett (for JAG) – **Appendix 7**
- 6.9 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

6.10 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

6.11 Essentially, the relevant parties oppose the application because 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.

6.12 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.

6.13 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.

7.0 **Conditions consistent with Operating Schedule (as offered by the applicant)**

7.1 Alcohol supplied to those people taking part in the gaming activity or waiting to play.

7.2 Experienced bar staff will maintain vigilance in alcohol units per customer.

7.3 SIA security present at times venue is open to public after 6pm.

7.4 SIA security throughout the venue in pre-designated locations with industry standard equipment - protective clothing and radios

7.5 Clear notices on entry and exits warning of potential criminal activity, such as theft, that may target customers shall be displayed.

7.6 Staff will be well trained in asking customers to use premises in an orderly and respectful manner and prevent drinking alcohol at the retail unit. Anyone not adhering to this will be asked to leave the premises in a controlled and orderly manner by SIA security.

7.7 Security will involve police immediately if any illegal activity occurs.

- 7.8 Security and key staff shall be on radios for communication.
- 7.9 The level of SIA staff on site will vary according to the number of customers but will be a minimum of 1 and maximum of 4.
- 7.10 Training and implementation of underage ID checks for staff.
- 7.11 A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.
- 7.12 H&S officer sign off on all activity.
- 7.13 Risk assessments from all suppliers.
- 7.14 Good event management plan to be in place with excellent event fire escape plan will be in place with SIA and staff familiar with emergency plans and process.
- 7.15 A first aider on site at all times of public opening.
- 7.16 No drinks allowed outside the venue.
- 7.17 Noise reduction measures to address the public nuisance objective including decibel readings taken regularly and a limiting on the sound with volume block.
- 7.18 Prominent, clear and legible notices will be displayed at the exit requesting the public to leave the premises and the area quietly as well as security on exit to reiterate and manage noise proactively.
- 7.19 Customers will be restricted from not congregating in the street outside the premises and access of customers will be strictly maintained to opening hours.
- 7.20 The movement of bins and rubbish outside the premises will be kept to a minimum after 10.00pm. This will help to reduce the levels of noise produced by the premises. Cleaning staff will operate within hours of licence.
- 7.21 Customers won't be able to take products off premises and will be monitored by security.
- 7.22 Attendance levels will be kept to maximum of 28 and will be proactively escorted from the venue in stages to ensure minimum noise on egress.
- 7.23 A "Challenge 25" sign will be positioned at the bar. This will encourage anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol.

- 7.24 Staff will be well trained about requirements for persons' identification and age establishment.
- 7.25 Log Book will be kept upon the premises all the time with staff trained in its use, it will be regularly checked and staff informed of any changes to it.
- 7.26 Full exclusion for anyone under 18 will be in place after 6pm and zones will be created to separate as best possible under 18s and those consuming alcohol.
- 7.27 When possible we will host no alcohol periods for families at the start of Saturdays and Sundays for 2 hours.

8.0 Conditions in consultation with the Responsible Authorities/other persons

- 8.1 Environmental Protection has agreed (please see **Appendix 8**) the following with the applicant:

"1) no noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

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

3) All windows and external doors shall be kept closed after 22:00 hours, except for the immediate access & egress of persons.

Just to repeat, as the Applicant has already confirmed, the Provision for Indoor Sporting Events is until 22:30 hours Thursday Friday and Saturday, with premise closing at 23:00 hours, with all other days and timing as per original application".

- 8.2 Met Police has also agreed (please see **Appendix 9**) the following with the applicant:

"1. 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 must also be someone on the premises, who can download the images and present them on request by a police officer or other responsible authority.

2. No drinks to be taken outside

3. Use of incident / refusals book".

9.0 Licensing Officer Comments

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

9.2 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)

- 9.3 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.
- 9.4 In all cases the Members should make their decision on the civil burden of proof, that is “the balance of probability.”
- 9.5 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.
- 9.6 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)
- 9.7 The Council’s Licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.
- 9.8 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 application
Appendix 2	Site Plan
Appendix 3	Maps of the surrounding area
Appendix 4	Other licensed venues in the area
Appendix 5	Section 182 Guidance by the Home Office
Appendix 6	Representation of Tim Noble & Sue Webster
Appendix 7	Representation of Robin Fellgett (for JAG)
Appendix 8	Agreement with Environmental Protection
Appendix 9	Agreement with Met Police
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	Licensing Officer comments on the Tower Hamlets Cumulative Impact Zone

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Appendix 1



* required information

Section 1 of 19

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?

- Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant 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:

- 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 you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

* Is your business registered in the UK with Companies House? Yes No

* Registration number

* Business name

* VAT number

* Legal status

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

Continued from previous page...

* Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Section 2 of 19

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

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 19

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- 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
- Other (for example a statutory corporation)

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 19

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...

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

Section 5 of 19

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.

We plan to produce a recreational activity based event space for all members of society. It is completely accessible to all ages, sexes and abilities.

The activity is known as table shuffleboard, we will install 3 original tables and all equipment for rental on an hourly rate.

Table Shuffleboard is a game in which players push weighted discs, sending them gliding down a narrow and elongated wooden table, with the purpose of having them come to rest within a marked scoring area.

The space will be open to bookings of individuals or groups as it can be played by a team and we plan to host small leagues for local businesses and residents to participate in. There is also a plan to have a senior's afternoon.

Continued from previous page...

The activity is the hero of our installation, but we also feel it necessary to have the facility to sell food, soft drinks and alcohol.

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 19

PROVISION OF PLAYS

Will you be providing plays?

- Yes No

Section 7 of 19

PROVISION OF FILMS

Will you be providing films?

- Yes No

Section 8 of 19

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

- 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

Continued from previous page...

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

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.

Table Shuffleboard, is a game in which players use push weighted discs, sending them gliding down a narrow and elongated table, with the purpose of having them come to rest within a marked scoring area.

State any seasonal variations for indoor sporting events

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

N/A

Non-standard timings. Where the premises will be used for indoor sporting events 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.

Section 9 of 19

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

Yes No

Section 10 of 19

PROVISION OF LIVE MUSIC

Will you be providing live music?

Yes No

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

Yes No

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 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.

Continued from previous page...

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.

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

- Yes No

Section 13 of 19

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

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

- Yes No

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

Section 15 of 19

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

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...

THURSDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="21:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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.

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.

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

Name

First name

Family name

Continued from previous page...

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 19

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.

Section 17 of 19

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.

Continued from previous page...

TUESDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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.

Section 18 of 19

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) **Page 174**

Continued from previous page...

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

London Shuffle will take every effort to deliver a safe and secure experience for all that enter its environment and surrounding areas. In order to do this it will promote the following rules to its staff and will run a strict zero tolerance to any such deviance:

1. Alcohol supplied to those people taking part in the gaming activity or waiting to play.
2. Experienced bar staff will maintain vigilance in alcohol units per customer.
3. SIA security present at times venue is open to public after 6pm.
4. Special consideration of the licence granted and its strict obedience considering but not restricted to:
 - no selling of alcohol to underage people
 - no drunk and disorderly behaviour tolerated on the premises or surrounding estate
 - zero tolerance of drug use
 - zero tolerance of aggressive or violent behaviour
 - no harm to any children
 - well presented operating hours around staff areas so that all are aware
 - 1 management level staff present at all times the venue is open to maintain staff and security levels

b) The prevention of crime and disorder

London Shuffle will take every effort to deliver a legal and orderly experience for all that enter its environment and in the surrounding areas. In order to do this it will promote the following rules to its staff and will run a strict zero tolerance to any such deviance:

1. SIA security throughout the venue in predesignated locations with industry standard equipment - protective clothing and radios
2. A clear and legible notice will be placed outside the premises indicating the normal hours under the terms of the premises license during which licensable activities are permitted.
3. Clear notices on entry and exits warning of potential criminal activity, such as theft, that may target customers may be displayed.
4. Customer consumption restricted to acceptable units and those drunk considered and managed appropriately.
5. Prevention and vigilance in illegal drug use through out the entire venue.
6. Staff will be well trained in asking customers to use premises in an orderly and respectful manner and prevent drinking alcohol at the retail unit. Anyone not adhering to this will be asked to leave the premises in a controlled and orderly manner by SIA security.
7. Staff to report to security any suspicious behaviour.
8. Security will involve police immediately if any illegal activity occurs.
9. Security and key staff on radios for comms.
10. The level of SIA staff on site will vary according to the number of customers but will be a minimum of 1 and maximum of 4.

c) Public safety

London Shuffle will take every effort to deliver an experience that is safe and focussed on public safety for all that enter its environment and in the surrounding areas. In order to do this it will promote the following rules to its staff and will run a strict zero tolerance to any such deviance:

1. Well trained staff adherence to environmental health requirements.
2. Training and implementation of underage ID checks.
3. A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.
4. All parts of the premises, fixtures, fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air condition, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition.

Continued from previous page...

5. H&S officer sign off on all activity.
6. Risk assessments from all suppliers.
7. Good event management plan to be in place with excellent event fire escape plan will be in place with SIA and staff familiar with emergency plans and process.
8. A first aider on site at all times of public opening.
9. Security and key staff on radios for comms.
10. No drinks allowed outside the venue.

d) The prevention of public nuisance

London takes the consideration of local residents and commercial ventures seriously and will do all it can to minimise disruption with well considered plans and processes that will be reviewed by the management and improved where necessary.

1. Noise reduction measures to address the public nuisance objective including decibel readings taken regularly and a limiting on the sound with volume block.
2. Prominent, clear and legible notices will be displayed at the exit requesting the public to leave the premises and the area quietly as well as security on exit to reiterate and manage noise proactively.
3. Customers will be restricted from not congregating in the street outside the premises and access of customers will be strictly maintained to opening hours. We do not envisage any build up of customers before doors open.
4. The movement of bins and rubbish outside the premises will be kept to a minimum after 10.00pm. This will help to reduce the levels of noise produced by the premises. Cleaning staff will operate within hours of license.
5. Customers won't be able to take products off premises and will be monitored by security.
6. Attendance levels will be kept to maximum of 28 and will be proactively escorted from the venue in stages to ensure minimum noise on egress.

e) The protection of children from harm

1. A "Challenge 25" sign will be positioned at the bar. This will encourage anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol.
2. Staff will be well trained about requirements for persons' identification and age establishment.
3. Log Book will be kept upon the premises all the time with staff trained in its use, it will be regularly checked and staff informed of any changes to it.
4. Full exclusion for anyone under 18 will be in place after 6pm and zones will be created to separate as best possible under 18s and those consuming alcohol.
5. A first aider will be present at all times of public opening.
6. Excessive consumption prohibited at all times and when under 18s on site consumption kept to below moderate.
7. When possible we will host no alcohol periods for families at the start of Saturdays and Sundays for 2 hours.

Section 19 of 19

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,

Continued from previous page...

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

* Fee amount (£)

190.00

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.

The 28 full days consultation period on the public notice on the premises and on the newspaper must state the same

* consultation end date. The advert on the local newspaper must be published on at least one occasion during the period of 10 working days starting on the day after the day on which the application was given to the Licensing Authority.

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

Graeme Hawkins

* Capacity

Director

* Date

30 / 01 / 2017

dd mm yyyy

Add another signatory

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.

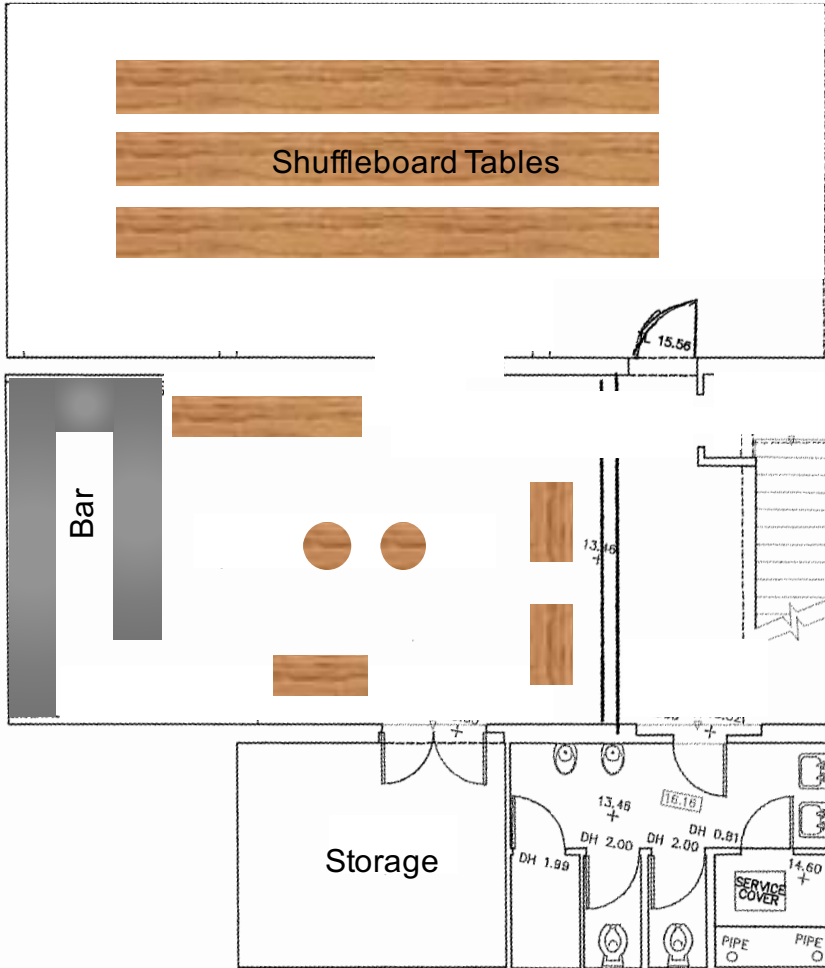
IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

OFFICE USE ONLY

Applicant reference number	<input type="text" value="The London Shuffleboard Club"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

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

Appendix 2



Chance St

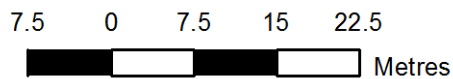
Appendix 3



1 Chance Street



Scale 1:835



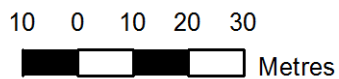
Produced by London Borough of Tower Hamlets on 16/03/2017. © Crown copyright and database rights 2012 Ordnance Survey, London Borough of Tower Hamlets 100019288.



1 Chance Street



Scale 1:1670



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Appendix 4

Application for a time limited-premises licence for (The London Shuffleboard Club), 1 Chance Street, London E1 6JT

Name and address	Licensable hours	Opening hours
<p>(Owl & Pussycat) 34 Redchurch Street London E2 7DP</p>	<p>The sale by retail of alcohol</p> <ul style="list-style-type: none"> ▪ Monday and Tuesday - 10.00 hours until midnight ▪ Wednesday ,Thursday, Friday and Saturday, 10.00 hours until 02.00 hours the following day ▪ Sunday 10.00 hours until midnight <p><i>The provision of regulated entertainment</i></p> <ul style="list-style-type: none"> ▪ Monday and Tuesday - 10.00 hours until 00.15 hours the following day ▪ Wednesday ,Thursday, Friday and Saturday, 10.00 hours until 02.15 hours the following day ▪ Sunday 10.00 hours until 00.15 hours the following day <p><i>The provision of late night refreshment</i></p> <ul style="list-style-type: none"> ▪ Monday and Tuesday - 23.00 hours until midnight ▪ Wednesday ,Thursday, Friday and Saturday, 10.00 hours until 02.00 hours the following day ▪ Sunday 10.00 hours until midnight 	<ul style="list-style-type: none"> ▪ Monday and Tuesday - 10.00 hours until 00.30 hours the following day ▪ Wednesday ,Thursday, Friday and Saturday, 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>(Patty & Bun) 36 Redchurch Street London E2 7DP</p>	<p 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 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 align="center"><u>Ground Floor</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 align="center"><u>Basement Floor</u></p> <ul style="list-style-type: none"> • Monday to Sunday, from 11:00 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>

Application for a time limited-premises licence for (The London Shuffleboard Club), 1 Chance Street, London E1 6JT

<p>(Walluc Bistro) 40 Redchurch Street London E2 7DP</p>	<p>The supply of alcohol (On Sales)</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 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>Monday, Tuesday, Wednesday and Thursday from 09:00 hours until midnight 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>(Counter Albion) 45 Redchurch Street London E2 7DJ</p>	<p>Sale by retail of alcohol (On sales only)</p> <ul style="list-style-type: none"> Monday to Sunday, from 10:00 hours to 22:00 hours 	<ul style="list-style-type: none"> Monday to Sunday from 07:00 hours to 22:30 hours
<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>(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 	<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>(Redchurch Studios) 58-60 Redchurch Studios London E2 7DP</p>	<p>The sale by retail of alcohol (On sales only) The provision of regulated entertainment consisting of films only Monday to Sunday 24 hours a day</p>	<p>Monday to Sunday 24 hours a day</p>

Application for a time limited-premises licence for (The London Shuffleboard Club), 1 Chance Street, London E1 6JT

<p>(Art Gallery) 77 Redchurch Street London E2 7DJ</p>	<p><i>Supply of Alcohol (On sales)</i></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 	<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>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. (2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12 noon to 11:30pm (3) On Christmas Day: 12 noon to 11:30pm; (4) On New Year's Eve, except on a Sunday, 11 a.m. to midnight; (5) On New Year's Eve on a Sunday, 12 noon to 11.30 p.m. (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
<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>

Application for a time limited-premises licence for (The London Shuffleboard Club), 1 Chance Street, London E1 6JT

<p>(London Cocktail Club) Unit 12, Avant Garde 32-42 Bethnal Green Road London E1 6HZ</p>	<p><u>Sale of Alcohol (on sales only)</u></p> <ul style="list-style-type: none"> • Sunday to Thursday from 16:30 hours to 00:00 hours • Friday & Saturday from 16:30 hours to 01:00 hours (the following day) <p><u>The Provision of Late Night Refreshments (indoors)</u></p> <ul style="list-style-type: none"> • Sunday to Thursday from 23:00 hours to 00:00 hours • Friday & Saturday from 23:00 hours to 01:00 hours (the following day) <p><u>The Provision of Regulated Entertainment in the form of Films (indoors), Live Music (indoors) and Recorded Music (indoors)</u></p> <ul style="list-style-type: none"> • Sunday to Thursday from 16:30 hours to 00:00 hours • Friday & Saturday from 16:30 hours to 01:00 hours (the following day) 	<ul style="list-style-type: none"> • Sunday to Thursday from 10:00 hours to 00:30 hours (the following day) • Friday & Saturday from 10:00 hours to 01:30 hours (the following day)
<p>(Pizzaluxe) Unit 11, Avant Garde Sclater Street London E1 6HZ</p>	<p>The sale by retail of alcohol (on sales only)</p> <ul style="list-style-type: none"> • Sunday to Wednesday from 09:00hrs to 23:00hrs • Thursday to Saturday from 09:00hrs to 00:00hrs (midnight) <p>The provision of late night refreshment (both indoors and outdoors)</p> <ul style="list-style-type: none"> • Thursday to Saturday from 23:00hrs to 00:00hrs (midnight) 	<ul style="list-style-type: none"> • Sunday to Wednesday from 08:00hrs to 23:30hrs • Thursday to Saturday from 08:00hrs to 00:30hrs (the following day)
<p>(Smokestack) Unit 11 Avant Garde Sclater Street London E1 6HZ</p>	<p>The sale by retail of alcohol (On and off sales) Daily 10:00 hours to 00:00 hours</p> <p>The provision of late night refreshment Daily 23:00 hours to 00:00 hours</p>	<p>Daily 10:00 hours to 00:30 hours</p>
<p>(Byron) Unit 13 (Basement and Ground Floors) 5 Sclater Street London E1 6GX</p>	<p>The sale by retail of alcohol (On and off sales)</p> <ul style="list-style-type: none"> • Monday to Sunday, from 11:00 hours to 23:30 hours <p>The provision of late night refreshment</p> <ul style="list-style-type: none"> • Monday to Sunday, from 23:00 hours to 23:30 hours 	<p>Monday to Sunday, from 11:00 hours to 23:30 hours</p>

Appendix 5

**Section 182 Advice by the Home Office
Updated on March 2015**

Relevant, vexatious and frivolous representations

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

- 9.8 Licensing authorities should not take decisions about whether representations are frivolous, vexatious or relevant to the licensing objectives on the basis of any political judgement. This may be difficult for councillors who receive complaints from residents within their own wards. If consideration is not to be delegated, contrary to the recommendation in this Guidance, an assessment should be prepared by officials for consideration by the sub- committee before any decision is taken that necessitates a hearing. Any councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.
- 9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.
- 9.10 Licensing authorities should consider providing advice on their websites about how any person can make representations to them.

Appendix 6

Mohshin Ali

From: Andrew Heron on behalf of Licensing
Sent: 13 February 2017 11:58
To: Mohshin Ali
Subject: FW: The London Shuffle Club, 1 Chance Street London E1 6JT

From: Sue Webster [REDACTED]
Sent: 13 February 2017 09:46
To: Licensing
Subject: The London Shuffle Club, 1 Chance Street London E1 6JT

Tim Noble & Sue Webster
[REDACTED]
[REDACTED]
[REDACTED]

13th February 2017

My Ref: CLC/EHTS/LIC/098194
The London Shuffle Club, 1 Chance Street London E1 6JT

Dear Kathy Driver,

I am writing to object to the above application made by The London Shuffle Club to obtain a premises licence in order to run a late night entertainment venue that serves alcohol and other refreshments.

On the basis that:

- * The proposed venue in question sits directly opposite my home where I have lived for the past 15 years.
- * The doorway of the proposed venue is a single doorway that would cause a human bottleneck of visitors entering and exiting the property which in turn would cause an unnecessary increase of people traffic to an already over used street.
- * I am concerned that an increase of people to the area, particularly the kind that have come to play 'adult games' will bring with it an increase of exaggerated noise heightened by the lubrication of alcohol as they linger outside waiting for friends and taxis to bring and take them away.
- * there will be an increase of vehicular traffic to an other wise quiet street. This will bring an increase of noise, engines running and horns blowing as they wait for guests, turn in the street or simply get lost trying to find the venue.
- * Chance Street is a narrow Street, an increase of traffic in both directions results in vehicles mounting the pavement in order to pass, I have on several occasions been scared for my life as I opened my front door onto the street and a car or delivery van careers past at high speed barely in front of my nose as it mounts the pavement

* recently myself and my neighbours on both sides ([REDACTED]) have been experiencing an increasing amount of vandalism and graffiti to our properties, the gate next to my front door that belongs to my neighbour was kicked in on Sunday night leaving both of our rear doors vulnerable, our houses in danger of break-ins

* the outside of our buildings are regularly attacked by graffiti using either spray paint that we have to pay to be professionally removed or more recently, with acid pens, that cannot be removed and so results in my entire window being replaced, which costs me somewhere in the region of £3,000 a go as they are architecturally designed.

* Graffiti, if not acted on immediately just attracts more vandalism to the area.

* my windows are constantly being spat at, vomited over and I regularly have drinks sprayed or even bottles thrown at them

The application states that the proposed venue will operate between the hours of 12 noon to 11 pm 7 days a week for the next three years. As a direct neighbour I feel that granting this license will ruin my life as I literally have no where to go.

I have been a resident in Shoreditch for over 20 years and we simply do not need yet another late night entertainment venue that serves alcohol in this area, there doesn't seem to be any respect for other people's property where alcohol is consumed, put in my position would you stand for this?

I thank you for taking the time to listen to my objection, please spare us any more grief.

Yours,

SUE
WEBSTER

Appendix 7

Mohshin Ali

From: Mail Admin
Sent: 28 February 2017 15:17
To: Licensing
Subject: FW: Licensing Act 2003: 1 Chance Street

Follow Up Flag: Follow up
Flag Status: Completed

From: Robin Fellgett [REDACTED]
Sent: 27 February 2017 15:52
To: Licensing
Cc: Brad Lochore; Will Nutland; Rebecca Collings
Subject: Licensing Act 2003: 1 Chance Street

Dear Sirs,

I write on behalf of the Jago Action Group (JAG) to oppose the licence application for these premises made by the London Shuffle Group.

JAG is the residents' and tenants' association representing residents in the neighbourhood of the application premises. This is a predominantly residential area, although at street level there are mainly commercial premises, most in the retail and hospitality trades, and the application site is on the edge of a former light industrial estate (but directly opposite homes).

JAG welcomes the decision of the owners of the industrial estate to let out premises on it, presumably including 1 Chance Street, on 3-5 year tenancies. Indeed we hope this will lead to a reconsideration of the plans for the estate's development, so that they focus more on providing homes for Londoners. However this is not a licensing consideration and we are also mindful of the problems that have already arisen relating to the operation of other parts of the estate, especially [REDACTED].

In any case, JAG welcomed the introduction of the Brick Lane Cumulative Impact Zone (CIZ) and continues to call for its strict enforcement. As the authority is aware, the neighbourhood continues to suffer from the excesses of the 'night time economy', including: noise both from premises and from inebriated groups in the street; anti-social behaviour and petty crime including littering, aggressive behaviour, drug taking, public urination, defecation and vomiting.

1 Chance Street is within the CIZ. As you well know, under section 8 of the policy adopted by the Borough the license application must be refused unless the applicants 'show through the operating schedule and where appropriate with supporting evidence that the operation of the premises will not add to the cumulative impact already being experienced' (8.4).

We have examined carefully the application submitted and there appears to be little or no attempt to demonstrate that the operation of the premises, were a licence to be granted, would not add to the cumulative impact being experienced in the neighbourhood. We note that the applicants propose to finish serving alcohol at 10pm (9pm on Sunday), which is earlier than many existing bars, but this is still late enough to add to the cumulative problems residents face. We also note that the applicants propose to limit the number of customers to 28, but 28 people can still make a lot of noise and add to all the other problems. Although there is a reference to serving only players and those waiting to play, this does not appear to be an enforceable condition that would tie to the premises being used as a shuffle club. The application is of

course for a premises licence, albeit for a limited period, that could be passed on to other operators. The other elements of the application, i.e. the great majority, appear to offer merely conditions that are pretty standard. Furthermore in the case of noise from within the premises they are extremely vague.

The association will of course examine any serious attempt the applicants may make to strengthen their proposals so they might demonstrate the operation of the premises will not add to cumulative impact. On the basis of this application however their case is far from made and we submit the authority is bound to turn it down under section 8 of the licensing policy.

Please don't hesitate to get in touch if we can clarify anything further.

Robin Fellgett
for JAG

████████████████████
████████

Appendix 8

Mohshin Ali

From: Nicola Cadzow
Sent: 31 January 2017 09:07
To: Licensing
Cc: [REDACTED]
Subject: FW: Premises Licence Application - The London Shuffleboard Club 1 Chance Street - ref M/098194

Dear Licensing,

I have no objections to the Premise License Application for Shuffle Group Ltd 1 Chance Street following agreement with the Applicant to add conditions to apply as follows:-

- 1) no noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- 2) Loudspeakers shall not be located in the entrance lobby or outside the premises building.
- 3) All windows and external doors shall be kept closed after **22:00 hours**, except for the immediate access & egress of persons.

Just to repeat, as the Applicant has already confirmed, the Provision for Indoor Sporting Events is until 22:30 hours Thursday Friday and Saturday, with premise closing at 23:00 hours, with all other days and timing as per original application.

Kind regards

Nicola Cadzow
Environmental Health Technical Officer
Place Directorate
Public Realm - Environmental Health and Trading Standards
London Borough of Tower Hamlets 5 Clove Crescent London, E14 2BG

From: Graeme Hawkins [REDACTED]
Sent: 30 January 2017 16:10
To: Nicola Cadzow
Cc: A [REDACTED] [met.police.uk](mailto:[REDACTED]@met.police.uk)
Subject: Re: Premises Licence Application - Shuffle Group Ltd - ref M/09819

Hi Nicola

Thanks for this. I can 100% agree to these points.

Kind regards

Graeme

On 30 Jan 2017, at 15:50, Nicola Cadzow <[REDACTED]> wrote:

Graeme

Not a problem!

I would like to include noise conditions to your the license as below:-

- 1) no noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- 2) Loudspeakers shall not be located in the entrance lobby or outside the premises building.
- 3) All windows and external doors shall be kept closed after **22:00 hours**, except for the immediate access & egress of persons.

I shall wait your confirmation in due course

Regards

Nicola

Nicola Cadzow
 Environmental Health Technical Officer
 Place Directorate
 Public Realm - Environmental Health and Trading Standards
 London Borough of Tower Hamlets 5 Clove Crescent London, E14 2BG

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 Web site : <http://www.towerhamlets.gov.uk>

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Appendix 9

Mohshin Ali

From: Andrew Heron on behalf of Licensing
Sent: 08 February 2017 11:04
To: Mohshin Ali
Subject: FW: Premises Licence Application - Shuffle Group Ltd - ref M/09819

Follow Up Flag: Follow up
Flag Status: Flagged

From: [REDACTED]
Sent: 08 February 2017 10:33
To: [REDACTED]; Licensing
Cc: Nicola Cadzow
Subject: Premises Licence Application - Shuffle Group Ltd - ref M/09819

[Dear Licensing](#)

[Please note our agreement below regarding conditions.](#)

[Best wishes](#)

[Alan](#)

From: Graeme Hawkins [REDACTED]
Sent: 08 February 2017 10:10
To: Cruickshank Alan D - HT
Cc: [REDACTED]
Subject: Re: Premises Licence Application - Shuffle Group Ltd - ref M/09819

Sure thing Alan, happy to take these on board.

Kind regards

From: "[REDACTED].police.uk" [REDACTED].police.uk>
Date: Wednesday, 8 February 2017 at 09:59
To: Graeme Hawkins <[REDACTED]>
Cc: "[Nicola](#) [REDACTED]
Subject: Premises Licence Application - Shuffle Group Ltd - ref M/09819

[Hi Graeme](#)

[Can you please consider the following conditions.](#)

1. CCTV

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 must also be someone on the premises, who can download the images and present them on request by a police officer or other responsible authority.

2. No drinks to be taken outside

3. Use of incident / refusals book

Thanks

Alan

From: Cruickshank Alan D - HT
Sent: 31 January 2017 08:54
To: 'Graeme Hawkins'
Cc: [REDACTED]
Subject: Premises Licence Application - Shuffle Group Ltd - ref M/09819

Ok...I will get back to you soon

Thanks

Alan

From: Graeme Hawkins [REDACTED]
Sent: 31 January 2017 08:44
To: Cruickshank Alan D - HT
Cc: [REDACTED]
Subject: Re: Premises Licence Application - Shuffle Group Ltd - ref M/09819

Hi Alan

Just the basement at this stage. We haven't agreed a rental rate for ground floor yet.

Thanks

On 31 Jan 2017, at 08:41, "A [REDACTED] police.uk"

[REDACTED] wrote:

Hi Graeme

The last time we met you mentioned the possibility of an outdoor space. Is this still the plan as you application only mentions a basement?

Thanks

Alan

From: Graeme Hawkins [mailto:]
Sent: 30 January 2017 16:10
To: Nicola Cadzow
Cc: Cruickshank Alan D - HT
Subject: Re: Premises Licence Application - Shuffle Group Ltd - ref M/09819

Hi Nicola

Thanks for this. I can 100% agree to these points.

Kind regards

Graeme

On 30 Jan 2017, at 15:50, Nicola Cadzow

wrote:

Graeme

Not a problem!

I would like to include noise conditions to your the license as below:-

- 1) no noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- 2) Loudspeakers shall not be located in the entrance lobby or outside the premises building.
- 3) All windows and external doors shall be kept closed after **22:00 hours**, except for the immediate access & egress of persons.

I shall wait your confirmation in due course

Regards

Nicola

Nicola Cadzow

Environmental Health Technical Officer

Place Directorate

Public Realm - Environmental Health and Trading

Standards

London Borough of Tower Hamlets 5 Clove Crescent

London, E14 2BG

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Appendix 10

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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 8.1 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 12.11).**

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 8.2 of the Licensing Policy).**

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. **(See Appendix 2 Annex D 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
- 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. a premises causing a nuisance resulting from noise emanating from the premises.

Guidance Issued under Section 182 of the Licensing Act 2003

The Licensing Policy has adopted the recommended Pool of Conditions as permitted (13.20 and Annex D).

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 (2.33).

Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.36) 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 (2.38).

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. (2.19).

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. (2.20)

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 (2.22) 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 - 2.7).

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 7 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 (2.14 – 2.20).

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 (2.18/2.20).

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 (13.13).

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 15.8 of the Licensing Policy)

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

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

(See 15.9 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

Licensing Policy

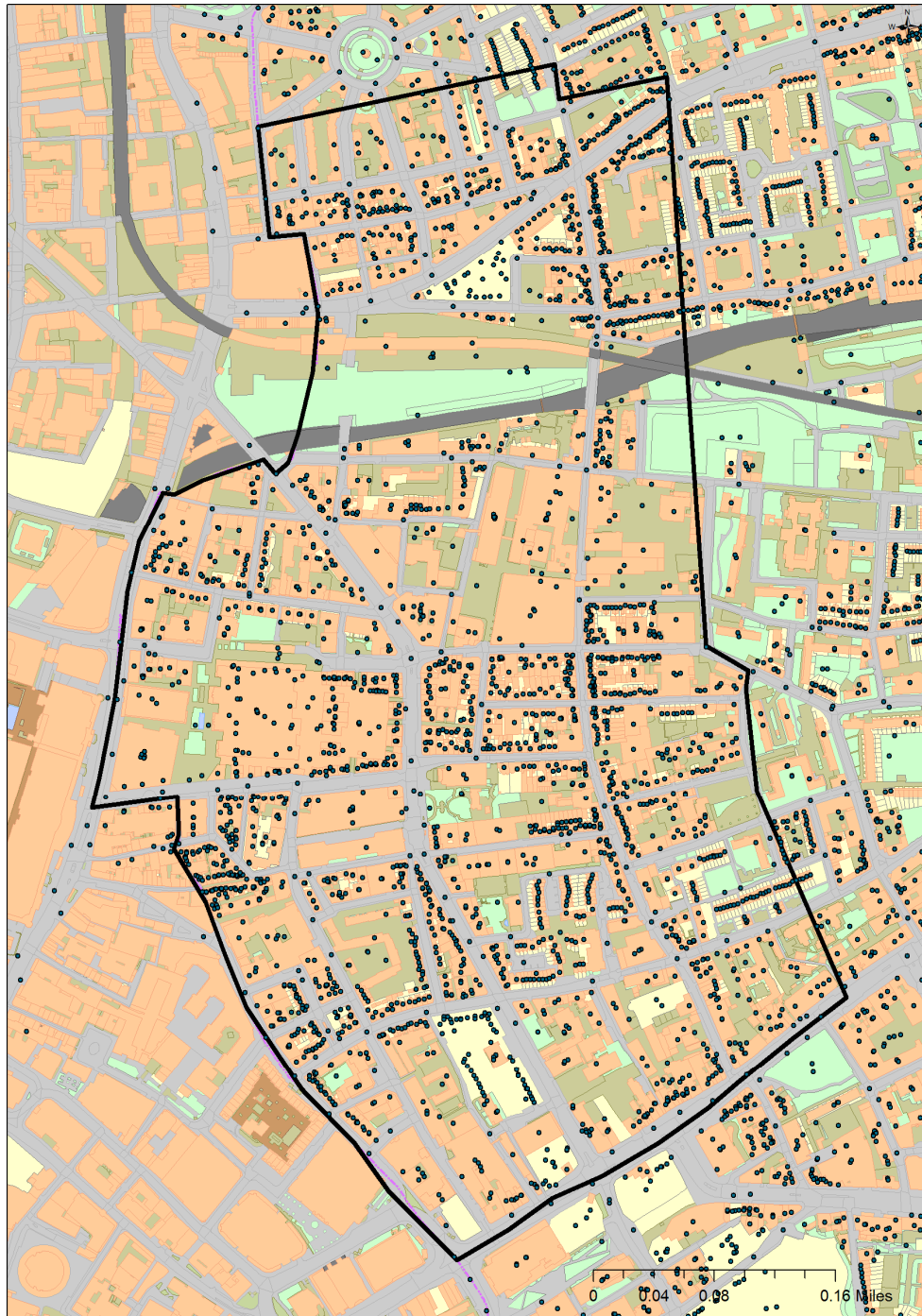
8 Special Cumulative Impact Policy for the Brick Lane Area

- 8.1 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 was adopted on 18th September 2013 by the Council.
- 8.2 After consultation the Council recognises 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.
- 8.3 The Licensing Authority is now 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 Figure One is having a cumulative impact on the licensing objectives and has therefore declared a cumulative impact zone.
- 8.4 The effect of this Special Cumulative Impact Policy is to create a rebuttable presumption for applications in respect of the sale or supply of alcohol on or off the premises and/or late Night Refreshment for new Premises Licences, Club Premises Certificates or Provisional Statements and applications for variations of existing Premises Licences, Club Premises Certificates (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity). Where the premises are situated in the cumulative impact zone and a representation is received, the licence will be refused. To rebut this presumption the applicant would be expected to show through the operating schedule and where appropriate with supporting evidence that the operation of the premises will not add to the cumulative impact already being experienced. This policy does not act as an absolute prohibition on granting/varying new licences in the Cumulative Impact Zone.
- 8.5 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.

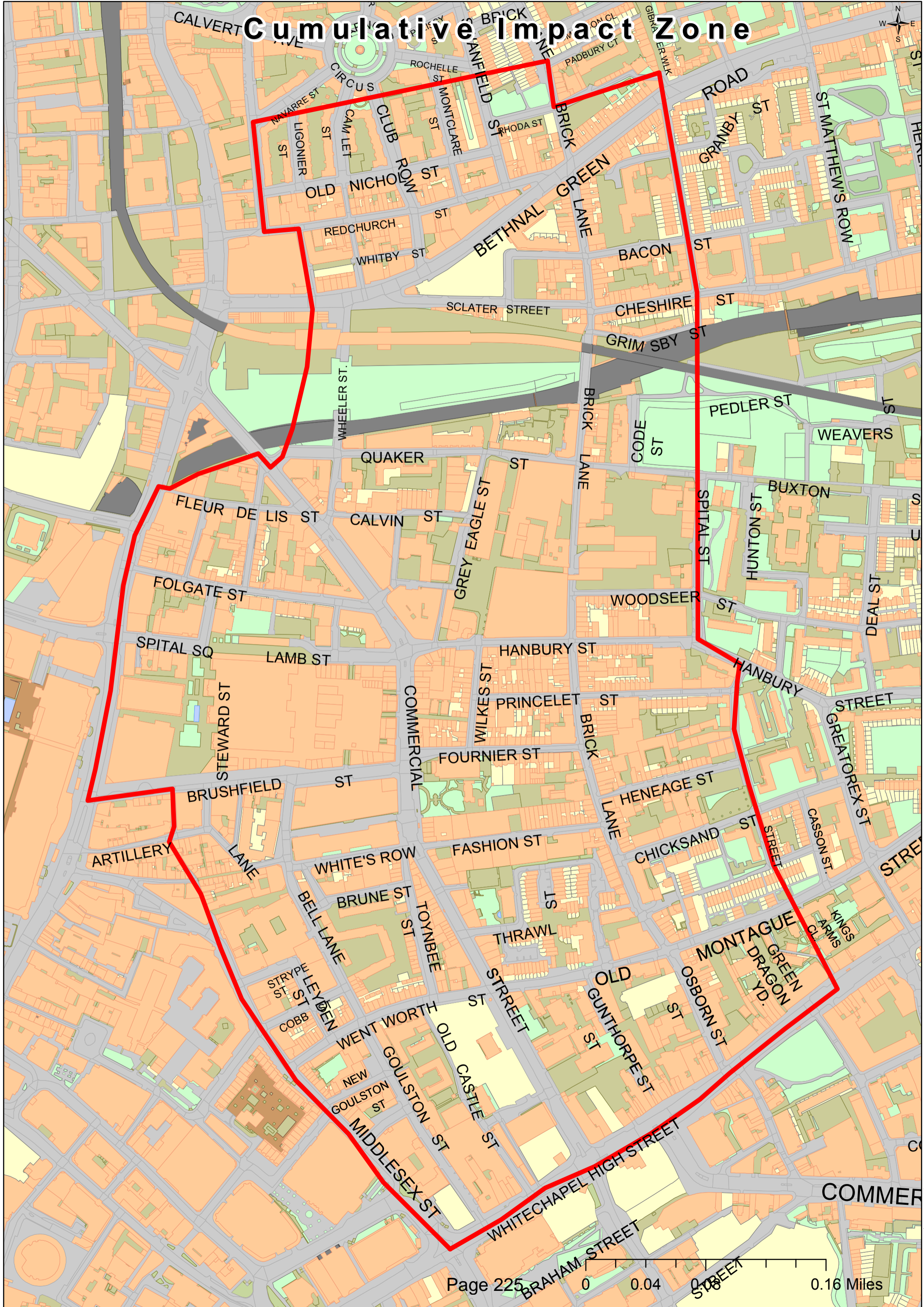
Figure One

The Cumulative Impact Zone in the Brick Lane area

The Cumulative Impact Zone is detailed in the map below. The map shows all of the premises (dots) currently licensed under the Licensing Act 2003 in the Brick Lane Area. The Cumulative Impact Zone is defined by the dark line.



Cumulative Impact Zone



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Agenda Item 4.3

Committee :	Date	Classification
Licensing Sub-committee	25th April 2017	Unclassified

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 (Agah Turkish Restaurant), 43 Commercial Street, London E1 6BD Ward affected: Spitalfields and Banglatown
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1.0 Summary

Applicant:	Lop Lop Ltd
Name and	Agah Turkish Restaurant
Address of Premises:	43 Commercial Street London E1 6BD
Licence sought:	Licensing Act 2003 – variation of a premises licence <ul style="list-style-type: none">• Extending the times of the licensable activities
Representations:	Met Police Licensing Authority (Responsible Authority) Residents Association (SPIRE)

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

File Only

Mohshin Ali
020 7364 5498

3.0 **Background**

- 3.1 This is an application for a variation of a premises licence for (Agah Turkish Restaurant), 43 Commercial Street, London E1 6BD.
- 3.2 A copy of the existing licence is enclosed as **Appendix 1**.
- 3.3 The timings of the existing licence are detailed below for information only:-

The Supply of Alcohol (on sales only)

- Monday to Thursday from 12:00hrs (midday) to 23:00hrs
- Friday and Saturday from 12:00hrs (midday) to 23:30hrs
- Sunday from 12:00hrs (midday) to 22:00hrs

The Provision of Late Night Refreshment (indoors)

- Friday and Saturday from 23:00hrs to 23:30hrs

The Provision of Regulated Entertainment in the form of Recorded Music (Indoors)

- Monday to Thursday from 12:00hrs (midday) to 23:00hrs
- Friday and Saturday from 12:00hrs (midday) to 23:30hrs
- Sunday from 12:00hrs (midday) to 22:00hrs

The Provision of Regulated Entertainment in the form of Anything of a Similar Description to Live Music, Record Music or Performances of Dance (Indoors)

- Friday to Sunday from 12:00hrs (midday) to 22:00hrs

The opening hours of the premises

- Monday to Thursday from 12:00hrs (midday) to 23:30hrs
- Friday and Saturday from 12:00hrs (midday) to 00:00hrs (midnight)
- Sunday from 12:00hrs (midday) to 22:30hrs

- 3.4 A copy of the variation application is enclosed as **Appendix 2**.

- 3.5 The applicant has described the nature of the variation as follows:

“We would like to extend the trading hours to start breakfast service from 7am in the morning and also to extend our trading hours on Thursday, Friday and Saturday”.

- 3.6 The times that have been applied for as follows:

The Supply of Alcohol (on sales only)

- Monday to Wednesday from 12:00hrs (midday) to 23:00hrs
- Thursday to Saturday from 12:00hrs (midday) to 02:00hrs the following day
- Sunday from 12:00hrs (midday) to 01:00hrs the following day

The Provision of Late Night Refreshment (indoors)

- Thursday to Saturday from 23:00hrs to 02:00hrs the following day
- Sunday from 23:00hrs to 01:00hrs the following day

For members' information, late night refreshment is from 23:00 hours to 05:00 hours. A premises licence is not required outside of these times.

NOTE: The applicant has not advertised the hours for the provision of regulated entertainment on the public notices and consequently, the existing hours must remain as they are:

The Provision of Regulated Entertainment in the form of Recorded Music (Indoors)

- Monday to Thursday from 12:00hrs (midday) to 23:00hrs
- Friday and Saturday from 12:00hrs (midday) to 23:30hrs
- Sunday from 12:00hrs (midday) to 22:00hrs

The Provision of Regulated Entertainment in the form of Anything of a Similar Description to Live Music, Record Music or Performances of Dance (Indoors)

- Friday to Sunday from 12:00hrs (midday) to 22:00hrs

The opening hours of the premises

- Monday to Wednesday from 07:00hrs to 23:00hrs
- Thursday to Saturday from 07:00hrs to 02:00hrs the following day
- Sunday from 07:00hrs to 01:00hrs the following day

Members may wish to note that the sale of alcohol, regulated entertainment and late night refreshment are proposed to continue until the premises closes to the public. In relation to the sale of alcohol and or late night refreshment it is difficult to see how the licence holder will ensure that the licence conditions are met. The problem of course is that if sales continue until the last minute the premises cannot be emptied on time.

Members are advised to consider a break between the end of the licensable activities and the time the premises closes to the public.

4.0 Location and Nature of the premises

- 4.1 Photographs of the venue and immediate vicinity will be provided at the hearing.
- 4.2 The site plan of the venue is included as **Appendix 3**.
- 4.3 Maps showing the vicinity are included as **Appendix 4**.
- 4.4 Details of the nearest licensed venues are included as **Appendix 5**.

5.0 Licensing Policy and Government Advice

- 5.1 The Council has adopted a licensing policy and this is available from the Licensing Section, and at the hearing. The revised policy came into effect on the 1st November 2013.
- 5.2 Relevant Sections of the policy are brought to the attention of Members within the Licensing Officers report.
- 5.3 The Home Secretary has issued Guidance under Section 182 of the Licensing Act 2003. This is available on the Government's website, www.homeoffice.gov.uk. It was last revised in March 2015.
- 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:
 - Met Police (**Appendix 6**)
 - Licensing Authority acting as a Responsible Authority (**Appendix 7**)
 - Residents Association (SPIRE) (**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
 - The LFEPA (the London Fire and Emergency Planning Authority).
 - Planning
 - Health and Safety
 - Noise
 - Trading Standards
 - Child Protection
 - Public Health
- 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 (The applicant has repeated the existing conditions of the licence)

- 7.1 The premises will have CCTV Monitoring during operational hours;
- 7.2 Challenge 21 signs at the bar and to do proper ID checks to prevent sale of alcohol to underage customers;
- 7.3 The premises will clearly display operation hours;
- 7.4 Staff will be trained on Licensing and Health and Safety legislation;
- 7.5 The premises will have a clear evacuation procedures in case of a fire;
- 7.6 Customers will be requested to leave the premises quietly;
- 7.7 SIA door staff will be deployed at the doors on weekends;
- 7.8 The premises will clear bins only during permitted hours so as not to disturb the neighbourhood;
- 7.9 The premises shall not cause any noise pollution so as to disturb the neighbourhood;
- 7.10 Adult supervision at all times for young children.

8.0 Conditions in consultation with the responsible authorities/other persons

- 8.1 None

9.0 Licensing Officer Comments

9.1 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.

9.2 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.” It is a key mechanism for promoting best practice, ensuring consistent application and promoting fairness (1.7)
- ❖ Also “so long as licensing authorities have properly understood the Guidance, they may depart from it if they have reason to do so as long as they have reason to do so.” When doing so 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)
- ❖ Conditions may not be imposed for the purpose other than the licensing objectives.
- ❖ Necessary conditions should emerge from a risk assessment by the applicant, which should then be reflected in the operating schedule (10.6).
- ❖ The Licensing Authority may only impose such conditions as are necessary for meeting the licensing objectives.
- ❖ It is Government policy that facilities for people and performers with disabilities should be provided at places of entertainment.
- ❖ “The Government acknowledges that different licensing strategies may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions regarding licensed opening hours as part of the implementation of its licensing policy statement and licensing authorities are best placed to make decisions about appropriate opening hours in their areas based on their local knowledge and in consultation with responsible authorities.” (10.11)
- ❖ Mandatory conditions must be imposed (10.38) and censorship avoided (10.17).

- ❖ 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. This may be unlawful under current law. However, it is important to note that the mandatory conditions made under sections 19A and 73B of the 2003 Act prohibit a number of types of drinks promotions where they give rise to a significant risk to any one of the four licensing objectives (10.26).
- 9.3 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.
- 9.4 In all cases the Members should make their decision on the civil burden of proof that is “the balance of probability.”
- 9.5 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.
- 9.6 The Government has advised that “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 and to respect the rights of people living nearby to a peaceful night.” (2.20)
- 9.7 The Council’s Licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.
- 9.8 In **Appendices 9 - 15** Members are given general advice, and also have explanations of the Council’s Licensing Policy, Government advice and other legislation relating to the matters in the representations.

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
Appendix 2	A copy of the variation application
Appendix 3	Site plan of the venue
Appendix 4	Maps showing vicinity of venue
Appendix 5	Details of nearest licensed venues
Appendix 6	Representation from Police
Appendix 7	Representation from Licensing Authority
Appendix 8	Representation of SPIRE (John Shapiro)
Appendix 9	Licensing Officer comments on noise whilst the premises is in use
Appendix 10	Licensing Officer comments on access and egress problems
Appendix 11	Licensing Officer comments on crime and disorder on the premises
Appendix 12	Licensing Officer comments on crime and disorder from patrons leaving the premises
Appendix 13	Planning
Appendix 14	Licensing Policy relating to hours of trading
Appendix 15	Licensing Officer comments on the Tower Hamlets Cumulative Impact Zone

Appendix 1

**(Agah Turkish Restaurant)
43 Commercial Street
London
E1 6BD**

Licensable Activities authorised by the licence

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

See the attached licence for the licence conditions

Signed by

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

Date: 30th August 2016



Part A - Format of premises licence

Premises licence number

20340

Part 1 - Premises details

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

(Agah Turkish Restaurant)
43 Commercial Street

Post town

London

Post code

E1 6BD

Telephone number

██████████

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

- The sale by retail of alcohol
- The provision of late night refreshment
- The provision of regulated entertainment

The times the licence authorises the carrying out of licensable activities

The Supply of Alcohol (on sales only)

- Monday to Thursday from 12:00hrs (midday) to 23:00hrs
- Friday and Saturday from 12:00hrs (midday) to 23:30hrs
- Sunday from 12:00hrs (midday) to 22:00hrs

The Provision of Late Night Refreshment (indoors)

- Friday and Saturday from 23:00hrs to 23:30hrs

The Provision of Regulated Entertainment in the form of Recorded Music (Indoors)

- Monday to Thursday from 12:00hrs (midday) to 23:00hrs
- Friday and Saturday from 12:00hrs (midday) to 23:30hrs
- Sunday from 12:00hrs (midday) to 22:00hrs

The Provision of Regulated Entertainment in the form of Anything of a Similar Description to Live Music, Record Music or Performances of Dance (Indoors)

- Friday to Sunday from 12:00hrs (midday) to 22:00hrs

The opening hours of the premises

- Monday to Thursday from 12:00hrs (midday) to 23:30hrs
- Friday and Saturday from 12:00hrs (midday) to 00:00hrs (midnight)
- Sunday from 12:00hrs (midday) to 22:30hrs

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

Lop Lop Limited
43 Commercial Street
London
E1 6BD

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

Registered Company Number: 09374933

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

Ritesh Viswanatha Panicker

[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 Number: [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

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

Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, such individuals must be licensed with the Security Industry Authority. This does not apply to premises within paragraph. 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001, (premises with premises licences authorising plays or films), or in respect of premises in relation to- any occasion mentioned in paragraph 8(3)(b) or (c) of Schedule 2 (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or any occasion within paragraph 8(3)(d) of Schedule 2 (occasions prescribed by regulations under that Act) unless the Licence specifically states otherwise.

Security activity means an activity to which paragraph 2(1)(a) of Schedule 2 of the Private Security Industry Act 2001 of that schedule applies, and

Paragraph 8(5) of Schedule 2 (interpreting of references to an occasion) applies as it applies in relation to paragraph 8 of Schedule 2 of the Private Security Industry Act 2001

Annex 2 - Conditions consistent with the operating Schedule

1. The premises will have CCTV Monitoring during operational hours;
2. Challenge 21 signs at the bar and to do proper ID checks to prevent sale of alcohol to underage customers;
3. The premises will clearly display operation hours;
4. Staff will be trained on Licensing and Health and Safety legislation;
5. The premises will have a clear evacuation procedures in case of a fire;
6. Customers will be requested to leave the premises quietly;
7. SIA door staff will be deployed at the doors on weekends;
8. The premises will clear bins only during permitted hours so as not to disturb the neighbourhood;
9. The premises shall not cause any noise pollution so as to disturb the neighbourhood;
10. Adult supervision at all times for young children.

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:

- 25th July 2016 – Ground Floor and Basement

Part B - Premises licence summary

Premises licence number

20340

Premises details

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

(Agah Turkish Restaurant)
43 Commercial Street

Post town

London

Post code

E1 6BD

Telephone number

██████████

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

- The sale by retail of alcohol
- The provision of late night refreshment
- The provision of regulated entertainment

The times the licence authorises the carrying out of licensable activities

The Supply of Alcohol (on sales only)

- Monday to Thursday from 12:00hrs (midday) to 23:00hrs
- Friday and Saturday from 12:00hrs (midday) to 23:30hrs
- Sunday from 12:00hrs (midday) to 22:00hrs

The Provision of Late Night Refreshment (indoors)

- Friday and Saturday from 23:00hrs to 23:30hrs

The Provision of Regulated Entertainment in the form of Recorded Music (Indoors)

- Monday to Thursday from 12:00hrs (midday) to 23:00hrs
- Friday and Saturday from 12:00hrs (midday) to 23:30hrs
- Sunday from 12:00hrs (midday) to 22:00hrs

The Provision of Regulated Entertainment in the form of Anything of a Similar Description to Live Music, Record Music or Performances of Dance (Indoors)

- Friday to Sunday from 12:00hrs (midday) to 22:00hrs

The opening hours of the premises

- Monday to Thursday from 12:00hrs (midday) to 23:30hrs
- Friday and Saturday from 12:00hrs (midday) to 00:00hrs (midnight)
- Sunday from 12:00hrs (midday) to 22:30hrs

Name, (registered) address of holder of premises licence

Lop Lop Limited
43 Commercial Street
London
E1 6BD

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

On sales only

Registered company number

09374933

Name of designated premises supervisor

Ritesh Viswanatha Panicker

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

Adult supervision at all times for young children.

Appendix 2

* required information

Section 1 of 17

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

Not Currently In Use

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

Your reference

Premises License Variation 20340

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?

- Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

Rithesh V

* Family name

Panicker

* E-mail

[Redacted]

Main telephone number

[Redacted]

Include country code.

Other telephone number

[Redacted]

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

Are you:

- 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 you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House?

- Yes No

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

Registration number

09374933

Business name

Lop Lop Ltd T/A Agah Turkish Restaurant

If your business is registered, use its registered name.

VAT number

GB

202571741

Put "none" if you are not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 17

APPLICATION DETAILS

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.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

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

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable
value of premises (£)

71,500

Section 3 of 17

VARIATION

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

Yes

No

Do you want the proposed variation to have effect in relation to the
introduction of the late night levy?

Yes

No

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 to the
late night levy.

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

Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

Agah is an authentic Turkish restaurant, specialising in Anatolian cuisine. We already have a premises license. We would like to extend the trading hours to start breakfast service from 7am in the morning and also to extend our trading hours on Thursday, Friday and Saturday. Supply of alcohol and food is only within the premises and not outside and only during authorised trading hours as per licensing laws.

Section 4 of 17

PROVISION OF PLAYS

Will the schedule to provide plays be subject to change if this application to
vary is successful?

Yes

No

Section 5 of 17

PROVISION OF FILMS

Will the schedule to provide films be subject to change if this application to
vary is successful?

Yes

No

Section 6 of 17

PROVISION OF INDOOR SPORTING EVENTS

Will the schedule to provide indoor sporting events be subject to change if
this application to vary is successful?

Continued from previous page...

Yes

No

Section 7 of 17

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

Yes

No

Section 8 of 17

PROVISION OF LIVE MUSIC

Will the schedule to provide live music be subject to change if this application to vary is successful?

Yes

No

Section 9 of 17

PROVISION OF RECORDED MUSIC

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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 select 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.

Music is regulated and amplified with proper sound limiters

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.

No seasonal variations

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

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

During Christmas Eve and New Year's Eve - but if required we will apply for a TEN for these events

Section 10 of 17

PROVISION OF PERFORMANCES OF DANCE

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 11 of 17

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

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Provide 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.

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

SUNDAY

Start

End

Start

End

Provide a description of the type of entertainment that will be provided.

Traditional Turkish Music for diners - a pianist a, violinist and a singer. This will be held in our basement away from the public eye on Friday, Saturday and Sunday to provide entertainment for the diners.

Will this entertainment take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure select 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.

Music will only be played through a Portable PA System and will definitely be amplified. It will be played only in the basement so as not to disturb neighbours or cause noise nuisances.

Continued from previous page...

State any seasonal variations for entertainment.

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

If we have any seasonal variation other than the requested times above, we will apply for a TEN but we aim to stop entertainment within the above stated times so as not to cause any noise pollution or disturbance to general public or neighbours.

Non-standard timings. Where the premises will be used for entertainment at different times from those listed above, list below.

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

Not Applicable.

Section 12 of 17

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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 select 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.

By late night refreshments, we mean only to serve food for the above stated hours and also to provide amplified recorded music for the above stated hours.

State any seasonal variations.

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

No seasonal variation. If required in future, we can apply for TEN

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

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

Only for the above stated hours. If required in future, we can apply for TEN

Section 13 of 17

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start 12:00

End 23:00

Start

End

Provide 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 12:00

End 23:00

Start

End

WEDNESDAY

Start 12:00

End 23:00

Start

End

THURSDAY

Start 12:00

End 02:00

Start

End

FRIDAY

Start 12:00

End 02:00

Start

End

SATURDAY

Start 12:00

End 02:00

Start

End

SUNDAY

Start 12:00

End 01:00

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.

No seasonal variation required in summer months. If required, we will apply for a TEN

Continued from previous page...

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

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

No seasonal variation required. If required, we will apply for a TEN

Section 14 of 17

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.

Provide 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.

not applicable

Section 15 of 17

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

Continued from previous page...

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.

No activity in summer months, other than for the above stated timings.

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

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

No non standard timings requested. If needed, we will apply in future for a TEN

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

I have no objection to the conditions previously stated on our Premises Licence

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

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 17

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.

Continued from previous page...

- * No sale of Alcohol to Underage People.
- *No drunk & disorderly behavior to be permitted on the premises.
- *Vigilance in preventing use and sale of Illegal drugs on premises.
- *Operation hours clearly displayed.
- *CCTV Monitoring during operational hours.

b) The prevention of crime and disorder

- *CCTV Monitoring during operational hours.
- *Challenge 21 signs at the bar and to do proper ID checks to prevent sale of alcohol to underage customers.
- *Operation hours clearly displayed.
- *Deny sale of alcohol to already intoxicated customers.
- *Train staff on licensing laws.

c) Public safety

- *Health and Safety signs and training to be provided for all staff.
- *Clear evacuation procedures in case of a fire.
- *No sale of alcohol to already intoxicated customer and to under aged customers.
- *Clear and visible lighting.

d) The prevention of public nuisance

- *Requesting customers to leave the premises quietly.
- *Well trained SIA Guards at doors on weekends.
- *Clearing bins only during permitted hours so as not to disturb the neighbourhood.
- *Not to cause any noise pollution so as to disturb the neighbourhood.

e) The protection of children from harm

- *Request adult supervision at all times for young children.
- *Prevent under aged drinking by refusing sale of alcohol to under aged customers.
- *Provide signs for child safety.

Section 17 of 17

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.

Variation 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 £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 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 you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise 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

Continued from previous page...

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

* Fee amount (£)

DECLARATION

1 * 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.

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/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

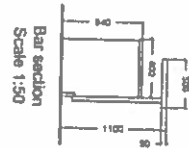
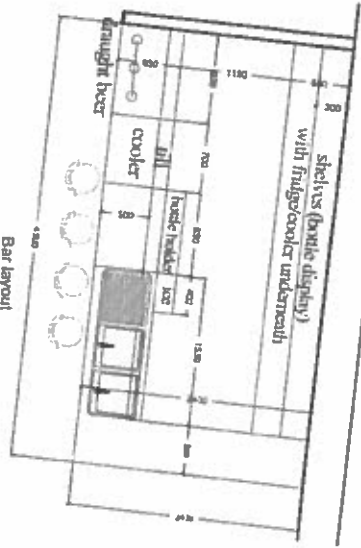
IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

OFFICE USE ONLY

Applicant reference number	Premises License Variation 20340
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

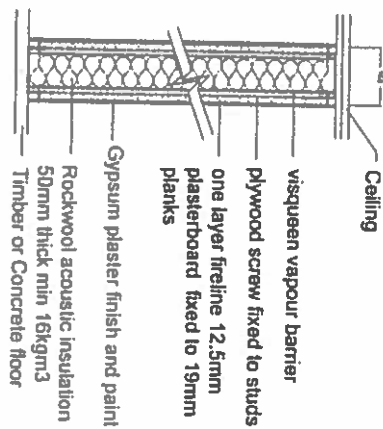
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Appendix 3

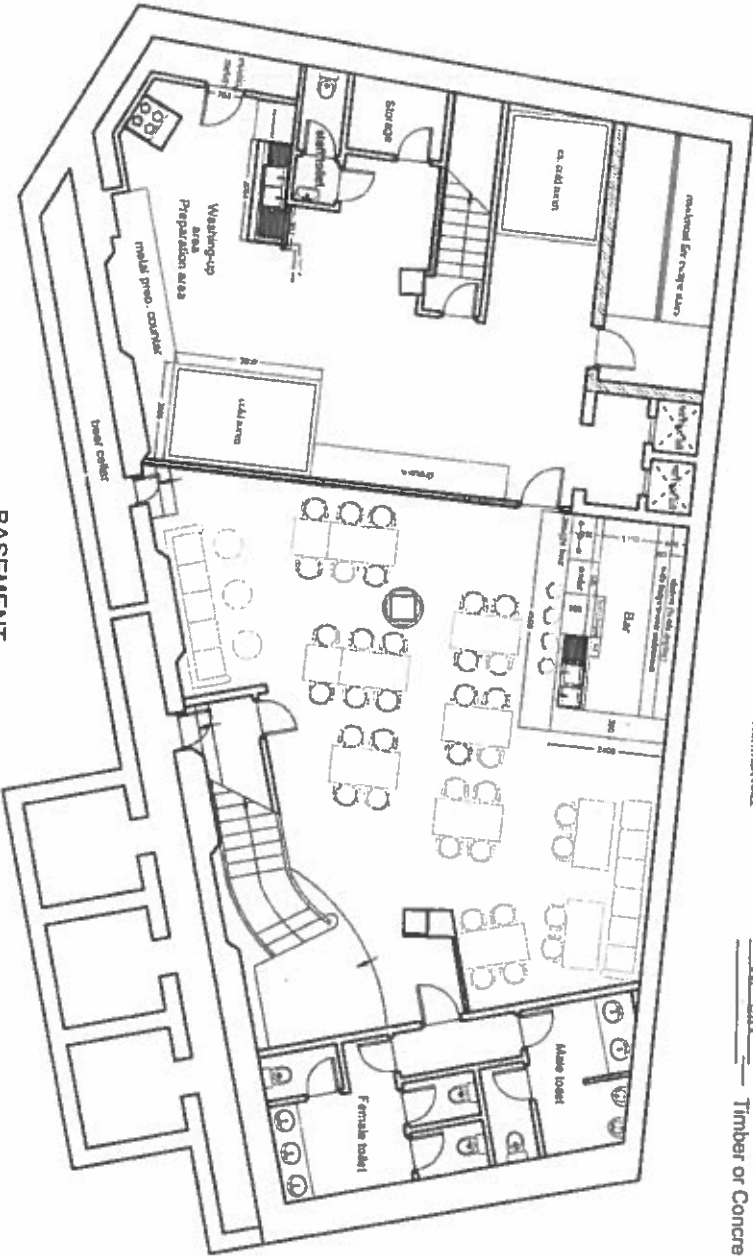


NEW SOUND PROOF PARTITION WALL
1/2 FIRE RESISTANT AND SOUND PROOF PARTITION WALL

TYPICAL STUD WALL DETAIL 1
Internal partition



BASEMENT
(as proposed)



END DESIGN
BTR Carverston Road, W. 898
Tel: 4410 20340706
info@btrdesign.co.uk
www.btrdesign.co.uk

Project Name	COMMERCIAL STREET
Project No	14128
Project Date	14/03/15
Project Stage	V.O.
Project Location	14128-4-100-002
Project Scale	1:1000

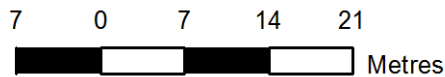
Appendix 4



43 Commercial Street



Scale 1:769



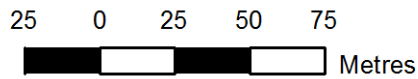
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43 Commercial Street



Scale 1:3074



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Appendix 5

Application for (Agah Turkish Restaurant), 43 Commercial Street, London E1 6BD

Name and address	Licensable activities and hours	Opening hours
<p>(Som Saa) 43a Commercial Street <u>London</u> E1 6BD</p>	<p>The sale by retail of alcohol (On sales only):</p> <ul style="list-style-type: none"> • Monday to Thursday from 10:00 hours to 23:30 hours • Friday and Saturday from 10:00 hours to midnight • Sunday from 12:00 hours to 22:30 hours <p>Late Night Refreshment: (Indoors only)</p> <ul style="list-style-type: none"> • Monday to Thursday until 23:30 hours • Friday and Saturday until midnight 	<ul style="list-style-type: none"> • Monday to Thursday from 10:00 hours to 23:30 hours • Friday and Saturday from 10:00 hours to midnight • Sunday from 12:00 hours to 22:30 hours
<p>(Zengi) 44 Commercial Street London E1 6LT</p>	<p>Sale of alcohol</p> <ul style="list-style-type: none"> ▪ Monday to Sunday, from 11:00 hours to 23:30 hours <p>Provision of late night refreshment – Indoor and outdoor</p> <ul style="list-style-type: none"> ▪ Monday to Sunday, from 23:00 hours to 23:30 hours <p>Provision of regulated Entertainment - Indoor <u>Live music, recorded music, performance of dance and anything of a similar description. Provision of facilities for making music, Provision of facilities for dancing and anything of a similar description</u></p> <ul style="list-style-type: none"> ▪ Monday to Sunday, from 11:00 hours to 23:30 hours <p><u>Licensable activities non-standard timings:</u></p> <ul style="list-style-type: none"> ▪ New Year's Eve, from 11:00 hours to 01:30 hours the following day 	<ul style="list-style-type: none"> ▪ Monday to Sunday, from 11:00 hours to 00:00 hours (midnight) <p><u>Non-standard timings:</u></p> <ul style="list-style-type: none"> ▪ New Year's Eve, from 11:00 hours to 02:00 hours the following day
<p>Culpeper 40-42 Commercial Street London E1 6LP</p>	<p><i>Supply of Alcohol (On and off sales) and Regulated Entertainment (plays, films, indoor sporting events, recorded music, performance of dance, provision of facilities for making music and provision of facilities for dancing)</i></p> <ul style="list-style-type: none"> ▪ Monday to Wednesday, from 07:00hrs to 00:00hrs (midnight) ▪ Thursday to Saturday, from 07:00hrs to 03:00hrs ▪ Sunday, from 10:00hrs to 23:00hrs <p>Live music</p> <ul style="list-style-type: none"> ▪ Monday to Saturday, from 07:00hrs to 23:30hrs ▪ Sunday, from 10:00hrs to 23:00hrs <p>Late Night Refreshment</p> <ul style="list-style-type: none"> ▪ Monday to Wednesday, from 23:00hrs to 00:30hrs ▪ Thursday to Saturday, from 23:00hrs to 04:00hrs ▪ Sunday, from 23:00hrs to 23:30hrs <p><u>Non-standard timings</u></p> <p>Supply of Alcohol and Regulated Entertainment (plays, films, indoor sporting events, recorded music, performance of dance, provision of facilities for making music and provision of facilities for dancing)</p>	<ul style="list-style-type: none"> ▪ Monday to Wednesday, from 07:00hrs to 00:30hrs ▪ Thursday to Saturday, from 07:00hrs to 04:00hrs ▪ Sunday, from 10:00 hours to 23:30hrs <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> ▪ Sundays immediately preceding a bank holiday, from 07:00hrs to 04:00hrs ▪ Bank Holiday Mondays, from 07:00hrs to 01:30hrs ▪ St. Valentines Day, St. Patrick's Day, St. Georges Day, Halloween, Christmas Eve and Boxing Day, from 07:00hrs to 04:00hrs ▪ New Year's Eve, from 07:00hrs to 03:00hrs 2nd January

Application for (Agah Turkish Restaurant), 43 Commercial Street, London E1 6BD

	<ul style="list-style-type: none"> ▪ Sundays immediately preceding a bank holiday, from 07:00hrs to 03:00hrs ▪ Bank Holiday Mondays, from 07:00hrs to 01:00hrs ▪ St. Valentines Day, St. Patrick's Day, St. Georges Day, Halloween, Christmas Eve and Boxing Day, from 07:00hrs to 03:00hrs ▪ New Year's Eve, from 07:00hrs to 03:00hrs 2nd January <p>Late Night Refreshment</p> <ul style="list-style-type: none"> ▪ Sundays immediately preceding a bank holiday, from 23:00hrs to 04:00hrs ▪ Bank Holiday Mondays, from 23:00hrs to 01:30hrs ▪ St. Valentines Day, St. Patrick's Day, St. Georges Day, Halloween, Christmas Eve and Boxing Day, from 23:00hrs to 04:00hrs ▪ New Year's Eve, from 23:00hrs to 04:00hrs 2nd January 	
<p>(Toto's Pasta and Pizzeria) Ground Floor and Basement Storage Area 65 Commercial Street London E1 6BD</p>	<p><i>Supply of Alcohol (On sales)</i></p> <ul style="list-style-type: none"> • Monday to Sunday, from 11:00 hours to 22:30 hours 	<ul style="list-style-type: none"> • Monday to Sunday, from 11:00 hours to 23:00 hours
<p>(Crisis) 64 Commercial Street London E1 6LT</p>	<p><u>The Supply of Alcohol (on sales only)</u></p> <ul style="list-style-type: none"> • Monday to Thursday from 16:00hrs to 23:00hrs • Friday from 16:00hrs to 23:30hrs • Saturday from 10:00hrs to 23:30hrs • Sunday from 10:00hrs to 22:00hrs <p><u>The Provision of Late Night Refreshment (indoors)</u></p> <ul style="list-style-type: none"> • Friday and Saturday from 23:00hrs to 23:30hrs 	<ul style="list-style-type: none"> • Monday to Thursday from 08:00hrs to 23:30hrs • Friday from 08:00hrs to 00:00hrs (midnight) • Saturday from 10:00hrs to 00:00hrs (midnight) • Sunday from 10:00hrs to 22:30hrs
<p>(Hotbox) 46 - 48 Commercial Street London E1 6LT</p>	<p>Sale by retail of alcohol (On sales only)</p> <ul style="list-style-type: none"> • Monday to Wednesday, from 11:00 hours to 23:30 hours • Thursday to Saturday, from 11:00 hours to 00:30 hours • Sunday, from 11:00 hours to 22:30 hours <p>The provision of late night refreshment - Indoors</p> <ul style="list-style-type: none"> • Monday to Wednesday, from 23:00 hours to 23:30 hours • Thursday to Saturday, from 23:00 hours to 00:30 hours <p>The provision of regulated entertainment - Indoors (Live Music)</p> <ul style="list-style-type: none"> • Monday to Wednesday, from 23:00 hours to 23:30 hours • Thursday to Saturday, from 23:00 hours to 00:30 	<ul style="list-style-type: none"> • Monday to Wednesday, from 11:00 hours to 00:00 hours • Thursday to Saturday, from 11:00 hours to 01:00 hours • Sunday, from 11:00 hours to 23:00 hours <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> • To extend the times for all the licensable activities from the end of the permitted hours on New Years' Eve to 03:30 hours on New Year's Day.

Application for (Agah Turkish Restaurant), 43 Commercial Street, London E1 6BD

	<p align="center">hours</p> <p><u>(Recorded Music)</u></p> <ul style="list-style-type: none"> Monday to Wednesday, from 11:00 hours to 23:30 hours Thursday to Saturday, from 11:00 hours to 00:30 hours Sunday, from 11:00 hours to 22:30 hours <p><u>Provision of anything of a similar description to Live Music, Recorded Music or Performance of Dance</u></p> <ul style="list-style-type: none"> Monday to Wednesday, from 11:00 hours to 23:30 hours Thursday to Saturday, from 11:00 hours to 00:30 hours Sunday, from 11:00 hours to 22:30 hours <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> To extend the times for all the licensable activities from the end of the permitted hours on New Years' Eve to 03:00 hours on New Year's Day. 	
<p>(Absurd Bird) 54 Commercial Street London E1 6LT</p>	<p><u>The sale by retail of alcohol (on sales only):</u></p> <ul style="list-style-type: none"> Sunday to Wednesday from 11:00hrs to 23:00hrs Thursday to Saturday from 11:00hrs to 00:00hrs (midnight) <p><u>The provision of late night refreshment (both indoors and outdoors):</u></p> <ul style="list-style-type: none"> Thursday to Saturday from 23:00hrs to 00:00hrs (midnight) 	<ul style="list-style-type: none"> Sunday to Wednesday from 09:00hrs to 23:30hrs Thursday to Saturday from 09:00hrs to 00:30hrs (the following day)
<p>(Poppy Hana) 57 Commercial Street, London E1 6BD</p>	<p>Sale of alcohol (On and off sales) Monday to Sunday 11:00 hours to 23:00 hours</p>	<p>Monday to Sunday 11:00 hours to 23:30 hours</p>
<p>(YUU Kitchen Ltd) 31-35 Commercial Street London E1 6DH</p>	<p>The supply by retail of alcohol (The supply by retail of alcohol)</p> <ul style="list-style-type: none"> Monday – Thursday 12:00 – 23:00 Friday – Saturday 12:00 – 23:30 Sunday 12:00 - 22:30 <p>The provision of late night refreshment (indoors)</p> <ul style="list-style-type: none"> Friday – Saturday 23:00 -23:30 <p>On Christmas Eve supply by retail of alcohol and provision of late night refreshment to 00:30</p> <p>On New Year's Eve supply by retail of alcohol and provision of late night refreshment to 01:30)</p> <p>Monday – Thursday 12:00 – 23:00 Friday – Saturday 12:00 – 23:30 Sunday 12:00 - 22:30</p> <p>The provision of late night refreshment (indoors)</p>	<p>Monday – Thursday 12:00 – 23:30 Friday - -Saturday 12:00 – 00:00 Sunday 12:00 - 23:00 Christmas Eve 12:00 – 01:00 New Year's Eve 12:00 - 02:00</p>

Application for (Agah Turkish Restaurant), 43 Commercial Street, London E1 6BD

	<p>Friday – Saturday 23:00 -23:30</p> <p>On Christmas Eve supply by retail of alcohol and provision of late night refreshment to 00:30</p> <p>On New Year’s Eve supply by retail of alcohol and provision of late night refreshment to 01:30</p>	
<p>(Spitalfields Superstore) 59 Commercial Street London E1 6BD</p>	<p><u>The sale by retail of alcohol (Off sales only)</u></p> <ul style="list-style-type: none"> • Sunday to Thursday, from 08:00 hours to 23:30 hours • Friday and Saturday, from 08:00 hours to midnight 	<ul style="list-style-type: none"> • Monday to Sunday, from 08:00 hours to midnight
<p>(Lupita) Ground Floor and Basement 60 - 62 Commercial Street London E1 6LT</p>	<p align="center"><u>Ground Floor and Basement Floor</u></p> <p>The sale by retail of alcohol</p> <ul style="list-style-type: none"> • Monday to Thursday, from 10:00 hours to 23:30 hours • Friday and Saturday, from 10:00 hours to midnight • Sunday, from 12:00 hours to 23:30 hours <p>The provision of late night refreshment</p> <ul style="list-style-type: none"> • Sunday to Thursday, from 23:00 hours to 23:30 hours • Friday and Saturday, from 23:00 hours to midnight <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> • Bank Holidays until midnight <p align="center"><u>Extension of hours for Basement only</u></p> <p>The sale by retail of alcohol</p> <ul style="list-style-type: none"> • Thursday to Saturday, from 10:00 hours to 01:00 hours the following days <p>The provision of late night refreshment Thursday to Saturday, from 23:00 hours to 01:00 hours the following days</p>	<p align="center"><u>Ground Floor and Basement Floor</u></p> <ul style="list-style-type: none"> • Monday to Thursday, from 08:00 hours to midnight • Friday and Saturday, from 08:00 hours to 00:30 hours • Sunday, from 12:00 hours to midnight. <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> • Bank Holidays until midnight <p align="center"><u>Extension of hours for Basement only</u></p> <ul style="list-style-type: none"> • Thursday to Saturday, from 10:00 hours to 01:00 hours the following days
<p>71 Commercial Street London E1 6BD</p>	<p>Late Night Refreshment (starts at 23:00 hrs) Thursday: 23:00 hours until midnight Friday and Saturday: 23:00 hours until 01:00 hours the following day</p>	<p>Thursday: 09:00 hours until midnight Friday and Saturday: 09:00 hours until 01:00 hours the following day</p>

Appendix 6

Tom Lewis
LBTH Licensing
Toby Club
Vawdrey Close
E1 4UA

HT - Tower Hamlets Borough
HH - Limehouse Police Station

Licensing Office
Toby Club Sno
Vawdrey Close
E1 4UA

Telephone: [REDACTED]

Facsimile:

Email:

[REDACTED]
[REDACTED]
www.met.police.uk

Your ref:

Our ref:

6 March 2017

Dear Mr Lewis

Application to vary a premises licence

Agah, 43 Commercial St, E1 68D

I write with reference to the above application. Please accept this letter as notification that the police as a responsible authority wish to object to this application on the following two licensing objectives:

The prevention of crime and disorder

The prevention of public nuisance

The applicant must be aware that the restaurant is situated in the CIZ. The following hours are of concern:

Alcohol: Thursday-Saturday: until 0200

Sunday : until 0100

LNR reflect the above hours.

Closing hours: as above

LBTH has adopted a Saturation Policy / Cumulative Impact Policy which includes Commercial St. This policy was adopted due to the concerns about the number of licensed premises and late night eateries in such a small area and the resulting number of ASB calls and the potential for disorder.

With regards to this policy, the licensing authority will normally refuse any new applications or any variation of these in the cumulative impact zone; *unless the applicant can demonstrate there will be no negative cumulative impact on one or more of the licensing objectives.*

Although there continues to be an increase in licensed premises, there has been a consensual approach with all responsible authorities in limiting the hours in the CIZ

The applicant should be aware of the saturation policy and the late hours applied for do not reflect the concerns that have led to the implementation of a CIZ. One of the main reasons for the introduction of the CIZ was to combat the expansion of late night venues. One more late night opening venue will only compound the problems in this area.

This will be one of the longest opening hours in the area and will be a destination for many people, many of whom will clearly be under the influence of alcohol. By requesting such late hours it will result in people staying longer within the CIZ, with the potential for ASB and violence.

By remaining open until 2am, it will attract a number of people who are already under the influence of alcohol. Has the staff experience in dealing with drunken individuals. People leaving at this late hour at the very least can cause ASB or noise issues.

The availability of alcohol into the early hours of the morning has a greater risk of violence occurring.

I am hoping to produce a statement from the local policing team regarding this application.

Licensing Guidance Paragraph 8.34 states “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”.....including “any risk posed to the local area by the applicants’ proposed licensable activities” . I don’t believe the applicant

has taken into consideration the local community and the impact such late hours will have on the neighbourhood.

Paragraph 8.33 of the Sec 182 Guidance states "...and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. The applicant has failed to do this as there is very little explanation given in the application.

The proposed steps

1. No sale of alcohol to underage people

This is already a statutory obligation.

2. No drunk&disorderly behaviour to be permitted on the premises

This is already a statutory obligation.

3.Vigilance in preventing use and sale of illegal drugs on the premises.

This is already a statutory obligation. Whilst this vigilance is welcome I am concerned that the applicant should think it will be necessary in a traditional restaurant.

4. CCTV: a lack of detail

5 .How will they train staff on licensing laws.

6. No sale of alcohol to already intoxicated customer and to under aged customers

This is already a statutory obligation.

I have emailed the applicant but at the time of writing I have not received a reply. I asked them to consider hours that reflected those of a nearby restaurant.

Alcohol: Sun-Thursday: 1200-2230

Fri-Sat : 1200-2300

Closing a half hour later.

I realize however this would actually be fewer hours than the present licence

I would consider the Sunday hours to be extended:

All licensable activities to finish at 2230: closing at 2300

I would also ask for the following conditions

1. Two SIA staff to be employed from 2000 until closing: Fri-Sun (A SIA condition is already on the licence)

2. CCTV

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 must also be someone on the premises, who can download the images and present them on request by a police officer or other responsible authority.

(Can a camera be placed outside the entrance and on entry)

3. Use of incident /refusals book

4. No drinks to be taken outside.

Otherwise, in light of the present hours and the fact that the restaurant is in the CIZ, I ask the committee to refuse the application.

Alan Cruickshank PC 189HT

Appendix 7

**Place Directorate
Public Realm**

Environmental Health and Trading Standards
Head of Service: **David Tolley**

Tower Hamlets Licensing

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

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

13/03/17

www.towerhamlets.gov.uk

My reference: P/LIC/98596

Dear Sir / Madam,

**Licensing Act 2003
Re: Agah Turkish & Anotolian Restaurant, London, E1 6BD**

The Licensing Authority has received an application for a Premises Licence variation to primarily increase their licensable activities and opening times.

This increase is:

Provision of Recorded Music:

Mon – Wed 0700- 1200hrs

Thurs- Sat 0700 – 1200hrs & 2330 – 0200 hrs

Late Night Refreshments:

Thurs 2300 – 0200hrs

Fri – Sat 2330 – 0200hrs

Sun 2300 – 0100hrs

Sale of Alcohol:

Thurs – Sat 2300 – 0200hrs

Fri – Sat 2330 – 0200hrs

Sun 2200 – 0100hrs

Anything of a Similar Description to Live Music, Record Music or Performances of Dance (Indoors):

Mon - Thurs 1200 – 2300hrs

Fri – Sat 2200 – 0000hrs

Sun 1200hrs – 0000hrs

In section 11 of the application there is reference to traditional Turkish music (a pianist, violinist and a singer) therefore the provision of live music should have been applied for within Section 8 of the operating schedule. Due to the deregulation of live music under The Live Music Act 2012 it would only be required to be applied for between 2300-0000 hrs on Fri-Sun.

It has been noticed that the statutory newspaper advert and blue notice do not accurately reflect what is applied for within the application.

On 18th September 2013 Tower Hamlets adopted a Cumulative Impact Policy (CIP) in the Brick Lane Area. The Council has 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, 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.

The Licensing Authority is now 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 as having a cumulative impact on the licensing objectives and has therefore declared a Cumulative Impact Zone.

The Licensing Authority recognises that there is a wide diversity of premises requiring a licence and will have full regard to the differing impact these will have on the local community. It therefore also recognises that, within this Policy, it may be able to approve licences that are unlikely to add significantly to the saturation, and will consider the circumstances of each individual application.

The effect of this CIP is to create a rebuttable presumption for applications in respect of the sale or supply of alcohol on or off the premises and/or late Night Refreshment for new Premises Licences, Club Premises Certificates or Provisional Statements and applications for variations of existing Premises Licences, Club Premises Certificates (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity). Where the premises are situated in the CIZ and a representation is received, the licence will be objected to by the Authority. To rebut this presumption the applicant is expected to show through the operating schedule and where appropriate with supporting evidence that the operation of the premises will not add to the cumulative impact already being experienced. This policy does not act as an absolute prohibition on granting/varying new licences in the CIZ.

The Licensing Authority is therefore making representation against this application on the grounds of the prevention of crime and disorder and the prevention of public nuisance as the premises lies within the CIZ. There is nothing within this application which offers any supporting evidence that the increased hours applied for will not add to the cumulative impact already being experienced in the area.

If the applicant is unable to prove to the Licensing Sub Committee, through the implementation of appropriate conditions within the Operating Schedule, that the granting of the application will not affect the cumulative impact of the area, then I ask the Committee to reject any increase in evening hours beyond their current licence. The Local Authority does not object to the earlier opening hours/recorded music times within the application i.e. opening at 0700hrs.

Yours sincerely,

A large black rectangular redaction box covering the signature area of the letter.

Corinne Holland
Licensing Officer

Appendix 8

Mohshin Ali

From: Mohshin Ali on behalf of Licensing
Sent: 16 March 2017 14:59
To: Mohshin Ali
Subject: FW: licence application at 43 Commercial St, E1 6BD

Follow Up Flag: Follow up
Flag Status: Flagged

From: SPIRE [REDACTED]
Sent: 16 March 2017 12:09
To: Licensing
Cc: Jon Shapiro
Subject: licence application at 43 Commercial St, E1 6BD

Dear Sir/Madam,

On behalf of SPIRE I would like to object to the above licence application. SPIRE is an umbrella organisation with representatives from most of the residents' groups in Spitalfields, set up to tackle anti-social behaviour in the area.

Our experience shows that much of this ASB is fuelled by alcohol consumption, and especially late-night sales of alcohol. Where premises are open beyond core hours there is a greater opportunity to consume large quantities of alcohol. In addition, their patrons cause noise on the neighbouring streets later into the night. The noise caused by drunk visitors to our area regularly disturbs the sleep of local residents. There is a direct link between levels of drunkenness and urination (and worse) on properties which is both unpleasant and unhygienic. There is a similar problem caused by alcohol-induced vomiting. Finally there is also a clear link between such drinking and minor acts of vandalism.

The premises is within Brick Lane CIZ, an area in which such problems are well recognised. Granting this licence would inevitably lead to an increase in these problems, both inside the CIZ and further afield.

We therefore ask that you reject this application.

Should you be minded to grant the application, we ask that at the very least you restrict the sale of alcohol to core hours.

Yours,

Jon Shapiro, Chair SPIRE
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Appendix 9

Noise while the premise is in use

General Advice

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

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

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

Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. (**See Sections 8.1 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 12.11**).

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 8.2 of the Licensing Policy**).

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. (**See Appendix 2 Annex D 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
- 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. a premises causing a nuisance resulting from noise emanating from the premises.

Guidance Issued under Section 182 of the Licensing Act 2003

The Licensing Policy has adopted the recommended Pool of Conditions as permitted (13.20 and Annex D).

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 (2.33).

Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.36) 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 (2.38).

Other Legislation

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

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

Appendix 10

Access and Egress Problems

Such as:

Disturbance from patrons arriving/leaving the premises on foot

Disturbance from patrons arriving/leaving the premises by car

Lack of adequate car parking facilities

Close proximity to residential properties

Comment

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

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

General Advice

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

The hours of operation also need to be considered.

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

Licensing Policy

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

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

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

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

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

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

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

Guidance Issued under Section 182 of the Licensing Act 2003

The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community. (2.19).

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. (2.20)

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 (2.22) and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder.

Appendix 11

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 - 2.7).

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 12

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 7 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 (2.14 – 2.20).

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 (2.18/2.20).

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 (13.13).

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 13

Planning

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

Appendix 14

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 15.8 of the Licensing Policy)

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

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

(See 15.9 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 15

Licensing Policy

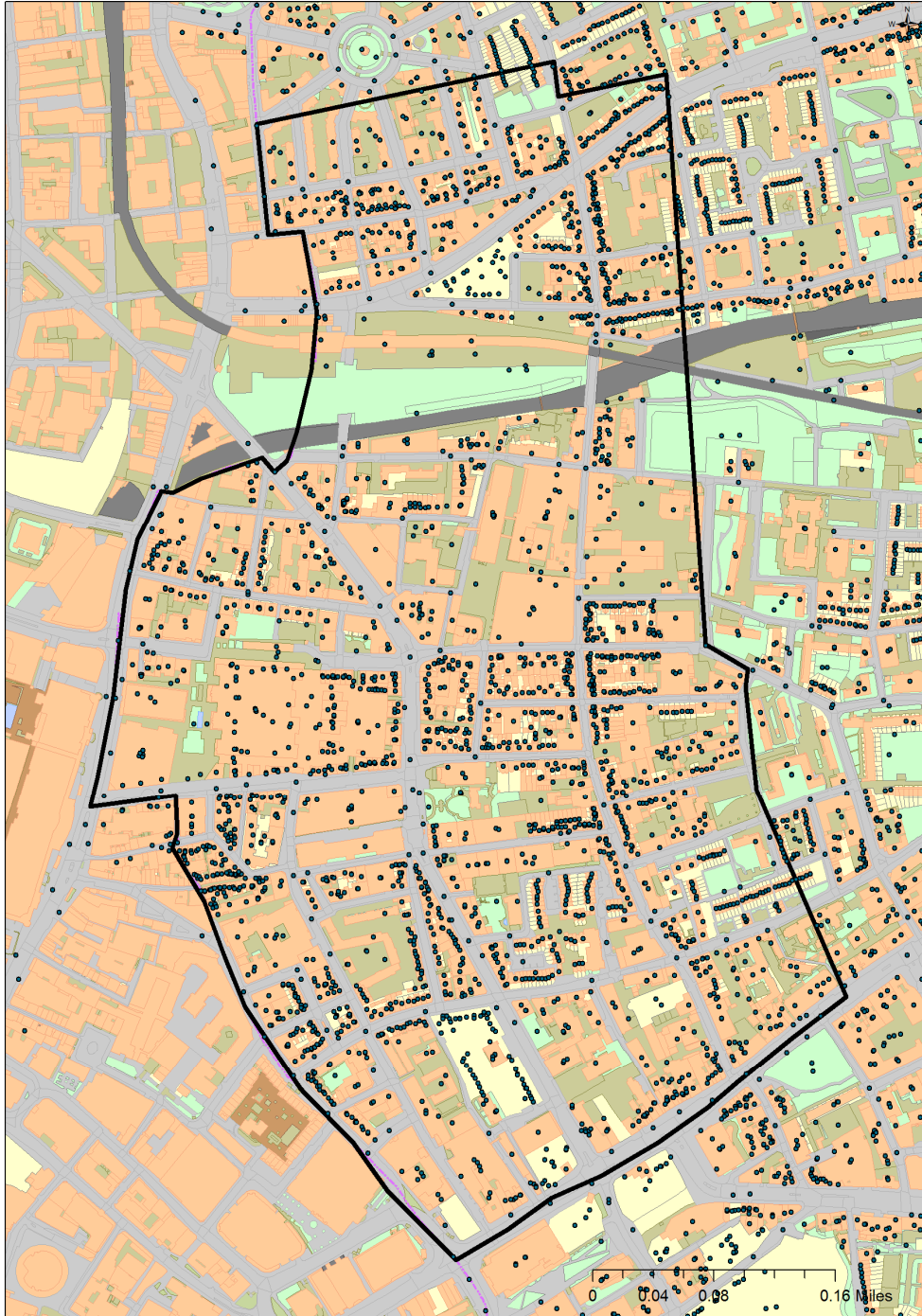
8 Special Cumulative Impact Policy for the Brick Lane Area

- 8.1 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 was adopted on 18th September 2013 by the Council.
- 8.2 After consultation the Council recognises 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.
- 8.3 The Licensing Authority is now 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 Figure One is having a cumulative impact on the licensing objectives and has therefore declared a cumulative impact zone.
- 8.4 The effect of this Special Cumulative Impact Policy is to create a rebuttable presumption for applications in respect of the sale or supply of alcohol on or off the premises and/or late Night Refreshment for new Premises Licences, Club Premises Certificates or Provisional Statements and applications for variations of existing Premises Licences, Club Premises Certificates (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity). Where the premises are situated in the cumulative impact zone and a representation is received, the licence will be refused. To rebut this presumption the applicant would be expected to show through the operating schedule and where appropriate with supporting evidence that the operation of the premises will not add to the cumulative impact already being experienced. This policy does not act as an absolute prohibition on granting/varying new licences in the Cumulative Impact Zone.
- 8.5 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.

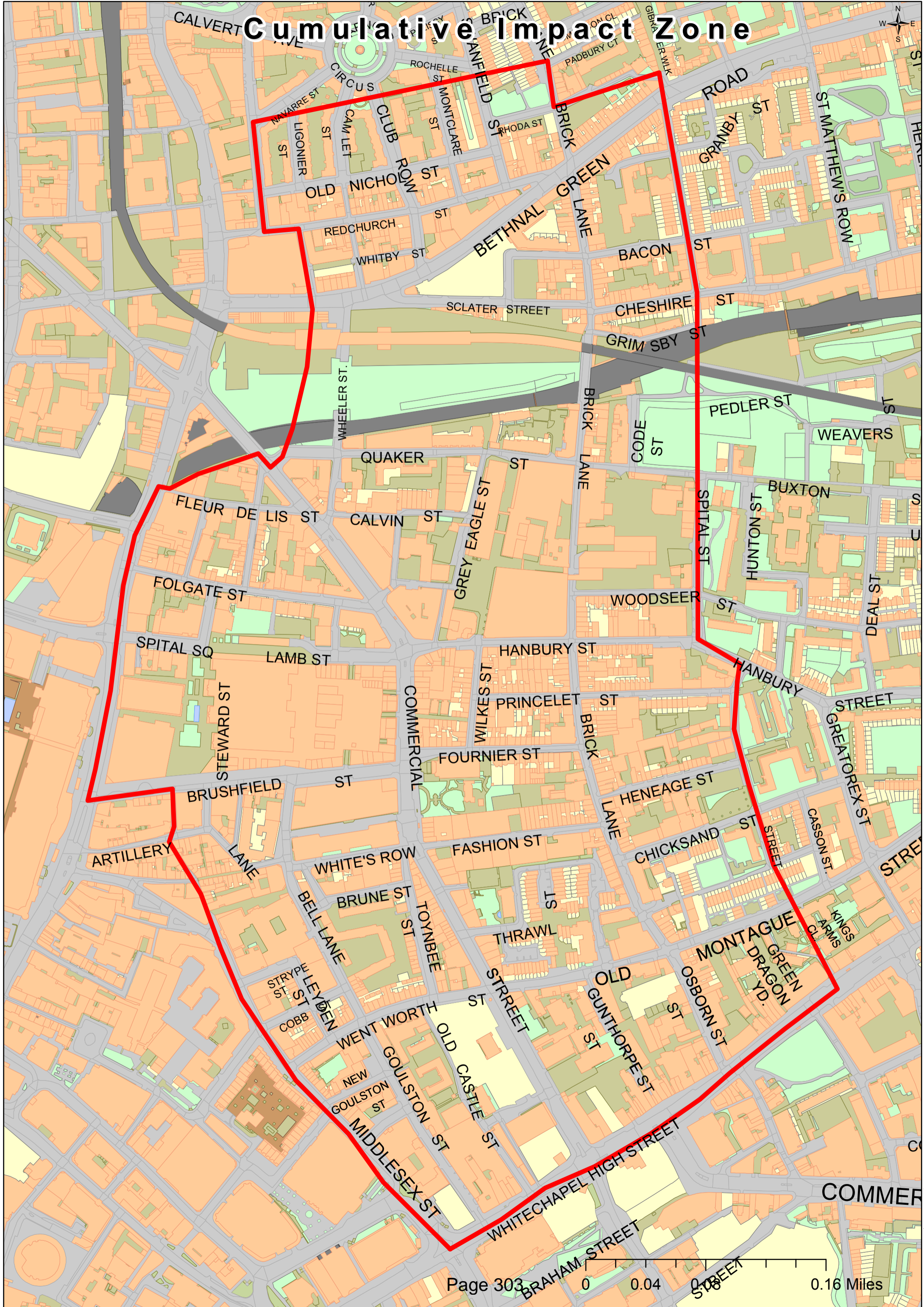
Figure One

The Cumulative Impact Zone in the Brick Lane area

The Cumulative Impact Zone is detailed in the map below. The map shows all of the premises (dots) currently licensed under the Licensing Act 2003 in the Brick Lane Area. The Cumulative Impact Zone is defined by the dark line.



Cumulative Impact Zone



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