

LICENSING SUB COMMITTEE

Wednesday, 24 May 2017 at 6.30 p.m.

The Council Chamber, Town Hall, Mulberry Place,

5 Clove Crescent, London, E14 2BG

This meeting is open to the public.

Contact for further enquiries:

Antoinette Duhaney, Democratic Services
1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, E14 2BG
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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.

	PAGE NUMBER(S)	WARD(S) AFFECTED
3. ITEMS FOR CONSIDERATION		
3 .1 Licensing Act 2003: Application for New Premises Licence for New Road Hotel, 103 - 107 New Road, E1 1HJ	15 - 88	Whitechapel
Licensing objectives: Public nuisance, Crime & disorder		
Representations by: Local residents		
3 .2 Licensing Act 2003: Application for New Premise Licence for Shawarma, 84 Brick Lane, E1 6RL	89 - 190	Spitalfields & Banglatown
Licensing objectives: Public nuisance, Crime & disorder		
Representations by: Local residents		
3 .3 Licensing Act 2003: Application for a New Premises Licence for Rochelle Canteen, Arnold Circus, E2 7ES	191 - 340	Weavers
Licensing objectives: Public nuisance, Crime & disorder		
Representations by: Local residents		

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

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

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:-

Graham White, 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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Agenda Item 3.1

Committee :	Date	Classification
Licensing Sub Committee	11th April 2017	Unclassified

Report of : David Tolley Head of Environmental Health & Trading Standards	Title: Licensing Act 2003 Application for new Premises Licence for New Road Hotel, 103-107 New Road, London E1 1HJ
Originating Officer: Kathy Driver Principal Licensing Officer	Ward affected: Whitechapel

1.0 Summary

Applicant: **Horizon Whitechapel Limited**
Name and Address of Premises: **New Road Hotel**
103-107 New Road
London
E1 1HJ

Licence sought: **Licensing Act 2003**
The Sale of Alcohol
Provide Late Night Refreshment
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

Kathy Driver
020 7364 5171

3.0 **Background**

- 3.1 This is an application for a new premises licence for New Road Hotel, 103 - 107 New Road, London E1 1HJ
- 3.2 A copy of the application is enclosed as **Appendix 1**.
- 3.3 The application has been amended since applied through consultation with the Responsible Authorities. The hours that have been applied for are as follows:-

Sale of Alcohol (on and off sales)

Sunday to Thursday from 10:30 hrs to 23:30

Friday and Saturday from 10:30 to 00:30 hrs

The Provision of Late Night Refreshment (indoors):

Sunday to Thursday from 23:00hrs to 23:30hrs

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

The Provision of Regulated Entertainment in the form of Films and Plays;

Monday to Sunday 10:00 hours to midnight

Live music;

Monday to Sunday 12:00 hours to 23:30 hours

There are further non-standard times:

For all the above licensable activities:

24 hours for residents of the hotel and their bona-fide guests.

Hours premises are open to the public:

Sunday to Thursday from 08:00 hrs to midnight

Friday and Saturday from 08:00 hrs to 01:00hrs

24 hours for residents of the hotel and their bona-fide guests

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 other licensed venues in the immediate vicinity 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 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 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 by the following local residents.

A Holden

H. Mulligan

H. Samari

J. Savage

J. Shapiro

D. Souden

See Appendices 6-11 for full representations

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

- 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
- Close to ASB hotspots

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 Staff shall be subject of due diligence training on prevention of unlawful sales.

8.0 Conditions Agreed with Environmental Health

8.1 No Music or Amplified Sound shall be generated on the premises to give rise to a nuisance to neighbouring residents

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

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

9.0 Conditions agreed with Police

9.1 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.

9.2 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.

9.3 No drinks to be taken outside.

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

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

9.5 Police have also agreed that the front entrance shall have CCTV coverage.

10.0 Licensing Officer Comments

10.1 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.

10.2 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)

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

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

10.5 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.

10.6 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)

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

10.8 **Appendices 12-16** provides general advice, explanations of the Council's Licensing Policy, Government advice and other legislation relating to the matters previously identified.

11.0 **Legal Comments**

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

12.0 **Finance Comments**

12.1 There are no financial implications in this report.

13.0 **Appendices**

Appendix 1	A copy of the application
Appendix 2	Site Plan
Appendix 3	Maps of the surrounding area
Appendix 4	Other licensed venues in the area
Appendix 5	Section 182 Advice by the DCMS- Relevant, vexatious and frivolous representations
Appendix 6	Representation of A Holden
Appendix 7	Representation of H. Mulligan
Appendix 8	Representation of H. Samari
Appendix 9	Representation of J. Savage
Appendix 10	Representation of J. Shapiro
Appendix 11	Representation of D. Souden
Appendix 12	Licensing officer comments on anti-social behaviour patrons leaving the premises
Appendix 13	Licensing officer comments on Access and egress problems
Appendix 14	Licensing officer comments on Noise when the premises is in use
Appendix 15	Planning
Appendix 16	Licensing Policy relating to hours of trading.

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 Horizon Whitechapel 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			
New Road Hotel, 103 – 107, New Road, Whitechapel,			
Post town	London	Postcode	E1 1HJ

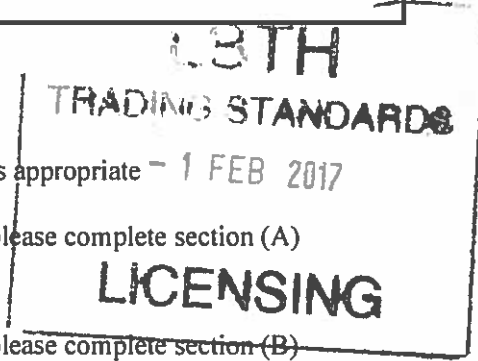
Telephone number at premises (if any)	
Non-domestic rateable value of premises	£0

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate - 1 FEB 2017

- | | | |
|---------------------------------------------------|--------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i. as a limited company | x | 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 | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |



- f) a health service body 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 x

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 Horizon Whitechapel Limited
Address 103 – 107, New Road, Whitechapel, London, E1 1HJ
Registered number (where applicable) 10536596
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
0	30	32017

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

DD	MM	YYYY
1	1	1111

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

The Application relates to premises which will operate as a Hotel over several floors, as particularised by the plans which accompany the Application. Premises Licence facilities will be located as per the plans (over 6 floor levels, being basement, ground, first, second, third and fourth levels), and all plans served with the Application are submitted for approval, with bedrooms forming part of the areas to be licensed. The Application will seek the provision of regulated entertainment, provision of late night refreshment and the supply of alcohol. The standard days and timings are stipulated within each particular section, which are sought for non-hotel residents, whilst all facilities sought for residents and their bona-fide guests are on a daily 24 hour basis.

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

--

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

(Please see sections 1 and 14 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) | x |
| b) films (if ticking yes, fill in box B) | x |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | x |
| f) recorded music (if ticking yes, fill in box F) | x |
| g) performances of dance (if ticking yes, fill in box G) | x |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | x |
| <u>Provision of late night refreshment</u> (if ticking yes, fill in box I) | x |
| <u>Supply of alcohol</u> (if ticking yes, fill in box J) | x |

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	x
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	
Mon	08.00	00.00	<u>Please give further details here</u> (please read guidance note 3) A facility for the provision of plays for hotel residents, their bona-fide guests, and patrons of the hotel.		
Tue	08.00	00.00			
Wed	08.00	00.00	<u>State any seasonal variations for performing plays</u> (please read guidance note 4) See NST below.		
Thur	08.00	00.00			
Fri	08.00	01.00	<u>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</u> (please read guidance note 5) Residents of the hotel and their bon-fide guests will be entitled to these facilities on a 24 hour basis. All Licensable Activities (and opening times) to be extended by one hour on the commencement of British Summer Time. All Licensable Activities (and opening times) to be allowed to continue from the terminal hour on New Year’s Eve, to the commencement hour on New Year’s Day. The non-standard timings (NST) stipulated here, shall also apply to those NST sections below where indicated.		
Sat	08.00	01.00			
Sun	08.00	00.00			

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	x			
				Outdoors	<input type="checkbox"/>			
				Both				
Day	Start	Finish	Please give further details here (please read guidance note 3) A facility for the provision of films for hotel residents, their bona-fide guests, and patrons of the hotel.					
Mon	08.00	00.00						
Tue	08.00	00.00						
Wed	08.00	00.00				State any seasonal variations for the exhibition of films (please read guidance note 4) See NST below.		
Thur	08.00	00.00						
Fri	08.00	01.00	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5) Please apply here that NST section completed as above in Section A, films.					
Sat	08.00	01.00						
Sun	08.00	00.00						

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			
Wed			
Thur			
Fri			
Sat			
Sun			

State any seasonal variations for indoor sporting events (please read guidance note 4)

Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)

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					
Wed					
			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
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)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	x
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	
Mon	08.00	00.00	Please give further details here (please read guidance note 3) A facility for the provision of live music for hotel residents, their bona-fide guests, and patrons of the hotel.		
Tue	08.00	00.00			
Wed	08.00	00.00	State any seasonal variations for the performance of live music (please read guidance note 4) See NST below.		
Thur	08.00	00.00			
Fri	08.00	01.00	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) Please apply here that NST section completed as above in Section A, films.		
Sat	08.00	01.00			
Sun	08.00	00.00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	x
				Outdoors	<input type="checkbox"/>
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3) A 24 hour facility for the provision of recorded music for hotel residents, their bona-fide guests, and patrons of the hotel.		
Mon	00.00	00.00			
Tue	00.00	00.00			
Wed	00.00	00.00			
Thur	00.00	00.00			
Fri	00.00	00.00	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Sat	00.00	00.00			
Sun	00.00	00.00	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)		

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	x
				Outdoors	<input type="checkbox"/>
				Both	
Day	Start	Finish			
Mon	08.00	00.00	<u>Please give further details here</u> (please read guidance note 3) A facility for the provision of performances of dance for hotel residents, their bona-fide guests, and patrons of the hotel.		
Tue	08.00	00.00			
Wed	08.00	00.00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4) See NST below.		
Thur	08.00	00.00			
Fri	08.00	01.00	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5) Please apply here that NST section completed as above in Section A, films.		
Sat	08.00	01.00			
Sun	08.00	00.00			

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 Both live and recorded music, and the performance of dance.		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	x
Mon	08.00	00.00		Outdoors	<input type="checkbox"/>
				Both	
Tue	08.00	00.00	Please give further details here (please read guidance note 3) A facility for the provision of both live and recorded music, and the performance of dance, for hotel residents, their bona-fide guests, and patrons of the hotel.		
Wed	08.00	00.00			
Thur	08.00	00.00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4) See NST below.		
Fri	08.00	01.00			
Sat	08.00	01.00	Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5) Please apply here that NST section completed as above in Section A, films.		
Sun	08.00	00.00			

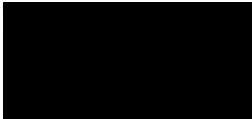


I

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	x
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23.00	00.00	Please give further details here (please read guidance note 3) A facility for the provision of late night refreshment for hotel residents, their bona-fide guests, and patrons of the hotel.		
Tue	23.00	00.00			
Wed	23.00	00.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) See NST below.		
Thur	23.00	00.00			
Fri	23.00	01.00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5) Please apply here that NST section completed as above in Section A, films.		
Sat	23.00	01.00			
Sun	23.00	00.00			

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 type="checkbox"/>
				Off the premises	
				Both	x
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) See NST below. 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) Please apply here that NST section completed as above in Section A, films.		
Mon	08.00	00.00			
Tue	08.00	00.00			
Wed	08.00	00.00			
Thur	08.00	00.00			
Fri	08.00	01.00			
Sat	08.00	01.00			
Sun	08.00	00.00			

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

Name	
Nicholas James Taplin	
Address	
	
Postcode	
Personal licence number (if known)	
	
Issuing licensing authority (if known)	
North Somerset Council	

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).

None.

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) See NST below.
Day	Start	Finish	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5) Please apply here that NST section completed as above in Section A, films.
Mon	08.00	00.30	
Tue	08.00	00.30	
Wed	08.00	00.30	
Thur	08.00	00.30	
Fri	08.00	01.30	
Sat	08.00	01.30	
Sun	08.00	00.30	

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)

The subject premises will apply a standard of operation which will ensure compliance with all four Licensing Objectives, based upon factors more particularly outlined within sections (b) to (e) below.

b) The prevention of crime and disorder

The style and operation of the premises is designed to minimise the potential for crime and disorder. This is achieved by the use of CCTV, along with a due-diligence system to include relevant training for staff.

c) Public safety

In addition to b above, all requirements of the Responsible Authorities will be followed, complying with all applicable Fire Safety, and Health & Safety Regulations.

d) The prevention of public nuisance

In addition to b and c above, the premises will operate with any Local Authority litter / refuse collection regulations that may apply, and the Applicant welcomes any communication from any interested party concerning the operation of the premises.

e) The protection of children from harm

In addition to b, c and d above, staff will be subject to due-diligence training to endeavour prevention of unlawful sales.

Checklist:

Please tick to indicate agreement

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

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	EAD Solicitors LLP
Date	31 st January 2017
Capacity	Solicitors instructed for and on behalf of 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.**

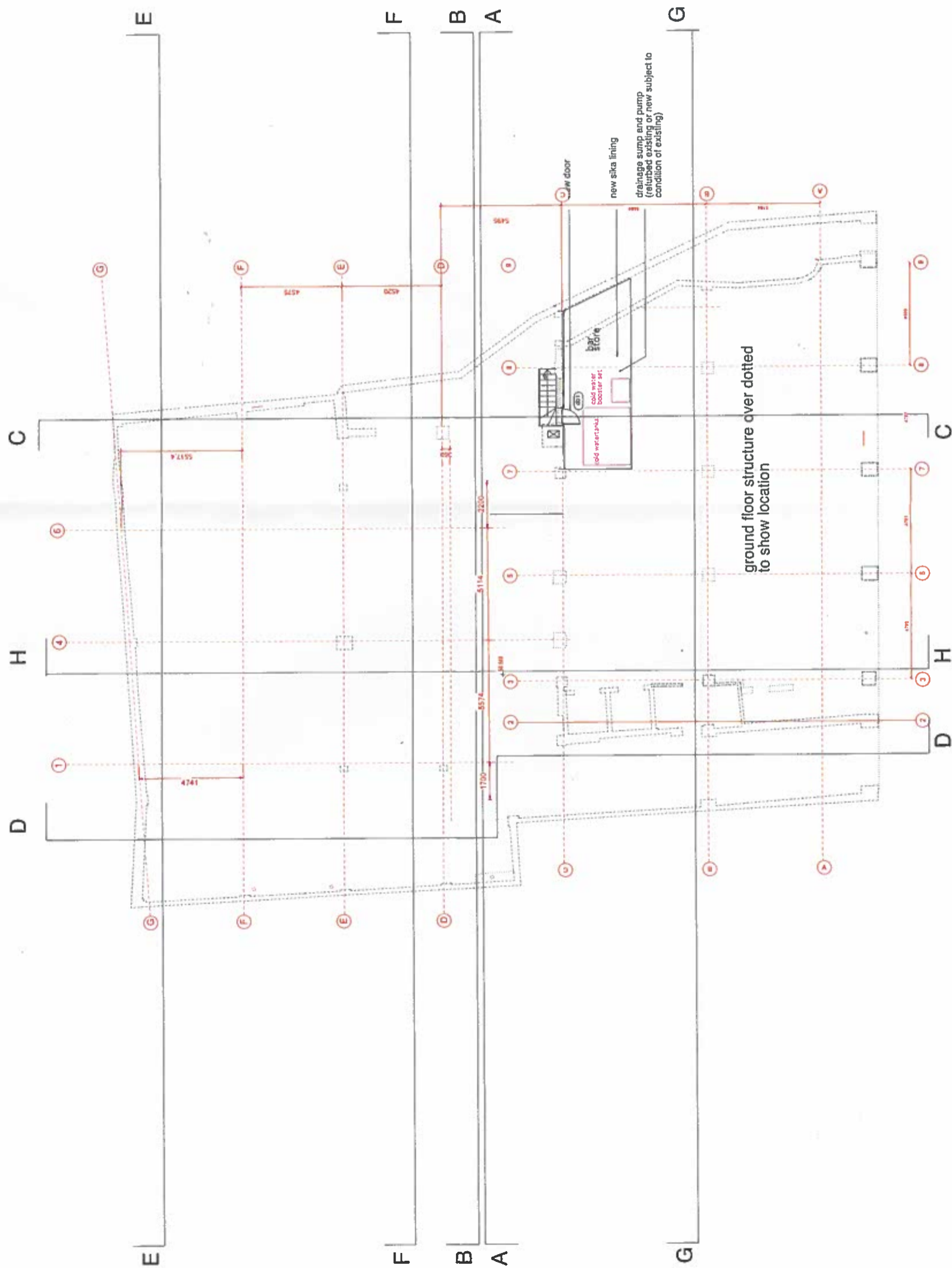
Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

(Ref: Mr Carl Bruder)
 EAD Solicitors LLP,
 Prospect House,
 Columbus Quay,
 Riverside Drive

Post town	Liverpool	Postcode	L3 4DB
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[REDACTED]			

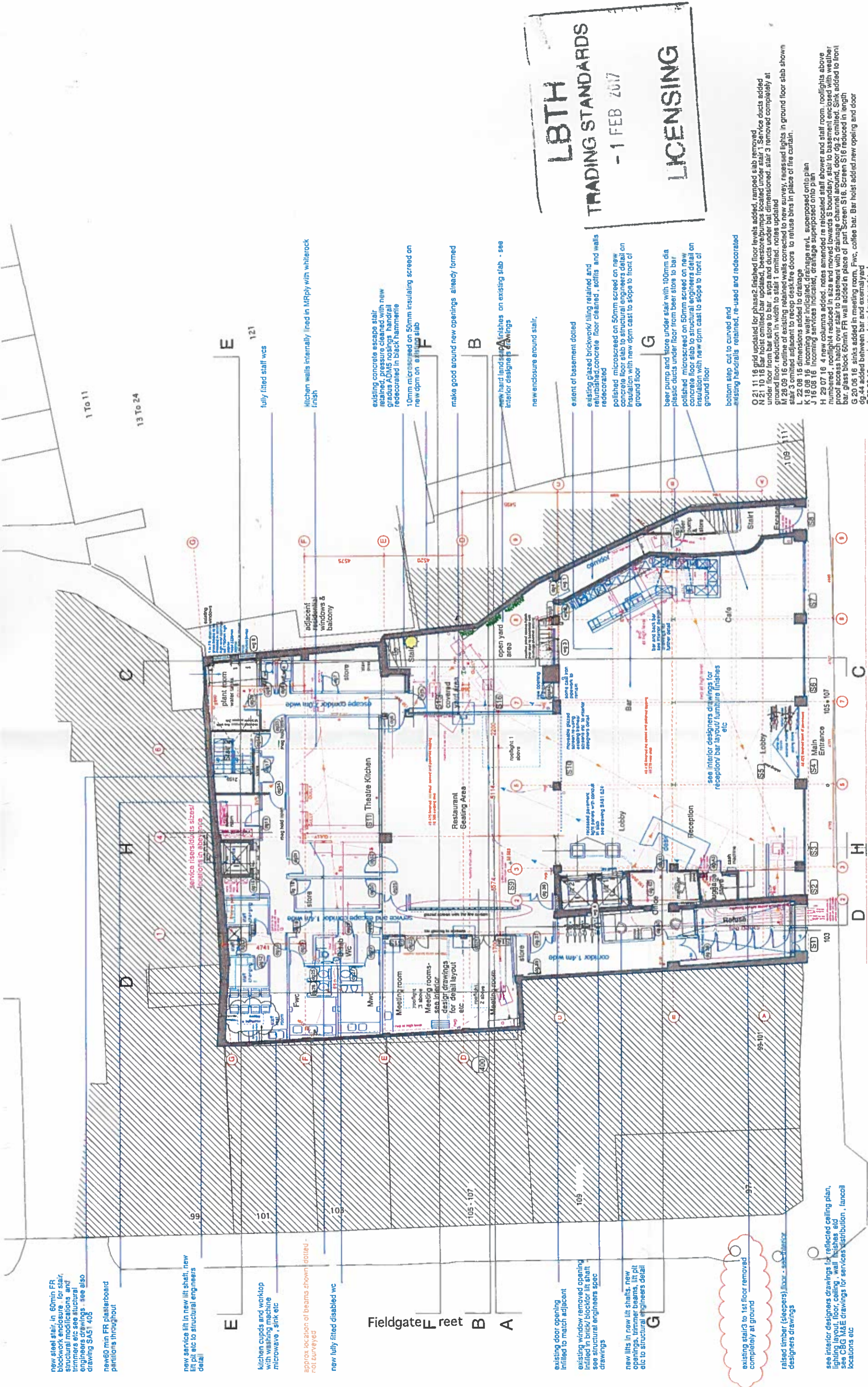
Appendix 2



D 21 11 16 grid updated, bar pumps relocated to ground floor
 C 23 07 16 note added re sump and pump
 B 23 01 16 louvers omitted to door and panel in wall adjacent at high level
 A. HW tanks pumps expansion etc relocated to ground floor plant room.
 bar store relocated to basement.

103 -107 New Road Whitechapel E1 1HJ		Synthesis _ Architecture	
Basement plan		9 Courthouse St, London, Whitechapel, E2 2JL tel 01773 522111 email info@synthesis-arch.co.uk	
Scale	1:100 @ A1, 1:200 @ A3	Project No	SA.51
Revision		Date	02/15

LBTH
TRADING STANDARDS
 - 1 FEB 2017
LICENSING



new steel stair, in 60min FR blockwork enclosure for stair, structural modifications and trimmers etc see structural engineers drawings. see also drawing SAST 405

new 60 min FR plasterboard partitions throughout

new service lift in new lift shaft, new lift pit etc to structural engineers detail

kitchen cupboards and worktop with washing machine, microwave, sink etc

approx location of beams shown (coloured - not surveyed)

new fully fitted disabled wc

existing door opening infilled to match adjacent

existing window removed opening infilled in brick/block for lift shaft - see structural engineers spec drawings

new lifts in new lift shafts, new openings, trimmer beams, lift pit etc to structural engineers detail

existing stair 3 to 1st floor removed completely at ground

raised timber (sleepers) floor - see structural engineers drawings

see interior designers drawings for reflected ceiling plan, lighting layout, floor, ceiling, wall finishes etc see CBG M&E drawings for services distribution, lancel locations etc

levels shown thus +3173 = approx levels measured from existing FFL no existing FFL values - approx location of beams shown - not surveyed

0 0.5 1 2 3 4 5

Ground floor plan

1 To 11

13 To 24

121

fully fitted staff wcs

Kitchen walls internally lined in MRply with whitelock finish

existing concrete escape stair retained, pressure cleaned with new grades ADMS rotings, handrail redecorated in black hammerite

10mm microscreeed on 50mm insulating screed on new dpm on existing slab

make good around new openings already formed

new hard landing finishes on existing slab - see interior designers drawings

new enclosure around stair,

element of basement dotted

existing glazed brickwork/tiling retained and returned to concrete floor cleaned, ceilings and walls redecorated

polished microscreeed on 50mm screed on new concrete floor slab to structural engineers detail on insulation with new dpm cast to slope to front of ground floor

beer pump and store under stair with 100mm dia plastic ducts under floor from beer store to bar

polished microscreeed on 50mm screed on new concrete floor slab to structural engineers detail on insulation with new dpm cast to slope to front of ground floor

bottom step cut to curved end existing handrails retained, re-used and redecorated

O 21 11 16 grid updated for phase 2 finished floor levels added, ramped slab removed

N 21 10 16 bar hoist omitted bar updated, beer store pumps located under stair 1. Service ducts added ground floor, reduction in width to stair 1 omitted, notes updated

M 29 09 16 outline of existing retained walls corrected to new survey, reassessed lights in ground floor slab shown stair 3 omitted adjacent to re-use desk/drawers to re-use bins in place of fire curtain.

L 22 08 16 dimensions added to drawings

V 16 09 16 including existing walls indicated, drainage superposed onto plan

H 29 07 16 4 new columns added, notes amended re relocated staff shower and staff room, rooflights above pool access hatch over stair to basement with drainage channel around, door dg 2 omitted, sink added to front bar, glass block 60min FR wall added in place of part Screen S16. Screen S16 reduced in length

G 20 06 16 sinks added in meeting room, FWC, coffee bar. Bar hoist added, new opening and door dg 44 added between bar and external yard

F 23 03 16 manholes / rwp / svps updated

E 11 03 16 lift shafts realigned to match lift set out drawings

D 29 01 16 lifts 1 & 2 shafts related to align with existing walls/stair 2 and walls adjacent updated.

C 29 11 15 lift shafts located and dimensioned

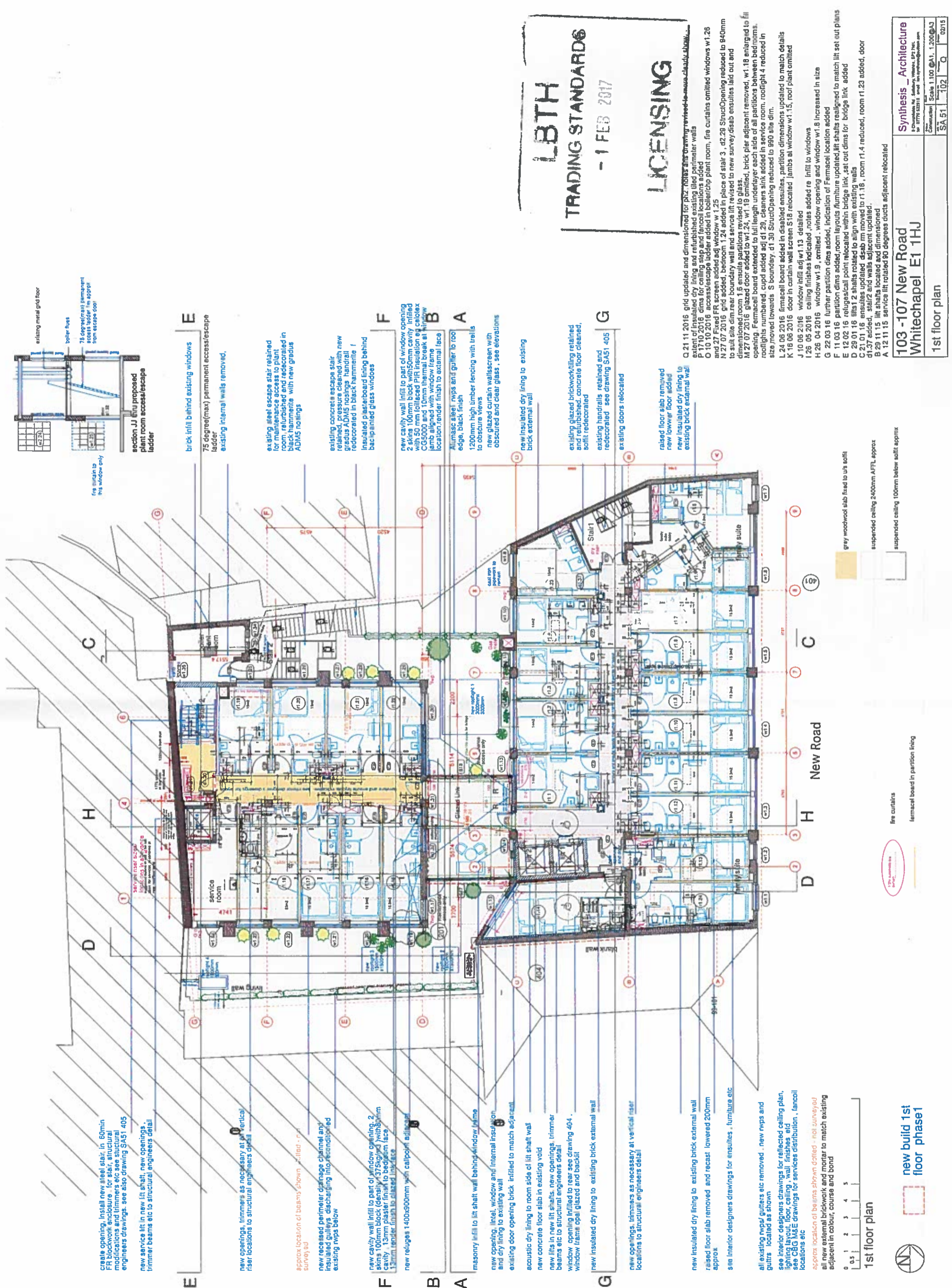
B 12 11 15 service lift rotated 90 degrees, ducts adjacent relocated, store added adjacent, door dg 16 reduced to match lift shafts

A 12 08 15 back of house refuse corridor, stores, offices and staff facilities layout revised, plant room added, UKFN omitted, bar store relocated to basement.

103 - 107 New Road
Whitechapel E1 1JH
Ground floor plan

Synthesis Architecture
 103 - 107 New Road
 Whitechapel E1 1JH
 London E1 1JH
 Tel: 020 7778 8200
 Email: info@synthesis-arch.co.uk

Scale: 1:100 @ A1, 1:200 @ A3
 Date: 02/15
 Drawing No: SA 51 - 101 - 0



create opening, install new steel stair, in 60min FR blockwork enclosure for stair, structural modifications and trimmers etc see structural engineers drawings. see also drawing SA51 405

new service lift in new lift shaft, new openings, trimmer beams etc to structural engineers detail

new openings, trimmers as necessary at vertical riser locations to structural engineers detail

approx location of beams shown, tilted - not surveyed

new recessed perimeter drainage channel and insulated gulleys discharging into reconditioned existing rvs below

new cavity wall in part of window opening, 2 skins 100mm block density 375kg/m³ with 50mm cavity, 13mm plaster finish to bedroom face, 13mm render finish to glazed link face

new reluges 1400x900mm with callpoint adjacent

masonry in fill to lift shaft wall behind window frame

new opening, lintel, window and internal insulation, and dry lining to existing wall

existing door opening brick infilled to match adjacent

acoustic dry lining to room side of lift shaft wall

new concrete floor slab in existing void

new lifts in new lift shafts, new openings, trimmer beams etc to structural engineers detail

window opening infilled to rear see drawing 404, window frame open glazed and backlit

new insulated dry lining to existing brick external wall

new openings, trimmers as necessary at vertical riser locations to structural engineers detail

new insulated dry lining to existing brick external wall

raised floor slab removed and recast lowered 200mm approx

see interior designers drawings for ensuites, furniture etc

all existing rvs/gutters etc removed - new rvs and gutters located as shown

see interior designers drawings for reflected ceiling plan, lighting layout, floor, ceiling, wall finishes etc

see CBG M&E drawings for services distribution, fancoil locations etc

approx location of beams shown, tilted - not surveyed

all new external brickwork and mortar to match existing adjacent in colour, course and bond

1st floor plan



new build 1st floor phase 1

Fire curtains
fire curtain board in partition lining

- gray woodwork slab fixed to U's soffit
- suspended ceiling 2400mm AFPL approx
- suspended ceiling 100mm below soffit approx

brick in fill behind existing windows

75 degree(max) permanent access/escape ladder existing internal walls removed.

existing steel escape stair retained for maintenance access to plant room, refurbished and redecorated in black hammerite with new gradus ADMS nosings

existing concrete escape stair retained, pressure cleaned with new gradus ADMS nosings handrail redecorated in black hammerite / insulated plasterboard lining behind back-painted glass windows

new cavity wall in part of window opening 2 skins 100mm block with 50mm cavity, infilled with 50 mm foil faced PIR insulation eg celotex CG5000 and 10mm thermal break at window jamb aligned with window frame location, render finish to external face

Alumasc steel rvs and gutters to roof edge, black finish

1200mm high timber fencing with trellis to obscure views

new glazed curtain wall screen with obscured and clear glass, see elevations

new insulated dry lining to existing brick external wall

existing glazed brickwork/tiling retained and polished concrete floor cleaned, soffit redecorated

existing handrails retained and redecorated see drawing SA51 405

existing doors relocated

raised floor slab removed new lower floor added

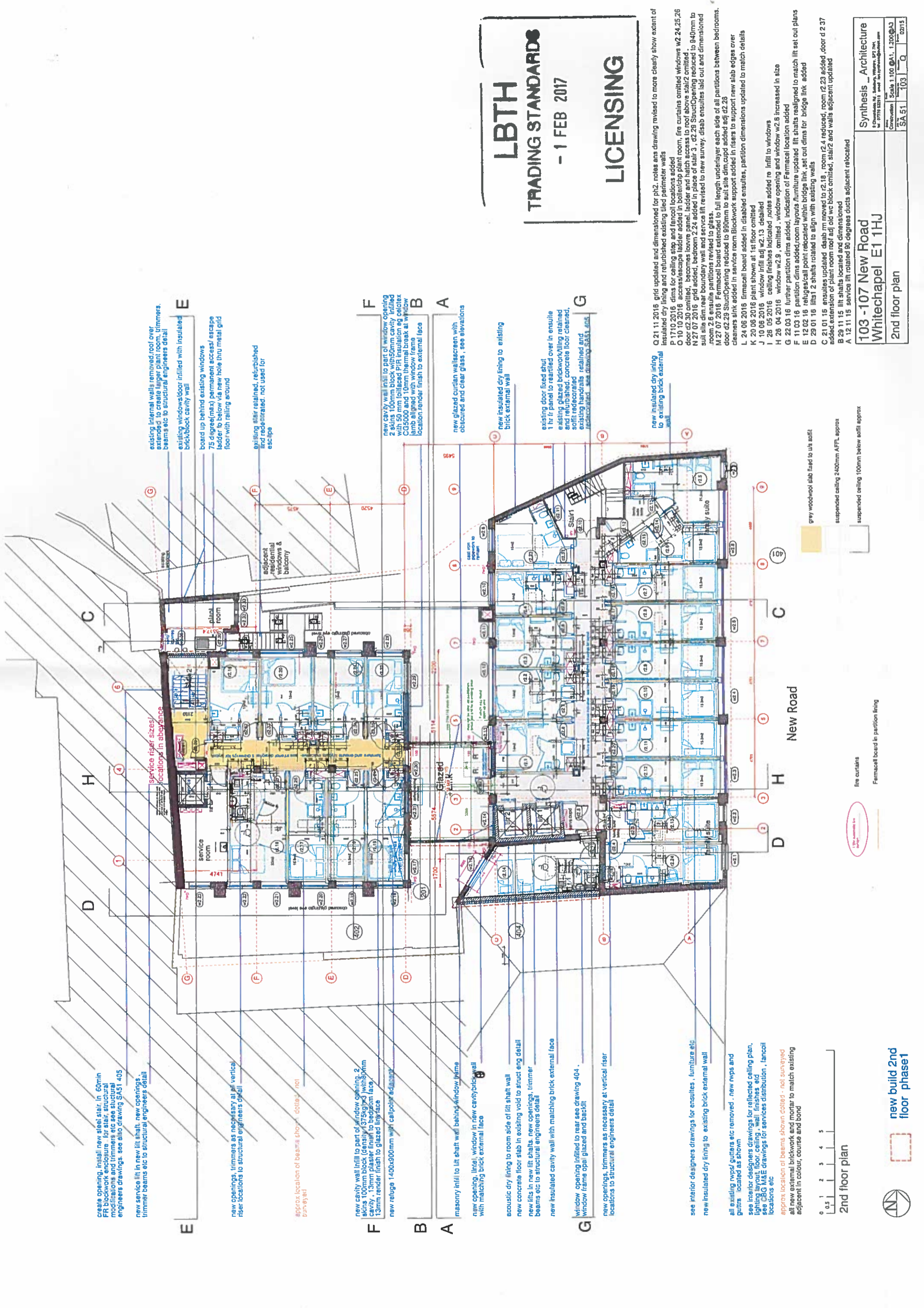
new insulated dry lining to existing brick external wall

LBTH TRADING STANDARDS - 1 FEB 2017 LICENSING

Q 21 11 2016 grid updated and dimensioned for pit, notes and drawing revised to match existing walls
P 17 10 2016 dims for ceiling step and fancoil locations added
O 10 10 2016 access/escape ladder added in boiler/chip plant room, fire curtains omitted windows w1.26 and 27
N 27 07 2016 grid added, bedroom 1.24 added in piece of stair 3, d2.26 StructOpening reduced to 840mm to suit site dim, rear boundary wall and service lift revised to new survey, disab ensuites laid out and dimensioned, room 1.5 ensuite partitions revised to glass.
M 27 07 2016 glazed door added to w1.24, w1.18 omitted, brick pier adjacent removed, w1.18 enlarged to fit opening, Fermeceit board extended to full length underneath each side of all partitions between bed rooms, rooflights numbered cup added adj d1.29, cleaners sink added in service room, rooflight 4 reduced in size, moved towards S boundary, d1.30 StructOpening reduced to 990 site dim.
L 24 06 2016 firecell board added in disabled ensuites, partition dimensions updated to match details
K 16 06 2016 door in curtain wall screen S18 relocated, jambs at window w1.15, roof plant omitted
J 10 08 2016 window in fill adj w1.13 detailed
I 26 05 2016 ceiling finishes indicated, notes added re in fill to windows
H 26 04 2016 window w1.9, omitted, window opening and window w1.8 increased in size
G 22 03 16 further partition dims added, indication of Fermeceit location added
F 11 03 16 partition dims added, room layouts/furniture updated, lift shafts realigned to match lift set out plans
E 12 02 16 reluges/call point relocated within bridge link, set out dims for bridge link added
D 29 01 16 lifts 1 & 2 shafts rotated to align with existing walls
C 21 01 16 ensuites updated, disab rm moved to r1.18, room r1.4 reduced, room r1.23 added, door d1.37 added, stair/2 end walls adjacent updated.
B 29 11 15 lift shafts located and dimensioned
A 12 11 15 service lift rotated 90 degrees ducts adjacent relocated

103-107 New Road Whitechapel E1 1HJ 1st floor plan

Synthesis Architecture
 103-107 New Road Whitechapel E1 1HJ
 Scale 1:100 @ A1, 1:200 @ A3
 SA 51 102 Q 0215



create opening, install new steel stair in 60mm FR blockwork enclosure for stair structural modifications and trimmers etc see structural engineers drawings. see also drawing SA51 405

new service lift in new lift shaft, new openings, trimmer beams etc to structural engineers detail

new openings, trimmers as necessary at all vertical riser locations to structural engineers detail

approx location of beams shown dotted red lines

new cavity wall infill to part of window opening, 2 skins 100mm block (density 1375kg/m³) with 50mm cavity, 13mm plaster finish to bedroom face, 13mm render finish to glazed lift face

new refuge 1400x900mm with callpoint adjacent

masonry infill to lift shaft wall behind window frame

new opening, lintel, window in new cavity brick wall with matching brick external face

acoustic dry lining to room side of lift shaft wall

new concrete floor slab in existing void to struct eng detail

new lifts in new lift shafts, new openings, trimmer beams etc to structural engineers detail

new insulated cavity wall with matching brick external face

Window opening infilled to rear see drawing 404, window frame opal glazed and backlit

new openings, trimmers as necessary at vertical riser locations to structural engineers detail

see interior designers drawings for ensuite, furniture etc new insulated dry lining to existing brick external wall

all existing nvsps gutters etc removed, new nvsps and gutters located as shown

see interior designers drawings for reflected ceiling plan, lighting layout, floor, ceiling, wall finishes, etc see C&G M&E drawings for services distribution, lancoll locations etc

approx location of beams shown dotted, not surveyed all new external brickwork and mortar to match existing adjacent in colour, course and bond



2nd floor plan



new build 2nd floor phase 1

LBTH TRADING STANDARDS - 1 FEB 2017 LICENSING

- Q 21 11 2016 grid updated and dimensioned for ph2, notes and drawing revised to more clearly show extent of insulated dry lining and refurbished existing tiled perimeter walls
- P 17 10 2016 dims for ceiling step and lancoll locations added
- O 10 10 2016 access/escape ladder added in boiler/chip plant room, fire curtains omitted windows W2 24, 25, 26 door d2.30 omitted, becomes lower panel, ladder and hatch access to roof above stair2 omitted, 940mm to N 27 07 2016 grid added, bedroom 2.24 added in place of stair 3, G2.28 StructOpening reduced to 940mm to suit site dim: rear boundary wall and service lift revised to new survey, disab ensuite laid out and dimensioned room 2.6 ensuite partitions revised to glass.
- M 27 07 2016 Fermacell board extended to full length underlayer each side of all partitions between bedrooms, door d2.29 StructOpening reduced to 950mm to suit site dim: cupd added adj d2.28
- L 24 06 2016 fermacell board added in disabled ensuite, partition dimensions updated to match details
- K 20 06 2016 plant shown at 1st floor omitted
- J 10 06 2016 window infill adj w2.13 detailed
- I 26 05 2016 ceiling finishes indicated, notes added re infill to windows
- H 26 04 2016 window w2.9, omitted, window opening and window w2.8 increased in size
- G 22 03 16 further partition dims added, indication of Fermacell location added
- F 11 03 16 partition dims added, room layouts / furniture updated lift shafts realigned to match lift set out plans
- E 12 02 16 refuges/call point relocated within bridge link, set out dims for bridge link added
- D 29 01 18 lift 1 2 shafts rotated to align with existing walls
- C 21 01 16 ensuite updated disab rm moved to r2.18, room r2.4 reduced, room r2.23 added, door d 2.37 added, extension of plant room roof adj old wc block omitted, stair2 and walls adjacent updated
- B 29 11 15 lift shafts located and dimensioned
- A 12 11 15 service lift rotated 90 degrees ducts adjacent relocated

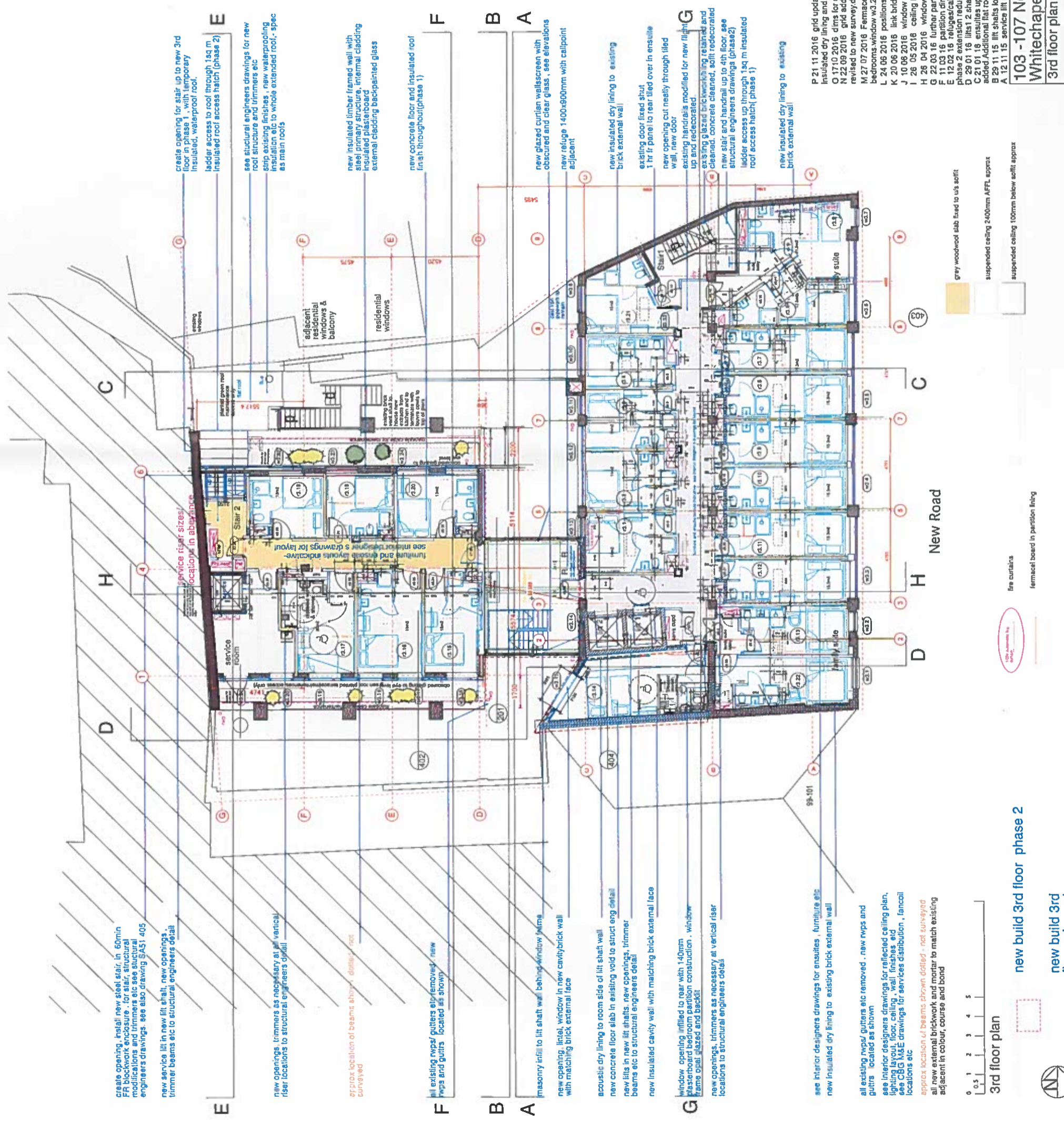
**103 - 107 New Road
Whitechapel E1 1HJ**

2nd floor plan

Synthesis Architecture
6 Charlotte St, London, W1D 3JF, UK
Tel: 07778 528111, email: info@synthesisarch.com

Scale: 1:100 @ A1, 1:200 @ A3
Construction: 103 | 104 | 105 | 106 | 107 | 108 | 109 | 110 | 111 | 112 | 113 | 114 | 115 | 116 | 117 | 118 | 119 | 120 | 121 | 122 | 123 | 124 | 125 | 126 | 127 | 128 | 129 | 130 | 131 | 132 | 133 | 134 | 135 | 136 | 137 | 138 | 139 | 140 | 141 | 142 | 143 | 144 | 145 | 146 | 147 | 148 | 149 | 150 | 151 | 152 | 153 | 154 | 155 | 156 | 157 | 158 | 159 | 160 | 161 | 162 | 163 | 164 | 165 | 166 | 167 | 168 | 169 | 170 | 171 | 172 | 173 | 174 | 175 | 176 | 177 | 178 | 179 | 180 | 181 | 182 | 183 | 184 | 185 | 186 | 187 | 188 | 189 | 190 | 191 | 192 | 193 | 194 | 195 | 196 | 197 | 198 | 199 | 200 | 201 | 202 | 203 | 204 | 205 | 206 | 207 | 208 | 209 | 210 | 211 | 212 | 213 | 214 | 215 | 216 | 217 | 218 | 219 | 220 | 221 | 222 | 223 | 224 | 225 | 226 | 227 | 228 | 229 | 230 | 231 | 232 | 233 | 234 | 235 | 236 | 237 | 238 | 239 | 240 | 241 | 242 | 243 | 244 | 245 | 246 | 247 | 248 | 249 | 250 | 251 | 252 | 253 | 254 | 255 | 256 | 257 | 258 | 259 | 260 | 261 | 262 | 263 | 264 | 265 | 266 | 267 | 268 | 269 | 270 | 271 | 272 | 273 | 274 | 275 | 276 | 277 | 278 | 279 | 280 | 281 | 282 | 283 | 284 | 285 | 286 | 287 | 288 | 289 | 290 | 291 | 292 | 293 | 294 | 295 | 296 | 297 | 298 | 299 | 300 | 301 | 302 | 303 | 304 | 305 | 306 | 307 | 308 | 309 | 310 | 311 | 312 | 313 | 314 | 315 | 316 | 317 | 318 | 319 | 320 | 321 | 322 | 323 | 324 | 325 | 326 | 327 | 328 | 329 | 330 | 331 | 332 | 333 | 334 | 335 | 336 | 337 | 338 | 339 | 340 | 341 | 342 | 343 | 344 | 345 | 346 | 347 | 348 | 349 | 350 | 351 | 352 | 353 | 354 | 355 | 356 | 357 | 358 | 359 | 360 | 361 | 362 | 363 | 364 | 365 | 366 | 367 | 368 | 369 | 370 | 371 | 372 | 373 | 374 | 375 | 376 | 377 | 378 | 379 | 380 | 381 | 382 | 383 | 384 | 385 | 386 | 387 | 388 | 389 | 390 | 391 | 392 | 393 | 394 | 395 | 396 | 397 | 398 | 399 | 400 | 401 | 402 | 403 | 404 | 405 | 406 | 407 | 408 | 409 | 410 | 411 | 412 | 413 | 414 | 415 | 416 | 417 | 418 | 419 | 420 | 421 | 422 | 423 | 424 | 425 | 426 | 427 | 428 | 429 | 430 | 431 | 432 | 433 | 434 | 435 | 436 | 437 | 438 | 439 | 440 | 441 | 442 | 443 | 444 | 445 | 446 | 447 | 448 | 449 | 450 | 451 | 452 | 453 | 454 | 455 | 456 | 457 | 458 | 459 | 460 | 461 | 462 | 463 | 464 | 465 | 466 | 467 | 468 | 469 | 470 | 471 | 472 | 473 | 474 | 475 | 476 | 477 | 478 | 479 | 480 | 481 | 482 | 483 | 484 | 485 | 486 | 487 | 488 | 489 | 490 | 491 | 492 | 493 | 494 | 495 | 496 | 497 | 498 | 499 | 500 | 501 | 502 | 503 | 504 | 505 | 506 | 507 | 508 | 509 | 510 | 511 | 512 | 513 | 514 | 515 | 516 | 517 | 518 | 519 | 520 | 521 | 522 | 523 | 524 | 525 | 526 | 527 | 528 | 529 | 530 | 531 | 532 | 533 | 534 | 535 | 536 | 537 | 538 | 539 | 540 | 541 | 542 | 543 | 544 | 545 | 546 | 547 | 548 | 549 | 550 | 551 | 552 | 553 | 554 | 555 | 556 | 557 | 558 | 559 | 560 | 561 | 562 | 563 | 564 | 565 | 566 | 567 | 568 | 569 | 570 | 571 | 572 | 573 | 574 | 575 | 576 | 577 | 578 | 579 | 580 | 581 | 582 | 583 | 584 | 585 | 586 | 587 | 588 | 589 | 590 | 591 | 592 | 593 | 594 | 595 | 596 | 597 | 598 | 599 | 600 | 601 | 602 | 603 | 604 | 605 | 606 | 607 | 608 | 609 | 610 | 611 | 612 | 613 | 614 | 615 | 616 | 617 | 618 | 619 | 620 | 621 | 622 | 623 | 624 | 625 | 626 | 627 | 628 | 629 | 630 | 631 | 632 | 633 | 634 | 635 | 636 | 637 | 638 | 639 | 640 | 641 | 642 | 643 | 644 | 645 | 646 | 647 | 648 | 649 | 650 | 651 | 652 | 653 | 654 | 655 | 656 | 657 | 658 | 659 | 660 | 661 | 662 | 663 | 664 | 665 | 666 | 667 | 668 | 669 | 670 | 671 | 672 | 673 | 674 | 675 | 676 | 677 | 678 | 679 | 680 | 681 | 682 | 683 | 684 | 685 | 686 | 687 | 688 | 689 | 690 | 691 | 692 | 693 | 694 | 695 | 696 | 697 | 698 | 699 | 700 | 701 | 702 | 703 | 704 | 705 | 706 | 707 | 708 | 709 | 710 | 711 | 712 | 713 | 714 | 715 | 716 | 717 | 718 | 719 | 720 | 721 | 722 | 723 | 724 | 725 | 726 | 727 | 728 | 729 | 730 | 731 | 732 | 733 | 734 | 735 | 736 | 737 | 738 | 739 | 740 | 741 | 742 | 743 | 744 | 745 | 746 | 747 | 748 | 749 | 750 | 751 | 752 | 753 | 754 | 755 | 756 | 757 | 758 | 759 | 760 | 761 | 762 | 763 | 764 | 765 | 766 | 767 | 768 | 769 | 770 | 771 | 772 | 773 | 774 | 775 | 776 | 777 | 778 | 779 | 780 | 781 | 782 | 783 | 784 | 785 | 786 | 787 | 788 | 789 | 790 | 791 | 792 | 793 | 794 | 795 | 796 | 797 | 798 | 799 | 800 | 801 | 802 | 803 | 804 | 805 | 806 | 807 | 808 | 809 | 810 | 811 | 812 | 813 | 814 | 815 | 816 | 817 | 818 | 819 | 820 | 821 | 822 | 823 | 824 | 825 | 826 | 827 | 828 | 829 | 830 | 831 | 832 | 833 | 834 | 835 | 836 | 837 | 838 | 839 | 840 | 841 | 842 | 843 | 844 | 845 | 846 | 847 | 848 | 849 | 850 | 851 | 852 | 853 | 854 | 855 | 856 | 857 | 858 | 859 | 860 | 861 | 862 | 863 | 864 | 865 | 866 | 867 | 868 | 869 | 870 | 871 | 872 | 873 | 874 | 875 | 876 | 877 | 878 | 879 | 880 | 881 | 882 | 883 | 884 | 885 | 886 | 887 | 888 | 889 | 890 | 891 | 892 | 893 | 894 | 895 | 896 | 897 | 898 | 899 | 900 | 901 | 902 | 903 | 904 | 905 | 906 | 907 | 908 | 909 | 910 | 911 | 912 | 913 | 914 | 915 | 916 | 917 | 918 | 919 | 920 | 921 | 922 | 923 | 924 | 925 | 926 | 927 | 928 | 929 | 930 | 931 | 932 | 933 | 934 | 935 | 936 | 937 | 938 | 939 | 940 | 941 | 942 | 943 | 944 | 945 | 946 | 947 | 948 | 949 | 950 | 951 | 952 | 953 | 954 | 955 | 956 | 957 | 958 | 959 | 960 | 961 | 962 | 963 | 964 | 965 | 966 | 967 | 968 | 969 | 970 | 971 | 972 | 973 | 974 | 975 | 976 | 977 | 978 | 979 | 980 | 981 | 982 | 983 | 984 | 985 | 986 | 987 | 988 | 989 | 990 | 991 | 992 | 993 | 994 | 995 | 996 | 997 | 998 | 999 | 1000

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create opening, install new steel stair, in 60min FR blockwork enclosure, for stair, structural modifications and trimmers etc see structural engineers drawings. see also drawing SA51.405

new service lift in new lift shaft, new openings trimmer beams etc to structural engineers detail

new openings, trimmers as necessary at vertical riser locations to structural engineers detail

approx location of beams shown, double check curved

all existing rips/ gutters also removed, new rips and gutters located as shown

masonry infill to lift shaft wall behind window frame

new opening, lintel, window in new cavity brick wall with matching brick external face

acoustic dry lining to room side of lift shaft wall

new concrete floor slab in existing void to struct eng detail

new lifts in new lift shafts, new openings, trimmer beams etc to structural engineers detail

new insulated cavity wall with matching brick external face

Window opening infilled to rear with 140mm plasterboard bedroom partition construction, window frame opal glazed and becket

create opening for stair up to new 3rd floor in phase 1, with temporary insulated, waterproof roof, ladder access to roof through 1sq m insulated roof access hatch (phase 2)

see structural engineers drawings for new roof structure and trimmers etc strip existing finishes, new waterproofing insulation etc to whole extended roof, spec as main roofs

new insulated timber framed wall with steel primary structure, internal cladding insulated plasterboard external cladding backpainted glass

new concrete floor and insulated roof finish throughout (phase 1)

new glazed curtain wallscreen with obscured and clear glass, see elevations

new refuge 1400x600mm with callpoint adjacent

new insulated dry lining to existing brick external wall

existing door fixed shut

new opening cut neatly through tiled wall, new door

existing handrails modified for new lift shaft

existing glazed brickwork retaining wall cleaned, concrete cleared, lift redecorated

new stair and handrail up to 4th floor, see structural engineers drawings (phase 2)

new service lift in new lift shaft, new openings trimmer beams etc to structural engineers detail

new openings, trimmers as necessary at vertical riser locations to structural engineers detail

approx location of beams shown, double check curved

all existing rips/ gutters also removed, new rips and gutters located as shown

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new glazed curtain wallscreen with obscured and clear glass, see elevations

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existing door fixed shut

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existing handrails modified for new lift shaft

existing glazed brickwork retaining wall cleaned, concrete cleared, lift redecorated

new stair and handrail up to 4th floor, see structural engineers drawings (phase 2)

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new insulated timber framed wall with steel primary structure, internal cladding insulated plasterboard external cladding backpainted glass

new concrete floor and insulated roof finish throughout (phase 1)

new glazed curtain wallscreen with obscured and clear glass, see elevations

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new concrete floor and insulated roof finish throughout (phase 1)

new glazed curtain wallscreen with obscured and clear glass, see elevations

new refuge 1400x600mm with callpoint adjacent

new insulated dry lining to existing brick external wall

existing door fixed shut

new opening cut neatly through tiled wall, new door

existing handrails modified for new lift shaft

existing glazed brickwork retaining wall cleaned, concrete cleared, lift redecorated

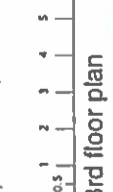
new stair and handrail up to 4th floor, see structural engineers drawings (phase 2)

P 21 11 2016 grid updated and dimensioned for ph2, notes and drawing revised to more clearly show extent of insulated dry lining and refurbished existing tiled perimeter walls
 O 17 10 2016 dims for ceiling step and fencel locations added
 N 23 09 2016 grid added, New bedroom 3.22 added in place of Stair 3, rear boundary wall and service lift revised to new survey, disab ensuites laid out and dimensioned, room 2.6 ensuite partitions revised to glass.
 M 27 07 2016 Ferrocell board extended to full length underlayment, each side of all partitions between bedrooms, window w3.25 omitted (phase 2) Blockwork support added in disab ensuites, partition dimensions updated to match details
 L 24 06 2016 positions of ferrocell board added in disab ensuites, partition dimensions updated to match details
 K 20 06 2016 link bridge widened, plant shown at 1st floor omitted
 J 10 05 2016 window infill adj w3.13 detailed
 I 28 05 2016 ceiling finishes indicated, notes added re infill to windows
 H 26 04 2016 window w3.9 omitted, window opening and window w3.8 increased in size
 G 22 03 16 further partition dims added, indication of Ferrocel location added
 F 11 03 16 partition dims added, room layouts furniture updated, lift shafts realigned to match lift set out drawings
 E 12 02 16 refuges/call point relocated within bridge link, set out dims for bridge link added
 phase 2 extension reduced along N elevation and sloping roof added over stair 2
 D 29 01 16 lifts 2 shafts rotated to align with existing walls
 C 21 01 16 ensuites updated, disab rm moved to r3.17, room r3.4 reduced, room r3.21 added, door d 3.33 added, Additional flat roof adj old wc block omitted, stair 2 and walls adjacent updated.
 B 29 11 15 lift shafts located and dimensioned
 A 12 11 15 service lift rotated 90 degrees ducts adjacent relocated

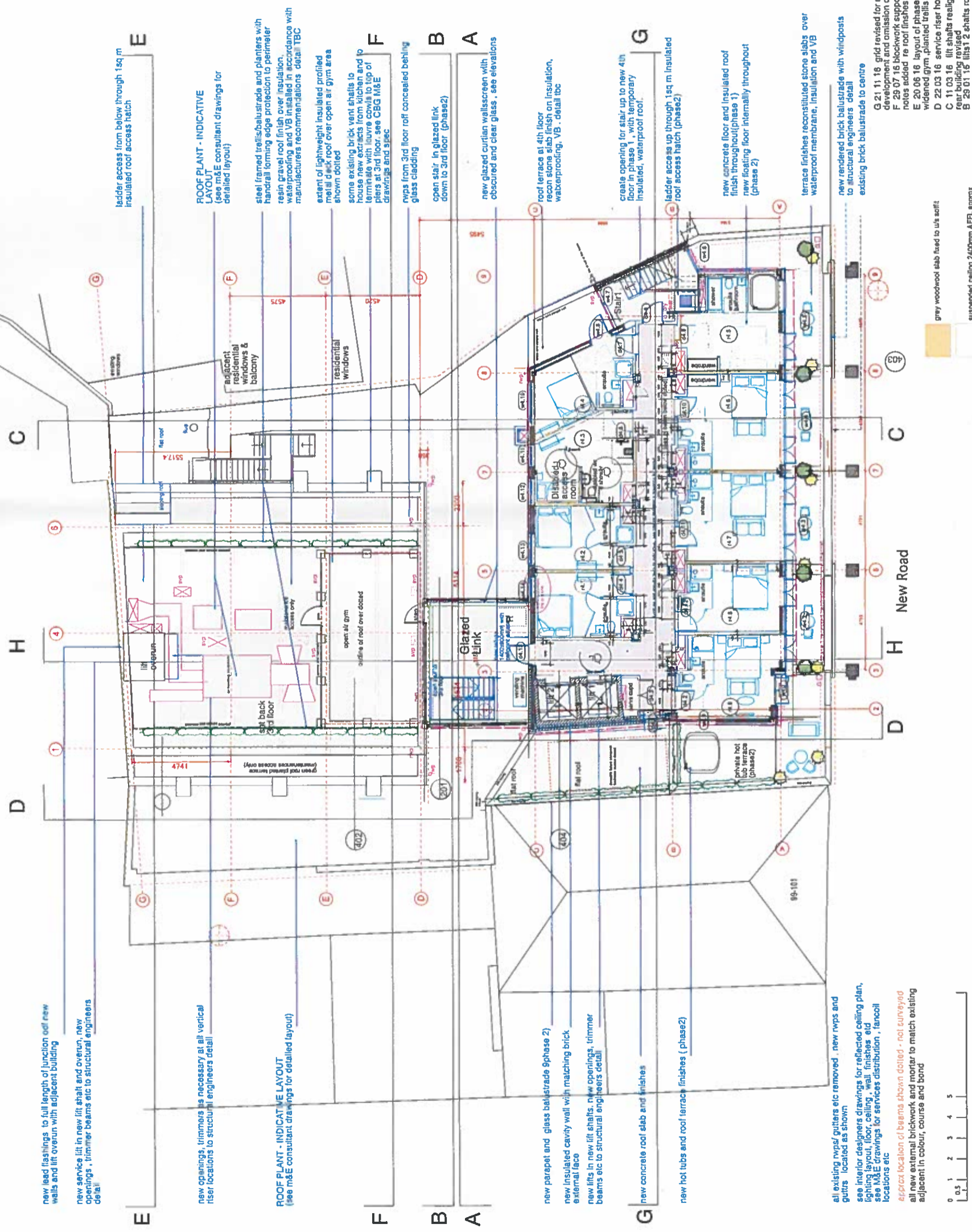
103 - 107 New Road		Synthesis Architecture	
Whitechapel E1 1HJ		10 Church Rd, London, Whitechapel, SE7 7JH, UK Tel: 0778 132513 email: info@synthesis.com	
3rd floor plan -		Scale: 1:100 @ A1, 1:200 @ A3	SA 51
		Page: 104	Rev: 02/15

- grey woodwork slab fixed to us soffit
- suspended ceiling 2400mm AFFL approx
- suspended ceiling 100mm below soffit approx
- fire curtains
- ferrocel board in partition lining

- new build 3rd floor phase 2
- new build 3rd floor phase 1



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TRADING STANDARDS
 - 1 FEB 2017
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new lead flashings to full length of junction of new walls and lift overrun with adjacent building

new service lift in new lift shaft and overrun, new openings, trimmer beams etc to structural engineers detail

new openings, trimmers necessary at all vertical riser locations to structural engineers detail

ROOF PLANT - INDICATIVE LAYOUT
 (see M&E consultant drawings for detailed layout)

new parapet and glass balustrade (phase 2)

new insulated cavity wall with matching brick external face

new lifts in new lift shafts, new openings, trimmer beams etc to structural engineers detail

new concrete roof slab and finishes

new hot tubs and roof terrace finishes (phase 2)

all existing rws/gutters etc removed - new rws and gutters located as shown

see interior designers drawings for reflected ceiling plan, lighting layout, floor, ceiling, wall finishes etc see M&E drawings for services distribution, fancoil locations etc

As per location of beams shown dotted - not surveyed

all new external brickwork and mortar to match existing adjacent in colour, course and bond



4th floor plan

new build 4th floor phase 2

additional rooftop works

ferretted board in partition lining

grey woodwork slab fixed to us soffit

suspended ceiling 2400mm APFL uprags

ladder access from below through 1sq m insulated roof access hatch

ROOF PLANT - INDICATIVE LAYOUT
 (see M&E consultant drawings for detailed layout)

steel framed trellis/balustrade and planters with handrail forming edge protection to perimeter

rein gravel roof finish over insulation, waterproofing and VB installed in accordance with manufacturers recommendations detail TBC

extent of lightweight insulated profiled metal deck roof over open air gym area shown dotted

some existing brick vent shafts to be removed from kitchen and to terminate with lattice covers to top of planters at 3rd floor, see CBG M&E drawings and spec

rws from 3rd floor roof concealed behind glass cladding

open stair in glazed link down to 3rd floor (phase 2)

new glazed curtain wallscreen with obscured and clear glass, see elevations

roof terrace at 4th floor recon stone slab finish on insulation, waterproofing, VB, detail tbc

create opening for stair up to new 4th floor with temporary insulated, waterproof roof.

ladder access up through 1sq m insulated roof access hatch (phase 2)

new concrete floor and insulated roof finish throughout (phase 1)

new floating floor internally throughout (phase 2)

terrace finishes reconstructed stone slabs over waterproof membrane, insulation and VB

new rendered brick balustrade with windposts to structural engineers detail

existing brick balustrade to centre

G 21 11 16 grid revised for new steel centres, layout revised to accommodate structure and cladding development and omission of baths in ensuite.

F 29 07 16 blockwork support added in risers to support new slab edges over, ceiling materials added notes added re roof finishes, gym and trellis to rear building perimeter

E 20 06 16 layout of phase 2 bedrooms revised generally, one bedroom added, glazed link widened gym, planted trellis and bedroom container locations shown.

D 22 03 16 service riser hole locations added, dims for corridor partitions added

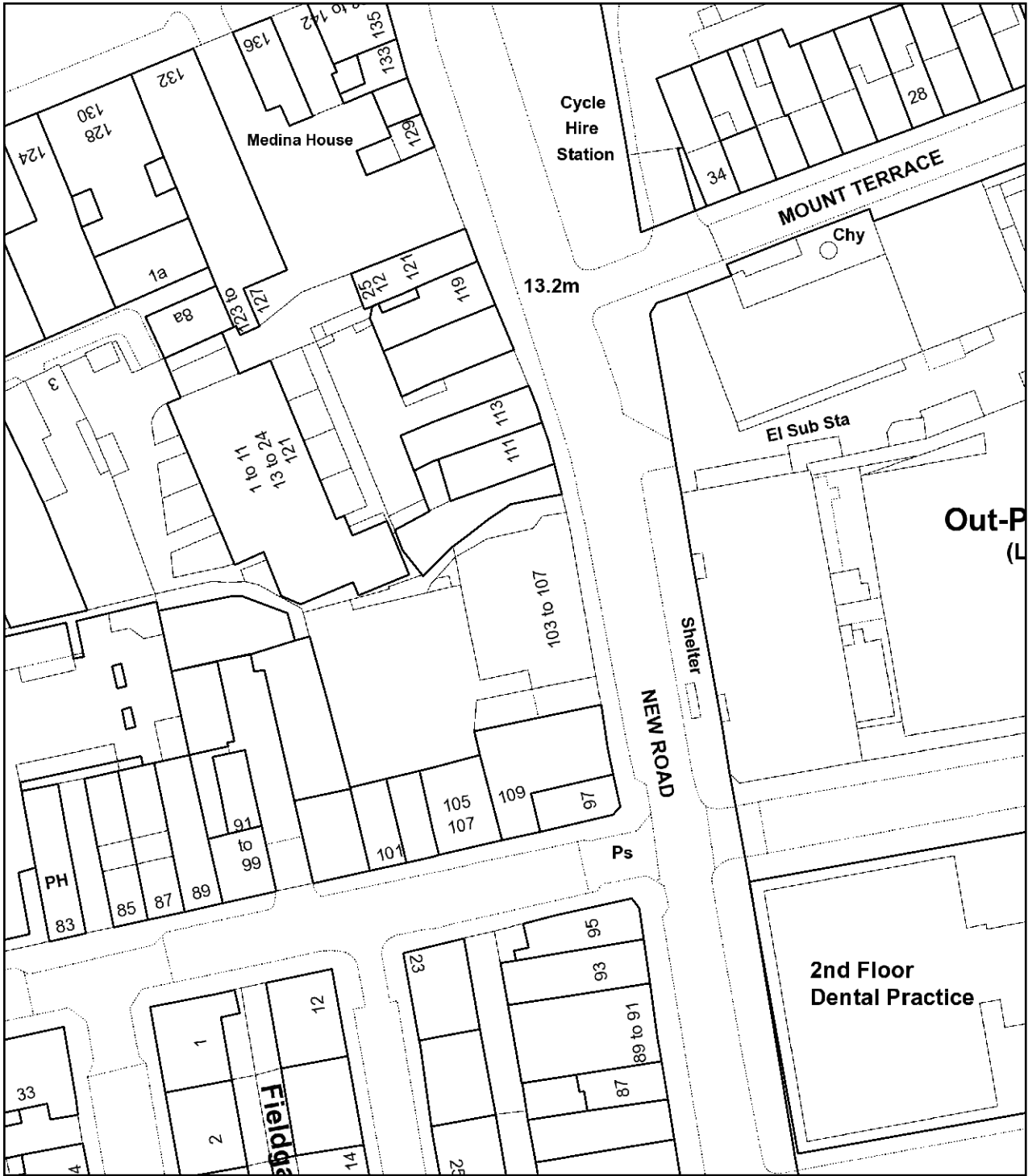
C 11 03 16 lift shafts realigned to match lift set out drawings sloping roof over stair2, set backs on rear building revised

B 29 01 16 lifts 1 2 shafts rotated to align with existing walls

A 29 11 15 lift shafts located and dimensioned

103 -107 New Road		Synthesis Architecture	
Whitechapel E1 1HJ		103 -107 New Road, Whitechapel, E1 1HJ, London, UK	
4th floor plan-proposed additional floor ph2		Scale 1:100 @A1, 1:200 @A3	
		SA 51 105 6	
		02/15	

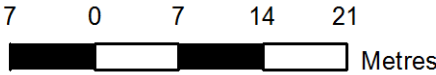
Appendix 3



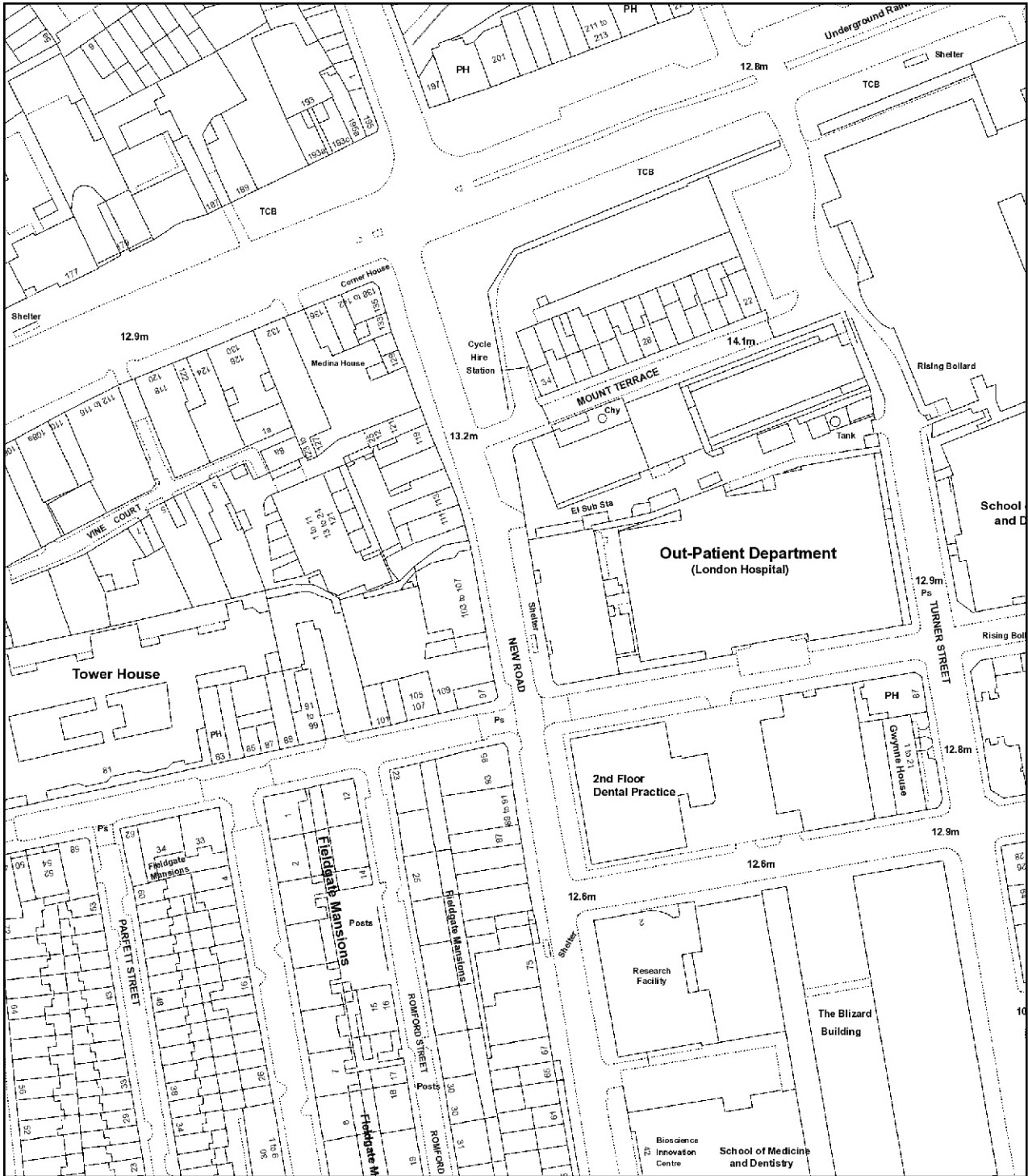
103-107 New Road



Scale 1:769



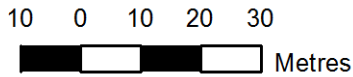
Produced by London Borough of Tower Hamlets on 30/03/2017. © Crown copyright and database rights 2012 Ordnance Survey, London Borough of Tower Hamlets 100019288.



103-107 New Road



Scale 1:1537



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Appendix 4

Bar Nakoda	199 Whitechapel Road	<p>Supply of Alcohol Monday to Saturday 11 00 hrs to 03 00 hrs Sunday 12 00 hrs to 03 00 hrs</p> <p>Late Night Refreshment Monday to Sunday 23 00 hrs to 03 00 hrs</p> <p>Regulated Entertainment Recorded Music Monday to Sunday 07 00 hrs to 03 00 hrs Live Music Monday to Friday 18 00 hrs to 02 00 hrs Saturday and Sunday 12 00 hrs to 02 00 hrs Performance of Dance Monday to Sunday 18 00 hrs to 02 00 hrs</p>
Shelley Food & wine	193c Whitechapel Rd	<p>Sale of Alcohol Monday to Sunday 24 hours</p>
London Hospital Tavern	176 Whitechapel Rd	<p>Sale of Alcohol and Late Night Refreshment Sunday to Thursday 07 00 hrs to 02 00 hrs Friday and Saturday 07 00 hrs until 03 00 hrs</p> <p>Recorded Music Sunday to Thursday 07 00 hrs to 02 00 hrs Friday and Saturday 07 00 hrs until 03 00 hrs</p> <p>Live Music Sunday to Thursday 18 00 hrs to 02 00 hrs Friday and Saturday 18 00 hrs until 03 00 hrs</p>
Indo	133 Whitechapel Rd	<p>Alcohol and recorded music Sunday to Thursday, 10:00 hrs to 01:00 hrs Friday and Saturday, 10:00 hrs to 03:00 hrs</p> <p>Live music Monday to Thursday, 19:00 hrs to 23:00 hrs Friday to Sunday, 12:00 hrs to 01:00 hrs</p> <p>Late Night Refreshment Sunday to Thursday, 23:00 hrs to 01:30 hrs Friday and Saturday, 23:00 hrs to 03:30 hrs</p> <p><u>Non-standard times</u> Christmas Eve, New Years Eve St George's Day and St Patrick's Day until 03:00 hrs the following day.</p>
New Road Off licence	109 New Road	<p>Sale of Alcohol Monday to Sunday from 09:00hrs to 00:00hrs</p>
Fab Fried Chicken	131 new Road	<p>Late Night Refreshment Monday to Sunday until 02:00 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

Kathy Driver

From: Andrew Holden [REDACTED]
Sent: 01 March 2017 17:06
To: Licensing
Subject: OBJECTION Licensing application: New Road Hotel, 103-107 New Road, E1 1HJ

Licensing application: New Road Hotel, 103-107 New Road, E1 1HJ

Regarding this application, I understand that it covers music and other entertainment, as well as late night refreshment and off sales of alcohol until midnight Sunday to Thursday, and 1 am on Friday and Saturday.

I request that this License Application is refused as it stands on the grounds of:

The prevention of crime and disorder,
The prevention of public nuisance.

The hotel is in a residential area of high-occupancy units including family houses with young children, HMOs and flats. It is close to the Royal London Hospital and many residents work for the hospital. New Road is heavily congested, with narrow pavements. People visiting restaurants on New Road constantly spill into side roads – particularly Walden Street, directly opposite the hotel — late at night where they continue drunken and loud socialising sometimes involving drugs.

I have personally been harassed by groups of youths around the Blizzard building, and was forced to call the police recently about this.

There is no traffic management or control of anti-social behavior in the area.

While it seems reasonable for a well-managed hotel to serve alcohol with a sit-down meal that ends at normal licencing hours, late night entertainment, a late night license and off license sales will definitely increase current nuisance levels, including noise and public disorder.

On this basis I request that this Licence Application is refused.

However, if the Licensing Committee should grant a License, to prevent public nuisance, I would ask:

1. That there are no off sales of alcohol.
2. That events that might potentially cause noise problems end at 10.30 pm Sunday to Thursday and 11 pm on Friday and Saturday nights/
3. That, other than serving alcohol with sit-down meals, alcohol in other public areas of the hotel (eg a music venue) should not be sold after 10 pm Sunday to Thursday and 11pm Friday and Saturdays.

Thank you for your attention,

Yours sincerely

Andrew Holden
[REDACTED]
[REDACTED]
[REDACTED]

Kathy Driver

From: Andrew Holden [REDACTED]
Sent: 05 March 2017 13:51
To: Kathy Driver
Subject: RE: New Road Hotel, 103 New Road -98265

Sensitivity: Confidential

Dear Kathy,

Many thanks for your email. These changes DO NOT address our concerns, which is that the licence will encourage anti-social behaviour on residential streets after 11pm.

A licence after 11pm is unacceptable because it means anti-social behaviour will continue on residential streets until much later, effectively 2am every weekend night.

Many thanks,
Andrew Holden
[REDACTED]
[REDACTED]

From: Kathy Driver [<mailto:Kathy.Driver@towerhamlets.gov.uk>]
Sent: 03 March 2017 19:05
To: undisclosed-recipients:
Subject: New Road Hotel, 103 New Road -98265
Sensitivity: Confidential

Following on from my email, I should advise you of the changes made to the application since it was first made.

The following have been agreed in consultation with Environmental Health and Police. If you feel this addresses your concerns could you please email me to withdraw your representation, otherwise we shall continue to plan for the hearing.

Agreements:

Residents and bona-fide guests entitled to use facilities on 24hr basis.

Removal of all other non standard timings

B. Films
1000 -midnight: all week

E: Live Music:
1200-2330: all week

F: Recorded music : removed

G: Performance of dance: removed

H: Anything similar: removed

I: Late Night Refreshment
Sun-Thur: 2300 -2330
Fri-Sat : 2330 -0030

J: Supply of alcohol
Sun-Thur : 1030- 2330
Fri-Sat: 1030 - 0030

L: Opening Hours
Sun - Thur : 0800 - midnight
Fri- Sat : 0800 - 0100

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.

(One camera be placed o/s the entrance and on entry,)

2. No drinks to be taken outside

3. Use of incident / refusals book

4. No Music or Amplified Sound shall be generated on the premises to give rise to a nuisance to neighbouring residents

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

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

Kathy Driver

Principal Licensing Officer

Toby Club, Naudrey Close, E14 6UA

By Post :
Licensing Team
John Onslow House
1 Ewart Place
London
E3 5EQ

Please note:
Meetings with Licensing Officers are by prearranged appointment only.

Tel: 020 7364 5171
Fax: 020 7364 0863
Hotline: 0207 364 5008

General email: licensing@towerhamlets.gov.uk

See our regular licensing news pages at www.towerhamlets.gov.uk/licensing



Appendix 7

Kathy Driver

From: Hazel Mulligan [REDACTED]
Sent: 01 March 2017 15:59
To: Licensing
Subject: New Road Hotel 103-107 New Road London E1 1HJ.

Dear Sir, Madam,

I am writing to you regarding a licensing application recently submitted by the New Road Hotel as above. I understand that the application is for music, other entertainment as well as off sales of alcohol until midnight Sun-Thursday, and until 1am Friday and Saturday.

I wish to object to the above application and I urge the council to refuse on the grounds of

- 1) prevention of crime and disorder
- 2) prevention of public nuisance.

The streets on both sides of New Road are residential. We already suffer constantly from

1) night time anti social behaviour from people spilling out of the restaurants on New Road. The Griff Inn has a late night bar extension once per week until 1am and we suffer constantly from rowdy drunks spilling out long after 1am. As well as that they have additional events which make our lives a misery. Recently we had an extremely unpleasant confrontation with shouting and ranting 01.10-01.30am.

2) serious problems of litter and fly tipping.

3) chronic problems associated with drugs and any night time alcohol activities will feed into that problem.

It is perfectly acceptable for a hotel to offer alcohol with meals or at the hotel bar, but off sales will have a severe detrimental impact on the local residents and their quality of life in many ways, sleep, peaceful enjoyment of their properties as well as exacerbating the already serious drug situation.

What is the nature of the license request for music?

I urge the licensing department to refuse off sales, and maintain normal licensing hours on the bar and the restaurant. Any late night extension of any activities will seriously impact on our quality of life here, and will exacerbate an already difficult situation with regard to night time antisocial behaviour, public nuisance and drug fuelled activities.

I urge licensing to refuse off sales and not to allow late night extensions.

With thanks,

Hazel Mulligan,
[REDACTED]
[REDACTED]

Sent from my iPad

Mohshin Ali

From: Hazel Mulligan [REDACTED]
Sent: 02 March 2017 16:16
To: Licensing
Subject: New Road Hotel

Dear Sir, Madam,

I would like to add to my previous email.
Absolutely no Off Sales of alcohol
No late night refreshment
Alcohol sales should be restricted to ' core hours'.

The chronic problems of antisocial behaviour in our area are fuelled by alcohol and drugs. Any extra late night sales and refreshment would pile on the problems for residents, police, the local hostels, Booth House, council cleaning services, as well as hospital A&E services and many others.

I urge licensing to severely restrict the hours on this application to core hours and refuse any Off Sales.

With thanks,
Hazel Mulligan

[REDACTED]
[REDACTED]

Sent from my iPad

Appendix 8

Kathy Driver

From: Mohshin Ali on behalf of Licensing
Sent: 28 February 2017 18:08
To: Kathy Driver
Subject: FW: Ref CLC/EHTS/LIC/0982656

From: Hedi Samari [REDACTED]
Sent: 28 February 2017 14:25
To: Licensing
Subject: Ref CLC/EHTS/LIC/0982656

Dear Mrs Driver,

This is to notify you that I officially oppose the awarding of a "premises license" to the New Road Hotel 103-107 New Road London E1 1HJ;

The building of the said Hotel has already caused a lot of inconvenience to the residents of [REDACTED], including myself, who have had to deal with constant building workds (including on the weekends) , loss of natural sunlight and pigeon infestation, which I have had to resolve at my own cost.

Furthermore, I am of the opinion (which is shared by other residents of [REDACTED] that this is a residential area, with young families, and that the awarding of a "premises license" would cause major disruption to our daily lives.

I am firmly opposed to this porject and I am waiting to receive confirmation that you have received my email.

Thank you for your understanding.

Hedi SAMARI
[REDACTED]
[REDACTED]

Appendix 9

From: jan savage [REDACTED]
Sent: 01 March 2017 14:11
To: Licensing
Subject: Licensing application: New Road Hotel, 103-107 New Road, E1 1HJ

Licensing application: New Road Hotel, 103-107 New Road, E1 1HJ

Dear Sir/Madam,

I have just heard that the New Road Hotel, 103-107 New Road, E1 has submitted a Licensing Application. I have been unable to find full details but understand that this application covers music and other entertainment, as well as late night refreshment (including off sales of alcohol) until midnight Sunday to Thursday, and 1 am on Friday and Saturday.

I would like to request that this License Application should be refused on the grounds of:

- The prevention of crime and disorder,
- The prevention of public nuisance.

The hotel is in a mixed commercial and residential area, close to the Royal London Hospital. New Road is heavily congested, with narrow pavements. People visiting restaurants on New Road spill into side roads late at night to continue socialising or to collect (and then often sit talking and playing music) in their cars. Even before any further development of New Road, or any impact from the New Road Hotel, residents have to tolerate significant problems with alcohol-fuelled antisocial behavior, late night noise, and excessive litter.

While it seems reasonable for a well-managed hotel to serve alcohol with a sit-down meal, late night entertainment, a late night license and off license sales will contribute further to public nuisance problems, including noise and public disorder.

On this basis I request that this Licence Application is refused.

However, if the Licensing Committee should grant a License, to prevent public nuisance, I would ask for three conditions:

1. That there are no off sales of alcohol.
2. That events that might potentially cause noise problems end at 10.30 pm Sunday to Thursday and 11.30 pm on Friday and Saturday nights (remembering that after an event, it can take a considerable amount of time for people to disperse).
3. That, other than serving alcohol with sit-down meals, alcohol in other public areas of the hotel (eg a music venue) should not be sold after 10 pm Sunday to Thursday and 11pm Friday and Saturdays.

Putting these conditions above would reduce the impact of the premises on public nuisance and on crime and disorder.

Thank you for your attention,

Yours

Jan Savage

[REDACTED]

[REDACTED]

Appendix 10

Kathy Driver

From: Jon Shapiro [REDACTED]
Sent: 01 March 2017 15:36
To: Licensing
Cc: [REDACTED]
Subject: Licensing Application by New Road Hotel, 103-107 New Road, E1 1HJ

Importance: High

Dear Sir or Madam,

I should like to request that the requested hours of this Licence Application should be reduced, that no Late Night Refreshment Licence should be allowed, and that no "Off-Sales" of Alcohol should be allowed. I make these requests on the grounds of:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance

as the premises is close to the local ASB "hotspots" of Whitechapel and Brick Lane. It is also very close to Booth House and the Hoptown Hostel, both large hostels housing homeless and vulnerable residents.

It is well known that much of this ASB in the local area is fuelled by alcohol, and that late-night drinkers of alcohol are sustained in their drinking by Late Night Refreshment.

For these reasons, I request that:

- No "Off-Sales" should be allowed
- No Late Night Refreshment should be allowed
- Alcohol sales should be restricted to "Core Hours".

Both Whitechapel and the Brick Lane area are plagued by ASB and hospital admissions to A&E, and I hope the Licensing Panel will restrict any licence granted in accordance with the above requests, which would – I believe – greatly assist the Police and other authorities in reducing such ASB and hospital admissions in the local area.

Yours faithfully,
Jon Shapiro.

Resident at:

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

Kathy Driver

From: Jon Shapiro [REDACTED]
Sent: 05 March 2017 20:14
To: Kathy Driver
Cc: [REDACTED]
Subject: RE: New Road Hotel, 103 New Road -98265 PS

Sensitivity: Confidential

PS: Kathy, my apologies when I first read your email I had thought that “off-sales” had been explicitly withdrawn, whereas I now realise your email does not actually say that.

Obviously if no drinks can be taken outside that implicitly stops “off-sales”, but an **explicit** condition that “off-sales” are not allowed would be an absolute minimum requirement for me to withdraw my objection!

All best wishes,
Jon.

From: Jon Shapiro [REDACTED]
Sent: 04 March 2017 12:02
To: [REDACTED] 'Kathy Driver'
<Kathy.Driver@towerhamlets.gov.uk>
Cc: [REDACTED]
Subject: RE: New Road Hotel, 103 New Road -98265
Sensitivity: Confidential

Alan Thank you for your valuable assistance in obtaining modifications of the original Licensing Application.

Kathy Please could I just check two things with you:

1. How are “bona-fide guests” defined? Presumably “bona-fide guests of hotel residents”? If so the applicant would presumably be happy to extend the definition explicitly?
2. How do those “opening” and “alcohol” hours compare with existing licences locally?

With many thanks, and
All best wishes,
Jon.

From: Kathy Driver [<mailto:Kathy.Driver@towerhamlets.gov.uk>]
Sent: 03 March 2017 19:05
To: undisclosed-recipients:
Subject: New Road Hotel, 103 New Road -98265
Sensitivity: Confidential

Following on from my email, I should advise you of the changes made to the application since it was first made.

The following have been agreed in consultation with Environmental Health and Police. If you feel this addresses your concerns could you please email me to withdraw your representation, otherwise we shall continue to plan for the hearing.

Agreements:

Residents and bona-fide guests entitled to use facilities on 24hr basis.

Removal of all other non standard timings

B. Films

1000 -midnight: all week

E: Live Music:

1200-2330: all week

F: Recorded music : removed

G: Performance of dance: removed

H: Anything similar: removed

I: Late Night Refreshment

Sun-Thur: 2300 -2330

Fri-Sat : 2330 -0030

J: Supply of alcohol

Sun-Thur : 1030- 2330

Fri-Sat: 1030 - 0030

L: Opening Hours

Sun - Thur : 0800 - midnight

Fri- Sat : 0800 - 0100

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.

(One camera be placed o/s the entrance and on entry,)

2. No drinks to be taken outside

3. Use of incident / refusals book

4. No Music or Amplified Sound shall be generated on the premises to give rise to a nuisance to neighbouring residents

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

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

Kathy Driver

Principal Licensing Officer

Toby Club, Naudrey Close, E1 4UA

Kathy Driver

From: Jon Shapiro [REDACTED]
Sent: 08 March 2017 11:53
To: Kathy Driver
Cc: [REDACTED]
Subject: RE: New Road Hotel, 103 New Road -98265

Sensitivity: Confidential

Kathy,

Thank you for all your assistance.

I would not wish to cause undue administrative effort, and as long as the Licence granted to New Road Hotel is explicitly for "on-sales" only, and subject also to inclusion of the details in your attached email, I would withdraw my objection.

With many thanks, and
All best wishes,
Jon.

Appendix 11

Kathy Driver

From: David Souden [REDACTED]
Sent: 02 March 2017 10:31
To: Licensing
Cc: [REDACTED]
Subject: Licence application, hotel 103-107 New Road E1

Dear Licence Application Officers

Licensing application: New Road Hotel, 103-107 New Road, E1

I have been a resident of [REDACTED] for many years, and I have been a supporter of many improvements in this area.

I am writing to object to this proposed licensing application, which I believe will be a disbenefit rather than an improvement.

I understand that this application covers music and other entertainment, which would possibly disturb residents, as well as late night refreshment and off sales of alcohol until midnight Sunday to Thursday, and 1 am on Friday and Saturday. I request that this Licence Application is refused as it stands on the grounds of the prevention of crime and disorder, and the prevention of public nuisance.

I believe if approved this will contribute to crime that is alcohol-fuelled and will cause additional noise and nuisance to both local residents and visitors. The hotel is in a residential area of high-occupancy units and is close to the Royal London Hospital where many residents work. New Road is congested, with narrow pavements, and drunken behaviour, noise, drug abuse and fly-tipping are already common problems; a late night licence and off-sales will assuredly only increase current nuisance levels.

If the Licensing Committee should grant a Licence, to prevent public nuisance, I ask:

That there are no off sales of alcohol.
That sale of alcohol other than with meals be restricted.

Thank you for your attention,

Yours sincerely

(Dr) David Souden

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

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

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 14

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 15

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 16

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

Agenda Item 3.2

Committee :	Date	Classification
Licensing Sub-committee	24th May 2017	Unclassified

Report of: David Tolley Head of Environmental Health and Trading Standards Originating Officer: Corinne Holland Licensing Officer	Title: Licensing Act 2003 Application for a new premises licence for Shawarma, 84 Brick Lane, London E1 6RL Ward affected: Spitalfields and Banglatown
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1.0 Summary

Applicant:	Mr Azzam Barhamji
Name and	Shawarma
Address of Premises:	84 Brick Lane London E1 6RL
Licence sought:	Licensing Act 2003 – New Premises Licence (Late Night Refreshment)
Representations:	Met Police Environmental Protection Licensing Authority Residents Resident on behalf of Spitalfields Community Group

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

Corinne Holland
020 7364 3986

3.0 **Background**

3.1 This is an application for a new premises licence for (Shawarma), 84 Brick Lane, London E1 6RL.

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

3.3 The applicant has applied for the provision of late night refreshments:

Provision of Late Night Refreshments

- Monday to Sunday 23:00 – 02:00 hours
- Non Standard Timings – from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day
- Non Standard Timings - Sundays before Bank Holiday Mondays until 02:00

Hours premises are open to the public:

- Monday to Sunday 10:00 – 02:00 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 April 2017.

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.

Representations

- 5.5 This hearing is required by the Licensing Act 2003, because relevant representations have been made by the following responsible authorities and local residents:
- Met Police (**Appendix 5**)
 - LBTH Environmental Protection (**Appendix 6**)
 - Licensing Authority (**Appendix 7**)
 - David Cunningham (**Appendix 8**)
 - Glenn Leeder (**Appendix 9**)
 - Jon Shapiro (**Appendix 10**)
 - Michael Myers (**Appendix 11**)
 - Matthew Piper (on behalf of Spitalfields Community Group) (**Appendix 12**)
- 5.6 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
- 5.7 In addition the application was required to be advertised in a local newspaper and by a blue poster. Only objections that relate to the following licensing objectives are relevant:
- the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm
- 5.8 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.
- 5.9 There are strict time limits to any representations. The time limits are contained in The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005.
- 5.10 The applicant has offered measures in the operating schedule of the application that address the promotion of the Licensing Objectives. If there were no representations, the Licensing Authority would grant the licence, with conditions consistent with the operating schedule, which are relevant, proportionate and enforceable. Members are asked to consider the schedule and incorporate any conditions as necessary to address the licensing objectives.

6.0 Conditions consistent with Operating Schedule (as offered by the Applicant)

- 6.1 Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- 6.2 The premises shall install and maintain a comprehensive CCTV system. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
- 6.3 A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
- 6.4 Reasonable steps shall be taken to ensure that any person loitering outside the premises disperse quickly and do not congregate
- 6.5 The toilet shall be available to all seated customers.
- 6.6 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 6.7 All windows and external doors shall be kept closed except for the immediate access and egress of persons.
- 6.8 An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
- (a) all crimes reported to the venue
 - (b) any complaints received concerning crime and disorder
 - (c) any incidents of disorder
 - (d) any faults in the CCTV system
 - (e) any visit by a relevant authority or emergency service.

7.0 Conditions in consultation with the responsible authorities/other persons

- 7.1 None

8.0 Licensing Officer Comments

8.1 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.

8.2 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).
- 8.3 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.
- 8.4 In all cases the Members should make their decision on the civil burden of proof that is “the balance of probability.”
- 8.5 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.
- 8.6 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)
- 8.7 The Council’s Licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.
- 8.8 In **Appendices 12 – 21**, 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.
- 9.0 **Legal Comments**
- 9.1 The Council’s legal officer will give advice at the hearing.
- 10.0 **Finance Comments**
- 10.1 There are no financial implications in this report.

11.0 Appendices

Appendix 1	A copy of the application
Appendix 2	Site plan of the venue
Appendix 3	Maps showing vicinity of venue
Appendix 4	Details of nearest licensed venues
Appendix 5	Representations from Police
Appendix 6	Representations from Environmental Protection
Appendix 7	Representation from Licensing Authority
Appendix 8	Representation from David Cunningham
Appendix 9	Representation from Glenn Leeder
Appendix 10	Representation from Jon Shapiro
Appendix 11	Representation from Michael Myers
Appendix 12	Representation from Matthew Piper (on behalf of Spitalfields Community Group)
Appendix 13	S182 Advice on crime and disorder
Appendix 14	Licensing Policy advice on crime and disorder
Appendix 14	S182 Advice on public nuisance
Appendix 15	Licensing Policy advice on public nuisance
Appendix 16	Licensing Officer comments on access and egress
Appendix 17	Licensing Officers comments on anti-social behaviour on the premises
Appendix 18	Licensing Officers comments on anti-social behaviour leaving the premises
Appendix 19	Licensing Officers comments on noise when the premises is in use.
Appendix 20	Licensing Policy on the CIZ
Appendix 21	Licensing Policy comments on the 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 Mr Azzam Barhamji

(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 Shawarma 84 Brick Lane			
Post town	London	Postcode	E1 6RL

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£12,500

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

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

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

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 checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Barhamji			First names Azzam		
I am 18 years old or over				<input checked="" 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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

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

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

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

Please give a general description of the premises (please read guidance note 1)
Fast-food premises offering hot food & non-alcoholic beverages, for consumption on & off the premises.

The application follows recent temporary event notices permitting activities until 02:00 and pre-consultation with both the Police Licensing & Environmental Health officers.

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

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

(Please see sections 1 and 14 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"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
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)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)		
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			
Wed			
Thur			
Fri			
Sat			
Sun			

			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

			<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)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
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					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri			<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)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music 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					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music 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					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

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					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
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 type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

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"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	23:00	02:00	Please give further details here (please read guidance note 3)		
Tue	23:00	02:00			
Wed	23:00	02:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	23:00	02:00			
Fri	23:00	02:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day Sundays before Bank Holidays until 02:00		
Sat	23:00	02:00			
Sun	23:00	02:00			

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 type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Tue					
Wed					
Thur			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					
Sat					
Sun					

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

Name	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

K

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

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	10:00	02:00	
Tue	10:00	02:00	
Wed	10:00	02:00	
Thur	10:00	02:00	
Fri	10:00	02:00	
Sat	10:00	02:00	
Sun	10:00	02:00	
Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day Sundays before Bank Holidays until 02:00			

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)

Please see appended list of conditions to promote all four licensing objectives. The application follows recent temporary event notices permitting activities until 02:00 and pre-consultation with both the Police Licensing & Environmental Health officers.

b) The prevention of crime and disorder

See a) above

c) Public safety

See a) above

d) The prevention of public nuisance

See a) above

e) The protection of children from harm

See a) above

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- 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.
NB. Electronic Submission - LA to serve RA's
- 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	[REDACTED]
Date	14/03/2017
Capacity	Thomas & Thomas Partners LLP, Solicitors on behalf of 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) Our ref: [REDACTED] [REDACTED] Thomas & Thomas Partners LLP [REDACTED]			
Post town	London	Postcode	[REDACTED]
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) [REDACTED]m			

Notes for Guidance


1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

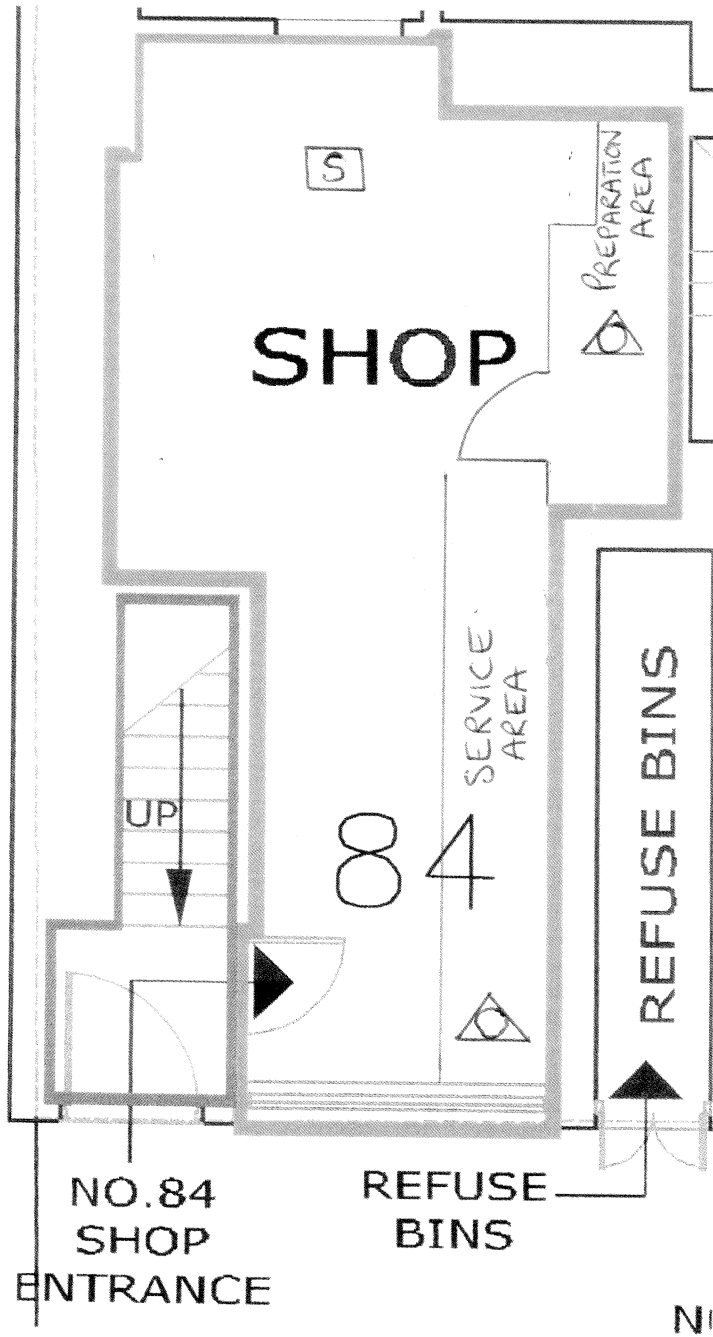
Appendix 2

SHAWARMA, 84 BRICK LANE, E1 6RL


 Water Fire Extinguisher


 Foam Fire Extinguisher


 Automatic Smoke Detector

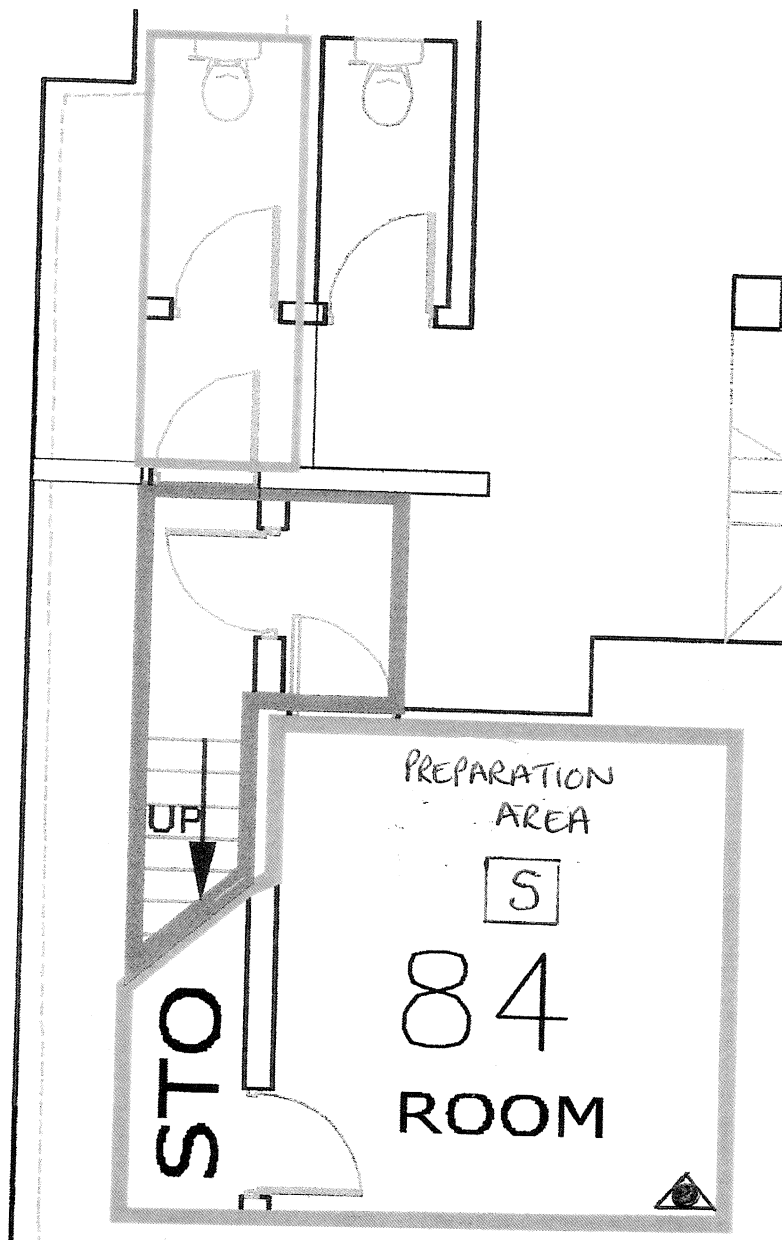


SHAWARMA, 84 BRICK LANE, E1 6RL

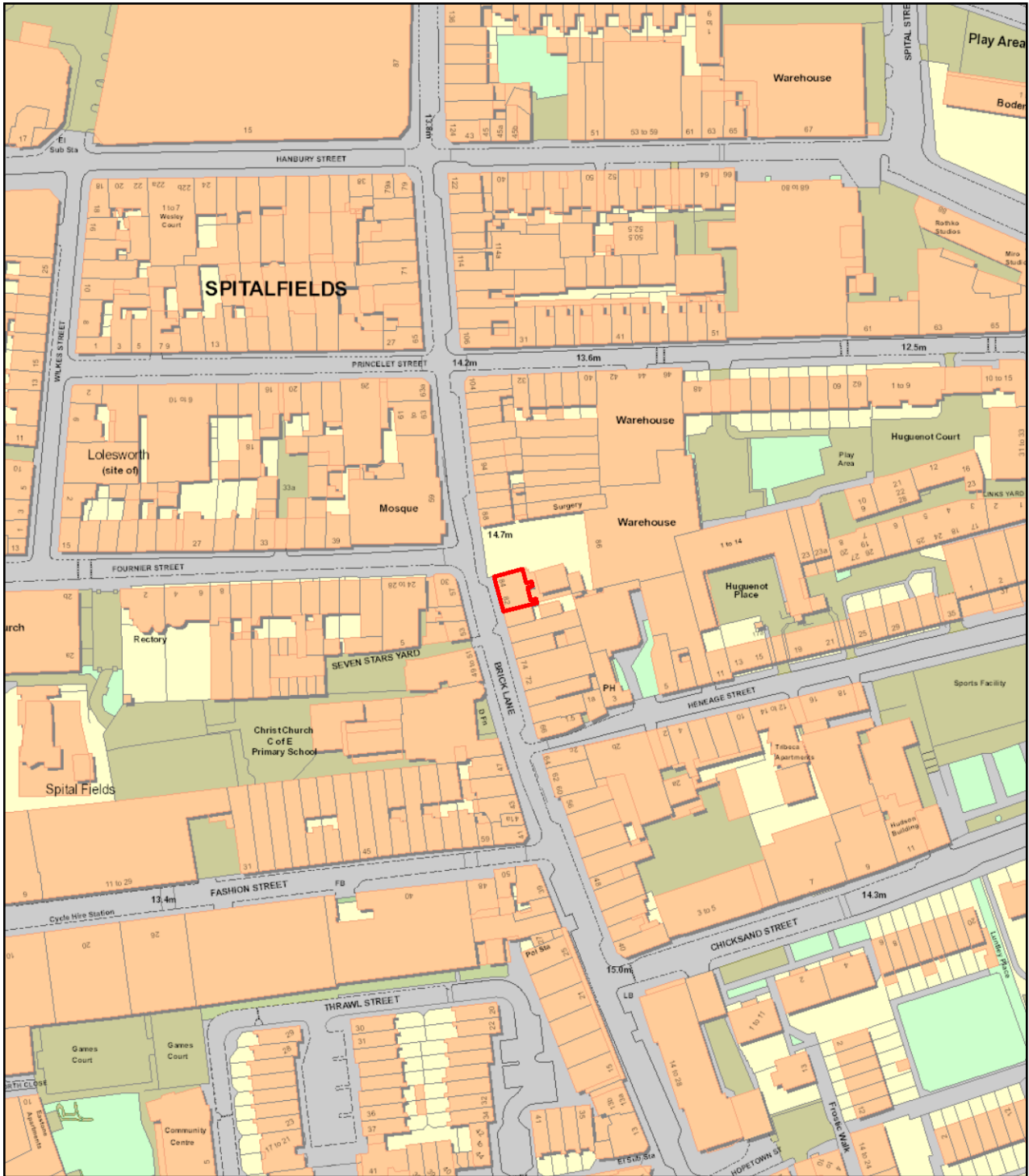
 Water Fire Extinguisher

 Foam Fire Extinguisher

 Automatic Smoke Detector



Appendix 3



84 Brick Lane

Map 1



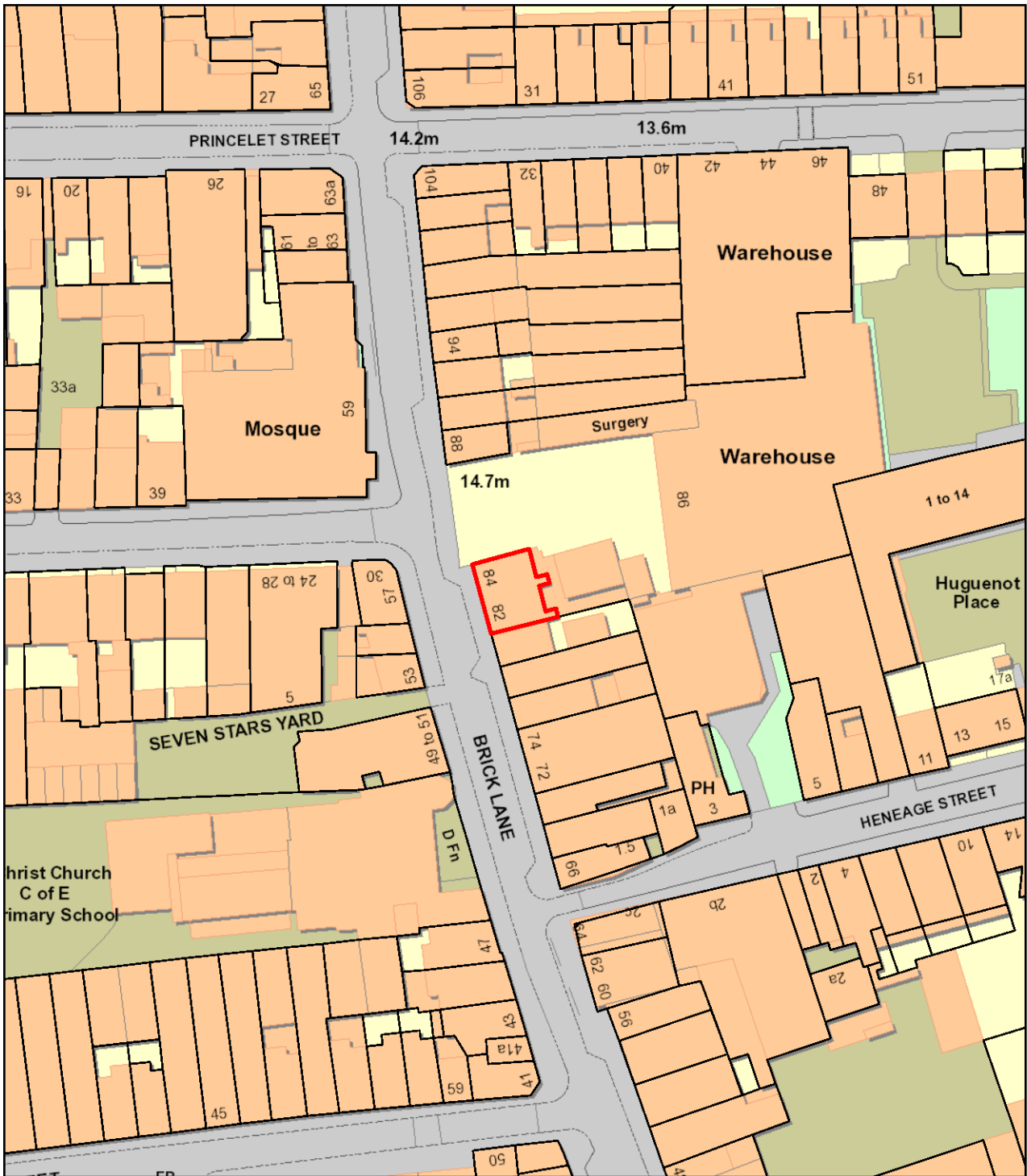
Scale 1:1725

10 0 10 20 30

Metres



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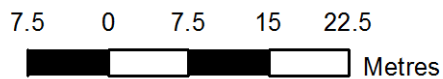


84 Brick Lane

Map 2



Scale 1:863



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Appendix 4

Name and address	Licensing activities	Opening times
<p>(Hub by Premier Inn) 86 Brick Lane London E1 6RL</p>	<p><u>Sale of Alcohol (on and off sales)</u></p> <ul style="list-style-type: none"> Monday to Sunday from 10:00hrs to 23:30hrs <p><u>The Provision for Late Night Refreshments (indoors)</u></p> <ul style="list-style-type: none"> Monday to Sunday from 23:00hrs to 23:30hrs <p><u>The Provision of Regulated Entertainment in the form of Films (indoors)</u></p> <ul style="list-style-type: none"> Monday to Sunday from 10:00hrs to 23:30hrs All Licensable activities will be available 24 hours a day, seven days a week for hotel residents. 	<ul style="list-style-type: none"> Monday to Sunday from 06:00hrs to 00:00hrs (midnight) The hotel shall remain open 24hours a day for hotel residents All Licensable activities will be available 24 hours a day, seven days a week for hotel residents
<p>(Pepe's Piri Piri) 82-84 Brick Lane London E1 6RL</p>	<p><u>The provision of late night refreshment</u></p> <p>Sunday to Thursday 23:00 – 23:30 hours. Friday & Saturday 23:00 – 01:00 hours the following day.</p>	<p>Sunday to Thursday 23:00 – 23:30 hours. Friday & Saturday 23:00 – 01:00 hours the following day.</p>
<p>(Masala Restaurant) 88 Brick Lane London E1 6RL</p>	<p>The sale of alcohol: Monday to Saturday 12:00 hours - 23:30 hours Sunday 12:00 hours - 23:00 hours</p> <p>Late Night Refreshment: Monday to Saturday until 23:30 hours</p>	<p>Monday to Saturday 12:00 hours - midnight Sunday 12:00 hours - 23:30 hours</p>
<p>(Monsoon) 78 Brick Lane London E1 6RL</p>	<p>The sale by retail of alcohol:</p> <p>Sunday 1200-2300 hours Monday - Wednesday from 1200 -0000 (midnight) Thursday - Saturday from 1100 - 02:00 hours the following day.</p> <p>On New Year's Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).</p>	<p>The opening hours of the premises</p> <p>Sunday 1200- 23.00 hours Monday - Wednesday from 1200 -0000 hours (midnight) Thursday - Saturday from 11:00 hours until 02:00 hours the following day.</p>

	<p>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.</p> <p>For provision of Late Night Refreshment: Sunday - Saturday from 11:00 hours until midnight only</p>	
<p>(Suito Japanese Restaurant) 90 Brick Lane</p>	<p>Sale of Alcohol:</p> <ul style="list-style-type: none"> ▪ Monday to Saturday, from 12:00 hours to 23:30 hours ▪ Sunday from 12:00 hours to 23:00 hours <p>The Provision of Late Night Refreshment:</p> <ul style="list-style-type: none"> ▪ Monday to Saturday, from 23:00 hours to 00:00 hours ▪ Sunday, from 23:00 hours to 23:30 hrs 	<ul style="list-style-type: none"> ▪ Monday to Saturday from 12:00 hrs to 00:00 hrs ▪ Sunday from 12:00 hrs to 23:30 hrs
<p>(Saffron Restaurant) 53 Brick Lane London E1 6PU</p>	<p>For the sale by retail of alcohol: Monday - Saturday from 11:00 hours to 01:00 hours the following day Sunday from 11:00 hours to midnight</p> <p>Late Night Refreshment: Monday - Saturday until 01:00 hours the following day Sunday until midnight</p> <p>New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.</p>	<p>Monday - Saturday from 11:00 hours to 01:00 hours the following day Sunday from 11:00 hours to midnight</p>

<p>(Seven Stars) Basement and Ground Floor 49 Brick Lane</p>	<p>The times the licence authorises the carrying out of licensable activities The sale by retail of alcohol Monday - Saturday 10 00 hrs to 02 00 hrs the following morning Sunday 10 00 hrs to midnight</p> <p>Late Night Refreshment Monday - Saturday until 02 00 hrs the following morning Sunday until midnight</p> <p>The provision of regulated entertainment Live Music and the Provision of Facilities for Making Music (Karaoke only) Monday - Saturday 19 00 hrs to 02 00 hrs the following morning Sunday 19 00 hrs to midnight</p> <p>Recorded Music Monday - Saturday from 11:00 hrs to 02:00 hrs the following morning Sunday 11 00 hrs to midnight</p>	<p>Monday - Saturday 10 00 hrs to 02 30 hrs the following morning Sunday 10 00 hrs to 00 30 hrs the following morning</p>
---------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------

Appendix 5

Tom Lewis
LBTH Licensing

[REDACTED]
[REDACTED]
[REDACTED]

HT - Tower Hamlets Borough
HH - Limehouse Police Station

Licensing Office
Toby Club Sno

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

Facsimile:

Email:

[REDACTED]

.uk

www.met.police.uk

Your ref:

Our ref:

6 April 2017

Dear Mr Lewis

Application for a premises licence

Shawarma, 84 Brick Lane, E1 6RL

I write with reference regarding 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 has applied for the following hours in relation to late night refreshments:

All week until 2am (including non standard timings, which is essentially all night on NYE)

LBTH adopted a Saturation Policy / Cumulative Impact Policy for the Brick Lane area due

to the concerns about the number of licensed premises 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.*

Brick Lane has become a “destination venue” for the night time economy in Tower Hamlets. There has been a steady increase in bars, restaurants and fast food premises. However, there has been a multi-agency approach in considering applications and there has been a consensus that lesser hours has improved the local environment.

If this application is granted in full, it would be a set back for this policy. One more late night opening venue will only compound the problems in this part of Brick Lane. I am aware that TENs were granted but there is a big difference with the granting of a permanent licence and the TEN policy that grants 15 per year.

This will only encourage people to remain for a further period of time in the Brick Lane area. At 2am in the morning, ASB can easily occur whether it's people continuing to drink in the nearby streets with their food or just raising their voices. There is also potential for violence if people who are under the influence of alcohol, encounter one another inside the venue or outside on the street.

Can the applicant provide evidence that the operation of the premises will not add to the negative cumulative impact already being experienced in this area?

Can they reassure the committee that they will not contribute to ASB when their patrons leave the venue whether it is standing in the street drinking or shouting at the top of their voices?

The applicant has put forward the following condition

4. Reasonable steps shall be taken to ensure that any person loitering outside the premises disperse quickly and do not congregate.

How will this be achieved?

I am aware that there have been complaints which will be highlighted by my LBTH Licensing colleagues.

Brick Lane and the surrounding streets still has a considerable residential population which would be adversely affected by the granting of a 2am licence.

Since the introduction of the CIZ. I believe Brick Lane has become a better and safer environment for businesses and residents. I ask the committee to refuse the application.

If they are to grant the application I would ask them to consider the following:

Late night refreshments

Fri - Saturday : 2300- midnight

In terms of the non standard hours, the applicant can apply for a TEN which can be assessed by the police closer to NYE

If the committee is to grant a licence past midnight I would like them to consider the following

1xSIA : from midnight until closing.

Alan Cruickshank PC 189HT

Appendix 6

Corinne Holland

From: [REDACTED] behalf of Licensing
Sent: 06 April 2017 17:06
To: Corinne Holland
Subject: FW: REPRESENTATION MAU 099154 - Shawarma 84 Brick Lane London

From: Nicola Cadzow
Sent: 06 April 2017 13:42
To: Licensing
Cc: [REDACTED] [@met.police.uk](mailto:[REDACTED]@met.police.uk); Mark Perry; [REDACTED] [@tandtp.com](mailto:[REDACTED]@tandtp.com)
Subject: REPRESENTATION MAU 099154 - Shawarma 84 Brick Lane London

Dear Licensing

When regarding the application for Premises License and the potential impact of public nuisance and measures to prevent noise generated from within the premises or outside it which could cause disturbance to people in the vicinity, the proposed hours are well beyond the Council's framework hours.

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

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

The applicant is proposing:

- **late night refreshment until 02:00 hours seven days a week.**

I would consider:

- **late night refreshment until Midnight Fridays and Saturdays**

Noise Sensitive premises: residential and commercial premises in close proximity to 84 Brick Lane.

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

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

CONCLUSION

Environmental Protection **does not** support the application for 84 Brick Lane as there is great likelihood of disturbance to residential premises at the noise sensitive hours sought.

Kind regards

Nicola Cadzow
Environmental Health Technical Officer
Place Directorate

Appendix 7

Communities, Localities & Culture Safer Communities

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

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

Tel [REDACTED]
Fax 0 [REDACTED]
Enquiries to **Mohshin Ali**

Email [REDACTED] [towerhamlets.gov.uk](mailto:[REDACTED]@towerhamlets.gov.uk)

www.towerhamlets.gov.uk

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

Email: [REDACTED] [towerhamlets.gov.uk](mailto:[REDACTED]@towerhamlets.gov.uk)

11th April 2017

Your reference
My reference: CLC/LIC/99154/MA

Dear Sir/Madam,

Licensing Act 2003

New premises licence application: Shawarma, 84 Brick Lane, London E1 6RL

On 1st November 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 (8.2)*

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 Authority may therefore consider that the imposition of conditions is unlikely to address these problems and may consider the adoption of a special policy of refusing new licences because the area is saturated with licensed premises and the granting of any more would undermine one of the licensing objectives.

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 (CIZ) (8.3).

The effect of this CIZ 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 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 (8.4).

The Licensing Authority is therefore making a representation against the above application on the grounds of:

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

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 the application in full.

The Tower Hamlets statement of licensing policy makes it clear (8.4) that 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 is also repeated in the Home Office guidance (8.35). *Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.*

The hours applied for are longer than the framework hours in the Tower Hamlets licensing policy (15.8). The policy states that application to operate outside of the framework hours will be considered on their merit, with regard to:

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

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

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

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

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

f) The proximity of the premises to other licensed

The applicant has not satisfied these criteria. The Home Office guidance (8.33) says:

Applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives.

The following Temporary Events notice (provision of late night refreshment) were granted for the premises:

- 9 – 12 February 2017 until 02:00 hours
- 2 – 5 February 2017 until 02:00 hours
- 26 – 29 January 2017 until 02:00 hours
- 20 – 22 January 2017 until 02:00 hours
- 1 January 2017 until 05:00 hours
- 22 – 25 December 2016 until 02:00 hours
- 15 – 18 December 2016 until 02:00 hours
- 8 – 11 December 2016 until 02:00 hours
- 1 – 4 December 2016 until 02:00 hours
- 25 – 27 November 2016 until 02:00 hours

I have also looked at the history of complaints on the Licensing Authority's system and the following are recorded against the premises:

19/3/2017 (EVU - 71158) – Licensing Authority visited the premises and found to be closed at 00:00 hours (midnight)

25/02/2017 (EVU - 71071) – Licensing Authority and Police Licensing visited the premises at 23:55 hours. Staff appeared to be cleaning up and no one else inside.

19/12/2016 (CMU - 86435) – Complaint from resident: allegation of operating beyond the times of the TEN. A warning letter was sent to the premises.

14/12/2016 (CMU - 86209) – Complaint from resident: allegation of operating beyond the times of the TEN. A warning letter was sent to the premises.

28/11/2016 (CMU - 86076) – Complaint from resident: allegation of operating beyond the times of the TEN.

10/10/2016 (CMU - 85606) – Complaint from Licensing: allegation of operating without a licence. Warning letter sent.

6/10/2016 (CMU - 85706) – Complaint from resident: allegation of operating until 03:00 hours. Warning letter sent

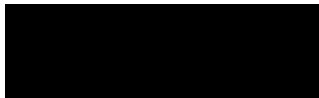
29/7/2016 (EVU - 70129) – Licensing Authority visited the premises to see if it was trading without a licence. Premises closed at the time of the visit.

30/4/2016 (EVU - 69561) – Licensing Authority visited the premises to see if it was trading without a licence. Premises closed at 00.20 hours.

A premise licence application (received on 9/5/2016) was refused by the Licensing Sub-Committee at the hearing on the 5th July 2016. The applicant then appealed that decision and on the 15th September 2016, the Magistrates Court dismissed the appeal.

If the Licensing Sub-Committee is minded to grant a licence then I would ask that the hours are reduced closer to the framework hours.

Yours faithfully,



Mohshin Ali
Senior Licensing Officer
Acting as a Responsible Authority

CC: Applicant's solicitor,  Thomas & Thomas Partners LLP  @tandtp.com

**Place Directorate
Public Realm**

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

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

Tel **0 [REDACTED]**
Fax **[REDACTED]**
Enquiries to **Mohshin Ali**

Email **[REDACTED]@towerhamlets.gov.uk**

www.towerhamlets.gov.uk

Mr. Azzam Barhamji
Shawarma
84 Brick Lane
London
E1 6RL

20th January 2017

Your reference
My reference: LIC/86435/MA

Dear Mr. Barhamji,

Licensing Act 2003, Section 136

Premises: Shawarma, 84 Brick Lane, London E1 6RL

This Licensing Authority has received a complaint regarding the above premises as follows:

- ***“Thu 15 Dec16: closing after 0300 Friday morning, intermittent noise disturbance***
- ***Fri 16 dec16: closing 0400 Saturday morning, intermittent noise disturbance***
- ***Sat 17 dec16: a sign reading 'business is closed' appeared at some point on Sunday morning, but premises remained open to customers. I was woken at 03:45 hours by noise from a group of customers using nitrous oxide and kicking a football around in the street as they waited for their order. Closing sometime after 0400”***

We last wrote to you on the 14th December 2016 regarding a similar complaint. I note you had a TEN for the following:

Thursday 15th to Sunday 18th December 2016 (The provision of late night refreshment)

- **23:00 to 02:00 (i.e. to extend Thursday, Friday and Saturday evenings)**

In order to prevent any further TENs or licence application being objected you I would recommend that measures are put in place to prevent any customers loitering outside your premises, if necessary you should consider employing SIA security staff at times when this is likely to occur. You must cease supplying hot food at 02:00 hours, as given in your Temporary Event Notices.

I must advise you that;

It is an offence for anyone who carries on, or attempts to carry on a licensable activity on or from any premises without or not in accordance with an authorisation.

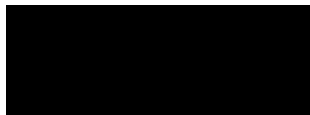
A person guilty of an offence under section 136 of the ACT is liable on a summary conviction to imprisonment for a term not exceeding six months or an unlimited fine.

You are advised to cease the unauthorised licensing activity with immediate effect.


Your premises will be monitored for compliance. For further advice please contact your legal representative.

The authority appreciates that not all complaints are justified when they are made but it is our procedure to bring them to the attention of the premises holder and the Designated Premises Supervisor, and invite you to make any comments you consider appropriate.

Yours sincerely,



Mohshin Ali
Senior Licensing Officer

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



2009-2010
Positive engagement of older people
2009-2010
Preventing and tackling child poverty
2003-2009
Winner of 7 previous
Beacon Awards



Communities, Localities & Culture Environmental Health & Trading Standards

Mr. Azzam Barhamji
84 Brick Lane
London
E1 6RL

Head Of Service **David Tolley**

Licensing Section
Mulberry Place
5 Clove Crescent
London E14 2BG

14th December 2016

Tel [REDACTED]
[REDACTED]

Enquiries to [REDACTED]
[REDACTED] towerhamlets.gov.uk

My reference CLC/LIC/86209

www.towerhamlets.gov.uk

Dear Mr. Barhamji,

Licensing Act 2003, Section 136

Premises: Shawarma, 84 Brick Lane, London E1 6RL

This Licensing Authority have received a complaint that you are supply hot food and hot drinks beyond the hours of the Temporary Event Notices. Allegations are made that you are operating until 3/3:30 am and attracting customers to gather outside your premises; taking nitrous oxide and causing anti-social behaviour.

In order to prevent any further TENs being objected you I would recommend that measures are put in place to prevent any customers loitering outside your premises, if necessary you should consider employing SIA security staff at times when this is likely to occur. You must cease supplying hot food at 02:00 hours, as given in your Temporary Event Notices.

Can you please provide a copy of the incident report book as kept for the TENs held on 26-27th November 2016 and 8th-11th December 2016.

I must advise you that;

It is an offence for anyone who carries on, or attempts to carry on a licensable activity on or from any premises without or not in accordance with an authorisation.

A person guilty of an offence under section 136 of the ACT is liable on a summary conviction to imprisonment for a term not exceeding six months or an unlimited fine.

You are advised to cease the unauthorised licensing activity with immediate effect.

M:\Licensing\Word97\ENFORCEMENT\EnfLetters\Unlicensed\BrickLa84.001.doc

Your premises will be monitored for compliance. For further advice please contact your legal representative.

Yours sincerely

[REDACTED]

Kathy Driver
Principal Licensing Officer

c.c. [REDACTED] Thomas & Thomas Partners LLP, 38a Monmouth Street,
London WC2H 9EP

Communities, Localities & Culture
Safer Communities

Shawarma
84 Brick Lane
London
E1 6RL

Environmental Health and Trading Standards
David Tolley

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

Tel [REDACTED] 5
Fax [REDACTED]
Enquiries to [REDACTED]
Email [REDACTED]@towerhamlets.gov.uk

10th October 2016

My reference: TSS/LIC/91406
Your reference:

www.towerhamlets.gov.uk

Dear Azzam Barhamji,

Licensing Act 2003
Re: Shawarma - 84 Brick Lane, London, E1 6RL

The Licensing Authority has received information that you are remaining open until 01:00hrs. As you are well aware, you do not hold a licence under the Licensing Act 2003. Your application was refused by the Tower Hamlets Licensing Sub Committee and your appeal was refused at Thames Magistrates Court.

It is an offence for anyone who carries on, or attempts to carry on a licensable activity on or from any premises without or not in accordance with an authorisation. The ACT covers the provision of late night refreshment (selling meals between 23:00hrs and 05:00hrs the following day).

A person guilty of an offence under section 136 (1) of the ACT is liable on a summary conviction to imprisonment for a term not exceeding six months or an unlimited fine. You are advised to cease the unauthorised licensing activity with immediate effect.

Enforcement visits and test purchases may be carried out. If you are found to be operating without the appropriate licence, this Authority will not hesitate to seek legal action against you.

For further advice please contact your legal representative. Alternatively, you may wish to apply for a licence.

Yours sincerely,



Andrew Heron
Licensing Officer

Communities, Localities & Culture Safer Communities

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

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

Tel [REDACTED]
Fax [REDACTED]
Enquiries to [REDACTED]

Email [REDACTED]@towerhamlets.gov.uk

www.towerhamlets.gov.uk

Azzam Barhamji
84 Brick Lane
London
E1 6RL

24th October 2016

Your reference
My reference: CLC/LIC/93945/MA

Dear Mr Barhamji,

Licensing Act 2003

Magistrates' Appeal: (Shawarma) 84 Brick Lane, London E1 6RL

In our letter dated 18th July 2016, you were informed that the Licensing Sub-Committee refused your premises licence application on the 5th July 2016. You then appealed that decision to the Thames Magistrates Court. The first hearing was set on the 15th September 2016 and you failed to appear in Court. The Court then ordered that the appeal was refused and dismissed the matter. You then had 21 days to appeal this decision to the Crown Court.

The Licensing Authority has received a complaint as follows:

“Through September the premises have started staying open well beyond the permitted times and as previously there has been noise disturbance from customers. I noted a few recent closing times:

- ***Thu 22 Sep16: closing 0100***
- ***Fri 23 Sep16: 0230***
- ***Sat 24 Sep16: after 0300***
- ***Wed 28 Sep16: 0030***
- ***Thu 29 Sep16: 0200***
- ***Fri 30 Sep16: 0300***

... The proprietor, Mr Barhamji, was present on all the dates shown”.

We have also sent you another letter on the 10th October 2016 regarding similar allegations. I attach a copy of this letter for your information.

According to the Council records you did not hold a licence under the Licensing Act 2003. It is an offence for anyone who carries on, or attempts to carry on a licensable activity on or from any premises without or not in accordance with an authorisation. **The ACT covers;**

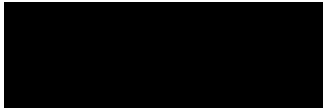
- **the provision of late night refreshment (selling hot food and drinks between 23:00 hours to 05:00 hours)**

A person guilty of an offence under section 136 (1) of the ACT is liable on a summary conviction to imprisonment for a term not exceeding six months or to an unlimited fine, or to both.

Enforcement visits and test purchases may be carried out and if you are found to be operating without the appropriate licence, this Authority will not hesitate to seek legal action against you. For further advice please contact your legal representative. Alternatively, you may wish to apply for a licence.

The Authority appreciates that not all complaints are justified when they are made but it is our procedure to bring them to the attention of the responsible person invite you to make any comments you consider appropriate.

Yours faithfully



Mohshin Ali
Senior Licensing Officer

**Communities, Localities & Culture
Safer Communities**

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

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

Tel [REDACTED]
[REDACTED]
Enquiries to **Mohshin Ali**
Email [REDACTED][towerhamlets.gov.uk](mailto:[REDACTED]@towerhamlets.gov.uk)

www.towerhamlets.gov.uk

Azzam Barhamji
84 Brick Lane
London
E1 6RL

18th July 2016

Your reference
My reference: TSS/LIC/91406/MA

Dear Sir/Madam,

Licensing Act 2003

**Application for a Premises Licence: (Shawarma) 84 Brick Lane, London
E1 6RL**

I regret to have to inform you that your application for the above premise was refused by the Licensing Sub-Committee at the hearing on the **5th July 2016**.

The reasons for this decision are attached in **Appendix A**.

Your rights of appeal are contained in **Appendix B**

Yours faithfully,

[REDACTED]

Mohshin Ali
Senior Licensing Officer

Appendix A

Reasons for refusing a Premises Licence

Members were aware of and bore in mind the following general advice:

- **Licensing Officer comments on noise while the premise is in use**
- **Licensing Officer comments on access/egress problems**
- **Licensing Officer comments on crime and disorder on the premises**
- **Licensing Officer comments on crime and disorder from patrons leaving the premises**
- **Planning**
- **Licensing Policy relating to hours of trading**
- **Licensing Officer comments on the Tower Hamlets Cumulative Impact Zone**

Members considered the evidence presented by:

- **Applicant**
- **Met Police**
- **Licensing Authority**
- **Environmental Protection**
- **Local resident / residents association**

In relation to the following licensing objective:

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

In that the following matters were discussed:

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 and the Chair stated that the Sub-Committee had carefully considered the written and verbal representations made by the applicant and those of the three responsible authorities and two residents who had objected to the application. Members noted that the applicant verbally amended his application at the hearing to reduce opening hours and the hours in which licensable activities are to occur, namely the provision of late night refreshments, from 24 hours per day 7 days per week to Monday to Sunday 0800 to 0200 with the same opening hours. Members also considered the licence conditions proposed as set out in the operating schedule of the application.

Members were concerned as to the serious issues which the responsible authorities had raised regarding the prevention of crime and disorder and the prevention of public nuisance. Members were very mindful that the area is a densely populated residential area and that the opening hours applied for were well beyond the Council's current framework hours.

- Members were of the view that the applicant had not adequately considered the risks of opening beyond the Council's framework hours and had failed to provide adequate reasoning to show why they should be granted a licence which goes beyond framework hours; nor did the application demonstrate how crime and disorder and public nuisance would be prevented.**
- Members were of the view that the applicant had not adequately understood and addressed the rebuttable presumption in the council's Cumulative Impact Zone Policy and had failed to provide evidence to rebut the presumption that his business would impact on the issues already experienced within the Cumulative Impact Zone.**

Members were also of the view that adding conditions to a licence would not assist in the promotion of the licencing objectives.

In considering their decision Members gave regard to the guidance issued by the Home Office under Section 182 of the Licensing Act 2003 concerning Crime and Disorder and the Prevention of Public Nuisance, and also the council's own Licence Policy.

Considering all of the above, Members had no confidence that the Applicant would be able to promote the licensing objectives and unanimously decided to refuse the application.

Decision

Accordingly, the Sub-Committee unanimously

RESOLVED

That the application for a Premises Licence for Shawarma, 84 Brick Lane, London, E1 6RL be REFUSED.

Appendix B

Appeal Rights under Schedule 5 of Licensing Act 2003

The appeal must be made to the Magistrates Court which has jurisdiction in the area of the London Borough of Tower Hamlets.

*Thames Magistrates' Court
58 Bow Road
London
E3 4DJ*

A notice of appeal must be given to the justices' chief executive for the Magistrates Court within a period of 21 days beginning with the day on which the appellant was notified by the Licensing Authority.

Please note that the licensing authority will be a party to the appeal.

Appendix 8

Corinne Holland

From: Corinne Holland on behalf of Licensing
Sent: 10 April 2017 13:42
To: Corinne Holland
Subject: FW: Shawarma, 84 Brick Lane, London E1 6RL - Late Night Refreshment (LNR) Licence

-----Original Message-----

From: David Cunningham [mailto:████████████████████]
Sent: 09 April 2017 21:31
To: Licensing
Subject: Shawarma, 84 Brick Lane, London E1 6RL - Late Night Refreshment (LNR) Licence

To - Licensing, Tower Hamlets Council.

Shawarma, 84 Brick Lane, London E1 6RL - Late Night Refreshment (LNR) Licence

I object to the proposed hours of the license application on the grounds of the prevention of crime and disorder, public nuisance and public safety. This is the second application in less than a year and the situation has not changed in that time. I live ██████████ the premises and noise disturbance from late night opening makes uninterrupted sleep in my flat impossible.

The applicant has a very poor history of compliance with licensing conditions. In March and April 2016 Shawarma was regularly open until 0200, frequently later, resulting in serious noise disturbance from customers and others. There was a regular presence of cars playing very loud music parked outside the premises apparently waiting for takeaway food. The premises became a magnet for drunk people who spent considerable time outside the premises and hanging around in local doorways, there were regular incidences of begging and aggressive and intimidating behaviour.

All these problems reappeared during subsequent unauthorised late openings in 2016 and again with a series of Temporary Event Notice late openings in November and December 2016, the majority of which continued until 0400, long after the TEN approved hours. I have written to Licensing about these problems a number of times, of particular concern was obvious drug use inside and immediately outside the premises which the applicant did nothing to dissuade.

The following series of TEN late openings in January and February 2017 were on some of the coldest nights of the year and Brick Lane was very quiet as is usual at this time of year, at times almost deserted. In consequence there were no significant problems apart from late night noise disturbance in February but it should be noted that this was a complete contrast to the late night opening in 2016.

The late openings in January and February can not possibly be used as a reasonable example of a lack of problems.

The licensing objectives - prevention of crime and disorder, public nuisance and impact on public safety:

The applicant's response to the licensing objectives has been given in an Application Summary. Overall the prevention measures outlined in these responses appear token and generally unlikely to prove effective. These measures, even if successfully implemented, do not address problems generated which affect surrounding residential streets. This summary response is inadequate to fulfil the licensing objectives and prevent problems which have already been evident on previous late openings.

The Application Summary points 2 and 3 deal with CCTV. Many of the the problems in 2016 outlined above took place in front of a Council CCTV camera, the effect as deterrent to ASB appeared to be minimal.

Application Summary point 4 states: 'Reasonable steps shall be taken to ensure that any person loitering outside the premises disperse quickly and do not congregate.'

It is difficult to interpret what is meant here by 'reasonable' and how this can be accomplished or enforced, if at all. This proposal is unlikely to resolve the issue of customers and others causing disturbance outside (as outlined above) and can do nothing to prevent groups of customers re-congregating outside nearby residential addresses as has happened on many previous occasions.

There are additional nuisance problems which the application fails to address - it is difficult to see what measures can be taken to prevent the problem of customers in cars playing loud music parked outside the premises. Shawarma is signed up with a number of online takeaway delivery firms which means noise disturbance from the arrival and departure of motorcycles, often with alarms that accidentally go off. There is no guarantee that this will not go on very late.

Application Summary point 7: 'All windows and external doors shall be kept closed'

It is worth considering how the design of the premises impacts on the behaviour of customers. The takeaway counter area can only accommodate about 4 or 5 people so customers tend to queue in the doorway and outside. A group of more than six will generally spill out onto the street. Customers are inclined to order food and wait outside. Large groups of customers typically divide into a few individuals queuing inside and the others congregating outside. The door and serving window of the premises have been kept open on all previous late openings. It is difficult to see how the applicant can manage to keep the door closed at busy periods for the business (which is when problems generally arise) or even how this make any practical difference diminishing any disturbance.

This also appears to directly contradict the applicant's response to application (Section I): 'Will the provision of late night refreshment take place indoors or outdoors or both' - the applicant has confirmed 'both'.

To my knowledge the applicant has taken no action to discourage antisocial behaviour on the numerous previous occasions when it has taken place within the premises or involved customers immediately outside.

According to figures from the recent Late Night Levy proposal most ASB and crime in the area takes place between midnight and 0200. Late licences create a problem of people loitering in residential streets causing at best a nuisance, frequently a contribution to the high crime incident rate in the Brick Lane area and corresponding strain on police and public health resources.

The application does not reference the Cumulative Impact Zone at all, in particular the key consideration that the area includes residential premises likely to be adversely affected by operation outside the framework hours. One of the main reasons for the introduction of the CIZ was to combat the expansion of late night takeaways. As has happened previously, Shawarma will inevitably attract drunken and anti-social behaviour and the measures proposed in the application fail to realistically address the licensing objectives.

The problems I have described above have all taken place outside the CIZ framework hours. The application fails to provide evidence that late night operation will not impact on the issues already experienced within the Cumulative Impact Zone. It is inappropriate to allow a single establishment to remain open substantially longer than other premises in this location so close to a concentration of housing in Brick Lane and surrounding streets. This will only exacerbate the existing problems of anti-social behaviour, drug related activity, street drinking and late night noise and disorder.

I ask that this application be completely refused as the licensing objectives can not be upheld and the application does not justify any exception to the principles of the Cumulative Impact Zone.

yours

David Cunningham

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Appendix 9

Corinne Holland

From: Glenn Leeder <[REDACTED]>
Sent: 26 March 2017 14:04
To: Licensing
Subject: Objection to proposed licence at 84 Brick Lane

Please register my objection to the proposal for a late licence (2am) at 84 Brick Lane. This establishment recently applied for a late licence until 5am and this was rejected by tower Hamlets. Please reject this licence application as well and help protect the local residents from nuisance and disorder.

Tower Hamlets has a Cumulative Impact Zone in effect to help protect the local residents from an over-saturation of licenced premises. Please follow this CIZ. At present, local residents, including myself, are subject to disgusting disorder and nuisance from drunk people leaving Brick Lane and heading for transport hubs in Commercial Street and Bishopsgate.

I regularly find people have urinated and vomited in my street. Every day there are cans, bottle and other empty alcohol containers left in my street for me and the other residents to clean up. It is disgusting and upsetting. Local children should not be subjected to this. 84 Brick lane contributes to this nuisance and disorder and does not need to be open until 2am during the week.

We are continually subject to noise nuisance and disorder from revellers leaving Brick Lane.

To help prevent disorder and nuisance from late night revellers, please reject this application at 84 Brick Lane to operate until 2am. Uphold the Cumulative Impact Zone guidelines to not issue new licences within the Brick lane Zone.

Thank you
Glenn Leeder

[REDACTED]
[REDACTED]

Appendix 10

Corinne Holland

From: [REDACTED] behalf of Licensing
Sent: 03 April 2017 15:16
To: Corinne Holland
Subject: FW: Licensing Application by "Shawarma", 84 Brick Lane, E1 6RL

From: Jon Shapiro [[mailto:\[REDACTED\]](mailto:[REDACTED])]
Sent: 01 April 2017 20:14
To: Licensing
Cc: Alan Cruickshank; [REDACTED]
Subject: Licensing Application by "Shawarma", 84 Brick Lane, E1 6RL

Dear Sir or Madam,

I would like to request that the Licensing Application by "Shawarma" should be wholly refused on the grounds of the prevention of public nuisance.

It is well known that the provision of hot food under a Late Night Refreshment (LNR) Licence within the Brick Lane CIZ often fuels late-night drinkers and hence encourages ASB – of which there is more than enough already in Brick Lane!

In particular Shawarma has an appalling record of ignoring their licensing conditions, opening beyond their permitted hours and allowing noise to disturb local residents.

"Shawarma" recently applied for a similar LNR which was quite rightly refused, and I hope this application will also be refused.

Given the track record of complaints about "Shawarma", by copy of this licence objection to the MPS I would request that in future the MPS should no longer approve any request for TENs made by "Shawarma".

I would ask the Licensing Panel please to wholly refuse this Licensing Application.

Yours faithfully,
Jon Shapiro.

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

Appendix 11

Corinne Holland

From: Corinne Holland on behalf of Licensing
Sent: 10 April 2017 13:19
To: Corinne Holland
Subject: FW: prevention of public nuisance

From: Michael Myers [<mailto:>]
Sent: 10 April 2017 10:46
To: Licensing
Subject: prevention of public nuisance

Dear Sir/Madam

Shawarma Restaurant 84 Brick Lane E1 6RL
Application for licence to sell refreshments

I wish to oppose this establishment's application for purpose to sell refreshments seven days a week-2am closing time.

They formally applied a year ago for a seven day 5am closing time. This was rejected.

During the course of the past year, they obtained Temporary Event Notices to hold a number of events on the premises, resulting in:

*overrunning permitted closing time

*noise from customers

*noise from food delivery drivers

Noises carried out late in the evening, and into the early hours are a cause for concern to residents living close by.

Brick Lane has witnessed many forms of anti-social behaviour over the past years.

Considerable effort has been employed by the police, and various local groups to tackle the problems. On that basis I request this application be rejected

Yours faithfully
Michael Myers

██████████
██████████

Appendix 12

Corinne Holland

Subject: FW: late-night refreshment licence application at Shawarma, 84 Brick Lane E1 6RL

From: Spitalfields Community Group [<mailto:s>]
Sent: 24 March 2017 21:36
To: Licensing
Cc: Alan Cruickshank
Subject: late-night refreshment licence application at Shawarma, 84 Brick Lane E1 6RL

Dear Sir/Madam,

Spitalfields Community Group OBJECTS to the application for a late-night refreshment licence at Shawarma, 84 Brick Lane E1 6RL. The application is completely excessive, for late night refreshment until 2am seven days a week.

Spitalfields Community Group was formed in September 2011 with the aim of promoting and protecting the quality of life of people living and working in the ward of Spitalfields and Banglatown. We have over 200 members and are growing. Our latest survey, conducted earlier this year to identify priorities for action, highlighted the continuing problems faced by locals as a result of the existing dense concentration of licensed premises in the area, exacerbating the negative impact of the night time economy. Indeed, the three factors found to be most adversely affecting quality of life in Spitalfields were directly attributable to the night time economy. In accordance with this focus, SCG supported the adoption of a cumulative impact zone for the Brick Lane area, within which the premises at 84 is situated.

ASB caused by the night time economy in the Brick Lane area is well documented, with many recent reports by residents of problems caused by patrons at night and throughout the weekend. These problems include noise nuisance (screaming, shouting, swearing, singing, playing music etc) litter and vandalism to cars and homes, street urination and defecation, vomiting, and aggressive and intimidating behaviour. Patrons leaving Brick Lane for transport hubs on Bishopsgate and Commercial Street inevitably pass along residential streets causing unwanted mayhem and misery.

Residents already put up with these problems to the early hours. The excessive hours applied for in this application would only extend these problems throughout the night, further inhibiting the amenity of local residents. There can be no justification for making refreshments available for consumption until 2am throughout the week. Shawarma will inevitably become a magnet for drunken behaviour and general anti-social behaviour. The high crime incident rate in the Brick Lane is fuelled, at least in part, by premises with late licences. The strain on police and public health resources is unacceptable.

This is the second licence application from Shawarma in the last few months, the previous one having been rejected. Since that application the premises has been open late on several occasions under TENs. We have received complaints from our members that several of these events have continued beyond the hours permitted by the TENs. These are not the actions of a responsible licence holder. In addition there have been reports of drugs use both inside and outside the premises.

Our members who live close to Shawarma report that there is a long history of noise problems with the premises, from customers queuing in the street, from the serving window which opens directly onto the street, from customers playing loud music in their cars as they wait for their food, from drunk customers outside the premises and in other doorways, and from takeaway delivery drivers waiting with their scooters. Allowing the premises to operate daily until 2am will make the lives of those who live within earshot unbearable.

The applicant has clearly not overcome the rebuttal assumption of the Cumulative Impact Zone. We therefore ask you to reject this application.

Yours,

Matthew Piper, for and on behalf of the Spitalfields Community Group

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Appendix 13

Crime and disorder - S182 Updated March 2015

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

Appendix 14

Crime and Disorder – Licensing Policy, updated March 2015

- 6.1 Licensed premises, especially those offering late night / early morning entertainment, alcohol and refreshment for large numbers of people, can be a source of crime and disorder problems.
- 6.2 When addressing crime and disorder the applicant should initially identify any particular issues (having regard to their particular type of premises and / or activities) which are likely to adversely affect the promotion of the crime and disorder objective. Such steps as are required to deal with these identified issues should be included within the applications operating schedule. Where a Crime Prevention Officer from the Metropolitan Police makes recommendations for premises that relate to the licensing objectives, the operating schedule should normally incorporate the suggestions.
- 6.3 Applicants are recommended to seek advice from Council Officers and the Police as well as taking into account, as appropriate, local planning and transport policies, with tourism, cultural and crime prevention strategies, when preparing their plans and Schedules.
- 6.4 In addition to the requirements for the Licensing Authority to promote the licensing objectives, it also has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the Borough.
- 6.5 The Licensing Authority, if its discretion is engaged, will consider attaching Conditions to licences and permissions to deter and prevent crime and disorder both inside and immediately outside the premises and these may include Conditions drawn from the Model Pool of Conditions relating to Crime and Disorder given in Section 182 of the Licensing Act 2000. (See **Appendix 2.**)
- 6.6 **CCTV** - The Licensing Authority, if its discretion is engaged, will attach conditions to licences, as appropriate where the conditions reflect local crime prevention strategies, for example the provision of closed circuit television cameras.
- 6.7 Touting - The Council has had a significant number of complaints relating to premises which are substantially or mainly restaurants where "touting" is a problem. Touting is soliciting for custom. Consequently, in relation to such premises the Licensing Authority, where its discretion is engaged will insert a standard condition that prohibits 'touting' as follows:-
 - 1) No person shall be employed to solicit for custom or be permitted to solicit for custom for business for the premises in any public place within a 500 meters radius of the premises as shown edged red on the attached plan.(marked as Appendix -)
 - 2) Clear Signage to be placed in the restaurant windows stating that the premises supports the Council's 'No Touting' policy.

- 6.8 **Street Furniture** - This would include Advertising Boards, they are sometimes placed in such a way as to be a nuisance to the public on the highway, or they encourage the consumption of alcohol in areas that are not licensed. The Licensing Authority expects applicants to have ensured that they fully comply with the Councils rules relating to authorisation of obstructions on the highway and a licence permission to place advertising boards or street furniture on the highway should normally have been obtained from Tower Hamlets Markets Service before an application for a licence is made. Where proportionate and appropriate, and its discretion is engaged, the Licensing Authority will impose conditions in relation to street seats and tables or boards, including on private land.
- 6.9 **Fly Posting** - The Council has experienced significant problems with "fly posting" in relation to venues that offer entertainment. Fly posting is the unauthorised posting of posters / advertisements etc. Where it considers it appropriate and its discretion is engaged, the Licensing Authority will attach conditions relating to the control of fly posting to ensure that venues clearly prohibit all fly posting in their contract terms with others and they effectively enforce this control.
- 6.10 **Responsible Drinking** - The Licensing Authority expects alcohol to be promoted in a responsible way in the Borough. This should incorporate relevant industry standards, such as the Portman Group. Where appropriate and proportionate, if its discretion is engaged, the Licensing Authority will apply conditions to ensure responsible drinking. The Licensing Authority also recognises the positive contribution to best practice that "Pubwatch" and other similar schemes can make to achieving the licensing objectives and is committed to working with them Model Pool Conditions from the Licensing Act 2003, Section 182 Guidance are in Appendix 2.
- 6.11 **Illicit Goods: Alcohol and Tobacco** - The Licensing Authority will consider licence review applications where there is evidence that illicit alcohol has been offered for sale on the premises. Where other illicit goods, such as tobacco, have been found this may be considered by the Licensing Authority as evidence of poor management and have the potential to undermine the licensing objectives.
- 6.12 Illicit alcohol means alcohol that is, counterfeit, bears counterfeit duty stamps and or smuggled.
- 6.13 Illicit tobacco means, counterfeit, and/or non UK duty paid tobacco products.
- 6.14 Illicit goods mean articles that are counterfeit, that do not comply with the classification and labelling requirements of the Video Recordings Acts and/or that breach other Trading Standards legislation such as consumer safety and unfair commercial practices

6.15 In particular the Licensing Authority is mindful of the advice provided in the guidance issued by the Home Office under section 182 of the Act "Reviews arising in connection with crime".

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

Smuggled goods

1) The premises licence holder and any other persons responsible for the purchase of stock shall not purchase any goods from door-to-door sellers other than from established traders who provide full receipts at the time of delivery.

2) The premises licence holder shall ensure that all receipts for goods bought include the following details:

- I. Seller's name and address
- II. Seller's company details, if applicable
- III. Seller's VAT details, if applicable
- IV. Vehicle registration detail, if applicable

3) Legible copies of the documents referred to in 2) shall be retained on the premises and made available to officers on request.

4) The trader shall obtain and use a UV detection device to verify that duty stamps are valid.

5) Where the trader becomes aware that any alcohol may be not duty paid they shall inform the Police of this immediately.

Appendix 15

Prevention of Nuisance – Licensing Policy, updated March 2015

- 10.1 Licensed premises, especially those operating late at night and in the early hours of the morning, can cause a range of nuisances impacting on people living, working or sleeping in the vicinity of the premises.
- 10.2 The concerns mainly relate to noise nuisance both from the premises and customer egress, light pollution, noxious smells and disruption from parked vehicles and due regard will be taken of the impact these may have in considering a licence. The Licensing Authority will expect Operating Schedules to satisfactorily address these issues. Applicants are advised to seek advice from the Council's Environmental Health Officers before preparing their plans and Schedules.
- 10.3 The Licensing Authority, where its discretion is engaged, will consider, where appropriate, attaching conditions to licences and permissions to prevent the problems identified in 8.2, and these may include conditions drawn from the Model Pool of Conditions in Appendix 2.

Appendix 16

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 17

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 18

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 19

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 20

Licensing Policy

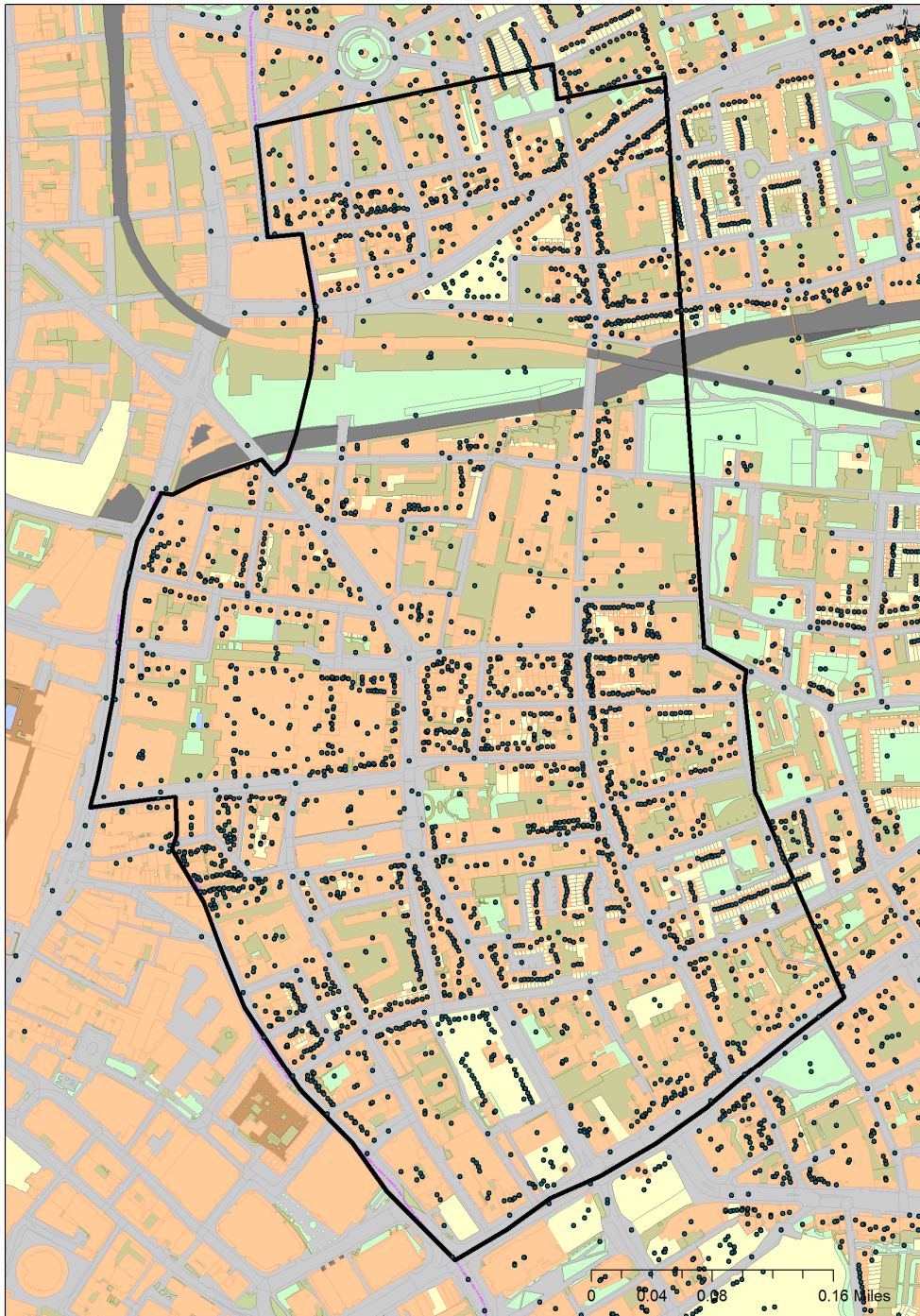
8 Special Cumulative Impact Policy for the Brick Lane Area

- 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.



Drawn By: WJ. CIC Strategy & Performance. September 2012

Appendix 21

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.

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Agenda Item 3.3

Committee :	Date	Classification
Licensing Sub Committee	24th May 2017	Unclassified

Report of : David Tolley Head of Environmental Health & Trading Standards	Title: Licensing Act 2003 Application for a new Premises Licence for ROCHELLE CANTEEN, Arnold Circus, London, E2 7ES
Originating Officer: Corinne Holland Licensing Officer	Ward affected: Weavers

1.0 Summary

Applicant: **Melanie Arnold and Margot Henderson**
Name and **Rochelle Canteen**
Address of Premises: **Arnold Circus**
London
E2 7ES

Licence sought: **Licensing Act 2003**
The Sale of Alcohol
Provision of Late Night Refreshments

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

Corinne Holland
020 7364 3986

3.0 **Background**

- 3.1 This is an application for a new premises licence for (**ROCHELLE CANTEEN**), **Arnold Circus, London, E2 7ES**
- 3.2 A copy of the application (with proposed conditions) is enclosed as **Appendix 1**.
- 3.3 The applicant has applied for the sale of alcohol and late night refreshments.

Sale of alcohol (on & off sales)

- Sunday to Thursday 1000 – 2300 hours
- Friday to Saturday 1000 – 2330 hours

Provision of Late Night Refreshments

- Friday – Saturday 2300-2330 hours

Hours premises are open to the public:

- Sunday to Thursday 0800 – 2330 hours
- Friday to Saturday 0800 – 0000 hours (midnight)

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 of the surrounding area are included as **Appendix 3**.
- 4.4 There are no other licensed premises in the immediate vicinity.

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 April 2017.

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 This hearing is required by the Licensing Act 2003, because relevant representations have been made by the following local residents:

- Dermot O'Brian (**Appendix 4**)
- Emma Love (**Appendix 5**)
- Patrick Clarke(**Appendix 6**)
- Robert Allen (**Appendix 7**)
- Terry Bailey (**Appendix 8**) - **WITHDRAWN**
- Jenefa Hamid (**Appendix 9**)
- Petition by Jenefa Hamid (57 signatures) (**Appendix 10**)
- Letter signed by the following: (**Appendix11**)
 - Nuressa Khatun
 - Jaida Khatun
 - Jamila Khatun
 - Abdul Gofur
 - Karuna Begum
 - Mohammed Ahmed
 - Amran Ali
 - Ali Hayder
 - Siria Begum
 - Moynul Hoque
 - S Miah
 - Shajna Khanam
 - Shemela Khan
 - Sifot Ali
 - Saima Ahmed
 - Abdul Hamid

The representation from Terry Bailey was subsequently withdrawn after having a meeting with the applicants on Monday 8th May 2017.

- 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 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
- 6.5 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.
- 6.6 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.
- 6.7 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.
- 6.8 The Home Office recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation.
- 6.9 Section 182 Advice by the Home Office concerning relevant, vexatious and frivolous representations is attached as **Appendix 12**.
- 6.10 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.

6.11 The objections cover allegations of:

- Anti social behaviour from patrons leaving the premises
- Noise while the premise is in use
- Disturbance from patrons leaving the premises
- Close proximity to residential properties
- Noise leakage from the premises
- Increased 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

7.1 The supply of alcohol, substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.

7.2 Shall be by waiter or waitress service only.

7.3 There shall be no vertical drinking at the premises.

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

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

7.6 All outside tables and chairs shall be rendered unusable by 22.00 hours each day.

7.7 All doors and windows to be kept closed by 22.00 hours each day.

8.0 Condition Requested by Trading Standards

8.1 A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

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 the 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 12- 20** 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 the application
Appendix 2	Site Plan
Appendix 3	Maps of the surrounding area
Appendix 4	Representation from Dermot O'Brian
Appendix 5	Representations from Emma Love
Appendix 6	Representations from Patrick Clarke
Appendix 7	Representation from Robert Allen
Appendix 8	Representation from Terry Bailey – WITHDRAWN
Appendix 9	Representation from Jenefa Hamid
Appendix 10	Petition by Jenefa Hamid (containing 57 signatures)
Appendix 11	Representation from 16 signatures (lead- Nuressa Khatun)
Appendix 12	Section 182 advice by Home office concerning relevant, vexatious, and frivolous representations
Appendix 13	S182 Guidance on public nuisance
Appendix 14	Licensing Policy on prevention of nuisance
Appendix 15	S182 Guidance on crime and disorder

Appendix 16	Licensing Policy advice on crime and disorder
Appendix 17	General advice on anti-social behaviour on leaving the premises
Appendix 18	Access and Egress problems
Appendix 19	Noise whilst premises is in use
Appendix 20	Planning

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Appendix 1

London Borough of Tower Hamlets

**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 Arnold & Henderson

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			
Rochelle Canteen Rochelle School Arnold Circus			
Post town	London	Post code	E2 7ES

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£4,300.00

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital 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	Melanie Arnold and Margot Henderson
Address	The Rochelle School 5 Arnold Circus London E2 7ES
Registered number (where applicable)	
Description of applicant (for example, partnership, company, unincorporated association etc.)	Partnership
Telephone number (if any)	
E-mail address (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start?

AS SOON AS POSSIBLE

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

Day	Month	Year

A

Please give a general description of the premises (please read guidance note1)

Licensed Premises.

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

--

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

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

Provision of regulated entertainment

Please tick yes

- 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 checked="" 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					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri					
Sat			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)		
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 checked="" 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					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri					
Sat			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		

Sun			
-----	--	--	--

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	State any seasonal variations for indoor sporting events (please read guidance note 4)
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			
			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)

D

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

E

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

F

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

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

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 checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur					
Fri	23:00	23:30			
Sat	23:00	23:30			
Sun			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	10:00	23:00			
Tue	10:00	23:00			
Wed	10:00	23:00			
Thur	10:00	23:00			
Fri	10:00	23:30			
Sat	10:00	23:30	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)		
Sun	10:00	23:00			

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

Name ████████████████████

Address [REDACTED]	
Postcode	[REDACTED]
Personal Licence number (if known) [REDACTED]	
Issuing licensing authority (if known) [REDACTED]	

K

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

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	08:00	23:30	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Tue	08:00	23:30	
Wed	08:00	23:30	
Thur	08:00	23:30	
Fri	08:00	00:00	
Sat	08:00	00:00	
Sun	08:00	23:30	

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

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

Please find attached proposed list of conditions which deal with all four of the licensing objectives.
We enclose representations in support of our application from neighboring residents.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm


Please tick yes

- I have made or enclosed payment of the fee or
- I have not made or enclosed payment of the fee because the application has been made in relation to the introduction of the late night levy
- 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 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

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	16 th March 2017
Capacity	Poppleston Allen – Solicitors for and on behalf of 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)


 Poppleston Allen Solicitors
 The Stanley Building
 7 Pancras Square

Post town London

Post code 

Telephone number (if any) 

If you would prefer us to correspond with you by e-mail your e-mail address (optional)



Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.

8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Proposed Conditions

Rochelle Canteen, Rochelle School, Arnold Circus, London, E2 7ES

1. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
2. The supply of alcohol shall be by waiter or waitress service only.
3. There shall be no vertical drinking at the premises.
4. The premises shall install and maintain a comprehensive CCTV system. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
5. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images
6. All outside tables and chairs shall be rendered unusable by 22.00 hours each day.
7. All doors and windows to be kept closed by 22.00 hours each day.

Appendix 2

Canteen Licensing Plans

REV	DATE	DESCRIPTION
-	06/02/2017	Issued for information
A	27/02/2017	Issued for information

ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE SPECIFIED. ALL DIMENSIONS AND COORDINATES TO BE REFERRED TO THE ADJACENT MILEAGE. THE DRAWING IS TO BE READ IN CONJUNCTION WITH ALL CONDITIONS PREVIOUSLY SUBMITTED TO THE LONDON FIRE AND SAFETY AUTHORITY FOR THE PRODUCTION OF THIS PLAN.

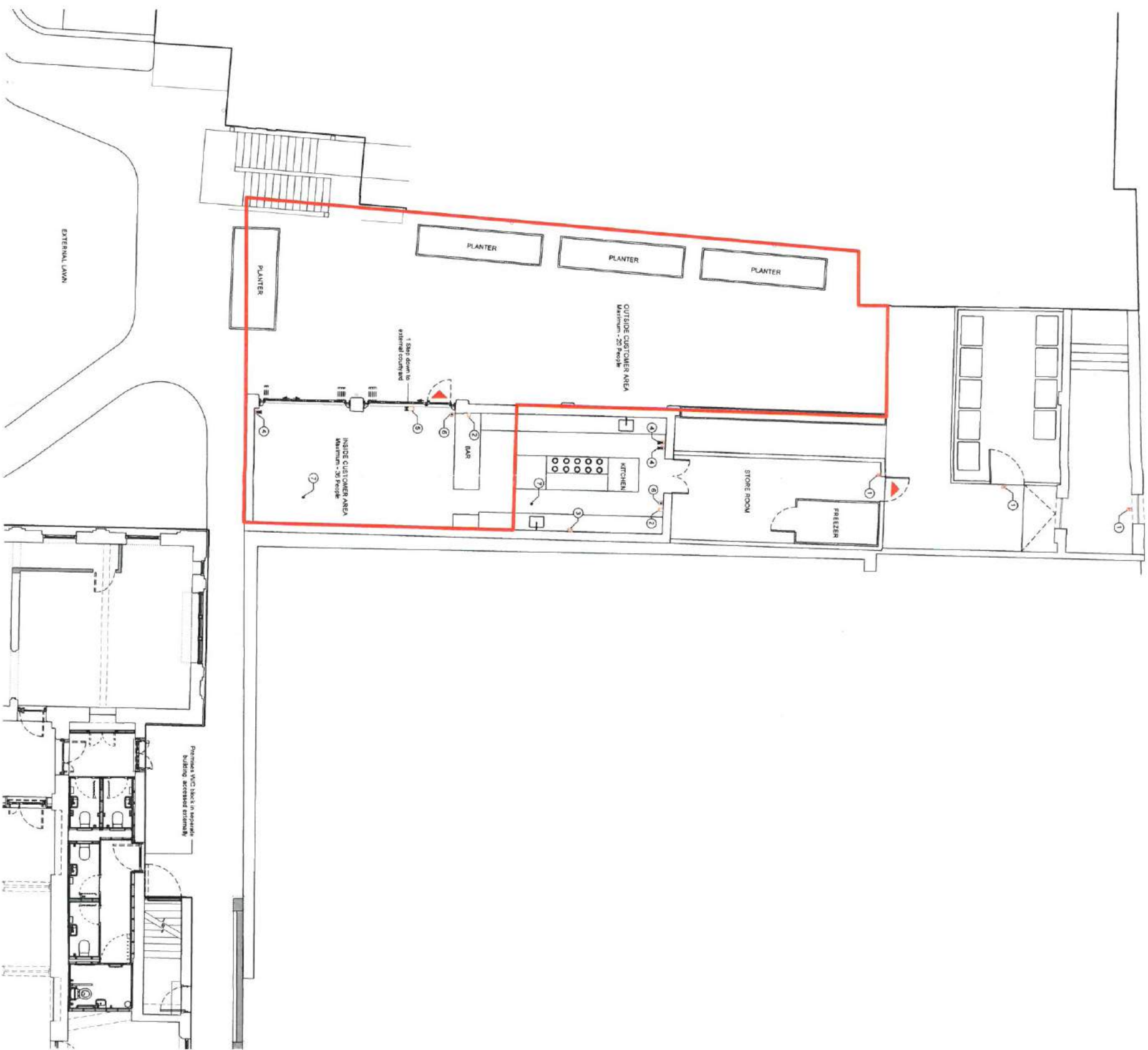
LEGEND

- The area where licensable activities will take place
- ▲ Access / escape from premises

NOTES

- ① Emergency lighting
- ② Fire alarm sounder
- ③ Fire blanket
- ④ Fire Extinguisher
- ⑤ Illuminated fire exit sign
- ⑥ Manual call point
- ⑦ Smoke detector on ceiling above

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

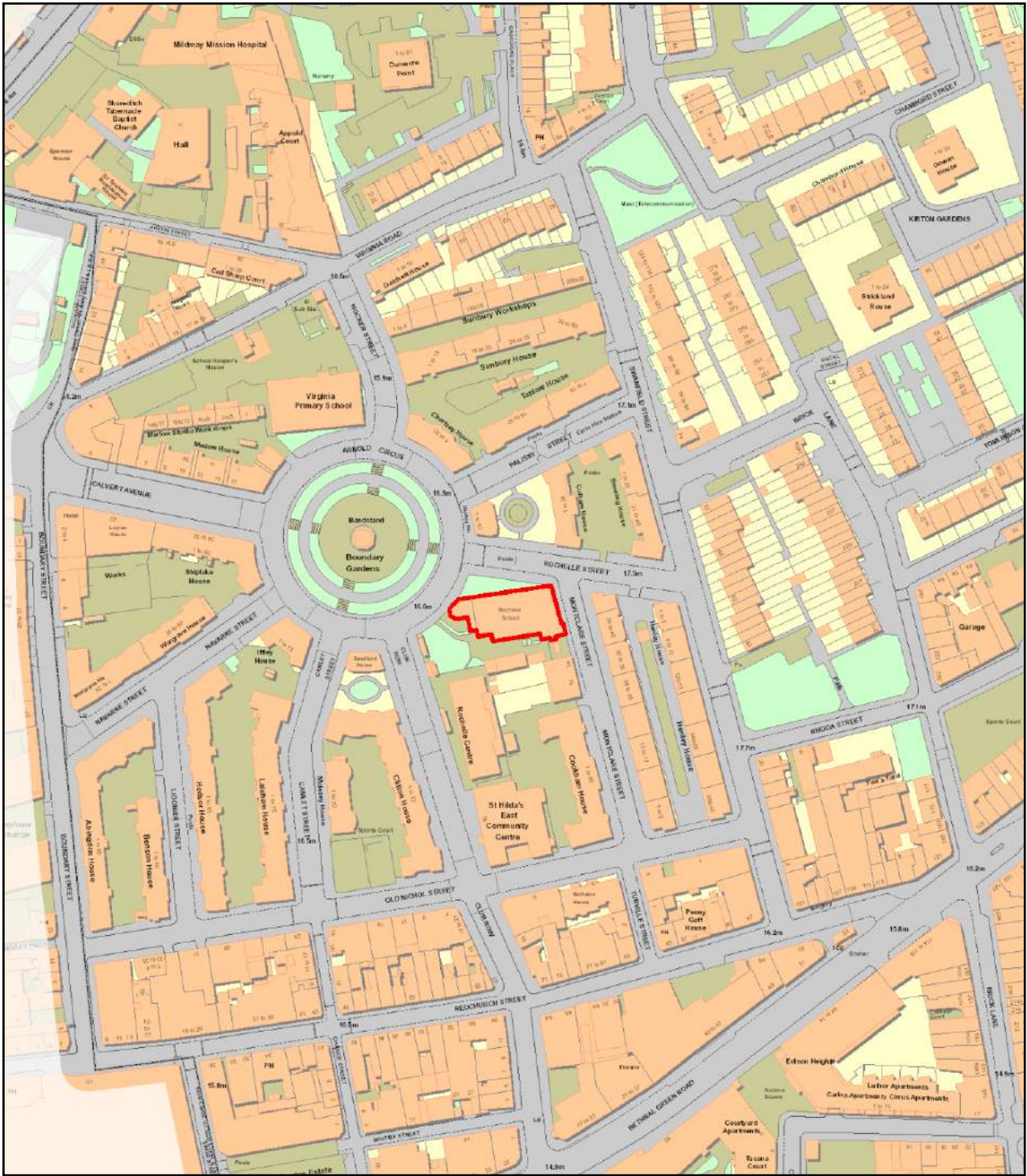


Quinn Architects
 Rochelle School Arnold Circus London E2 7ES

Canteen License Plan

PROJECT NO	168	DRAWING NO	002	REV	A
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Appendix 3



Rochelle Canteen

MAP 1



Scale 1:2270

20 0 20 40 60

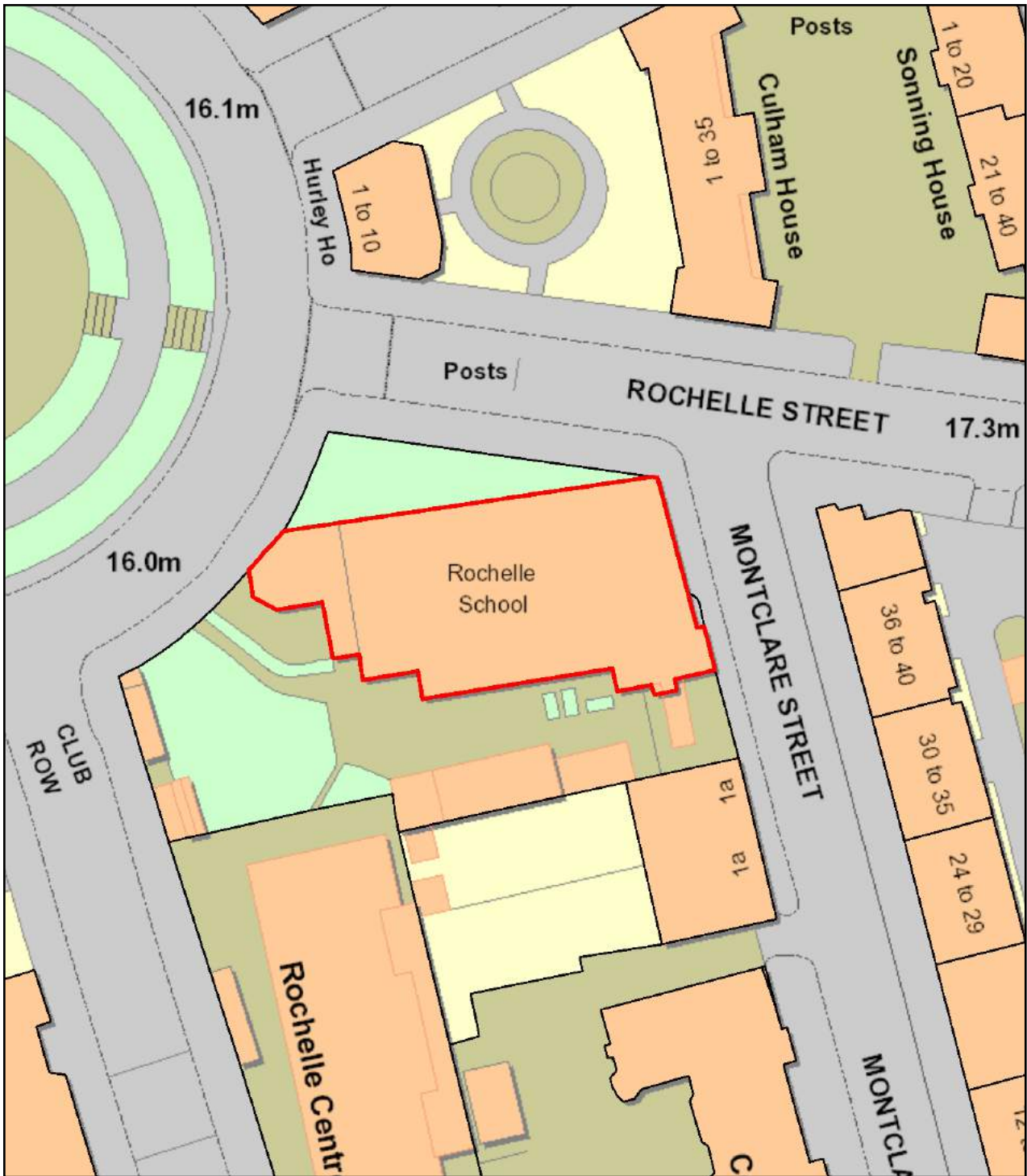


Metres



TOWER HAMLETS

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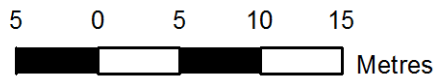


Rochelle Canteen

MAP 2



Scale 1:567



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Appendix 4

Corinne Holland

From: Dermot O'Brien [REDACTED]
Sent: 19 April 2017 15:17
To: Licensing
Subject: Ref: CLC/EHTS/LIC/99232

Dear Sir/Madam,

I would like to register my objection/s to the application of Rochelle "School" Canteen (www.rochelleschool.org) for an extended alcohol license.

Why would a school need to sell alcohol?

Apart from the duplicity - residents of the Boundary Estate, of which I am one, were given repeated assurances such a license would not be pursued - my objections centre around the negative impact on the quality of life in what was famously designed to be an exclusively residential area, public safety, public nuisance, crime and disorder.

Since such "assurances" were given not to (repeatedly, by stealth) apply for this license, the traffic around the estate has got heavier (unsafe for the public in the limited confines of the roundabout, especially with children playing on and around the estate), parking ever more problematic and the unique ambience of Arnold Circus (which, if the applicant were perhaps a tad more candid, they are commercialising) is increasingly imperiled by the bar culture on its perimeter: Increased alcohol consumption inevitably brings increased risk (and actuality) of public nuisance/crime and disorder.

I hope Tower Hamlets will, finally, put an end to this embarrassing dance and refer the applicant to its originally stated concern for its neighbours (and, indeed, the original decision of Tower Hamlets Council).

Best regards,

Dermot O'Brien

[REDACTED]

[REDACTED]

[REDACTED]

Appendix 5

[REDACTED]

Licensing Section
Tower Hamlets Council
John Onisow House
1 Ewart Place
London
E3 5EQ

10th April 2017

Dear Sirs,

RE: Premise License application - Rochelle Canteen, Rochelle School, Arnold Circus, London, E2 7ES

I am a resident of [REDACTED] Arnold Circus and wish to object to the premise license application.

Over the last few years there has been a large increase in the number of licensed establishments in the Shoreditch area. The roads connecting to Arnold Circus act as a conduit for people to move between the areas numerous venues and the Band Stand provides an attractive area for impromptu gatherings.

The cumulative effect of this has led to a significant increase in noise and general disturbance especially at night (and often well into the early hours of the morning) in and around Arnold Circus (which is predominantly residential).

My flat is located on the ground floor (a requirement as I have multiple sclerosis) and despite having fitted additional double glazing, suffer regular disturbances caused by the anti-social behaviour of inebriated persons (screaming, shouting, fighting, vomiting, using my window ledges to consume drugs off etc). The pavement outside my flat and along [REDACTED] is often littered in the morning with cans/bottles, scraps of take away food, drug taking paraphernalia and vomit. I pity the children who have to witness this as they walk to Virginia Primary School.

I have included some analysis of the Metropolitan Police crime statistics (February 2016 to January 2017) for the Weavers neighbourhood to highlight the fact that the highest recorded crime type (by a significant margin) for Arnold Circus and adjacent roads is anti-social behaviour.

The license application provides no detail on how the applicants will promote the four licensing objectives. I believe the approval of this premise license permitting the sale of alcohol for consumption on and off premise seven days a week from 10am to 11pm (11.30pm on Friday/Saturday) would further detrimentally affect mine and my fellow local residents' quality of life.

Yours faithfully,

[REDACTED]

Emma Love

LBTH
TRADING STANDARDS
12 APR 2017
LICENSING

Reported crime: Arnold Circus & adjacent roads between February 2016 and January 2017

Data from Metropolitan Police Service:

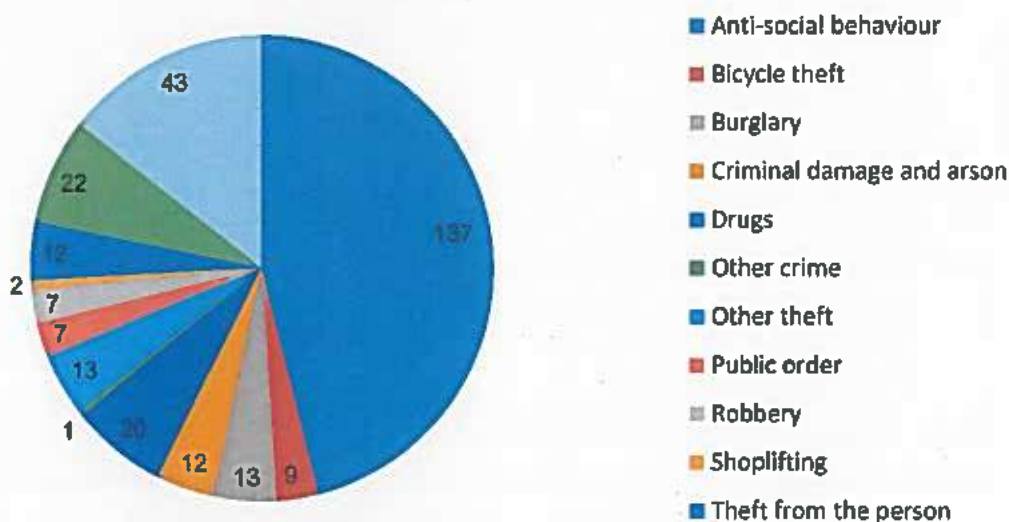
<https://www.police.uk/metropolitan/E05009335/crime/stats/data/38c4a2f6-5fb4-4b9b-a735-466f35c4de26/>
(Detailed statistics for Weavers)

Locations included (filtered) in results:

- On or near Arnold Circus
- On or near Calvert Avenue
- On or near Camlet Street
- On or near Club Row
- On or near Hocker Street
- On or near Navarre Street
- On or near Palissy Street
- On or near Rochelle Street

Crime Category	Count of Category	Percentage
Anti-social behaviour	137	46%
Bicycle theft	9	3%
Burglary	13	4%
Criminal damage and arson	12	4%
Drugs	20	7%
Other crime	1	0%
Other theft	13	4%
Public order	7	2%
Robbery	7	2%
Shoplifting	2	1%
Theft from the person	12	4%
Vehicle crime	22	7%
Violence and sexual offences	43	14%
TOTAL	298	

**Reported Crimes: Arnold Circus and adjacent roads
Feb 2016 - Jan 2017**



Appendix 6

12 April 2011

Mr P Clarke

Dear Sir,

I wish to object to the granting of a premises license to ARNOLD & Henderson of the Rochelle 'Canteen',
Rochelle School,
ARNOLD Circus,
London E2 7ES

on the grounds of (1) the prevention of crime and disorder.

(2) The prevention of public nuisance,

(3) Saturation. There are more than enough pubs, bars, restaurants, cafés etc within a short walking distance of ARNOLD Circus.

It should be noted that in the middle of ARNOLD Circus there is a public park which is open twenty four hours a day. This already attracts enough drunks etc with a glorified off license open until the late hours, it would become a glorified beer garden for the Rochelle canteen. Further more ARNOLD Circus is a strictly residential area except for a school (a real school & not the Rochelle School) and what is in reality the A Foundation business centre but they don't call it a business centre instead they call Page 226 Rochelle School or Rochelle
continued

Centre. The so called Rochelle Canteen was opened in the grounds of the A Foundation's premises. It was established by a mixture of half truths, and deviously worded statements on planning applications which few people could claim to be comprehensible.

I have no hesitation in saying that Arnold and Henderson and their confederates in the A Foundation, call it what you will, are both dishonest and unscrupulous. I enclose the following documents in support of my assertions.

No. 1. This is a photocopy of a leaflet that was put through my door some time in 2009. It speaks for itself.

No. 2 This is a black & white photocopy of a coloured leaflet that was put through my door on the 4th March 2017. Please note it does not mention times or the off license part.

Nos 3a & 3b. This is a hand written copy of what is pinned to the door outside the Rochelle School. It is rather different from the rather 'chummy' tone of document no 2. I enclose it because there are discrepancies with what is on the official application form. Namely on page 8, section J, it states that the supply of alcohol will be for consumption both on and off the premises.

On page 9, section L it states that the times for both Tuesday and Saturday are from 8 - to 00.00 (presumably means midnight).

It's my personal opinion, that if the earlier planning applications, which were approved by the council, were challenged in a court of law they would not be upheld. They have been extremely ill and so consequently I do not know how they got the planning permission to remain open until 11 pm that used to be the time on their notice board but they have recently altered it to 10 pm.

If they were granted this premises license it would mean that the park in Arnold Circus would become a virtual beer garden for the Rochelle canteen. It would make the Rochelle Canteen in almost ipso a public house. The Rochelle Canteen has a history of dishonesty.

I feel that the licensing authority is morally compelled to take into account the fact that Arnold Circus is not only a residential area but it is an extremely vulnerable one, both with its park, and the utterly unscrupulous and anti-social activities of the Rochelle 'Canteen'. Frankly if they opened a brothel they would still be calling it a 'canteen'. I do not approve of this omnibus use of the word canteen to mean whatever they want it to.

Yours faithfully

P.S. I was unable to find a public notice of their application in a newspaper so I had to copy the door version by hand.

Important Notice to all Residents

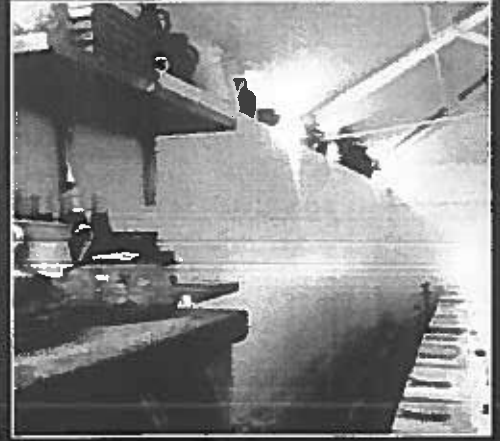
For the third year in a row, Rochelle School on Arnold Circus have applied to the council to remove a condition on their planning application that will enable them to open the canteen to the general public. At present they are only supposed to be open to those who use the centre, though it is in fact advertised on various websites as open to all.

On a letter you may have received from the council, they describe the effect of removing condition 3 as enabling provision of catering to offsite premises. This wording, provided by Rochelle, was accepted by the council. It is misleading as it doesn't mention the fact that it will lead to the opening of a public restaurant in the middle of our estate.

The council's letter says that the closing date for objections is 11th June but because they failed to put a site notice up, this has been extended to June 19th. This is the last guaranteed date that objection letters can be accepted. In effect the decision is due to be made on 5th July and any letters received up until that point will be taken into account. The address to write to is:

Amy Cooper, Tower Hamlet's Planning, Mulberry Place (AH), PO Box 55739, 5 Clove Crescent, E14 1BY.
Or email dr.developmentcontrol@towerhamlets.gov.uk
Quote Reference PA/09/00804.

Whatever your views on this application, isn't it better to have proper consultation and debate rather than sneaking it in through the back door?



Rochelle Canteen

Rochelle School, Arnold circus, E2 7ES

4th March 2017

Dear Resident,

As you may know, we have been the operators of the Rochelle Canteen for over 10 years.

We would like to now apply for a premises licence for our restaurant, so that our customers (including many of you who are our neighbours) can enjoy our food with an alcoholic beverage.

We would like to invite you to the Rochelle Canteen on Tues 7 March 2017 from 6 pm to 7.30pm for you to see our premises and also to deal with any questions that you may have in relation to our proposed application.

We do hope you can join us.

Kind regards.

Melanie Arnold/Margot Henderson

Rochelle School

Notice of application for the grant of a Premises License under Section 17 of the Licensing Act 2003.

Notice is hereby given that Melanie Arnold and Margot Henderson have applied to London Borough of Tower Hamlets for the grant of a Premises License in respect of Premises known as Rochelle Canteen, Rochelle School, Arnold Circus, London E2 7ES

The proposed licensable activities and their hours are.

- 1. Sale of Alcohol: Sunday - Thursday 10.00 hour - 23 hours; Friday - Saturday 10.00 hours - 23.30 hours
- 2. Late Night Refreshment Friday - Saturday 23.00 hours - 23.30 hours.
- 3. Opening Hours Sunday - Thurs 08 hours - 23.30 hours. Friday - Saturday 08.00 hours - 0.00.

Any representations regarding the above-mentioned application must be received in writing by Licensing Section, London Borough of Tower Hamlets, John Onslow House, 1 Ewart Place, E3 5EQ.

no later than 13th April 2017 stating the representation

~~PFO~~

The register of London Borough of Tower Hamlets and the record of the application may be inspected at the address of the council, given above, during normal business hours or on the council's website - www.towerhamlets.gov.uk.

It is an offence knowingly or recklessly to make a false statement in connection with an application. A person is liable to an unlimited fine on ~~conviction~~ conviction should such a false statement be made.

Pophleston Allan
37 Stoney St.,
The Lace Market,
Nottingham NG1 1LS.

Pophleston Allen,
The Stanley Building,
7 Pancras Square
London N1C 4AG.

Appendix 7

Corinne Holland

From: [REDACTED]
Sent: 18 April 2017 13:58
To: Corinne Holland
Subject: Re: CLC/EHTS/LIC/99232

Corinne,

apologies. My full name is Robert [REDACTED] Allen, Address: [REDACTED], Arnold Circus, London, [REDACTED]

Thank you.

>----Original Message----

>From: [REDACTED]@towerhamlets.gov.uk

>Date: 18/04/2017 9:44

>To: "" [REDACTED]

>Subj: FW: CLC/EHTS/LIC/99232

>

>Dear Sir/Madam,

>

>Licensing Act 2003

>New premises Licence Application: Rochelle canteen, Arnold Circus

>

>Please can you provide me with your full name and address in order for your representation to be considered.

>

>Thank you

>

>

>Regards

>

>

>Corinne Holland - Licensing Officer

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

>':020 7364 3986 | ':020 7364 5008 | •:corinne.holland@towerhamlets.gov.uk<mailto:[REDACTED]@towerhamlets.gov.uk> | •:

Licensing@towerhamlets.gov.uk<mailto:Licensing@towerhamlets.gov.uk>

>

>

>From: [REDACTED]
[REDACTED] uk]

>Sent: 13 April 2017 15:24

>To: Licensing

>Subject: CLC/EHTS/LIC/99232

>

>

>>Dear Sir/Madam,

>>

>>I would like to register my objection to the above licensing

>>application. I am a local resident: in fact my flat is approximately

>>10 metres from

>>the perimeter wall of the building at ground level. My objection is

>on
>>the grounds of noise, disturbance and loss of amenity.
>>As you will be aware, the Boundary estate is a beautiful, historic and
>>architecturally important estate.
>It also sits within a conservation area and I believe the
>>council must protect the integrity of such places.
>>
>>There is a history to the continued expansion of this organisation.
>>Initially local residents were promised that it was only for people
>who
>>worked on site but it was then advertised throughout London.
>>It was only through the concerted efforts of local residents, spending
>>a lot of time and energy in mobilizing others, that the plans were
>>fought off. The operators of the canteen defied local planning
>>restrictions and breached planning conditions
>concerning
>>the canteen's use on many occasions, so much so that the council sent
>>a breach of condition notice to the owners (see attached
>documents).
>>
>>I note that the applicant makes promises to prevent noise and
>disturbance but fundamentally they cannot
>>guarantee this: they will have drunk people leaving the premises late
>at
>>night. They also make veiled threats concerning the canteen's
>>viability: they need this license, otherwise they can't make the
>>business pay. Yet somehow the business still seems to survive.
>>
>>This estate is one of very few places in Shoreditch not immediately
>>blighted by bars and the attendant crowds, noise, drunks and rowdy
>>behaviour. It is becoming impossible to enjoy what was once a
>tranquil
>>escape from all that. It is predominantly a residential area and
>there
>>is enough activity already at a place that was once a school and
>>therefore quiet at weekends and after 4pm midweek. I do not have the
>time or
>>energy anymore to mount a campaign against the relentless extension
>of
>>this organisation but I believe I speak for many others who will be
>>unaware of the application, or do not have the time, resources or
>>knowledge to register their objection. In fact, despite living as
>close as anyone to the canteen I did not receive notification from the
>licensing department. If you didn't inform local residents fully and
>properly then surely you cannot gauge the extent of objection to this
>application ?
>>
>>This is a special, unique area, already struggling against the
>encroachment of
>>Hoxton and Brick Lane. Applying for this permission to allow alcohol
>consumption in the middle of a residential estate shows complete
>disregard
>>for local residents. I believe the council would collude in this
>disregard if it
>>puts the interest of a business above the welfare of its residents.
>>

>>Regards.

>

>P.S. I would be grateful if you would put me on your list of local
>residents to be consulted and informed about this application

>

>*****

>***** Working Together for a Better Tower Hamlets Web site :

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

>

>London Borough of Tower Hamlets E-Mail Disclaimer.

>

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>*****

>

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>

Appendix 8

Corinne Holland

From: [REDACTED] behalf of Licensing
Sent: 12 April 2017 15:43
To: Corinne Holland
Subject: FW: Objection to late- night licence for the sale of alcohol by Rochelle Canteen, Rochelle Street School, Arnold Circus, E2

-----Original Message-----

From: Terry Bailey [REDACTED]
Sent: 12 April 2017 10:46
To: Licensing
Subject: Objection to late- night licence for the sale of alcohol by Rochelle Canteen, Rochelle Street School, Arnold Circus, E2

Dear Marie,

I strongly object to the granting of a late night to above premises. This is because of the following issues:

I live [REDACTED] the Rochelle Street School on Arnold Circus an hotspot for crime and disorder over the past ten years and getting increasing worse. Alcohol binging takes place nightly on Arnold Circus Gardens with hordes or revellers which made their way to this spot from the nearby clubs from Shoreditch High Street which neighbour the Estate.

My wife and I find it impossible to get to sleep, as all that can be heard throughout most nights of the week (especially in the warmer weather) is wine and beer bottles being smashed on the bandstand area and streets around the circus, along with the sounds of threatening and intimidating language, from the drinkers.

My wife has even been attacked by a man who chased her into our block early one morning a couple of years ago as she set out to work as a Carer. Luckily, she managed to escape into the block and call the police.

Rochelle Canteen is in the heart of a residential estate and it entrances and exits issue onto the estate, only. Therefore granting a late night license can only make matters worse for us and therefore I implore the authority to reject this application.

Regards,

Terry Bailey
[REDACTED]
[REDACTED]
[REDACTED]

Appendix 9

Kathy Driver
Principle Licensing Officer

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



Application Ref: CLC/EHTS/LIC/99232

RE: ROCHELLE CANTEEN - APPLICATION FOR ALCOHOL LICENSE

Dear Kathy,

As residents of [redacted] we would like to put forth our objection to the granting of an alcohol license to Rochelle Canteen.

Rochelle Canteen is our immediate neighbour - a 25cm thick wall separates us. Due to our closely proximity to Rochelle Canteen we have and continue to be immediately impacted by it's commercial activities.

Our family have resided at [redacted] for almost 28 years - it is home to elderly homeowners aged 89 years and 67 - who are presently being treated for cancer and stroke, both who are reduced in mobility and speech. It is also a home to two young children aged three and one as well as their mother in addition to three full time working professionals. We have repeatedly experienced noise levels and noxious smells that have been disruptive to our family and limit what we are able to do with our home. To name a few:

- Such as the simple task opening our window or garden door to get fresh air
- Unable to enjoy peace and tranquillity in our garden whilst the children attempt to play.
- Having to tolerate our clothing may potentially smell of charcoal, manure or other odours.
- Being able to sleep at a reasonable hour during the weekday for the adult to go to work and children to nursery.
- Being woken-up at early on the weekends to the sound of crashing glasses bottle - a result of wine and beer bottles being removed.
- Commercial waste being collected in front of our main door everyday.
- Attendees chaining their bikes to signpost inadequately scratching motor vehicles.
- Commercial delivery vans loading good in front our house, restricting how we leave our home.

The disruption has intensified over the course of many years as the borough has granted Rochelle Canteen to open its door to the public and more recently a temporary license extending their opening hours. In doing so not only has the noise increase but also has an

increased foot flow and traffic into the neighbourhood, and this now continues into the late evening.

In conjunction we have seen a rise in pollution within our neighbourhood ranging from rubbish, human faeces and people urinating. The exit of Arnold Circus leading into Montclare Street has become a prime spot from narcotic distribution, which is a well-known fact amongst local community members.

There have been instances where our concerns have been reported to Environmental Health and directly to Rochelle Canteen verbally, and no measures have been placed by Rochelle Canteen to alleviate our concerns. However, in keeping with Environmental Health reporting protocols, our family have been unable to report instances that have occurred during the daytime as those present at home are limited in their English and recovering from serious health issues.

Rochelle Canteens activities have been prejudicial to our family's health and if granted an alcohol license this will continue. It will also increase drunk and disorderly behaviour especially in the evenings and weekends and give way to increased alcohol related crimes in the neighbourhood. Something that is acknowledged by the borough and mentioned in Tower Hamlets Substance Misuse Strategy 2016-2019 "the impact of alcohol on crime is significant. Data shows that Tower Hamlets has the 8th highest rate of alcohol related crime in London, higher than the London and England averages".

Furthermore, granting an alcohol (Premise) license will enable Rochelle Canteen to trade after 23.30pm. As such it will enable Rochelle Canteen to affect us through unsociable hours. Based on Rochelle Canteens past actions this will be something they will take up and there is already indications of this from their license notification where they are advertising their opening hours on Fridays and Saturday from 08:00 - 00:00. (See appendix 1) In real logistical terms it would take 30 minutes to an hour for staff and members of the public to vacate the premises.

As its immediate neighbours, we have no confidence in Rochelle Canteen to keep any of its promises or measures they may state to the licensing committee. When Rochelle Canteen initial opened it did so on the basis that it would be a catering facility for the staff with the Rochelle School complex, however, the nature of its business quickly changed as it started to cater to the public and extend its opening hours without the appropriate licenses and reassurances made to local community members. (See appendix 2)

During the planning consultation in 2010 over 250 residents raised concerns about a potential alcohol license, Rochelle Canteen told residents that this would not occur. Since then they have actively promoted members of the public to bring in alcohol to the premises with a corkage charge (see appendix3). Though the corkage charge limits alcohol consumption this is another example of where Rochelle Canteen have disregarded their neighbours for their own commercial gains.

Over the course of our lifetime we have seen our neighbourhood transform, the night time economy with Tower Hamlets and Hackney have expanded to the outskirts of the

Boundary Estate and Weavers ward. Both Brick Lane and Hoxton fall under the respective boroughs cumulative impact zones. Both areas are subject to high levels of Anti Social Behaviour, narcotics distribution and nuisance due to the over supply with the controlled zone. By granting the Premise License it will further bring inwards some of the existing problems occurring a few roads away into what is a relatively quiet resident area, and slowly erode our community and quality of life.

The cumulative impact of noise, disturbance and related activities that would result from Rochelle Canteen's premises would be harmful to the living condition of us and others adjacent resident. As residents of Tower Hamlets the borough has promised to support us - "children, young people, adults and their families to make healthy lifestyle choices to reduce the negative impact of drugs and alcohol on their health. We will reduce harm to those at risk" as well as "bear down on the crime and anti- social behaviour associated with drug and alcohol misuse that impacts on our communities". -Tower Hamlets Substance Misuse Strategy 2016-2019 "

The application must be refused on the grounds that Rochelle Canteen:

- Sits within a high dense residential area.
- There is already drunk and disorderly behaviour. A Premise License will further enable this to increase.
- It will increase traffic, general noise and pollution to the area.
- The License will enable Rochelle Canteen to increase its trading hour with possible consumption of alcohol and light beverages during unsociable hours in a high dense residential area.
- Residents and visitors are already well supplied with numerous restaurants, bars and eateries as social and community meeting point close to the neighbourhood (as is walking distance of Hoxton and Brick Lane/ Bethnal Green).
- It will set precedent for other local business seeking to increase their operating hours and serve alcohol in highly dense community/ estates.
- Will help reshape and expand Tower Hamlets Cumulative Impact Zone - which the neighbourhood is already affected by.
- The Boundary Estate and the surrounding building are grade 2 listed building (this includes our home); Tower Hamlets and the Licensing Office have a responsibility to preserve a historical sight - as the first ever council homes built in the UK over 100 years ago.

It cannot be stressed enough that in granting a Premise License to Rochelle Canteen will further result negatively to our neighbourhood. As life long residents we feel that Rochelle Canteen (with its limitless resources) are slowing being allowed to force us out of our home and making our living condition difficult. Like us many of the residents have been here long before Rochelle Canteen ever existed and don't know the formal route to making an objection - some who have signed the petition enclosed.

Yours sincerely



Jenefa Hamid

Appendix 1: Rochelle Canteen notification of application to public

Rochelle bicycle parking has moved to a new dedicated area in the Wonder Garden (on your left).

Bicycle parking is no longer allowed in the school grounds.

Notice of application for the grant of a Premises Licence under Section 17 of the Licensing Act 2003

Notice is hereby given that Melanie Arnold and Margot Henderson have applied to London Borough of Tower Hamlets for the grant of a Premises Licence in respect of Premises known as Rochelle Canteen, Rochelle School, Arnold Circus, London, E2 7ES.

The proposed licensable activities and their hours are:

1. Sale of Alcohol: Sunday - Thursday 10:00 hours - 23:00 hours; Friday - Saturday 10:00 hours - 23:30 hours;
2. Late Night Refreshment: Friday - Saturday 23:00 hours - 23:30 hours;
3. Opening Hours: Sunday - Thursday 08:00 hours - 23:30 hours; Friday - Saturday 08:00 hours - 00:00 hours.

Any representations regarding the above-mentioned application must be received in writing by Licensing Section, London Borough of Tower Hamlets, John Onslow House, 1 Ewart Place, E3 5EQ

no later than 13th April 2017 stating the grounds for representation.

The register of London Borough of Tower Hamlets and the record of the application may be inspected at the address of the council given above, during normal business hours or on the council's website - www.towerhamlets.gov.uk

It is an offence knowingly or recklessly to make a false statement in connection with an application. A person is liable to an unlimited fine on conviction should such a false statement be made.

Proprietary Alarms
27 Tower House
The Landmark
Hoxton, N1 5LJ

Proprietary Alarms
The Security Building
7 Princes Square
London N1C 4AD

Appendix 2: Breaches by Rochelle Canteen

2.1 Article by Independent online

<http://www.independent.co.uk/life-style/food-and-drink/reviews/rochelle-canteen-london-e2-420787.html>

Moore's: A Foundation, the tables are well and truly turned.

Don't expect worried mums to be pushing burgers and hot chips through the railings to their grown-up artist, fashion designer and photographer sons and daughters here. In a move that would make poor Jamie Spit with jealousy, a "school canteen" has been installed to house the caterers, Arnold & Henderson - Nose to Tail Eating, who stage private functions and parties in the exhibition spaces here. A small dining-room was added, primarily for the use of this rather precious gated community, and, as a bonus, for those outside the walls as well. Of course, it's bloody brilliant.

The only suffering you have to do is bring cash (no cards), bring your own wine (no licence as yet) and be prepared to share a table with someone whose latest creation waltzed down the catwalk at London Fashion Week or went straight into the Saatchi collection. You may also have to sit next to a smoker, because, surprisingly, smoking is allowed in spite of the proximity of the open kitchen.

You might also experience a little artistic déjà vu as you walk into the small, 30-seat dining-room, with its plain, whitewashed walls, row of coat hooks, white ceiling, white table tops, vintage wooden chairs of great delicacy, and adjoining industrial kitchen of matt stainless steel. It will deepen as you are handed a plain white sheet of paper on which

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The UK, US and Germany have called on Russia to investigate a gay purge

This is where your left over soap nuggets could end up

Green Party says Labour

2.2 Breach of Condition Notice served to Rochelle Canteen



IMPORTANT-THIS COMMUNICATION AFFECTS YOUR PROPERTY

**Town and Country Planning Act 1990
(as amended by the Planning and Compensation Act 1991)**

BREACH OF CONDITION NOTICE

SERVED BY:

**The Mayor And Burgesses Of The London Borough Of Tower Hamlets, of the
Town Hall, Mulberry Place, 5 Clove London E4 2BG ("the Council")**

TO:

1. **"A Foundation Limited"** of Studio N, Rochelle School, Arnold Circus,
London, E2
2. **"James Moores"** of 4th Floor, [REDACTED] and [REDACTED]
[REDACTED].
3. **"Melanie Arnold"** of Arnold & Henderson, Rochelle School, Arnold Circus, London,
7ES.
4. **"Margot Henderson"** of Arnold & Henderson, Rochelle School, Arnold Circus,
London, E27ES.

5. "██████████" of Arnold & Henderson, Rochelle School, Arnold Circus, London,
E2 7ES.
6. "The Owner(s)" of Rochelle Canteen, Rochelle School, Arnold Circus, London,
E2 7ES.
7. "The Occupier(s)" of Rochelle Canteen, Rochelle School, Arnold Circus, London,
E2 7ES.

1. THIS NOTICE is served by the Council under section 224 of the Act, because they consider that conditions attached to a grant of planning permission, relating to the land described in paragraph 2 below, have not been complied with. The Council considers that you should be required to comply with the conditions specified in this notice. The Appendix at the end of this notice contains important additional information.

2. THE LAND TO WHICH THE NOTICE RELATES

Land at Rochelle Canteen, Rochelle School, Arnold Circus, London, E2 7EJ (the land) shown edged red on the site plan.

3. THE RELEVANT PLANNING PERMISSION

The relevant planning permission to which this notice relates is the permission granted by the Council on 16th January 2006 (PA/04/01790) for external alterations to an outbuilding in connection with the provision of an ancillary cafe for the occupants of the main Rochelle Old College Building and Club Row Building only, with a cooking extract system linked to the main Rochelle Old College Building.

4. THE BREACH OF CONDITION

The following conditions have not been complied with:

(i) Condition 3 - The accommodation hereby approved for cafe purposes shall not be used or occupied otherwise than as ancillary in connection with the existing principal Rochelle Centre building's uses.

(ii) Condition 6 - The cafe use hereby permitted shall not be carried out other than between the hours of 9.00am to 6.00pm Mondays to Saturdays and shall not take place on Sundays or Public Holidays.

WHAT YOU ARE REQUIRED TO DO


the person responsible for the breach of condition specified in paragraph 4 this notice you are required to comply with the stated conditions by taking the following

1. opening the cafe to customers who are not connected to the principle 01 and B1 uses of the Rochelle Centre.
2. using the cafe for catering purposes, other than for catering for events being held inside the Rochelle Centre.
3. Cease opening the cafe for business (including catering) other than between the hours of 0900hrs and 1800hrs Mondays to Saturdays.

Period for compliance: **28 days** beginning with the day on which this notice is served on you.

Dated: 21/12/10

Signed:

A black rectangular box redacting the signature of the authorized council officer.

The Authorised Council Officer - For and on behalf of the Corporate Director, Development and Renewal

on behalf of: **The Mayor and Burgesses of the London Borough of Tower Hamlets, the Town Hall, Mulberry Place, 5 Clove Crescent, London E14 2BG**

ANNEX

WARNING

THIS NOTICE TAKES EFFECT IMMEDIATELY IT IS SERVED ON YOU IN PERSON OR ON THE DAY YOU RECEIVED IT BY POST.

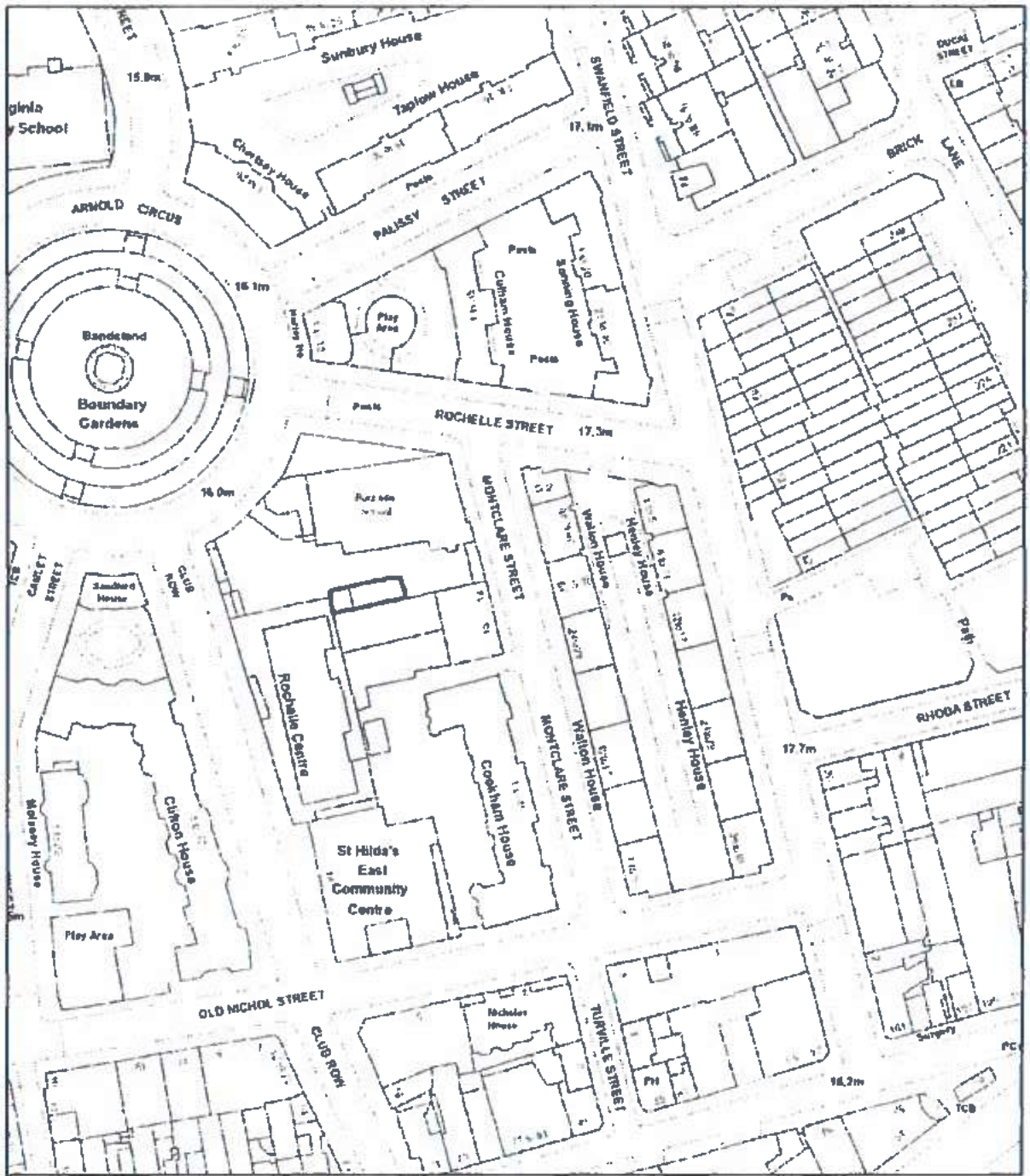
THERE IS NO RIGHT OF APPEAL TO THE SECRETARY OF STATE FOR THE ENVIRONMENT AGAINST THIS NOTICE.

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of immediate prosecution in the Magistrates' Court, for which the maximum penalty is £1,000 for a first offence and for any subsequent offence. If you are in any doubt about what this notice requires you to do, you should get in touch immediately with:

[REDACTED]
Planning Enforcement Team Leader
Development and Renewal
Mulberry Place (AH) Anchorage House
PO Box 55739, 5 Clove Crescent
London, E4 1BY

Phone [REDACTED]

If you do need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review.



Breach of Condition Notice

Rochelle Canteen, Arnold Circus, London, E2 7ES



Scale 1:1250

10 0 10 20 30

Metres



TOWER HAMLETS

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Appendix 3 - Rodette Canten promoting alcohol on its premises

Internet Explorer browser window showing the website for Arnold & Henderson. The address bar displays http://www.arnoldhenderson.com/rodette_canteh.html. The browser interface includes standard navigation buttons (Back, Forward, Stop, Refresh, Home) and a search bar. The website content is partially visible, showing a list of services and a photograph of the outdoor seating area.

- Arnold & Henderson
- Rachelle Carters
- Bookings
- Daily Menu
- Opening Hours
- Private
- Events & Production
- Weddings
- Menus
- Venues
- Client List
- News
- Contact Us
- Subscribe

ARNOLD & HENDERSON



Converted from the old school hall and opened in 2006, Rodette Canten looks out onto the grassy playground and the trees of Arnold Circus beyond. Whenever it's warm enough tables are set outside the canten for a peaceful sit in the sun.

Please note, the canten is not licensed. You're welcome to bring your own wine, the corkage is £6.50 per bottle. Let's Shop is only a minute away on Calvert Avenue and offers a delicious selection of wines for you to choose from. For more information please contact [redacted]

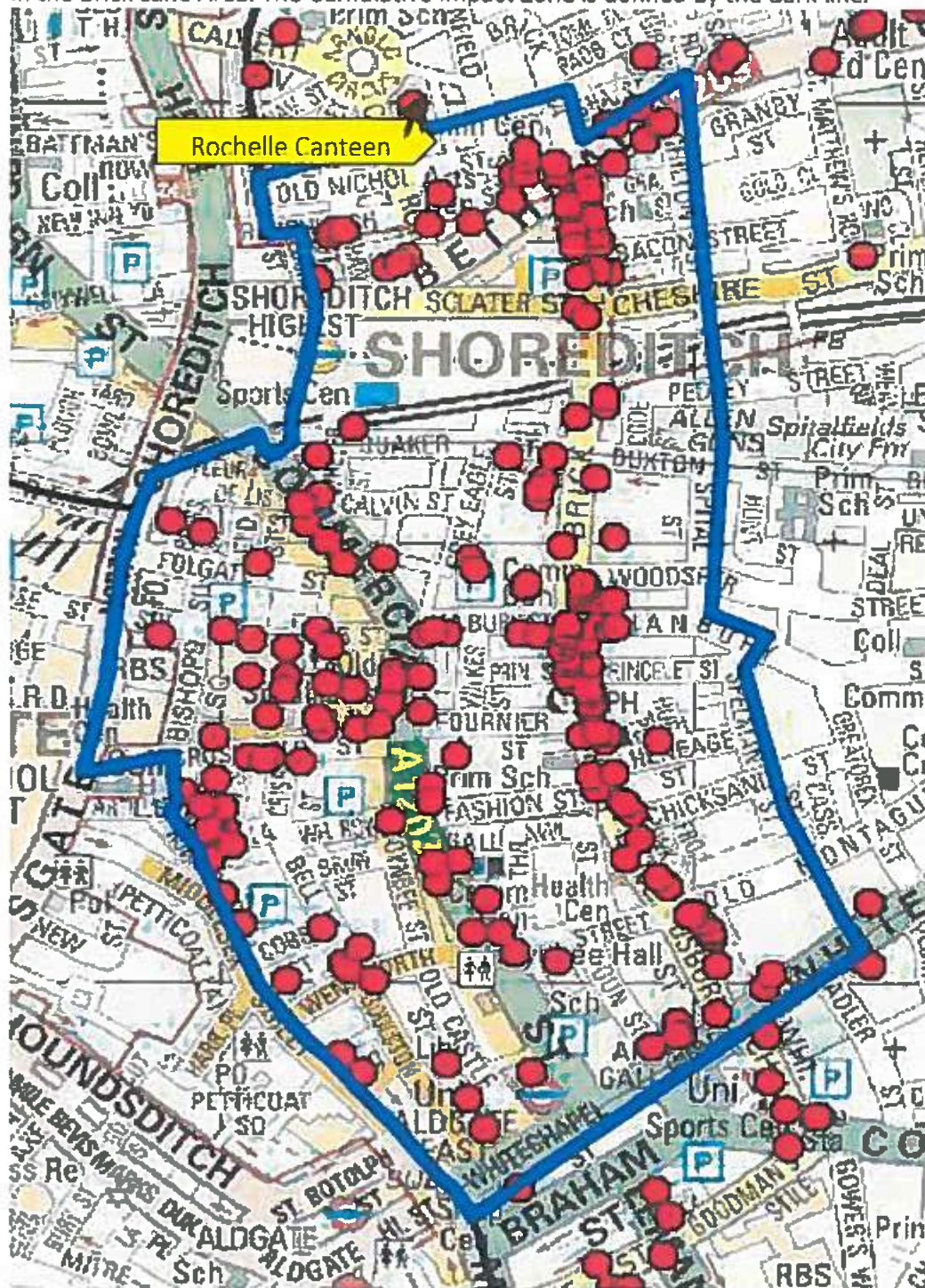
The canten is also available to book for private hires including breakfast or daytime meetings.

For enquiries and all bookings please ring the Canten on [redacted] between 10am-12pm or 1-5pm.

Zodiak School Arnold Circus London E7 7ES
info@arnoldhenderson.com

Appendix : Tower Hamlets. Cumulative Impact zone.

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.



Map courtesy of Metropolitan Police

Source: Statement of Licensing Policy 2013 - 2018, London Borough of Tower Hamlets

Appendix 10

Petition:

No to Rochelle Canteen Alcohol License

Created by Jenefa Hamid - [REDACTED]

As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol, regulated entertainment or late night refreshment (supply of hot food after 11pm).

Our concerns related to increased noise nuisance both from the premises and customer egress, light pollution, littering, noxious smells and disruption from parked vehicles to the surrounding residents in what is a quiet grade 2 listed residential area.

Our concerns further relate to Rochelle Canteen's continuous disregard for its neighbours - as it had veered off course from its original premise to provide refreshment to staff within the Rochelle School complex to now extending its operating hours and service to the general public. Rochelle Canteen has also continues to promote local off-licenses and customers to bring alcohol (as displayed on it's website

<http://www.arnoldandhenderson.com/4rochellecanteen/html>) irrespective of their reassurance to limit this as raised by residents. In addition to breaching the terms of previous planning applications.

Residents and visitors are already well supplied with numerous restaurants, bars and eateries as social and community meeting point close to the neighbourhood. They are situated not too far (bordering on) the "Brick Lane Cumulative Impact Zone (CIZ)" an area already subject to high levels of Anti Social Behaviour, narcotics distributions and nuisance due to the over supply within the CIZ. These include Brew Dog, Well and Bucket, Blanket Beach and Babylon, Dirty Bone, The Owl and the Pussycat, Tapas Revolution, Verge Bar, and many others.

To allow Rochelle Canteen a Premise License will set precedent to other businesses in the heart of a peaceful residential area to apply for such licences and negatively impact the quality of life the residents and in the foreseeable future reshape the CIZ. More importantly it will continue to bring into the heart of a tranquil residential community many of the problems that are frequently occurring a few roads down and slowly erode away our community and quality of life.



As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE	MISS	FULL NAME	Jenefa Hamid
ADDRESS	[REDACTED]		
EMAIL			
SIGNATURE			

TITLE	MR	FULL NAME	ABDUL HAMID
ADDRESS	[REDACTED]		
EMAIL			
SIGNATURE			

TITLE	MRS	FULL NAME	SIRIA BEZUM
ADDRESS	[REDACTED]		
EMAIL			
SIGNATURE			

TITLE	MISS	FULL NAME	NAZIA KHANOM
ADDRESS	[REDACTED]		
EMAIL			
SIGNATURE			

As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol, regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE	MR	FULL NAME	AMRATN AU
ADDRESS	[REDACTED]		POSTCODE [REDACTED]
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]		DATE 23/03/17

TITLE	MR	FULL NAME	SHAHIN AU HAQDE
ADDRESS	[REDACTED]		POSTCODE [REDACTED]
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]		DATE 23/03/17

TITLE	MRS	FULL NAME	SHAMIDA BEGUM
ADDRESS	[REDACTED]		POSTCODE [REDACTED]
EMAIL	[REDACTED]		
SIGNATURE	" "		DATE 23/03/17

TITLE	MRS	FULL NAME	PARZANA CATOWATTUREY
ADDRESS	[REDACTED]		POSTCODE [REDACTED]
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]		DATE 23/03/17

As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol, regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE	MR	FULL NAME	Mohammad Amran Anis
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/03/17

TITLE		FULL NAME	
ADDRESS		POSTCODE	
EMAIL			
SIGNATURE		DATE	

TITLE		FULL NAME	
ADDRESS		POSTCODE	
EMAIL			
SIGNATURE		DATE	

TITLE		FULL NAME	
ADDRESS		POSTCODE	
EMAIL			
SIGNATURE		DATE	

As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol, regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE		FULL NAME	Abu Bakr
ADDRESS	[REDACTED]		
EMAIL			
SIGNATURE	[REDACTED]	DATE	24/3/17

TITLE		FULL NAME	MOYNIOL HOQUE
ADDRESS	[REDACTED]		
EMAIL			
SIGNATURE	[REDACTED]	DATE	

TITLE	MR	FULL NAME	RIPON CHOWDHURY
ADDRESS	[REDACTED]		
EMAIL			
SIGNATURE		DATE	

TITLE	MR	FULL NAME	ZAHER MIAH
ADDRESS	[REDACTED]		
EMAIL			
SIGNATURE	[REDACTED]	DATE	

As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol, regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE	MR	FULL NAME	IMRAN MIHAI
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	[REDACTED]

TITLE	Mr	FULL NAME	Ahmed Mhd
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	[REDACTED]

TITLE	MR	FULL NAME	AZIZUL HOQUE
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	[REDACTED]

TITLE	MR	FULL NAME	NAZM CHOWDHURY
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	[REDACTED]

As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol, regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE		FULL NAME	Hamidul Islam
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	

TITLE	Mr	FULL NAME	Kobirul Rahman
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	

TITLE	MV	FULL NAME	Mohibur Rahman
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/03/17

TITLE	MV	FULL NAME	MITU MIAH
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/03/17

As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol, regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE	MR	FULL NAME	NOSIR ALI
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	

TITLE	MR	FULL NAME	ABDELAM DAKHANE
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/3/17

TITLE		FULL NAME	SHUHED MIAN
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	

TITLE	MR	FULL NAME	TARIP UDDIN
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24.3.2017

As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol, regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE	MV	FULL NAME	MUHAMMAD ZUBAIR
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	

TITLE	MR	FULL NAME	ZUBAIR RANA
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/3/17

TITLE	MR	FULL NAME	SURAJ ALI 24/3/17
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	

TITLE	MR	FULL NAME	FARUK ALI
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	

As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol, regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE	MR	FULL NAME	MUHAMMAD AL EDDIN
ADDRESS	[REDACTED]		POSTCODE [REDACTED]
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	

TITLE	MR	FULL NAME	Sheikh Azaduzzaman
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/3/17

TITLE		FULL NAME	AZAD Hossain
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/03/17

TITLE		FULL NAME	Chowdhury
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/03/17

As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol, regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE		FULL NAME	Mohammed Shohid
ADDRESS	[REDACTED]		
EMAIL			
SIGNATURE	[REDACTED]	DATE	24/03/17

TITLE	WR	FULL NAME	Jabru'l Islam Chowdhury
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24.3.17

TITLE		FULL NAME	
ADDRESS		POSTCODE	
EMAIL			
SIGNATURE		DATE	

TITLE		FULL NAME	
ADDRESS		POSTCODE	
EMAIL			
SIGNATURE		DATE	

As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol-regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE	MR.	FULL NAME	ABDULLAH
ADDRESS			POSTCODE
EMAIL			
SIGNATURE			DATE

TITLE	MR	FULL NAME	MAHIBUL RAHMAN
ADDRESS	[REDACTED]		
EMAIL			
SIGNATURE	[REDACTED]	DATE	26/03/17

TITLE	MR	FULL NAME	KHAYRU ISLAM
ADDRESS	[REDACTED]		
EMAIL			
SIGNATURE	[REDACTED]	DATE	27/3/17

TITLE	MR	FULL NAME	JAMAL ISLAM
ADDRESS	[REDACTED]		
EMAIL			
SIGNATURE	[REDACTED]	DATE	2/4/17

As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol, regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE	MR	FULL NAME	LUTHFUR RAHMAN CHOWDHURY
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	3/4/17

TITLE	MR	FULL NAME	AHJAN HUSSAIN
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	3/4/17

TITLE	MR	FULL NAME	Mohammed Moker
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	7/4/17

TITLE		FULL NAME	
ADDRESS		POSTCODE	
EMAIL			
SIGNATURE		DATE	

As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol, regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE	Mr	FULL NAME	Abdul Rahman	
ADDRESS	[REDACTED]			
EMAIL	[REDACTED]			
SIGNATURE	[REDACTED]		DATE	24/03/17

TITLE	Mr	FULL NAME	Jabbar [REDACTED]
ADDRESS		POSTCODE	
EMAIL			
SIGNATURE			DATE

TITLE	MR	FULL NAME	ABDUL WAHAD OMAR	
ADDRESS	[REDACTED]			
EMAIL	[REDACTED]			
SIGNATURE	[REDACTED]		DATE	24/3/17

TITLE		FULL NAME		
ADDRESS		POSTCODE		
EMAIL				
SIGNATURE			DATE	

As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE	MR	FULL NAME	MOHAMED ALI
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/3/17

TITLE	MR	FULL NAME	Schel miad
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/3/17

TITLE	MR	FULL NAME	Abdul wasiul
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/3/17

TITLE		FULL NAME	
ADDRESS	SHAZIDUR RAHMAN	POSTCODE	[REDACTED]
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/3/17

As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol, regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE	MR	FULL NAME	YAK MUHAMMAD BYAS MICKIL
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/03/17

TITLE	MR	FULL NAME	ALI Hussain
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/03/17

TITLE	MR	FULL NAME	Zubon MIAH
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/03/17

TITLE	MR	FULL NAME	HASSAN MOHAMMED
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/03/17

As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE	MA	FULL NAME	ADAMAR MOADY
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	20/03/11

TITLE		FULL NAME	TOKLISYR RAHMAN
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	

TITLE		FULL NAME	Abdhammed Hussain
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/03/11

TITLE		FULL NAME	Mohamed Mulla
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/03/11

As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol, regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE		FULL NAME	Saidur Rahman
ADDRESS	[REDACTED]		
EMAIL			
SIGNATURE	[REDACTED]	DATE	

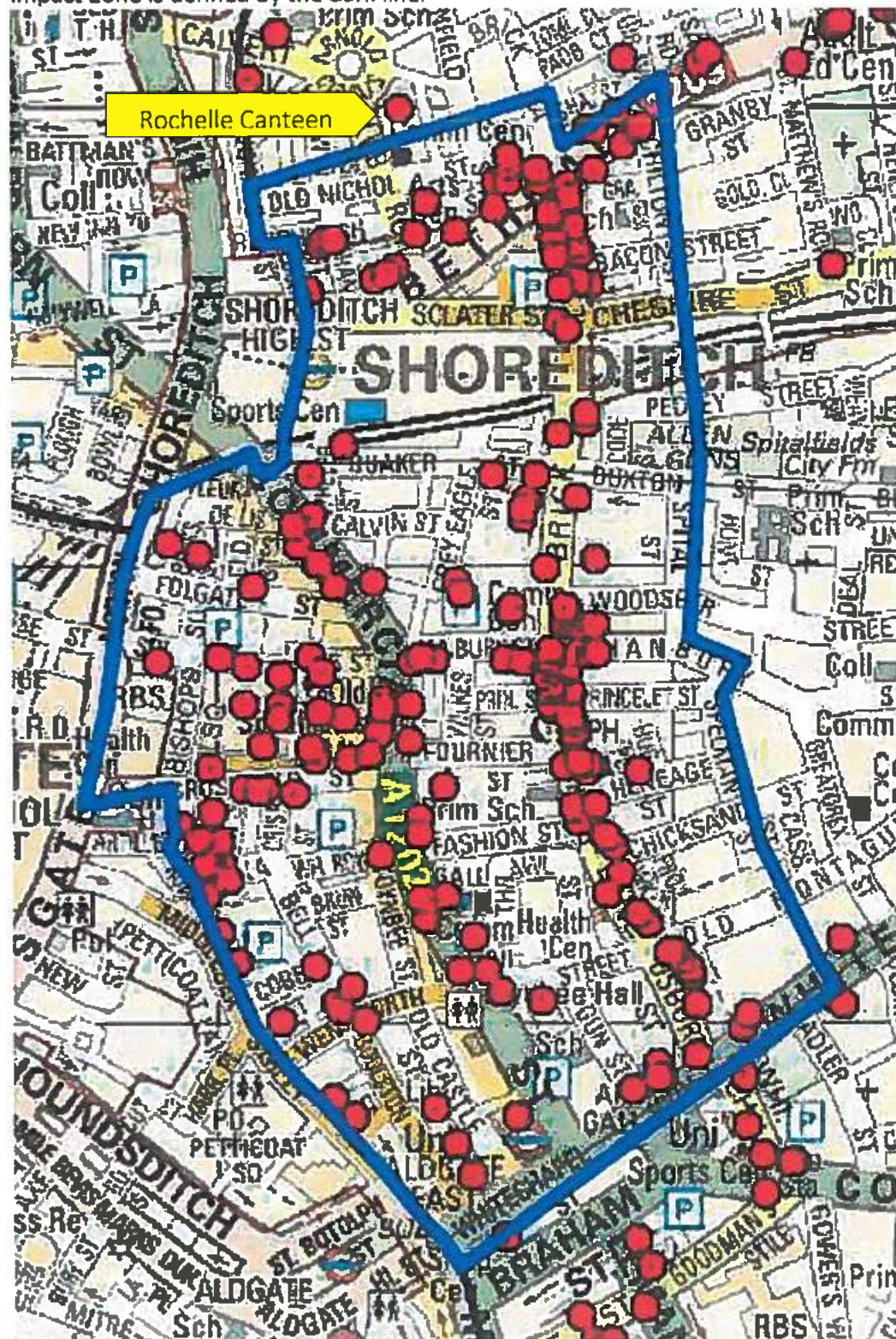
TITLE	MR	FULL NAME	KHALIL AHMED
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	29/03/17

TITLE		FULL NAME	
ADDRESS		POSTCODE	
EMAIL			
SIGNATURE		DATE	

TITLE		FULL NAME	
ADDRESS		POSTCODE	
EMAIL			
SIGNATURE		DATE	

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.



Map courtesy of Metropolitan Police

Source: Statement of Licensing Policy 2013 - 2018, London Borough of Tower Hamlets

Appendix 11

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



Re: Application for Rochelle Canteen Arnold Circus London E2 &ES

I write to object to this proposed licensable activities and their hours

- 1 sale of alcohol Sun – Thurs 10:00 – 23:00; Fri- Sat 10.00 -23:00 hrs
- 2 Late night refreshment Fri – Sat 23.00-23.30 hrs
- 3 Opening hours Sun- Thurs 08.00 -23.00 hrs, Fri – Sat 08:00 – 00:00 hrs

For the following reasons:

The premises are located close to the Shoreditch Special Policy Area and Brick Lane SPA, and therefore should be rejected given the risks of undermining the SPA/saturation zones in the area.

2. The Boundary estate is a conservation area and the Rochelle Canteen is overlooked by the residential properties including Walton House, Cookham House, Clifton House Sandford House and most alarmingly directly next door to The Old Laundry on Montclair St all of aforementioned tenement's house children and adults who have to wake early and Will be disturbed by people leaving late at night

3. This address is near some of London's busiest bars. The area surrounding the site is often an open-air club, with violence, vomiting, urination, defecation, drug use and unsociable conduct late into the night, presenting real safety and security issues. By allowing the restaurant to become licensed may bring the chaos of the surrounding area closer

4. The venue is in the middle of a residential area within a zone that is saturated beyond breaking point with late-night drinking, licensed restaurants and party venues, attracting hordes of booze tourists every weekend causing intolerable noise, anti-social behavior, littering and fouling of the streets. On the website of Rochelle it says "an oasis of creativity " alcohol may change the peace and tranquility of this residential neighborhood forever

5. The protection of children from harm is vital. Shoreditch is

overwhelmed with inebriated and unsociable people due to the concentration of drinking establishments, and the area surrounding The Boundary Estate is rapidly becoming a fundamentally unsafe area for families. The Boundary Gardens and the play areas on the estate are the only areas locally where children and parents can enjoy their environment without the worry of inebriated folk disturbing the quality of their work life balance.

I would like it to remain a peaceful and safe area for children and by granting this licence you are threatening the ecology of the neighbourhood.

Should a license be deemed suitable, I believe there should be reasonable restrictions related to;

Licensed only in relation to the use permitted on original planning consent

no noise emanating from the property

no off sales;

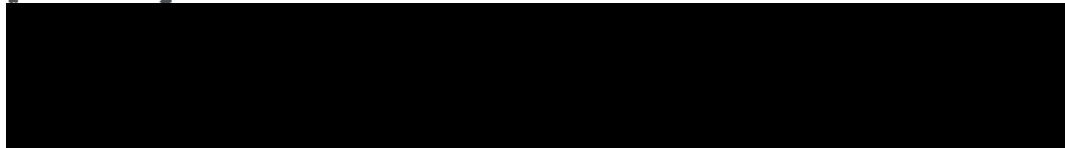
strict limits on the use of the outdoor areas and no external dining or drinking activity outside after 9pm, all customers to be seated at a dining table indoors at 9 pm and alcohol continuing to be sold only ancillary to a meal

all outdoor furniture to be dismantled by 9.30 pm.

SIA Doormen to be in-situ throughout opening hours when alcohol is available. Rochelle grounds are extensive and SIA doormen will ensure the gardens and other areas of the grounds are not used for licensable activities

[Name] Nuressa Khafun

[Address]



overwhelmed with inebriated and unsociable people due to the concentration of drinking establishments, and the area surrounding The Boundary Estate is rapidly becoming a fundamentally unsafe area for families. The Boundary Gardens and the play areas on the estate are the only areas locally where children and parents can enjoy their environment without the worry of inebriated folk disturbing the quality of their work life balance. I would like it to remain a peaceful and safe area for children and by granting this licence you are threatening the ecology of the neighbourhood.

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[Name]

Jaida Khatur

[Address]

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[Name]

Jamila Khetan

[Address]

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[Name] MD. ABDUL GOFUR

[Address]

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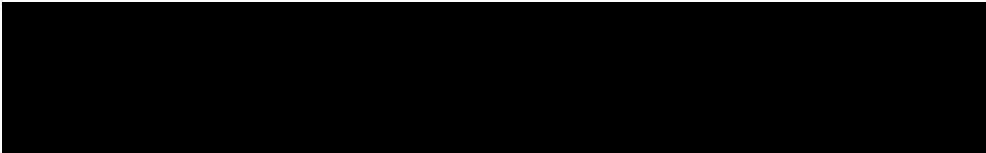
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[Name] Karuna Begum 

[Address]



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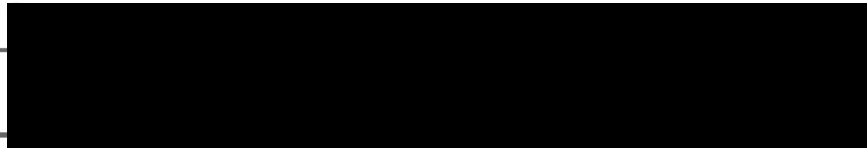
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[Name] Mohammed Ahmed 

[Address]



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[Name] Amran Ali

[Address] 

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[Name] ALI HAZDEK

[Address]

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[Name] SILVIA BEGUM 

[Address] 

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[Name] MOYNILL HOQUE 

[Address]



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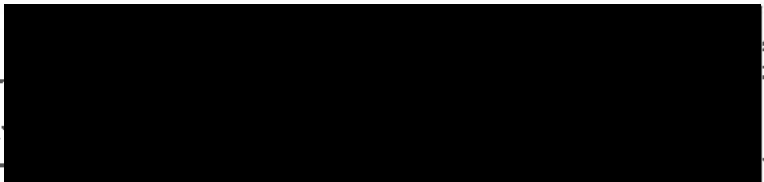
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[Name] S M I A H

[Address]

1  5

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[Name] SHAJNA KHANAM

[Address]

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[Name]

Shamela Khan

[Address]

_____  _____

overwhelmed with inebriated and unsociable people due to the concentration of drinking establishments, and the area surrounding The Boundary Estate is rapidly becoming a fundamentally unsafe area for families. The Boundary Gardens and the play areas on the estate are the only areas locally where children and parents can enjoy their environment without the worry of inebriated folk disturbing the quality of their work life balance. I would like it to remain a peaceful and safe area for children and by granting this licence you are threatening the ecology of the neighbourhood.

Should a license be deemed suitable, I believe there should be reasonable restrictions related to;

Licensed only in relation to the use permitted on original planning consent

no noise emanating from the property

no off sales;

strict limits on the use of the outdoor areas and no external dining or drinking activity outside after 9pm, all customers to be seated at a dining table indoors at 9 pm and alcohol continuing to be sold only ancillary to a meal

all outdoor furniture to be dismantled by 9.30 pm.

SIA Doormen to be in-situ throughout opening hours when alcohol is available. Rochelle grounds are extensive and SIA doormen will ensure the gardens and other areas of the grounds are not used for licensable activities

[Name] SIFOT ALI 

[Address] 

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[Name] SAMA AHMED 

[Address] 

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Should a license be deemed suitable, I believe there should be reasonable restrictions related to;

Licensed only in relation to the use permitted on original planning consent

no noise emanating from the property

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[Name] ABDUL HAMID 

[Address] 

Appendix 12

**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 13

Public nuisance - S182 Updated March 2015

- 2.14 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.
- 2.15 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.
- 2.16 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 15). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.
- 2.17 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.

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

Appendix 14

Prevention of Nuisance – Licensing Policy, updated March 2015

- 10.1 Licensed premises, especially those operating late at night and in the early hours of the morning, can cause a range of nuisances impacting on people living, working or sleeping in the vicinity of the premises.
- 10.2 The concerns mainly relate to noise nuisance both from the premises and customer egress, light pollution, noxious smells and disruption from parked vehicles and due regard will be taken of the impact these may have in considering a licence. The Licensing Authority will expect Operating Schedules to satisfactorily address these issues. Applicants are advised to seek advice from the Council's Environmental Health Officers before preparing their plans and Schedules.
- 10.3 The Licensing Authority, where its discretion is engaged, will consider, where appropriate, attaching conditions to licences and permissions to prevent the problems identified in 8.2, and these may include conditions drawn from the Model Pool of Conditions in Appendix 2.

Appendix 15

Crime and disorder - S182 Updated March 2015

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

Appendix 16

Crime and Disorder – Licensing Policy, updated March 2015

- 6.1 Licensed premises, especially those offering late night / early morning entertainment, alcohol and refreshment for large numbers of people, can be a source of crime and disorder problems.
- 6.2 When addressing crime and disorder the applicant should initially identify any particular issues (having regard to their particular type of premises and / or activities) which are likely to adversely affect the promotion of the crime and disorder objective. Such steps as are required to deal with these identified issues should be included within the applications operating schedule. Where a Crime Prevention Officer from the Metropolitan Police makes recommendations for premises that relate to the licensing objectives, the operating schedule should normally incorporate the suggestions.
- 6.3 Applicants are recommended to seek advice from Council Officers and the Police as well as taking into account, as appropriate, local planning and transport policies, with tourism, cultural and crime prevention strategies, when preparing their plans and Schedules.
- 6.4 In addition to the requirements for the Licensing Authority to promote the licensing objectives, it also has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the Borough.
- 6.5 The Licensing Authority, if its discretion is engaged, will consider attaching Conditions to licences and permissions to deter and prevent crime and disorder both inside and immediately outside the premises and these may include Conditions drawn from the Model Pool of Conditions relating to Crime and Disorder given in Section 182 of the Licensing Act 2000. (See **Appendix 2.**)
- 6.6 **CCTV** - The Licensing Authority, if its discretion is engaged, will attach conditions to licences, as appropriate where the conditions reflect local crime prevention strategies, for example the provision of closed circuit television cameras.
- 6.7 Touting - The Council has had a significant number of complaints relating to premises which are substantially or mainly restaurants where "touting" is a problem. Touting is soliciting for custom. Consequently, in relation to such premises the Licensing Authority, where its discretion is engaged will insert a standard condition that prohibits 'touting' as follows:-
 - 1) No person shall be employed to solicit for custom or be permitted to solicit for custom for business for the premises in any public place within a 500 meters radius of the premises as shown edged red on the attached plan.(marked as Appendix -)
 - 2) Clear Signage to be placed in the restaurant windows stating that the premises supports the Council's 'No Touting' policy.

- 6.8 **Street Furniture** - This would include Advertising Boards, they are sometimes placed in such a way as to be a nuisance to the public on the highway, or they encourage the consumption of alcohol in areas that are not licensed. The Licensing Authority expects applicants to have ensured that they fully comply with the Councils rules relating to authorisation of obstructions on the highway and a licence permission to place advertising boards or street furniture on the highway should normally have been obtained from Tower Hamlets Markets Service before an application for a licence is made. Where proportionate and appropriate, and its discretion is engaged, the Licensing Authority will impose conditions in relation to street seats and tables or boards, including on private land.
- 6.9 **Fly Posting** - The Council has experienced significant problems with "fly posting" in relation to venues that offer entertainment. Fly posting is the unauthorised posting of posters / advertisements etc. Where it considers it appropriate and its discretion is engaged, the Licensing Authority will attach conditions relating to the control of fly posting to ensure that venues clearly prohibit all fly posting in their contract terms with others and they effectively enforce this control.
- 6.10 **Responsible Drinking** - The Licensing Authority expects alcohol to be promoted in a responsible way in the Borough. This should incorporate relevant industry standards, such as the Portman Group. Where appropriate and proportionate, if its discretion is engaged, the Licensing Authority will apply conditions to ensure responsible drinking. The Licensing Authority also recognises the positive contribution to best practice that "Pubwatch" and other similar schemes can make to achieving the licensing objectives and is committed to working with them Model Pool Conditions from the Licensing Act 2003, Section 182 Guidance are in Appendix 2.
- 6.11 **Illicit Goods: Alcohol and Tobacco** - The Licensing Authority will consider licence review applications where there is evidence that illicit alcohol has been offered for sale on the premises. Where other illicit goods, such as tobacco, have been found this may be considered by the Licensing Authority as evidence of poor management and have the potential to undermine the licensing objectives.
- 6.12 Illicit alcohol means alcohol that is, counterfeit, bears counterfeit duty stamps and or smuggled.
- 6.13 Illicit tobacco means, counterfeit, and/or non UK duty paid tobacco products.
- 6.14 Illicit goods mean articles that are counterfeit, that do not comply with the classification and labelling requirements of the Video Recordings Acts and/or that breach other Trading Standards legislation such as consumer safety and unfair commercial practices

6.15 In particular the Licensing Authority is mindful of the advice provided in the guidance issued by the Home Office under section 182 of the Act "Reviews arising in connection with crime".

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

Smuggled goods

1) The premises licence holder and any other persons responsible for the purchase of stock shall not purchase any goods from door-to-door sellers other than from established traders who provide full receipts at the time of delivery.

2) The premises licence holder shall ensure that all receipts for goods bought include the following details:

- I. Seller's name and address
- II. Seller's company details, if applicable
- III. Seller's VAT details, if applicable
- IV. Vehicle registration detail, if applicable

3) Legible copies of the documents referred to in 2) shall be retained on the premises and made available to officers on request.

4) The trader shall obtain and use a UV detection device to verify that duty stamps are valid.

5) Where the trader becomes aware that any alcohol may be not duty paid they shall inform the Police of this immediately.

Appendix 17

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 18

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 19

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 20

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.

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Supporting Submissions From The Applicant

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ROCHELLE CANTEEN

Tuesday 25th April 2017

Bread	1.50
Olives	2.50
Fennel Salami	4.50
Radishes & Smoked Cod's Roe	4.50
Beetroot Broth	6.50
Asparagus & Hollandaise	9.00
Brandade & Soft Boiled Egg	8.50
Pigeon Terrine & Pickled Prunes	8.00
Roast Carrots, Beetroot & Quinoa Salad	6.50
Lemon Sole & Tartare Sauce	18.00
Smoked Ox Tongue, Butter Beans & Tropea Onions	16.00
Bavette, Chips & Horseradish	18.00
Roast Pork Shoulder, Lentils & Mustard	17.00
Courgette, Chard & Goat's Curd Tart	14.00
New Potatoes	4.50
Hispi Cabbage	4.50
Green Salad	4.50
Pear & Almond Tart	6.50
Chocolate Pot, Praline & Cream	6.50
Fig Leaf Ice Cream	6.50
Double Lemon Pudding	6.50
Sinodun & Crackers	8.00

*Rochelle Canteen, Monday to Sunday breakfast & lunch
Thursday to Saturday supper*

If you have a food allergy please speak to us before ordering
For events & feasts please contact Arnold & Henderson
www.arnoldandhenderson.com

ROCHELLE CANTEEN

Tuesday 25th April 2017

Bread	1.50
Olives	2.50
Fennel Salami	4.50
Radishes & Smoked Cod's Roe	4.50
Beetroot Broth	6.50
Asparagus & Hollandaise	9.00
Brandade & Soft Boiled Egg	8.50
Pigeon Terrine & Pickled Prunes	8.00
Roast Carrots, Beetroot & Quinoa Salad	6.50
Lemon Sole & Tartare Sauce	18.00
Smoked Ox Tongue, Butter Beans & Tropea Onions	16.00
Bavette, Chips & Horseradish	18.00
Roast Pork Shoulder, Lentils & Mustard	17.00
Courgette, Chard & Goat's Curd Tart	14.00
New Potatoes	4.50
Hispi Cabbage	4.50
Green Salad	4.50
Pear & Almond Tart	6.50
Chocolate Pot, Praline & Cream	6.50
Fig Leaf Ice Cream	6.50
Double Lemon Pudding	6.50
Sinodun & Crackers	8.00

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ROCHELLE CANTEEN

Tanqueray & Tonic	4.00
Negroni	5.50
Bowmore	4.00
Peroni	3.50

Champagne de Barfontarc	<i>gls 6.50 / 34.00</i>
St John Blanc de Blanc	38.00
Ruinart Brut	45.00

St John White 2014	<i>half litre 12.00</i>
Chemin de la Serre 2013 <i>Pays d'Oc</i>	<i>gls 4.00 / 20.00</i>
Les Costes 2014 <i>Minervois</i>	24.00
Boulevard Napoleon Grenache Gris 2012	25.00

St John Rosé 2014 <i>Pays d'Oc</i>	<i>half litre 12.00</i>
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St John Red 2013 <i>Pays d'Oc</i>	<i>half litre 12.00</i>
Chemin de la Serre 2013 <i>Pays d'Oc</i>	<i>gls 4.00 / 20.00</i>
Chat Fou 2012 Cotes Du Rhone	6.00 / 27.00
Haut-Medoc 2008 <i>Chateau Caronne Ste Gemme</i>	42.00

ROCHELLE CANTEEN

Tanqueray & Tonic	4.00
Negroni	5.50
Bowmore	4.00
Peroni	3.50

Champagne de Barfontarc	<i>gls 6.50 / 34.00</i>
St John Blanc de Blanc	38.00
Ruinart Brut	45.00

St John White 2014	<i>half litre 12.00</i>
Chemin de la Serre 2013 <i>Pays d'Oc</i>	<i>gls 4.00 / 20.00</i>
Les Costes 2014 <i>Minervois</i>	24.00
Boulevard Napoleon Grenache Gris 2012	25.00

St John Rosé 2014 <i>Pays d'Oc</i>	<i>half litre 12.00</i>
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St John Red 2013 <i>Pays d'Oc</i>	<i>half litre 12.00</i>
Chemin de la Serre 2013 <i>Pays d'Oc</i>	<i>gls 4.00 / 20.00</i>
Chat Fou 2012 Cotes Du Rhone	6.00 / 27.00
Haut-Medoc 2008 <i>Chateau Caronne Ste Gemme</i>	42.00

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ROCHELLE CANTEEN

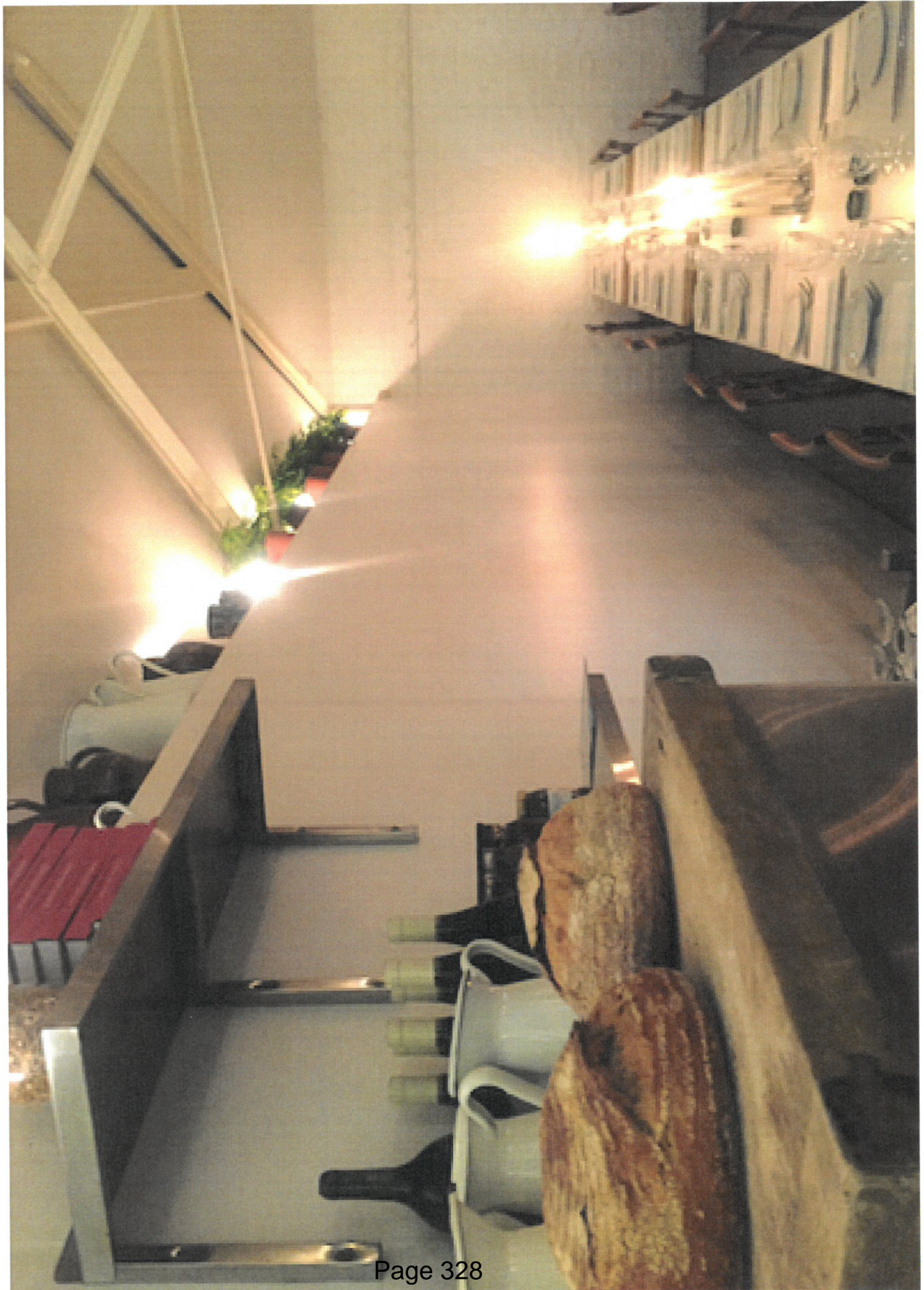
<i>Bottle</i>	
Chegworth Valley Juices	2.50
Ginger Beer	2.50
Belu Still & Sparkling Water	2.50
Fresh Cold Pressed Juice	4.50
<i>Jug</i>	
Elderflower & Mint	8.50
Canteen Lemonade	9.00
<i>Coffee</i>	
Espresso/Macchiato	1.50/1.80
Long Black	2.00
Flat White/Latte/Cappuccino	2.40
<i>Tea</i>	
English Breakfast, Earl Grey, Ceylon, Olive Leaf, Chamomile, Peppermint, Jasmine, Oolong, Lemon Verbena, Rooibos	2.50
Wine Corkage (<i>per bottle</i>)	6.50

ROCHELLE CANTEEN

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List of Temporary Events for Rochelle Canteen

Name Event	Date	No People	Timing
Bookfair	30.07.06	60	14.00-19.00
Art Opening	08.11.06	400	15.00-23.00
Bookfair	29.07.07	300	13.00-19.00
3 Letter Word	22.11.14	45	09.00-20.00
Clothing Xmas	13.12.14- 14.12.14	499	09.00-20.00
Gavin L	16.12.14	40	18.00-23.00
Jane W	31.01.15	30	12.00-21.00
Jassim & Daniel	27.06.15	55	12.00-21.00
Canteen Open	04.07.15 - 05.07.15	200	09.00-22.00, 09.00-18.00
Canteen Open	01.08.15 - 02.08.15	200	09.00-22.00, 09.00-18.00
F	03.09.15	40	19.00-23.00
F/Canteen Open	03.09.15- 06.09.15		18.00-23.00, 09.00-22.00, 09.00-18.00
Pinch/London Design Week	22.09.15 - 27.09.15	45	18.00-23.00, 09.00-22.00, 09.00-18.00
David H Wedding	17.10.15	45	09.00-22.00, 09.00-18.00
Alice R	16.11.15	45	18.00-22.30
Google Dinner	25.11.15	45	18.00-22.30
Maureen P/L & S	15.12.15 - 16.12.15	45	18.00-23.00, 18.00-23.00
Sarah L	09.03.16	45	18.00-23.00
Nicholas S	23.04.16		19.30-00.00
Society Dinner	26.05.16	45	18.00-23.00
James P	18.06.16	45	12.00-19.30
Lucinda & Martin	15.07.16	45	16.00-23.00
Charles P	06.08.16	45	12.00-19.00
Tamara C	28.09.16	45	19.00-23.00
S F	08.10.16		12.00-19.00
Maureen P	15.12.16	45	18.00-22.00
A xmas	08.12.16	45	15.00-23.00
C Book Launch	07.12.16	45	18.00-21.30
H St	14.01.17	46	19.00-23.00
K	23.02.17	45	18.00-23.00
G	10.03.17	45	18.00-23.00
P	12.04.17	45	18.00-22.00

ARNOLD & HENDERSON

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