

LICENSING SUB COMMITTEE

Tuesday, 30 May 2017 at 5.30 p.m*.

The Council Chamber, Town Hall, Mulberry Place,

5 Clove Crescent, London, E14 2BG

This meeting is open to the public to attend.

- **PLEASE NOTE EARLIER MEETING STARTING TIME**

Contact for further enquiries:

Antoinette Duhaney, Democratic Services
1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, E14 2BG
Tel: 020 7364 4120
E-mail: antoinette.duhaney@towerhamlets.gov.uk
Website: <http://www.towerhamlets.gov.uk/committee>

Scan this code
for an electronic
agenda



Public Information

Attendance at meetings.

The public are welcome to attend meetings of the Committee. However seating is limited and offered on a first come first served basis.

Audio/Visual recording of meetings.

Should you wish to film the meeting, please contact the Committee Officer shown on the agenda front page.

Mobile telephones

Please switch your mobile telephone on to silent mode whilst in the meeting.

Access information for the Town Hall, Mulberry Place.



Bus: Routes: D3, D6, D7, D8, 15, 108, and 115 all stop near the Town Hall.

Docklands Light Railway: Nearest stations are East India: Head across the bridge and then through the complex to the Town Hall, Mulberry Place

Blackwall station: Across the bus station then turn right to the back of the Town Hall complex, through the gates and archway to the Town Hall.

Tube: The closest tube stations are Canning Town and Canary Wharf

Car Parking: There is limited visitor pay and display parking at the Town Hall (free from 6pm)

If you are viewing this on line: (http://www.towerhamlets.gov.uk/content_pages/contact_us.aspx)

Meeting access/special requirements.

The Town Hall is accessible to people with special needs. There are accessible toilets, lifts to venues. Disabled parking bays and an induction loop system for people with hearing difficulties are available. Documents can be made available in large print, Braille or audio version. For further information, contact the Officers shown on the front of the agenda



Fire alarm

If the fire alarm sounds please leave the building immediately by the nearest available fire exit without deviating to collect belongings. Fire wardens will direct you to the exits and to the fire assembly point. If you are unable to use the stairs, a member of staff will direct you to a safe area. The meeting will reconvene if it is safe to do so, otherwise it will stand adjourned.

Electronic agendas reports and minutes.

Copies of agendas, reports and minutes for council meetings can also be found on our website from day of publication.

To access this, click www.towerhamlets.gov.uk/committee and search for the relevant committee and meeting date.

Agendas are available at the Town Hall, Libraries, Idea Centres and One Stop Shops and on the Mod.Gov, iPad and Android apps.



QR code for smart phone users.

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: Variation to Premises Licence for Agah, 43 Commercial Street, E1 6BD | 15 - 100 | Spitalfields & Banglatown |

Licensing objectives: Crime & Disorder, Public Nuisance

Representations by: Licensing Authority, Metropolitan Police, Local Residents

| | | |
|--|------------------|-------------------------|
| 3.2 Licensing Act 2003: Variation to Premises Licence for The Bothy, 16 Hertsmere Road, E14 4AX | 101 - 164 | Canary Wharf |
|--|------------------|-------------------------|

THIS APPLICATION HAS BEEN WITHDRAWN

Licensing objectives: Public Nuisance

Representations by: Local Resident

**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> |

This page is intentionally left blank

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.

This page is intentionally left blank

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.

This page is intentionally left blank

Agenda Item 3.1

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

| | |
|--|---|
| Report of: David Tolley Head of Environmental Health and Trading Standards Originating Officer: Mohshin Ali Senior Licensing Officer | Title: Licensing Act 2003 Application for a variation of a premises licence for (Agah Turkish Restaurant), 43 Commercial Street, London E1 6BD Ward affected: Spitalfields and Banglatown |
|--|---|

1.0 Summary

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

2.0 Recommendations

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

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

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

File Only

Mohshin Ali
020 7364 5498

3.0 **Background**

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

The Supply of Alcohol (on sales only)

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

The Provision of Late Night Refreshment (indoors)

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

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

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

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

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

The opening hours of the premises

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

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

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

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

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

The Supply of Alcohol (on sales only)

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

The Provision of Late Night Refreshment (indoors)

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

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

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

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

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

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

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

The opening hours of the premises

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

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

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

4.0 Location and Nature of the premises

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

5.0 Licensing Policy and Government Advice

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

6.0 Representations

- 6.1 This hearing is required by the Licensing Act 2003, because relevant representations have been made by the following:
 - Met Police (**Appendix 6**)
 - Licensing Authority acting as a Responsible Authority (**Appendix 7**)
 - Residents Association (SPIRE) (**Appendix 8**)
- 6.2 All of the responsible authorities have been consulted about this application. They are as follows:
 - The Licensing Authority
 - The Metropolitan Police
 - The LFEPA (the London Fire and Emergency Planning Authority).
 - Planning
 - Health and Safety
 - Noise
 - Trading Standards
 - Child Protection
 - Public Health
- 6.3 In addition the application was required to be advertised in a local newspaper and by a blue poster. Only objections that relate to the following licensing objectives are relevant:
 - the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm

- 6.4 Essentially, the relevant parties oppose the application because the applicant has not explained how within the context of the application they will meet the licensing objectives, particularly the prevention of crime and disorder and the prevention of public nuisance.
- 6.5 There are strict time limits to any representations. The time limits are contained in The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005.
- 6.6 The applicant has offered measures in the operating schedule of the application that address the promotion of the Licensing Objectives. If there were no representations, the Licensing Authority would grant the licence, with conditions consistent with the operating schedule, which are relevant, proportionate and enforceable. Members are asked to consider the schedule and incorporate any conditions as necessary to address the licensing objectives.

7.0 Conditions consistent with Operating Schedule (The applicant has repeated the existing conditions of the licence)

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

8.0 Conditions in consultation with the responsible authorities/other persons

- 8.1 None

9.0 Licensing Officer Comments

9.1 The following is intended simply to advise Members of the relevant aspects of the Boroughs Licensing Policy, guidance from the Secretary of State, legislation and good practice (See 6.2). Members may depart from the Council's Licensing Policy and/or Government advice, provide they consider it appropriate to do so, and have clear reasons for their decision.

9.2 Guidance issued under section 182 of the Licensing Act 2003

- ❖ As stated in the guidance it is “provided to licensing authorities in relation to the carrying out of their functions.” It is a key mechanism for promoting best practice, ensuring consistent application and promoting fairness (1.7)
- ❖ Also “so long as licensing authorities have properly understood the Guidance, they may depart from it if they have reason to do so as long as they have reason to do so.” When doing so licensing authorities will need to give full reasons for their actions (1.9).
- ❖ Also Members should note “A Licensing Authority may depart from its own policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the licensing objectives.” (1.12)
- ❖ Conditions may not be imposed for the purpose other than the licensing objectives.
- ❖ Necessary conditions should emerge from a risk assessment by the applicant, which should then be reflected in the operating schedule (10.6).
- ❖ The Licensing Authority may only impose such conditions as are necessary for meeting the licensing objectives.
- ❖ It is Government policy that facilities for people and performers with disabilities should be provided at places of entertainment.
- ❖ “The Government acknowledges that different licensing strategies may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions regarding licensed opening hours as part of the implementation of its licensing policy statement and licensing authorities are best placed to make decisions about appropriate opening hours in their areas based on their local knowledge and in consultation with responsible authorities.” (10.11)
- ❖ Mandatory conditions must be imposed (10.38) and censorship avoided (10.17).

- ❖ Licensing authorities should not attach standardised blanket conditions promoting fixed prices for alcoholic drinks to premises licences or club licences or club premises certificates in an area. This may be unlawful under current law. However, it is important to note that the mandatory conditions made under sections 19A and 73B of the 2003 Act prohibit a number of types of drinks promotions where they give rise to a significant risk to any one of the four licensing objectives (10.26).
- 9.3 The Licensing Act 2003 permits children of any age to be on the premises which primarily sells alcohol providing they are accompanied by an adult. It is not necessary to make this a condition.
- 9.4 In all cases the Members should make their decision on the civil burden of proof that is “the balance of probability.”
- 9.5 In all cases Members should consider whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.
- 9.6 The Government has advised that “Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area and to respect the rights of people living nearby to a peaceful night.” (2.20)
- 9.7 The Council’s Licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.
- 9.8 In **Appendices 9 - 15** Members are given general advice, and also have explanations of the Council’s Licensing Policy, Government advice and other legislation relating to the matters in the representations.

10.0 Legal Comments

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

11.0 Finance Comments

- 11.1 There are no financial implications in this report.

12.0 Appendices

| | |
|--------------------|--|
| Appendix 1 | A copy of the existing licence |
| Appendix 2 | A copy of the variation application |
| Appendix 3 | Site plan of the venue |
| Appendix 4 | Maps showing vicinity of venue |
| Appendix 5 | Details of nearest licensed venues |
| Appendix 6 | Representation from Police |
| Appendix 7 | Representation from Licensing Authority |
| Appendix 8 | Representation of SPIRE (John Shapiro) |
| Appendix 9 | Licensing Officer comments on noise whilst the premises is in use |
| Appendix 10 | Licensing Officer comments on access and egress problems |
| Appendix 11 | Licensing Officer comments on crime and disorder on the premises |
| Appendix 12 | Licensing Officer comments on crime and disorder from patrons leaving the premises |
| Appendix 13 | Planning |
| Appendix 14 | Licensing Policy relating to hours of trading |
| Appendix 15 | Licensing Officer comments on the Tower Hamlets Cumulative Impact Zone |

Appendix 1

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

Licensable Activities authorised by the licence

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

See the attached licence for the licence conditions

Signed by

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

Date: 30th August 2016



Part A - Format of premises licence

Premises licence number

20340

Part 1 - Premises details

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

(Agah Turkish Restaurant)
43 Commercial Street

Post town

London

Post code

E1 6BD

Telephone number

██████████

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

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

The times the licence authorises the carrying out of licensable activities

The Supply of Alcohol (on sales only)

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

The Provision of Late Night Refreshment (indoors)

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

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

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

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

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

The opening hours of the premises

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

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

On sales only

Part 2

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

Lop Lop Limited
43 Commercial Street
London
E1 6BD

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

Registered Company Number: 09374933

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

Ritesh Viswanatha Panicker

[REDACTED]

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

Licence Number: [REDACTED]
Issuing Authority: [REDACTED]

Annex 1 - Mandatory conditions

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

- a) at a time where there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
- 1.
- (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises;
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability)
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

4. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

5.
 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

 2. For the purposes of the condition set out in paragraph 1—
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) “permitted price” is the price found by applying the formula —

$$P = D + (D \times V)$$
 where —
 - (i) **P** is the permitted price
 - (ii) **D** is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

- (iii) **V** is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence
 - (i) the holder of the premises licence
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence
 - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day

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

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

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

Annex 2 - Conditions consistent with the operating Schedule

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

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

Not applicable

Annex 4 - Plans

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

- 25th July 2016 – Ground Floor and Basement



Part B - Premises licence summary

Premises licence number

20340

Premises details

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

(Agah Turkish Restaurant)
43 Commercial Street

Post town

London

Post code

E1 6BD

Telephone number



Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

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

The times the licence authorises the carrying out of licensable activities

The Supply of Alcohol (on sales only)

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

The Provision of Late Night Refreshment (indoors)

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

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

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

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

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

The opening hours of the premises

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

Name, (registered) address of holder of premises licence

Lop Lop Limited
43 Commercial Street
London
E1 6BD

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

On sales only

Registered company number

09374933

Name of designated premises supervisor

Ritesh Viswanatha Panicker

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

Adult supervision at all times for young children.

Appendix 2



* required information

Section 1 of 17

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

System reference

Not Currently In Use

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

Your reference

Premises License Variation 20340

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

Are you an agent acting on behalf of the applicant?

- Yes No

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

Applicant Details

* First name

Rithesh V

* Family name

Panicker

* E-mail

[Redacted]

Main telephone number

[Redacted]

Include country code.

Other telephone number

[Redacted]

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

Are you:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

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

Applicant Business

Is your business registered in the UK with Companies House?

- Yes No

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

Registration number

09374933

Business name

Lop Lop Ltd T/A Agah Turkish Restaurant

If your business is registered, use its registered name.

VAT number

GB

202571741

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

Legal status

Private Limited Company

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 17

APPLICATION DETAILS

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

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

* Premises Licence Number

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

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable
value of premises (£)

71,500

Section 3 of 17

VARIATION

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

Yes

No

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

Yes

No

You do not have to pay a fee if the only
purpose of the variation for which you are
applying is to avoid becoming liable to the
late night levy.

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

Describe Briefly The Nature Of The Proposed Variation

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

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

Section 4 of 17

PROVISION OF PLAYS

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

Yes

No

Section 5 of 17

PROVISION OF FILMS

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

Yes

No

Section 6 of 17

PROVISION OF INDOOR SPORTING EVENTS

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

Continued from previous page...

Yes

No

Section 7 of 17

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

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

Yes

No

Section 8 of 17

PROVISION OF LIVE MUSIC

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

Yes

No

Section 9 of 17

PROVISION OF RECORDED MUSIC

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

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

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

- Indoors Outdoors Both

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

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

Music is regulated and amplified with proper sound limiters

State any seasonal variations for playing recorded music.

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

No seasonal variations

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

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

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

Section 10 of 17

PROVISION OF PERFORMANCES OF DANCE

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

- Yes No

Section 11 of 17

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

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

- Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

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

Will this entertainment take place indoors or outdoors or both?

Indoors Outdoors Both

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

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

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

Continued from previous page...

State any seasonal variations for entertainment.

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

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

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

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

Not Applicable.

Section 12 of 17

PROVISION OF LATE NIGHT REFRESHMENT

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

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

- Indoors Outdoors Both

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

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

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

State any seasonal variations.

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

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

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

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

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

Section 13 of 17

SUPPLY OF ALCOHOL

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

- Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start 12:00

End 23:00

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start 12:00

End 23:00

Start

End

WEDNESDAY

Start 12:00

End 23:00

Start

End

THURSDAY

Start 12:00

End 02:00

Start

End

FRIDAY

Start 12:00

End 02:00

Start

End

SATURDAY

Start 12:00

End 02:00

Start

End

SUNDAY

Start 12:00

End 01:00

Start

End

Will the sale of alcohol be for consumption?

- On the premises Off the premises Both

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

State any seasonal variations.

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

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

Continued from previous page...

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

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

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

Section 14 of 17

ADULT ENTERTAINMENT

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

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

not applicable

Section 15 of 17

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

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

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

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

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

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

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

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

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

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

Section 16 of 17

LICENSING OBJECTIVES

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

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

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

Continued from previous page...

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

b) The prevention of crime and disorder

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

c) Public safety

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

d) The prevention of public nuisance

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

e) The protection of children from harm

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

Section 17 of 17

PAYMENT DETAILS

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

Variation Fees are determined by the non-domestic rateable value of the premises.

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

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

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Continued from previous page...

Capacity 30000-39000 £16,000.00
Capacity 40000-49999 £24,000.00
Capacity 50000-59999 £32,000.00
Capacity 60000-69999 £40,000.00
Capacity 70000-79999 £48,000.00
Capacity 80000-89999 £56,000.00
Capacity 90000 and over £64,000.00

* Fee amount (£)

DECLARATION

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

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

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

* Full name
* Capacity
* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/tower-hamlets/change-1> to upload this file and continue with your application.

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

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

OFFICE USE ONLY

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

< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 Next >

Appendix 3

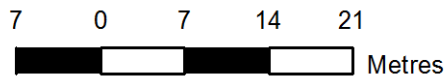
Appendix 4



43 Commercial Street



Scale 1:769



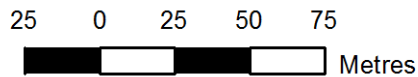
Produced by London Borough of Tower Hamlets on 11/04/2017. © Crown copyright and database rights 2012 Ordnance Survey, London Borough of Tower Hamlets 100019288.



43 Commercial Street



Scale 1:3074



Produced by London Borough of Tower Hamlets on 11/04/2017. © Crown copyright and database rights 2012 Ordnance Survey, London Borough of Tower Hamlets 100019288.

Appendix 5

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

| Name and address | Licensable activities and hours | Opening hours |
|--|--|--|
| <p>(Som Saa) 43a Commercial Street <u>London</u> E1 6BD</p> | <p>The sale by retail of alcohol (On sales only):</p> <ul style="list-style-type: none"> • Monday to Thursday from 10:00 hours to 23:30 hours • Friday and Saturday from 10:00 hours to midnight • Sunday from 12:00 hours to 22:30 hours <p>Late Night Refreshment: (Indoors only)</p> <ul style="list-style-type: none"> • Monday to Thursday until 23:30 hours • Friday and Saturday until midnight | <ul style="list-style-type: none"> • Monday to Thursday from 10:00 hours to 23:30 hours • Friday and Saturday from 10:00 hours to midnight • Sunday from 12:00 hours to 22:30 hours |
| <p>(Zengi) 44 Commercial Street London E1 6LT</p> | <p>Sale of alcohol</p> <ul style="list-style-type: none"> ▪ Monday to Sunday, from 11:00 hours to 23:30 hours <p>Provision of late night refreshment – Indoor and outdoor</p> <ul style="list-style-type: none"> ▪ Monday to Sunday, from 23:00 hours to 23:30 hours <p>Provision of regulated Entertainment - Indoor <u>Live music, recorded music, performance of dance and anything of a similar description. Provision of facilities for making music, Provision of facilities for dancing and anything of a similar description</u></p> <ul style="list-style-type: none"> ▪ Monday to Sunday, from 11:00 hours to 23:30 hours <p><u>Licensable activities non-standard timings:</u></p> <ul style="list-style-type: none"> ▪ New Year's Eve, from 11:00 hours to 01:30 hours the following day | <ul style="list-style-type: none"> ▪ Monday to Sunday, from 11:00 hours to 00:00 hours (midnight) <p><u>Non-standard timings:</u></p> <ul style="list-style-type: none"> ▪ New Year's Eve, from 11:00 hours to 02:00 hours the following day |
| <p>Culpeper 40-42 Commercial Street London E1 6LP</p> | <p><i>Supply of Alcohol (On and off sales) and Regulated Entertainment (plays, films, indoor sporting events, recorded music, performance of dance, provision of facilities for making music and provision of facilities for dancing)</i></p> <ul style="list-style-type: none"> ▪ Monday to Wednesday, from 07:00hrs to 00:00hrs (midnight) ▪ Thursday to Saturday, from 07:00hrs to 03:00hrs ▪ Sunday, from 10:00hrs to 23:00hrs <p>Live music</p> <ul style="list-style-type: none"> ▪ Monday to Saturday, from 07:00hrs to 23:30hrs ▪ Sunday, from 10:00hrs to 23:00hrs <p>Late Night Refreshment</p> <ul style="list-style-type: none"> ▪ Monday to Wednesday, from 23:00hrs to 00:30hrs ▪ Thursday to Saturday, from 23:00hrs to 04:00hrs ▪ Sunday, from 23:00hrs to 23:30hrs <p><u>Non-standard timings</u></p> <p>Supply of Alcohol and Regulated Entertainment (plays, films, indoor sporting events, recorded music, performance of dance, provision of facilities for making music and provision of facilities for dancing)</p> | <ul style="list-style-type: none"> ▪ Monday to Wednesday, from 07:00hrs to 00:30hrs ▪ Thursday to Saturday, from 07:00hrs to 04:00hrs ▪ Sunday, from 10:00 hours to 23:30hrs <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> ▪ Sundays immediately preceding a bank holiday, from 07:00hrs to 04:00hrs ▪ Bank Holiday Mondays, from 07:00hrs to 01:30hrs ▪ St. Valentines Day, St. Patrick's Day, St. Georges Day, Halloween, Christmas Eve and Boxing Day, from 07:00hrs to 04:00hrs ▪ New Year's Eve, from 07:00hrs to 03:00hrs 2nd January |

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

| | | |
|---|--|--|
| | <ul style="list-style-type: none"> ▪ Sundays immediately preceding a bank holiday, from 07:00hrs to 03:00hrs ▪ Bank Holiday Mondays, from 07:00hrs to 01:00hrs ▪ St. Valentines Day, St. Patrick's Day, St. Georges Day, Halloween, Christmas Eve and Boxing Day, from 07:00hrs to 03:00hrs ▪ New Year's Eve, from 07:00hrs to 03:00hrs 2nd January <p>Late Night Refreshment</p> <ul style="list-style-type: none"> ▪ Sundays immediately preceding a bank holiday, from 23:00hrs to 04:00hrs ▪ Bank Holiday Mondays, from 23:00hrs to 01:30hrs ▪ St. Valentines Day, St. Patrick's Day, St. Georges Day, Halloween, Christmas Eve and Boxing Day, from 23:00hrs to 04:00hrs ▪ New Year's Eve, from 23:00hrs to 04:00hrs 2nd January | |
| <p>(Toto's Pasta and Pizzeria) Ground Floor and Basement Storage Area 65 Commercial Street London E1 6BD</p> | <p><i>Supply of Alcohol (On sales)</i></p> <ul style="list-style-type: none"> • Monday to Sunday, from 11:00 hours to 22:30 hours | <ul style="list-style-type: none"> • Monday to Sunday, from 11:00 hours to 23:00 hours |
| <p>(Crisis) 64 Commercial Street London E1 6LT</p> | <p><u>The Supply of Alcohol (on sales only)</u></p> <ul style="list-style-type: none"> • Monday to Thursday from 16:00hrs to 23:00hrs • Friday from 16:00hrs to 23:30hrs • Saturday from 10:00hrs to 23:30hrs • Sunday from 10:00hrs to 22:00hrs <p><u>The Provision of Late Night Refreshment (indoors)</u></p> <ul style="list-style-type: none"> • Friday and Saturday from 23:00hrs to 23:30hrs | <ul style="list-style-type: none"> • Monday to Thursday from 08:00hrs to 23:30hrs • Friday from 08:00hrs to 00:00hrs (midnight) • Saturday from 10:00hrs to 00:00hrs (midnight) • Sunday from 10:00hrs to 22:30hrs |
| <p>(Hotbox) 46 - 48 Commercial Street London E1 6LT</p> | <p>Sale by retail of alcohol (On sales only)</p> <ul style="list-style-type: none"> • Monday to Wednesday, from 11:00 hours to 23:30 hours • Thursday to Saturday, from 11:00 hours to 00:30 hours • Sunday, from 11:00 hours to 22:30 hours <p>The provision of late night refreshment - Indoors</p> <ul style="list-style-type: none"> • Monday to Wednesday, from 23:00 hours to 23:30 hours • Thursday to Saturday, from 23:00 hours to 00:30 hours <p>The provision of regulated entertainment - Indoors (Live Music)</p> <ul style="list-style-type: none"> • Monday to Wednesday, from 23:00 hours to 23:30 hours • Thursday to Saturday, from 23:00 hours to 00:30 | <ul style="list-style-type: none"> • Monday to Wednesday, from 11:00 hours to 00:00 hours • Thursday to Saturday, from 11:00 hours to 01:00 hours • Sunday, from 11:00 hours to 23:00 hours <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> • To extend the times for all the licensable activities from the end of the permitted hours on New Years' Eve to 03:30 hours on New Year's Day. |

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

| | | |
|---|---|---|
| | <p align="center">hours</p> <p><u>(Recorded Music)</u></p> <ul style="list-style-type: none"> Monday to Wednesday, from 11:00 hours to 23:30 hours Thursday to Saturday, from 11:00 hours to 00:30 hours Sunday, from 11:00 hours to 22:30 hours <p><u>Provision of anything of a similar description to Live Music, Recorded Music or Performance of Dance</u></p> <ul style="list-style-type: none"> Monday to Wednesday, from 11:00 hours to 23:30 hours Thursday to Saturday, from 11:00 hours to 00:30 hours Sunday, from 11:00 hours to 22:30 hours <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> To extend the times for all the licensable activities from the end of the permitted hours on New Years' Eve to 03:00 hours on New Year's Day. | |
| <p>(Absurd Bird) 54 Commercial Street London E1 6LT</p> | <p><u>The sale by retail of alcohol (on sales only):</u></p> <ul style="list-style-type: none"> Sunday to Wednesday from 11:00hrs to 23:00hrs Thursday to Saturday from 11:00hrs to 00:00hrs (midnight) <p><u>The provision of late night refreshment (both indoors and outdoors):</u></p> <ul style="list-style-type: none"> Thursday to Saturday from 23:00hrs to 00:00hrs (midnight) | <ul style="list-style-type: none"> Sunday to Wednesday from 09:00hrs to 23:30hrs Thursday to Saturday from 09:00hrs to 00:30hrs (the following day) |
| <p>(Poppy Hana) 57 Commercial Street, London E1 6BD</p> | <p>Sale of alcohol (On and off sales) Monday to Sunday 11:00 hours to 23:00 hours</p> | <p>Monday to Sunday 11:00 hours to 23:30 hours</p> |
| <p>(YUU Kitchen Ltd) 31-35 Commercial Street London E1 6DH</p> | <p>The supply by retail of alcohol (The supply by retail of alcohol)</p> <ul style="list-style-type: none"> Monday – Thursday 12:00 – 23:00 Friday – Saturday 12:00 – 23:30 Sunday 12:00 - 22:30 <p>The provision of late night refreshment (indoors)</p> <ul style="list-style-type: none"> Friday – Saturday 23:00 -23:30 <p>On Christmas Eve supply by retail of alcohol and provision of late night refreshment to 00:30</p> <p>On New Year's Eve supply by retail of alcohol and provision of late night refreshment to 01:30)</p> <p>Monday – Thursday 12:00 – 23:00 Friday – Saturday 12:00 – 23:30 Sunday 12:00 - 22:30</p> <p>The provision of late night refreshment (indoors)</p> | <p>Monday – Thursday 12:00 – 23:30 Friday - -Saturday 12:00 – 00:00 Sunday 12:00 - 23:00 Christmas Eve 12:00 – 01:00 New Year's Eve 12:00 - 02:00</p> |

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

| | | |
|--|---|---|
| | <p>Friday – Saturday 23:00 -23:30</p> <p>On Christmas Eve supply by retail of alcohol and provision of late night refreshment to 00:30</p> <p>On New Year’s Eve supply by retail of alcohol and provision of late night refreshment to 01:30</p> | |
| <p>(Spitalfields Superstore) 59 Commercial Street London E1 6BD</p> | <p><u>The sale by retail of alcohol (Off sales only)</u></p> <ul style="list-style-type: none"> • Sunday to Thursday, from 08:00 hours to 23:30 hours • Friday and Saturday, from 08:00 hours to midnight | <ul style="list-style-type: none"> • Monday to Sunday, from 08:00 hours to midnight |
| <p>(Lupita) Ground Floor and Basement 60 - 62 Commercial Street London E1 6LT</p> | <p align="center"><u>Ground Floor and Basement Floor</u></p> <p>The sale by retail of alcohol</p> <ul style="list-style-type: none"> • Monday to Thursday, from 10:00 hours to 23:30 hours • Friday and Saturday, from 10:00 hours to midnight • Sunday, from 12:00 hours to 23:30 hours <p>The provision of late night refreshment</p> <ul style="list-style-type: none"> • Sunday to Thursday, from 23:00 hours to 23:30 hours • Friday and Saturday, from 23:00 hours to midnight <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> • Bank Holidays until midnight <p align="center"><u>Extension of hours for Basement only</u></p> <p>The sale by retail of alcohol</p> <ul style="list-style-type: none"> • Thursday to Saturday, from 10:00 hours to 01:00 hours the following days <p>The provision of late night refreshment Thursday to Saturday, from 23:00 hours to 01:00 hours the following days</p> | <p align="center"><u>Ground Floor and Basement Floor</u></p> <ul style="list-style-type: none"> • Monday to Thursday, from 08:00 hours to midnight • Friday and Saturday, from 08:00 hours to 00:30 hours • Sunday, from 12:00 hours to midnight. <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> • Bank Holidays until midnight <p align="center"><u>Extension of hours for Basement only</u></p> <ul style="list-style-type: none"> • Thursday to Saturday, from 10:00 hours to 01:00 hours the following days |
| <p>71 Commercial Street London E1 6BD</p> | <p>Late Night Refreshment (starts at 23:00 hrs) Thursday: 23:00 hours until midnight Friday and Saturday: 23:00 hours until 01:00 hours the following day</p> | <p>Thursday: 09:00 hours until midnight Friday and Saturday: 09:00 hours until 01:00 hours the following day</p> |

Appendix 6

Tom Lewis
LBTH Licensing
Toby Club
Vawdrey Close
E1 4UA

HT - Tower Hamlets Borough
HH - Limehouse Police Station

Licensing Office
Toby Club Sno
Vawdrey Close
E1 4UA

Telephone: [REDACTED]

Facsimile:

Email:

[REDACTED]
[REDACTED]
www.met.police.uk

Your ref:

Our ref:

6 March 2017

Dear Mr Lewis

Application to vary a premises licence

Agah, 43 Commercial St, E1 68D

I write with reference to the above application. Please accept this letter as notification that the police as a responsible authority wish to object to this application on the following two licensing objectives:

The prevention of crime and disorder

The prevention of public nuisance

The applicant must be aware that the restaurant is situated in the CIZ. The following hours are of concern:

Alcohol: Thursday-Saturday: until 0200

Sunday : until 0100

LNR reflect the above hours.

Closing hours: as above

LBTH has adopted a Saturation Policy / Cumulative Impact Policy which includes Commercial St. This policy was adopted due to the concerns about the number of licensed premises and late night eateries in such a small area and the resulting number of ASB calls and the potential for disorder.

With regards to this policy, the licensing authority will normally refuse any new applications or any variation of these in the cumulative impact zone; *unless the applicant can demonstrate there will be no negative cumulative impact on one or more of the licensing objectives.*

Although there continues to be an increase in licensed premises, there has been a consensual approach with all responsible authorities in limiting the hours in the CIZ

The applicant should be aware of the saturation policy and the late hours applied for do not reflect the concerns that have led to the implementation of a CIZ. One of the main reasons for the introduction of the CIZ was to combat the expansion of late night venues. One more late night opening venue will only compound the problems in this area.

This will be one of the longest opening hours in the area and will be a destination for many people, many of whom will clearly be under the influence of alcohol. By requesting such late hours it will result in people staying longer within the CIZ, with the potential for ASB and violence.

By remaining open until 2am, it will attract a number of people who are already under the influence of alcohol. Has the staff experience in dealing with drunken individuals. People leaving at this late hour at the very least can cause ASB or noise issues.

The availability of alcohol into the early hours of the morning has a greater risk of violence occurring.

I am hoping to produce a statement from the local policing team regarding this application.

Licensing Guidance Paragraph 8.34 states “applicants are in particular expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives”.....including “any risk posed to the local area by the applicants’ proposed licensable activities” . I don’t believe the applicant

has taken into consideration the local community and the impact such late hours will have on the neighbourhood.

Paragraph 8.33 of the Sec 182 Guidance states "...and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. The applicant has failed to do this as there is very little explanation given in the application.

The proposed steps

1. No sale of alcohol to underage people

This is already a statutory obligation.

2. No drunk&disorderly behaviour to be permitted on the premises

This is already a statutory obligation.

3.Vigilance in preventing use and sale of illegal drugs on the premises.

This is already a statutory obligation. Whilst this vigilance is welcome I am concerned that the applicant should think it will be necessary in a traditional restaurant.

4. CCTV: a lack of detail

5 .How will they train staff on licensing laws.

6. No sale of alcohol to already intoxicated customer and to under aged customers

This is already a statutory obligation.

I have emailed the applicant but at the time of writing I have not received a reply. I asked them to consider hours that reflected those of a nearby restaurant.

Alcohol: Sun-Thursday: 1200-2230

Fri-Sat : 1200-2300

Closing a half hour later.

I realize however this would actually be fewer hours than the present licence

I would consider the Sunday hours to be extended:

All licensable activities to finish at 2230: closing at 2300

I would also ask for the following conditions

1. Two SIA staff to be employed from 2000 until closing: Fri-Sun (A SIA condition is already on the licence)

2. CCTV

The CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum of 31 days. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.

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

(Can a camera be placed outside the entrance and on entry)

3. Use of incident /refusals book

4. No drinks to be taken outside.

Otherwise, in light of the present hours and the fact that the restaurant is in the CIZ, I ask the committee to refuse the application.

Alan Cruickshank PC 189HT

Appendix 7

**Place Directorate
Public Realm**

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

Tower Hamlets Licensing

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

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

13/03/17

www.towerhamlets.gov.uk

My reference: P/LIC/98596

Dear Sir / Madam,

**Licensing Act 2003
Re: Agah Turkish & Anotolian Restaurant, London, E1 6BD**

The Licensing Authority has received an application for a Premises Licence variation to primarily increase their licensable activities and opening times.

This increase is:

Provision of Recorded Music:

Mon – Wed 0700- 1200hrs

Thurs- Sat 0700 – 1200hrs & 2330 – 0200 hrs

Late Night Refreshments:

Thurs 2300 – 0200hrs

Fri – Sat 2330 – 0200hrs

Sun 2300 – 0100hrs

Sale of Alcohol:

Thurs – Sat 2300 – 0200hrs

Fri – Sat 2330 – 0200hrs

Sun 2200 – 0100hrs

Anything of a Similar Description to Live Music, Record Music or Performances of Dance (Indoors):

Mon - Thurs 1200 – 2300hrs
Fri – Sat 2200 – 0000hrs
Sun 1200hrs – 0000hrs

In section 11 of the application there is reference to traditional Turkish music (a pianist, violinist and a singer) therefore the provision of live music should have been applied for within Section 8 of the operating schedule. Due to the deregulation of live music under The Live Music Act 2012 it would only be required to be applied for between 2300-0000 hrs on Fri-Sun.

It has been noticed that the statutory newspaper advert and blue notice do not accurately reflect what is applied for within the application.

On 18th September 2013 Tower Hamlets adopted a Cumulative Impact Policy (CIP) in the Brick Lane Area. The Council has recognised that because of the number and density of licensed premises selling alcohol, on and off the premises and the provision of late night refreshment (sale of hot food after 11pm) within the Brick Lane Area, there might be exceptional problems of nuisance, disturbance and/or disorder outside or away from those licensed premises as a result of their combined effect.

The Licensing Authority is now of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and/or the provision of late night refreshment in the Brick Lane Area as having a cumulative impact on the licensing objectives and has therefore declared a Cumulative Impact Zone.

The Licensing Authority recognises that there is a wide diversity of premises requiring a licence and will have full regard to the differing impact these will have on the local community. It therefore also recognises that, within this Policy, it may be able to approve licences that are unlikely to add significantly to the saturation, and will consider the circumstances of each individual application.

The effect of this CIP is to create a rebuttable presumption for applications in respect of the sale or supply of alcohol on or off the premises and/or late Night Refreshment for new Premises Licences, Club Premises Certificates or Provisional Statements and applications for variations of existing Premises Licences, Club Premises Certificates (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity). Where the premises are situated in the CIZ and a representation is received, the licence will be objected to by the Authority. To rebut this presumption the applicant is expected to show through the operating schedule and where appropriate with supporting evidence that the operation of the premises will not add to the cumulative impact already being experienced. This policy does not act as an absolute prohibition on granting/varying new licences in the CIZ.

The Licensing Authority is therefore making representation against this application on the grounds of the prevention of crime and disorder and the prevention of public nuisance as the premises lies within the CIZ. There is nothing within this application which offers any supporting evidence that the increased hours applied for will not add to the cumulative impact already being experienced in the area.

If the applicant is unable to prove to the Licensing Sub Committee, through the implementation of appropriate conditions within the Operating Schedule, that the granting of the application will not affect the cumulative impact of the area, then I ask the Committee to reject any increase in evening hours beyond their current licence. The Local Authority does not object to the earlier opening hours/recorded music times within the application i.e. opening at 0700hrs.

Yours sincerely,



Corinne Holland
Licensing Officer

Appendix 8

Mohshin Ali

From: Mohshin Ali on behalf of Licensing
Sent: 16 March 2017 14:59
To: Mohshin Ali
Subject: FW: licence application at 43 Commercial St, E1 6BD

Follow Up Flag: Follow up
Flag Status: Flagged

From: SPIRE [REDACTED]
Sent: 16 March 2017 12:09
To: Licensing
Cc: Jon Shapiro
Subject: licence application at 43 Commercial St, E1 6BD

Dear Sir/Madam,

On behalf of SPIRE I would like to object to the above licence application. SPIRE is an umbrella organisation with representatives from most of the residents' groups in Spitalfields, set up to tackle anti-social behaviour in the area.

Our experience shows that much of this ASB is fuelled by alcohol consumption, and especially late-night sales of alcohol. Where premises are open beyond core hours there is a greater opportunity to consume large quantities of alcohol. In addition, their patrons cause noise on the neighbouring streets later into the night. The noise caused by drunk visitors to our area regularly disturbs the sleep of local residents. There is a direct link between levels of drunkenness and urination (and worse) on properties which is both unpleasant and unhygienic. There is a similar problem caused by alcohol-induced vomiting. Finally there is also a clear link between such drinking and minor acts of vandalism.

The premises is within Brick Lane CIZ, an area in which such problems are well recognised. Granting this licence would inevitably lead to an increase in these problems, both inside the CIZ and further afield.

We therefore ask that you reject this application.

Should you be minded to grant the application, we ask that at the very least you restrict the sale of alcohol to core hours.

Yours,

Jon Shapiro, Chair SPIRE
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Appendix 9

Noise while the premise is in use

General Advice

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

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

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

Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. **(See Sections 8.1 of the Licensing Policy)**.

While all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. **(See Section 12.11)**.

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. **(See Section 8.2 of the Licensing Policy)**.

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. **(See Appendix 2 Annex D of the Licensing Policy)**. In particular Members may wish to consider (this list is not exhaustive):

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

- Conditions controlling lighting (this needs to be balanced against potential crime prevention benefits)

Police Powers

Part 8 of the Licensing Act 2003 enables a senior police officer to close down a premises for up to 24 hrs. a premises causing a nuisance resulting from noise emanating from the premises.

Guidance Issued under Section 182 of the Licensing Act 2003

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

The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community (2.33).

Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.36) and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder (2.38).

Other Legislation

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

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

Appendix 10

Access and Egress Problems

Such as:

Disturbance from patrons arriving/leaving the premises on foot

Disturbance from patrons arriving/leaving the premises by car

Lack of adequate car parking facilities

Close proximity to residential properties

Comment

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

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

General Advice

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

The hours of operation also need to be considered.

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

Licensing Policy

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

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

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

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

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

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

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

Guidance Issued under Section 182 of the Licensing Act 2003

The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community. (2.19).

Licence conditions should not duplicate other legislation (1.16).

Any conditions should be tailored to the type, nature and characteristics of the specific premises. Licensing authorities should be aware of the need to avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues. (2.20)

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

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

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.22) and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder.

Appendix 11

Anti-Social Behaviour on the Premises

Licensing Policy

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

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

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

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

Police Powers

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

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

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff or agents, but can directly impact on the behaviour of

Customers in the immediate vicinity of the premises as they seek entry or leave (1.16).

Conditions are best targeted on deterrence and preventing crime and disorder (2.3) communication, CCTV, police liaison, no glasses, capacity limits are all relevant (2.3 - 2.7).

Guidance Issued under Section 182 of the Licensing Act 2003

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

Guidance Issued by the Office of Fair Trading

This relates to attempts to control minimum prices.

Other Legislation

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

Appendix 12

Anti-Social Behaviour from Patrons Leaving the Premises

General Advice

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

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

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

Licensing Policy

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

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

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

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

Cumulative Impact

There is a process by which the Licensing Authority can determine that an area is saturated following representations. However, the process for this involves wide consultation and cannot come from representations about a particular application. (**See Section 7 of the Licensing Policy**).

Police Powers

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

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

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

There is also guidance issued around public nuisance (2.14 – 2.20).

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

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder (2.18/2.20).

Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned (13.13).

Other Legislation

Crime and Disorder Act 1998

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

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

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

Appendix 13

Planning

An application for a Premises Licence can be made in respect of a premises even where the premises does not have relevant Planning Permission. That application has to be considered and Members can only refuse the application where the application itself does not promote one 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 14

Licensing Policy Relating to Hours of Trading

All applications have to be considered on their own merits.

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

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

(see 15.8 of the Licensing Policy)

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

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

(See 15.9 of the licensing policy)

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

- Theatres
- Cinemas
- Premises with club premises certificates

Appendix 15

Licensing Policy

8 Special Cumulative Impact Policy for the Brick Lane Area

- 8.1 As with many other London Borough's the majority of late night licensed premises are concentrated within one area of the Borough. Following guidance issued under the Licensing Act 2003 a cumulative impact policy was adopted on 18th September 2013 by the Council.
- 8.2 After consultation the Council recognises that because of the number and density of licensed premises selling alcohol, on and off the premises and the provision of late night refreshment (sale of hot food after 11pm) within the Brick Lane Area as defined in Figure One, there might be exceptional problems of nuisance, disturbance and/or disorder outside or away from those licensed premises as a result of their combined effect.
- 8.3 The Licensing Authority is now of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and/or the provision of late night refreshment in the area highlighted in Figure One is having a cumulative impact on the licensing objectives and has therefore declared a cumulative impact zone.
- 8.4 The effect of this Special Cumulative Impact Policy is to create a rebuttable presumption for applications in respect of the sale or supply of alcohol on or off the premises and/or late Night Refreshment for new Premises Licences, Club Premises Certificates or Provisional Statements and applications for variations of existing Premises Licences, Club Premises Certificates (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity). Where the premises are situated in the cumulative impact zone and a representation is received, the licence will be refused. To rebut this presumption the applicant would be expected to show through the operating schedule and where appropriate with supporting evidence that the operation of the premises will not add to the cumulative impact already being experienced. This policy does not act as an absolute prohibition on granting/varying new licences in the Cumulative Impact Zone.
- 8.5 The Special Cumulative Impact policy will not be used to revoke an existing licence or certificate and will not be applicable during the review of existing licences.

Figure One

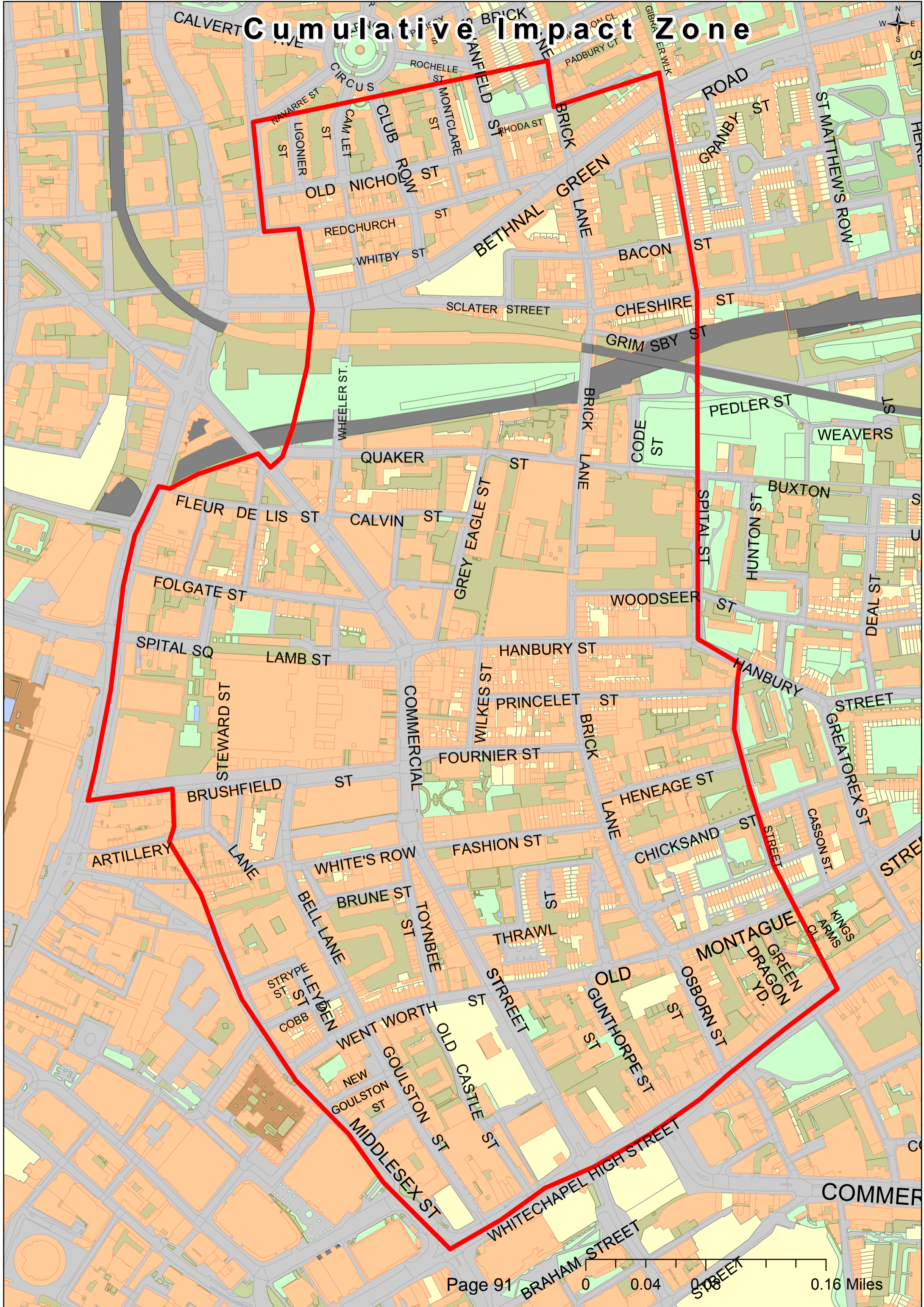
The Cumulative Impact Zone in the Brick Lane area

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



Drawn By: WJH. CLIC Strategy & Performance. September 2012

Cumulative Impact Zone



This page is intentionally left blank

Agah Anatolian Turkish Cuisine
43 Commercial Street
London E1 6BD

Directorate of Law, Probity and Governance
Democratic Services
Town Hall
Mulberry Place
5 Clove Crescent
London E14 2BG

Dated: 19th April 2017

Letter of representation Re: Variation of license for Agah Anatolian Turkish Restaurant 43 Commercial Street, London E1 6BD 25th April 2017

Dear Antoinette,

I confirm the attendance to the hearing to be held on the 25th April 2017, 6.30pm
MP 702, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG

Lop Lop Limited will be represented by the following:

Dr Shahzad Yousuf - Director
Fuat Kalbaci - Manager

Supporting information for the variation in license application is as follows:

Our objective:

To support the needs of the local residents walking to work in the morning and the hotel guests staying locally can benefit from the opportunity to have a variety of available breakfast options. Currently, there are limited breakfast options available and we believe that our Turkish breakfast option will enhance the offerings for the local community. To achieve this we have requested for the variation in the existing license. Members of our senior management team have lived in the area, own property in the area and also have been working in the area for over twenty years, which provides some insight into the area and local community.

We have also observed local residents and visitors in the local area eating late and seeking a variety of options for their late dinner. Therefore, we have requested longer opening hours on Thursday, Friday, Saturday and Sunday.

con't

con't

Management Plan

We aim to manage the above in the following manner:

- Our concept is to have a lounge type environment atmosphere for our patrons to enjoy with a low volume background music
- Any large group bookings above 10 requires an interview with the manager to plan and manage this through completing a booking form
- We do not have or use Dj's as part of business – only smart devices such as ipads or iphones
- No sound systems are allowed on to the premises other than the sound system which is currently present in-house

In addition to the above we have sound consultants undertaking periodic audits. Their details are as follows: Ref: Sound Solutions Consultants [REDACTED]

We also have appointed a security company to assist us with the licensing conditions and their details are as follows: Ref: Rodney Ramdeo Security Consultant - United Front Security Limited [REDACTED]

Addressing the Met Police concerns:

We value the concerns raised by the local Police but would like to clarify that we are visited by our patrons as a restaurant and not as a local bar or pub. Patrons typically order a bottle of wine or couple of low volume drinks along with their meal. Therefore, the Cumulative Impact of alcohol consumption is minimal. As mentioned above our premises is a place to eat late rather than a late night venue lacking proper music, DJ, and party atmosphere.

While we respect the Police concerns we respectfully disagree with the assumption that segment of the population would leave nearby Hoxton, Shoreditch and Brick Lane areas and be attracted towards Commercial Road. We must respect and understand the needs of all in the community. Not granting the variation in this license would deprive choice to visitors and people living locally.

Staff at the restaurant have experience. For example the manager has worked in the area for over 10 years and is able to make a decision who to refuse entry.

Licensing Guidance Paragraph **8.34** has been addressed by the fact that the senior management team has worked in the area and is part of the local business community. It is the needs of the local community, hotels/air BnB visitors we are trying to cater for rather than to deprive them of the opportunity and make the area unattractive for visitors to visit.

Paragraph **8.33** of the Sec **182** Guidance ... has been addressed above demonstrating knowledge of our local area.

con't

con't

We agree to the following licensing objectives:

No sale of alcohol to underage people

No drunk & disorderly behaviour to be permitted on the premises

Vigilance in preventing use and sale of illegal drugs on the premises

CCTV' is available for 31 days as a legal requirement, the Met Police are welcome to view the system. There are 12 cameras and the premises are well covered inside out. A system in place produces quality recorded images and a complete audit trail is maintained. The system complies with other essential legislation, and all signs are clearly displayed. The system is maintained fully and operational throughout the hours that the premises are open for any licensable activity. Member of staff is available to manage the system and assist enquiries from the authorities.

Two staff, one director and operation manager are trained and are holders of personal licences. Training is an on-going part of our staff development and service delivery. We use outside organisations to train.

No sale of alcohol to already intoxicated customer and to under aged customers.

We are available to address the concerns of Police in person or via their preferred means of communication.

We have considered and reflected the provision in the locality for nearly nine months and have carefully decided that in the benefit of local community a variation must be requested.

Incident book is maintained.

No drinks are taken outside

con't

con't

Addressing concerns by SPIRE:

Dear Sir/Madam,

In response to your feedback to our application for the extension of our premises license we submit the following observations not only as a local business, member of the local business community, ex-resident in the borough:

Your concerns largely amount to the segment of the society using pubs and bars. It is unlikely that the segment of the society visiting London and staying in the area would cause any disrespect in the vicinity.

Although there may be some areas suffering from your concerns our experience is by enlarge the make-up of the local society and visitors are extremely decent and respectful.

We have considered and reflected the provision in the locality for nearly nine months and have carefully decided that in the benefit of local community a variation must be requested.

We are willing to work with you and share our management plan going forward.

Should you require additional details we are happy to provide you these.

con't
con't

Addressing concerns by LBTH licensing:

For the purpose of clarity the reference in section 11 of the application to traditional Turkish music is for ONLY via smart devices. No pianist, violinist or a singer as this has been withdrawn from the application.

There is a management Plan to manage the variation to the existing conditions. Please find the following:

About Agah.

Operating Schedule

Breakfast service - start 7am daily

To establish, a morning breakfast service for local residents, tourists and commuters coming into the area. The breakfast offering will provide wide range of freshly made dishes, fruits, coffees, tea and oven baked breads both for eat in or takeaway. No alcohol sales will be allowed for the breakfast service.

Lunch Service – start 12noon daily

This service is already established with over 100 dishes, desserts, coffees, teas, cocktails, mocktails, wines with lunch variations offered daily.

Dinner Service – start 5:00pm – 23:00pm daily (Monday to Wednesday)

This service is already established with over 100 dishes, desserts, wines, cocktails, mocktails.

Dinner Service – start 5:00pm – 23:00pm daily (Thursday to Sunday)

Normal evening dining service as above with light entertainment after 8 or 9pm finishing at 23:00pm. Background music. Low volume sound system.

Required policies

Planned Music cease times

| | |
|-----------------|--------------|
| Thursday | 23:00 |
| Friday | 00:00 |
| Saturday | 00:00 |
| Sunday | 00:00 |

Planned Light refreshment cease times

| | |
|-----------------|-------------|
| Thursday | 2:00 |
| Friday | 2:00 |
| Saturday | 2:00 |
| Sunday | 1:00 |

Planned Alcohol sales cease times - Drink up time allowed for 30mins

| | | |
|-----------------|--------------|---|
| Thursday | 1:30 | 2:00 Patrons leave premises at this time |
| Friday | 1:30 | 2:00 Patrons leave premises at this time |
| Saturday | 1:30 | 2:00 Patrons leave premises at this time |
| Sunday | 12:30 | 1:00 Patrons leave premises at this time |

con't
con't

SIA to vet customers entry

If intoxicated not allow access to premises – Thursday to Sunday
Will be implemented

Serving alcohol – management

As part of the law – not to over serve drinks where customers become intoxicated
Already implemented

Children on the premises

Cut off time for children to leave the premise 10:00pm generally throughout the week
If it is a children's party at the restaurant these can be conducted during the day at weekends between 12noon and 8pm – this is the recommendation

Annex 2 - Conditions consistent with the operating Schedule

1. The premises will have CCTV Monitoring during operational hours;

We already have a CCTV monitoring system in place.

Challenge21 signs at the bar and to do proper ID checks to prevent sale of alcohol to underage customers;

Signs are available on site at our bar.

2. The premises will clearly display operation hours;

Yes displayed

3. Staff will be trained on Licensing and Health and Safety legislation;

Staff versed and trained - on going training provided by company

4. The premises will have a clear evacuation procedures in case of a fire;

Fire evacuation procedures are in place.

5. Customers will be requested to leave the premises quietly;

Signs are on site.

6. SIA door staff will be deployed at the doors on weekends;

7. The premises will clear bins only during permitted hours so as not to disturb the neighbourhood;

Agah already observes this as part of its operating procedure

8. The premises shall not cause any noise pollution so as to disturb the neighbourhood;

Ventilation system is checked and serviced every 3 months, in regards to patrons the staff

are versed in ensuring that patrons leave the premises quietly.

con't
con't

9. Adult supervision at all times for young children.

This is already part of our operating requirements

We have outlined on the Licensing Objectives on the application of variation of premise license in which this is for consideration of the core actions we will take as an undertaking as our responsibility as part of the licensing conditions.

This page is intentionally left blank

Agenda Item 3.2

| | | |
|--------------------------------|---------------------------------|---------------------|
| Committee : | Date | Classification |
| Licensing Sub-committee | 30th 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 variation of a premises licence for (THE BOTHY), Unit C West India Quay, 16 Hertsmere Road, London, E14 4AX Ward affected: Canary Wharf |
|---|---|

1.0 Summary

Applicant: **Drake and Morgan Ltd**

Name and **THE BOTHY**

Address of Premises: **Unit C, West India Quay
16 Hertsmere Road
London
E14 4AX**

Licence sought: **Licensing Act 2003 – variation of a premises licence**

- **Extending the times of the licensable activities**

Representations: **Resident**

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 variation of a premises licence for (The Bothy), Unit C, West India Quay, 16 Hertsmere Road, London E14 4AX.

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

3.3 Please note the Premises Licence was varied on 17/3/17 but is waiting to be issued. The variation incorporated:

1. A change to the internal layout of the premises.
2. To permit under 18's to be on the premises after 10pm if accompanied by an adult
3. To amend the requirements in relation to the provision of SIA door staff.
4. Change the name to The Bothy.

3.4 The timings of the existing licence are detailed below for information only:-

Provision for the sale of Alcohol (on and off)

- On Monday to Wednesday, 10:00 hrs to 01 00 hrs the following day
- On Thursday to Saturday, 10:00 hrs to 03:00 hrs the following day
- Sunday, 12:00 hrs to 01:00 hrs the following morning

Late Night Refreshment

- On Thursday to Saturday, 23:00 hrs to 00:00 hrs

Regulated Entertainment

Live entertainment of all descriptions as currently permitted under the public entertainment licence. The playing of all description of amplified recorded music as permitted under the existing licence (s).

- On Monday to Wednesday, 10:00 hrs to 23:00 hrs
- On Thursday to Saturday, 10:00 hrs to 00:00 hrs

On St. David's Day, St Patrick's Day, St George's, Day and St. Andrew's Day, the finish time will be extended by one hours, with seven days notice and agreement with the Police.

For statutory bank holiday weekend periods (Friday, Saturday, Sunday and Monday) and for the Thursday before Good Friday and for Christmas Eve, the finish time will be extended by one hour beyond theses times. On occasions of local, national or international significance or for charitable events, limited to twelve per year, the finish time will be extended by one hour, with ten days notice and agreement with the Police.

"In the event of a recognised event (the event not exceeding 15 annually) which falls outside the current permitted hours on the Premises Licence to permit licensable activities commencing on hours before the start of the event and ending one hour after the end of the event, the details of the event to be notified to the Licensing Authority and the Police at least 10 days beforehand, with the Police giving a prior written consent in each case."

The opening hours of the premises

- On Monday to Wednesday, 10:00 hrs to 01:00 hrs the following day
- On Thursday to Saturday, 10:00 hrs to 03:00 hrs the following day
- Sunday, 12:00 hrs to 01:00 hrs the following day

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

3.6 The applicant has described the nature of the variation as follows:

“Amend hours to permit earlier opening and supply of alcohol as part of a breakfast offer.”

3.7 The times that have been applied for as follows:

The Supply of Alcohol (on and off sales)

- Monday to Wednesday from 08:00hrs to 01:00hrs
- Thursday to Saturday from 08:00hrs to 03:00hrs the following day
- Sunday from 10:00hrs to 01:00hrs the following day

The opening hours of the premises

- Monday to Wednesday from 08:00hrs to 01:00hrs
- Thursday to Saturday from 08:00hrs to 03:00hrs the following day
- Sunday from 10:00hrs to 01:00hrs the following day

4.0 Location and Nature of the premises

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

4.2 The site plan of the venue is included as **Appendix 3**.

4.3 Maps showing the vicinity are included as **Appendix 4**.

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

5.0 Licensing Policy and Government Advice

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

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

5.3 The Home Secretary has issued Guidance under Section 182 of the Licensing Act 2003. This is available on the Government’s website, www.homeoffice.gov.uk. It was last revised in March 2015.

5.4 Relevant Sections of this advice are brought to Members attention within the Licensing Officers report. Members should note however, 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:

- Resident (**Appendix 6**)

6.2 All of the responsible authorities have been consulted about this application. They are as follows:

- The Licensing Authority
- The Metropolitan Police
- The LFEPA (the London Fire and Emergency Planning Authority).
- Planning
- Health and Safety
- Noise
- Trading Standards
- Child Protection
- Public Health

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

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

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

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

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

7.0 Conditions consistent with Operating Schedule (The applicant has repeated the existing conditions of the licence)

7.1 No off sales before 10:00hrs on any day;

7.2 Any supply of alcohol between 08:00hrs and 10:00hrs shall only be made as an ancillary to a breakfast or brunch meal;

8.0 Conditions in consultation with the responsible authorities/other persons

8.1 None

9.0 Licensing Officer Comments

9.1 The following is intended simply to advise Members of the relevant aspects of the Boroughs Licensing Policy, guidance from the Secretary of State, legislation and good practice (See 6.2). Members may depart from the Council's Licensing Policy and/or Government advice, provide they consider it appropriate to do so, and have clear reasons for their decision.

9.2 Guidance issued under section 182 of the Licensing Act 2003

- ❖ As stated in the guidance it is "provided to licensing authorities in relation to the carrying out of their functions." It is a key mechanism for promoting best practice, ensuring consistent application and promoting fairness (1.7)
- ❖ Also "so long as licensing authorities have properly understood the Guidance, they may depart from it if they have reason to do so as long as they have reason to do so." When doing so licensing authorities will need to give full reasons for their actions (1.9).
- ❖ Also Members should note "A Licensing Authority may depart from its own policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the licensing objectives." (1.12)
- ❖ Conditions may not be imposed for the purpose other than the licensing objectives.
- ❖ Necessary conditions should emerge from a risk assessment by the applicant, which should then be reflected in the operating schedule (10.6).
- ❖ The Licensing Authority may only impose such conditions as are necessary for meeting the licensing objectives.
- ❖ It is Government policy that facilities for people and performers with disabilities should be provided at places of entertainment.
- ❖ "The Government acknowledges that different licensing strategies may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions

regarding licensed opening hours as part of the implementation of its licensing policy statement and licensing authorities are best placed to make decisions about appropriate opening hours in their areas based on their local knowledge and in consultation with responsible authorities.” (10.11)

- ❖ Mandatory conditions must be imposed (10.38) and censorship avoided (10.17).
- ❖ Licensing authorities should not attach standardised blanket conditions promoting fixed prices for alcoholic drinks to premises licences or club licences or club premises certificates in an area. This may be unlawful under current law. However, it is important to note that the mandatory conditions made under sections 19A and 73B of the 2003 Act prohibit a number of types of drinks promotions where they give rise to a significant risk to any one of the four licensing objectives (10.26).

- 9.3 The Licensing Act 2003 permits children of any age to be on the premises which primarily sells alcohol providing they are accompanied by an adult. It is not necessary to make this a condition.
- 9.4 In all cases the Members should make their decision on the civil burden of proof that is “the balance of probability.”
- 9.5 In all cases Members should consider whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.
- 9.6 The Government has advised that “Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area and to respect the rights of people living nearby to a peaceful night.” (2.20)
- 9.7 The Council’s Licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.
- 9.8 In **Appendices 7 - 9** Members are given general advice, and also have explanations of the Council’s Licensing Policy, Government advice and other legislation relating to the matters in the representations.

10.0 Legal Comments

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

11.0 Finance Comments

11.1 There are no financial implications in this report.

12.0 Appendices

| | |
|-------------------|---|
| Appendix 1 | A copy of the existing licence |
| Appendix 2 | A copy of the variation application |
| Appendix 3 | Site plan of the venue |
| Appendix 4 | Maps showing vicinity of venue |
| Appendix 5 | Details of nearest licensed venues |
| Appendix 6 | Representation from Resident |
| Appendix 7 | Home Office guidance on public nuisance |
| Appendix 8 | Licensing Policy advice on public nuisance |
| Appendix 9 | Licensing Officer comments on noise whilst the premises is in use |

This page is intentionally left blank

Appendix 1

(The Bothy)
Including outdoor area
Unit C, West India Quay
Hertsmere Road
London
E14 4AX

Licensable Activities authorised by the licence

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

See the attached licence for the licence conditions

Signed by

David Tolley 
Environmental Health & Head of Trading Standards

Date: 7th October 2005

- Licence varied following a review hearing on the 22nd March 2011
- Licence amended on 31st May 2011 following a minor variation



Part A - Format of premises licence

Premises licence number

21791

Part 1 - Premises details

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

(The Bothy)
Including outdoor area
Unit C, West India Quay
16 Hertsmere Road

Post town

London

Post code

E14 4AX

Telephone number

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

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

The times the licence authorises the carrying out of licensable activities

Alcohol

- On Monday to Wednesday, 10:00 hrs to 01 00 hrs the following day
- On Thursday to Saturday, 10:00 hrs to 03:00 hrs the following day
- Sunday, 12:00 hrs to 01:00 hrs the following morning

Late Night Refreshment

- On Thursday to Saturday, 23:00 hrs to 00:00 hrs

Regulated Entertainment

Live entertainment of all descriptions as currently permitted under the public entertainment licence. The playing of all description of amplified recorded music as permitted under the existing licence (s).

- On Monday to Wednesday, 10:00 hrs to 23:00 hrs
- On Thursday to Saturday, 10:00 hrs to 00:00 hrs

On St. David's Day, St Patrick's Day, St George's, Day and St. Andrew's Day, the finish time will be extended by one hours, with seven days notice and agreement with the Police.

For statutory bank holiday weekend periods (Friday, Saturday, Sunday and Monday) and for the Thursday before Good Friday and for Christmas Eve, the finish time will be extended by one hour beyond these times. On occasions of local, national or international significance or for charitable events, limited to twelve per year, the finish time will be extended by one hour, with ten days notice and agreement with the Police.

- "In the event of a recognised event (the event not exceeding 15 annually) which falls outside the current permitted hours on the Premises Licence to permit licensable activities commencing on hours before the start of the event and ending one hour after the end of the event, the details of the event to be notified to the Licensing Authority and the Police at least 10 days beforehand, with the Police giving a prior written consent in each case".

The opening hours of the premises

- On Monday to Wednesday, 10:00 hrs to 01:00 hrs the following day
- On Thursday to Saturday, 10:00 hrs to 03:00 hrs the following day
- Sunday, 12:00 hrs to 01:00 hrs the following day

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

On and off sales

Part 2

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

Drake & Morgan Ltd

[Redacted]

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

[Redacted]

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

Clare Joan Ellis

[Redacted]

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

Personal Licence No1 [Redacted]

Issuing Authority: [Redacted]

Annex 1 - Mandatory conditions

Effective from 6th April 2010

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

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

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

1.

- (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises;
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability)

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
3.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
4. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
5.
 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
 2. For the purposes of the condition set out in paragraph 1—
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) “permitted price” is the price found by applying the formula —

$$P = D + (D \times V)$$
 where —
 - (i) **P** is the permitted price

- (ii) **D** is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) **V** is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence
- (i) the holder of the premises licence
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day

Door Supervisors

Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, such individuals must be licensed with the Security Industry Authority.

This does not apply to premises within paragraph. 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001, (premises with premises licences authorising plays or films), or

in respect of premises in relation to-

any occasion mentioned in paragraph 8(3)(b) or (c) of Schedule 2 (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
any occasion within paragraph 8(3)(d) of Schedule 2 (occasions prescribed by regulations under that Act) unless the Licence specifically states otherwise.

Security activity means an activity to which paragraph 2(1)(a) of Schedule 2 of the Private Security Industry Act 2001 of that schedule applies, and Paragraph 8(5) of Schedule 2 (interpreting of references to an occasion) applies as it applies in relation to paragraph 8 of Schedule 2 of the Private Security Industry Act 2001

Times

Alcohol

- On Monday to Wednesday, 10:00 hrs to 01:00 hrs the following day
- On Thursday to Saturday, 10:00 hrs to 03:00 hrs the following day
- Sunday, 12:00 hrs to 01:00 hrs the following morning

Alcohol will not be served to the outside area after 22:30 hrs and the area will be vacated by this time

Late Night Refreshment

- On Thursday to Saturday, 23:00 hrs to 00:00 hrs

Regulated Entertainment

Live entertainment of all descriptions as currently permitted under the public entertainment licence. The playing of all description of amplified recorded music as permitted under the existing licence (s).

- On Monday to Wednesday, 10:00 hrs to 23:00 hrs
- On Thursday to Saturday, 10:00 hrs to 00:00 hrs

1. The maximum number of persons within the premises at any one time shall not exceed 600 persons of which not more than 250 shall occupy the Basement at any one time.
2. The front Terrace area shall not be used for any form of Public Entertainment
3. Any door supervisors to be employed at the premises must be registered with a Security Industry Authority.
4. This licence is subject to the standard rules of the Council relating to the management of places of public entertainment.

Non standard times

On St. David's Day, St Patrick's Day, St George's, Day and St. Andrew's Day, the finish time will be extended by one hours, with seven days notice and agreement with the Police.

For statutory bank holiday weekend periods (Friday, Saturday, Sunday and Monday) and for the Thursday before Good Friday and for Christmas Eve, the finish time will be extended by one hour beyond these times. On occasions of

local, national or international significance or for charitable events, limited to twelve per year, the finish time will be extended by one hour, with ten days notice and agreement with the Police.

- "In the event of a recognised event (the event not exceeding 15 annually) which falls outside the current permitted hours on the Premises Licence to permit licensable activities commencing on hours before the start of the event and ending one hour after the end of the event, the details of the event to be notified to the Licensing Authority and the Police at least 10 days beforehand, with the Police giving a prior written consent in each case".

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.

Private Entertainment

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

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

Annex 2 - Conditions consistent with the operating Schedule

1. "In the event of a recognised event (the event not exceeding 15 annually) which falls outside the current permitted hours on the Premises Licence to permit licensable activities commencing on hours before the start of the event and ending one hour after the end of the event, the details of the event to be notified to the Licensing Authority and the Police at least 10 days beforehand, with the Police giving a prior written consent in each case".
2. No persons under 18 to be present on the premises after 22:00 hrs
3. The CCTV system shall be maintained and operated correctly in accordance with the recommendations of the Metropolitan Police Design Advisor. Recordings shall be retained for 30 days and produced upon request to the Police and Licensing Authority. At least two people will be trained to operate the recording equipment and be competent in its operation. At least one trained person shall be on the premises at all times when the premises is open and trading.
4. At least 3 door supervisors to be employed at the premises from 20:00 hrs until close of business from Thursday to Saturday.

Annex 3 - Conditions attached after a hearing by the licensing authority
Conditions attached following the licensing subcommittee hearing of 22nd March 2011:

1. The DPS or a person appointed by the DPS shall attend Pub Watch meetings and any meetings requested by the Police to discuss crime and disorder.
2. The sound system at the premises shall be checked on an annual basis and a report of the inspection to be retained at the premises.
3. A dedicated telephone number shall be made available to residents, to enable residents to liaise directly with management.
4. Any music played at the premises shall be played through the sound system.
5. The premises shall operate with a radio link into the security firm monitoring West India Quay.
6. A designated taxi firm shall be appointed by the premises and details to be made available to the clientele.
7. Alcohol and food shall not be permitted in the outside area after 22:30 hours and the area will be vacated by this time. All windows and doors shall be kept closed after 22:30 hours to help prevent noise pollution.

Annex 4 - Plans

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

11th April 2011 - Basement Floor (*Drawing Number 2491-82*)
Ground Floor (*Drawing Number 2491-81*)

Part B - Premises licence summary

Premises licence number 21791

Premises details

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

(The Bothy)
Including outdoor area
 Unit C, West India Quay
 16 Hertsmere Road

| | |
|----------------------------|-----------------------------|
| Post town London | Post code E14 4AX |
|----------------------------|-----------------------------|

Telephone number
[REDACTED]

Where the licence is time limited the dates N/A

Licensable activities authorised by the licence
 The sale by retail of alcohol
 The provision of regulated entertainment
 The provision of late night refreshment

The times the licence authorises the carrying out of licensable activities

| |
|--|
| <p>Alcohol On Monday to Wednesday, 10:00 hrs to 01:00 hrs the following day On Thursday to Saturday, 10:00 hrs to 03:00 hrs the following day Sunday, 12:00 hrs to 01:00 hrs the following morning Alcohol will not be served to the outside area after 23:00 hrs</p> <p>Late Night Refreshment</p> <ul style="list-style-type: none">On Thursday to Saturday, 23:00 hrs to 00:00 hrs <p>Regulated Entertainment</p> <ul style="list-style-type: none">On Monday to Wednesday, 10:00 hrs to 23:00 hrsOn Thursday to Saturday, 10:00 hrs to 00:00 hrs <p>Non standard times</p> <ul style="list-style-type: none">On St. David's Day, St Patrick's Day, St George's, Day and St. Andrew's Day, the finish time will be extended by one hours, with seven days notice and agreement with the Police. <p>For statutory bank holiday weekend periods (Friday, Saturday, Sunday and Monday) and for the Thursday before Good Friday and for Christmas Eve, the finish time will be extended by one hour beyond these times. On occasions of local, national or international significance or for charitable events, limited to twelve per year, the finish time will be extended by one hour, with ten days notice and agreement with the Police. See Full Licence for Details</p> |
| <ul style="list-style-type: none">On Monday to Wednesday, 10:00 hrs to 01 00 hrs the following dayOn Thursday to Saturday, 10:00 hrs to 03:00 hrs the following daySunday, 12:00 hrs to 01:00 hrs the following morning <p>See Full Licence for Details</p> |

The opening hours of the premises

Name, (registered) address of holder of premises licence

| |
|--|
| <p>Drake & Morgan Ltd</p>  |
|--|

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

| |
|-------------------------|
| <p>On and off sales</p> |
|-------------------------|

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

| |
|---|
|  |
|---|

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

| |
|-------------------------|
| <p>Clare Joan Ellis</p> |
|-------------------------|

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

| |
|---|
| <p>Children will not be allowed in the area immediately adjacent to the bar servery. No persons under 18 to be present on the premises after 22:00 hrs.</p> |
|---|

Appendix 2

[Insert name and address of relevant licensing authority and its reference number (optional).]

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Drake and Morgan Ltd

(Insert name(s) of applicant)

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

| |
|---|
| Premises licence number 21791 |
|---|

Part 1 – Premises Details

| | | | |
|---|--------|----------|---------|
| Postal address of premises or, if none, ordnance survey map reference or description | | | |
| The Bothy (formerly Henry's Cafe Bar) Unit C West India Quay 16 Hertsmere Road | | | |
| Post town | London | Postcode | E14 4AX |

| | |
|---|------------|
| Telephone number at premises (if any) | |
| Non-domestic rateable value of premises | ██████████ |

Part 2 – Applicant details

| | | | |
|---|--|--|----------|
| Daytime contact telephone number | | LBTH TRADING STANDARDS 05 APR 2017 LICENSING | |
| E-mail address (optional) | | | |
| Current postal address if different from premises address | | | |
| Post town | | | Postcode |

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

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

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

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

Amend hours to permit earlier opening and supply of alcohol as part of a breakfast offer.

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

Part 4 Operating Schedule

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

Provision of regulated entertainment

Please tick all that apply

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

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

Sale by retail 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"/> | | | |
| | | | | 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 | | | | | | 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 (please read guidance note 2)</u> | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here (please read guidance note 3)</u> | | |
| Mon | | | | | |
| | | | <u>State any seasonal variations for the exhibition of films (please read guidance note 4)</u> | | |
| Tue | | | | | |
| | | | <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 (please read guidance note 5)</u> | | |
| Wed | | | | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | | | |
| | | | | | |
| 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 | | | <u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4) |
| | | | |
| Tue | | | |
| | | | |
| Wed | | | |
| | | | |
| Thur | | | <u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5) |
| | | | |
| Fri | | | |
| | | | |
| Sat | | | |
| | | | |
| Sun | | | |
| | | | |

D

| | | | | | |
|--|-------|--------|---|----------|--------------------------|
| Boxing or wrestling entertainments Standard days and timings (please read guidance note 6) | | | <u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)</u> | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | | | <u>Please give further details here (please read guidance note 3)</u> | | |
| Tue | | | | | |
| Wed | | | <u>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)</u> | | |
| 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 (please read guidance note 5)</u> | | |
| Sat | | | | | |
| Sun | | | | | |

E

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

F

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

H

| | | | | | |
|---|--------------|---------------|--|-----------------|--------------------------|
| Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6) | | | Please give a description of the type of entertainment you will be providing | | |
| Day | Start | Finish | <u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input type="checkbox"/> |
| Mon | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Tue | | | <u>Please give further details here</u> (please read guidance note 3) | | |
| | | | | | |
| Wed | | | | | |
| Thur | | | <u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4) | | |
| | | | | | |
| Fri | | | | | |
| Sat | | | <u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | |
| | | | | | |
| Sun | | | | | |

I

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

J

| | | | | | | | | |
|--|--------------|---------------|---|------------------|-------------------------------------|---|--|--|
| Supply of alcohol Standard days and timings (please read guidance note 6) | | | Will the supply of alcohol be for consumption – please tick (please read guidance note 7) | On the premises | <input 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 | 08.00 | 01.00 | | | | | | |
| | | | | | | | | |
| Tue | 08.00 | 01.00 | | | | | | |
| | | | | | | | | |
| Wed | 08.00 | 01.00 | | | | | | |
| | | | | | | | | |
| Thur | 08.00 | 03.00 | | | | Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) | | |
| | | | | | | | | |
| Fri | 08.00 | 03.00 | | | | | | |
| | | | | | | | | |
| Sat | 08.00 | 03.00 | | | | | | |
| | | | | | | | | |
| Sun | 10.00 | 01.00 | | | | | | |
| | | | | | | | | |

K

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

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 | 01.00 | |
| | | | |
| Tue | 08.00 | 01.00 | |
| | | | |
| Wed | 08.00 | 01.00 | |
| | | | |
| Thur | 08.00 | 03.00 | |
| | | | |
| Fri | 08.00 | 03.00 | |
| | | | |
| Sat | 08.00 | 03.00 | |
| | | | |
| Sun | 10.00 | 01.00 | |
| | | | |
| | | | 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) |

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

Please tick as appropriate

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

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

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

Licence still with the Council following previous variation application

M

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

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

No off sales before 10.00 on any day
Any supply of alcohol between 08.00 and 10.00 shall only be made as an ancillary to a breakfast or brunch meal.

b) The prevention of crime and disorder

No additional steps required

c) Public safety

No additional steps required

d) The prevention of public nuisance

No additional steps required

e) The protection of children from harm

No additional steps required

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee. [✓]
- I have sent copies of this application and the plan to responsible authorities and others where applicable. [✓]
- I understand that I must now advertise my application. [✓]
- I have enclosed the premises licence or relevant part of it or explanation. [✓]
- I understand that if I do not comply with the above requirements my application will be rejected. [✓]

IT IS AN OFFENCE, 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 5 – Signatures (please read guidance note 10)

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

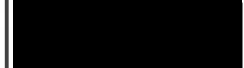
| | |
|-----------|--|
| Signature |  |
| Date | 4 th April 2017 |
| Capacity | Solicitors for applicant |


Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

| | |
|-----------|--|
| Signature | |
| Date | |
| Capacity | |

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

BLP



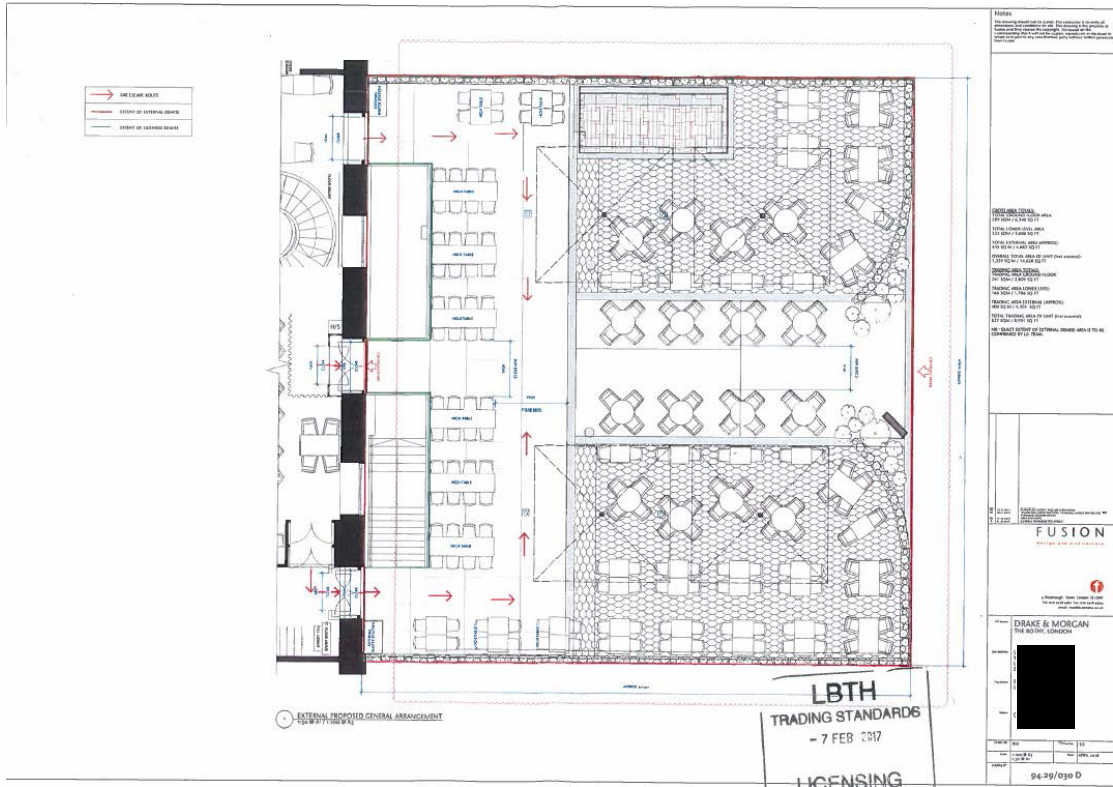
| | | | |
|---|--------|-----------|---|
| Post town | London | Post code |  |
| Telephone number (if any) | | | |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional) | | | |

Notes for Guidance

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

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

Appendix 3



NOTES
 1. THE PROPOSED LAYOUT IS SUBJECT TO THE APPROVAL OF THE LICENSING AUTHORITY AND THE FIRE OFFICER.
 2. THE PROPOSED LAYOUT IS SUBJECT TO THE APPROVAL OF THE LICENSING AUTHORITY AND THE FIRE OFFICER.
 3. THE PROPOSED LAYOUT IS SUBJECT TO THE APPROVAL OF THE LICENSING AUTHORITY AND THE FIRE OFFICER.
 4. THE PROPOSED LAYOUT IS SUBJECT TO THE APPROVAL OF THE LICENSING AUTHORITY AND THE FIRE OFFICER.
 5. THE PROPOSED LAYOUT IS SUBJECT TO THE APPROVAL OF THE LICENSING AUTHORITY AND THE FIRE OFFICER.
 6. THE PROPOSED LAYOUT IS SUBJECT TO THE APPROVAL OF THE LICENSING AUTHORITY AND THE FIRE OFFICER.
 7. THE PROPOSED LAYOUT IS SUBJECT TO THE APPROVAL OF THE LICENSING AUTHORITY AND THE FIRE OFFICER.
 8. THE PROPOSED LAYOUT IS SUBJECT TO THE APPROVAL OF THE LICENSING AUTHORITY AND THE FIRE OFFICER.
 9. THE PROPOSED LAYOUT IS SUBJECT TO THE APPROVAL OF THE LICENSING AUTHORITY AND THE FIRE OFFICER.
 10. THE PROPOSED LAYOUT IS SUBJECT TO THE APPROVAL OF THE LICENSING AUTHORITY AND THE FIRE OFFICER.

FUSION
 RESTAURANT & BAR

DRAKE & MORGAN
 THE 80TH, LONDON

94-29/030 D

Appendix 4

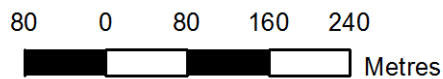


16 Hertsmere Road

The Bothy Map 1



Scale 1:9078



Produced by London Borough of Tower Hamlets on 16/05/2017. © Crown copyright and database rights 2012 Ordnance Survey, London Borough of Tower Hamlets 100019288.

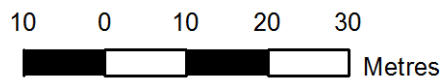


16 Hertsmere Road

The Bothy



Scale 1:1135



Produced by London Borough of Tower Hamlets on 16/05/2017. © Crown copyright and database rights 2012 Ordnance Survey, London Borough of Tower Hamlets 100019288.

Appendix 5

| Premises name and address | Hours for Licensable activities | Opening times |
|--|---|--|
| <p>(La Tasca) Hertsmere Road West India Quays Canary Wharf, E14 4AE</p> | <p>On Sales Alcohol shall not be sold or supplied except during permitted hours. In this condition, permitted hours means:</p> <ul style="list-style-type: none"> a. On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10 a.m. to 11 p.m. b. On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30 p.m. c. On Good Friday, 12 noon to 10.30 p.m. d. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m. e. On New Year's Eve, except on a Sunday, 11 a.m. to 11 p.m. f. On New Year's Eve on a Sunday, 12 noon to 10.30 p.m. g. On New Year's Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December). <p>Alcohol may be sold or supplied (for one hour following the hours set out above and to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.</p> <p>For conditions re. "drinking up time" see Annex 1 Mandatory Conditions</p> <p>For conditions relating to times re off sales with a premises that</p> | <p>There are no restrictions on the hours during which this premises is open to the public</p> |

| | | |
|--|--|--|
| | <p>permits on sales and exemptions see Mandatory Conditions</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>(The Beluga Café) West India Quay 14 Hertsmere Road London E14 4AX</p> | <p>Alcohol Alcohol shall not be sold or supplied except during permitted hours. In this condition, permitted hours means:</p> <ul style="list-style-type: none"> a. On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10 a.m. to 11 p.m. b. On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30 p.m. c. On Good Friday, 12 noon to 10.30 p.m. d. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m. e. On New Year's Eve, except on a Sunday, 11 a.m. to 11 p.m. f. On New Year's Eve on a Sunday, 12 noon to 10.30 p.m. g. On New Year's Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December). <p>For conditions re. "drinking up time" see Annex 1 Mandatory Conditions</p> <p>Late Night Refreshment Hot food and hot drinks may be sold for up to thirty minutes after the end of normal permitted hours</p> | <p>There are no restrictions on the hours during which this premises is open to the public</p> |

| | | |
|---|--|---|
| | <p>Regulated Entertainment (recorded music only) There are no time restrictions on recorded music or private entertainment</p> <p>Note: 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>(Astons on the Quay) Unit 1, Block D 14 Hertsmere Road West India Quay London E14 4AF</p> | <p>Alcohol and Regulated Entertainment (live music, recorded music)</p> <ul style="list-style-type: none"> Monday to Saturday, from 10:00 hours to 12midnight Sunday, from 10:00 hours to 23:00 hours | <p>The opening hours of the premises</p> <ul style="list-style-type: none"> Monday to Saturday, from 10:00 hours to 00:30 hours the following day Sunday, from 10:00 hours to 23:30 hours |
| <p>(Dion) Unit E Port East Buildings 14 Hertsmere Road London E14 4AP</p> | <p>The sale by retail of alcohol: Monday, Tuesday, Wednesday, Thursday, Friday and Saturday from 10.00hrs to 23.00hrs Sunday from 12.00hrs to 22.30hrs Late night refreshment: Monday, Tuesday, Wednesday, Thursday, Friday and Saturday until 23.30hrs Recorded music – Background only: Monday, Tuesday, Wednesday, Thursday, Friday and Saturday 10.00hrs to 23.30hrs Sunday from 12.00hrs to 23.00hrs</p> <p>New Years Eve from end of permitted hours to start of permitted hours on New Years Day</p> | <p>Monday, Tuesday, Wednesday, Thursday, Friday, and Saturday from 10.00hrs to midnight</p> <p>Sunday from 10.00hrs to 23.30hrs</p> <p>New Years Eve from end of permitted hours to start of permitted hours on New Years Day</p> |

| | | |
|--|--|--|
| | | |
| <p>(Burger & Lobster Restaurant Group Ltd) 2 The Port East Building 18 Hertsmere Road West India Quay Isle of Dogs London E14 4QT</p> | <p>The sale by retail of alcohol</p> <ul style="list-style-type: none"> • Sunday, Monday, Tuesday, Wednesday from 10:00 hours to midnight • Thursday from 10:00 hours to 01:00 hours the following day • Friday and Saturday from 09:00 hours to 02:00 hours the following day <p>The provision of regulated entertainment <i>consisting of Live music, recorded music, provision of facilities for dancing and anything of similar nature including Karaoke</i></p> <ul style="list-style-type: none"> • Sunday, Monday, Tuesday, Wednesday from 10:00 hours to midnight • Thursday from 10:00 hours to 01:00 hours the following day • Friday and Saturday from 09:00 hours to 02:00 hours the following day <p>The provision of late night refreshment</p> <ul style="list-style-type: none"> • Sunday, Monday, Tuesday, Wednesday until 01:00 hours the following day • Thursday until 02:00 hours the following day • Friday and Saturday until 03:00 hours the following day <p><u>For the LOWER GROUND FLOOR only:</u></p> <p>The sale by retail of alcohol</p> <ul style="list-style-type: none"> • Friday and Saturday from 09:00 hours to 01:00 hours the following day | <p>Sunday, Monday, Tuesday, Wednesday from 09:00 to 01:00 hours the following day Thursday from 09:00 hours to 02:00 hours the following day Friday and Saturday from 08:00 hours to 03:00 hours the following day</p> <p><u>Non-standard timings:</u> An additional hour, with prior agreement with the Police and Seven days Notice on: St Davids Day, St Patricks Day, St Georges Day and St Andrews Day.</p> <p>For statutory Bank Holiday weekend periods (Friday, Saturday, Sunday and Monday) and the Thursday before Good Friday and Christmas Eve, the finish time will be extended by one hour. On occasions of local, national or international significance or for charitable event, limited to twelve per year, the finish time will be extended by one hour, with Fourteen days notice and agreement with the Police.</p> <p>New Years Eve is subject to the Regulatory Reform (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</p> |

| | | |
|--|--|--|
| | <p>The provision of regulated entertainment - <i>Live music, recorded music, and anything of similar nature including Karaoke</i></p> <ul style="list-style-type: none"> • Friday and Saturday from 09:00 hours to 01:00 hours the following day <p>The provision of late night refreshment</p> <ul style="list-style-type: none"> • Thursday, Friday and Saturday until from 23:00 hours to 01:00 hours the following day <p><u>Non-standard timings:</u> An additional hour, with prior agreement with the Police and Seven days Notice on: St Davids Day, St Patricks Day, St Georges Day and St Andrews Day.</p> <p>For statutory Bank Holiday weekend periods (Friday, Saturday, Sunday and Monday) and the Thursday before Good Friday and Christmas Eve, the finish time will be extended by one hour. On occasions of local, national or international significance or for charitable event, limited to twelve per year, the finish time will be extended by one hour, with Fourteen days notice and agreement with the Police.</p> <p>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>Years Eve and 11am on New Years Day</p> |
|--|--|--|

Appendix 6

Corinne Holland

From: miller s [REDACTED]
Sent: 28 April 2017 08:27
To: Corinne Holland
Subject: RE: Your ref: CLC/EHTS/LIC/099663

Dear Corinne Holland

I thank you for your prompt reply.

I wish I could speak English well enough to tell you my concerns. Please kindly note that I am not objecting customers eat or drink inside building, I am objecting serving foods & drinks at the forecourt in the morning. People do not eat or drink quietly especially with family or friends. I do not open windows when people eat & drink at my forecourt because of noise. Can you imagine you don't open windows at your home in summer nights? I understand this district is business friendly one. Yes, I am guilty as charged, I should noticed that there are pubs & restaurants at my forecourt.

No, I did not know they open business till 1 in the morning at my forecourt in summer and maybe open business 8 in the morning at my forecourt soon. My GP suggested I should report council regarding forecourt opening hours after he made appointment with psychologist for me a few years ago. By the way, again, guilty as charged, I have been living here more than 10 years. I know I can not win against commercial friendly council and the Land Securities, their landlord. I did not report you but report service manager with supporting documents, for example closing time sheet which my GP suggested. Nothing, not a thing happened, business as usual all the time. So, I gave up on everybody who doesn't care somebody open windows or not in hot summer night.

As I said on top, I am not objecting early birds eat & drinks inside premises. I know I am living 24/7 running district, people need to eat & drink in the morning. But, big BUT, you should understand that there are 99 residential flats above. Customers who want to eat & drink in the morning can go somewhere else, not residential area.

I thank you for your kind listening.

Best regards

Sook Miller
Resident

[REDACTED]
[REDACTED]
[REDACTED]

P.S) I understand there is Forecourt Licence. I am Personal Licence holder and I was the owner of restaurant in central London. Some use their own Forecourt Licence but others use X-Leisure or Land Securities' one. I am sure they breach the rules, I am not sure who want to know. The so-called Opening Hours means nothing here.

보낸 사람: Corinne Holland <Corinne.Holland [REDACTED]>
보낸 날짜: 2017 년 4 월 27 일 목요일 오후 6:09
받는 사람: [REDACTED]
제목: FW: Your ref: CLC/EHTS/LIC/099663

Dear Mrs Miller

Thank you for your email but would you be able to expand on your objections i.e the trouble you mention on the forecourt.

Under the Licensing Act 2003, the criteria for your representation to be valid is that you must make it clear how granting this particular application will have an impact on you only in relation to one or more of the following licensing objectives:

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

Could you please get back to me with more details.

Thank you

Corinne Holland - Licensing Officer

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

 [REDACTED] |  [REDACTED] |  corinne.holland@towerhamlets.gov.uk |  Licensing@towerhamlets.gov.uk

From: miller s [REDACTED]
Sent: 27 April 2017 13:02
To: Licensing
Subject: Your ref: CLC/EHTS/LIC/099663

Dear Kathy Driver

Premises Variation - The Bothy, 16 Hertsmere Road, London E14 4EF

First of all, please forgive my poor English.

I object to an application to vary the premises licence at the above address. We are having enough trouble at the forecourt. I strongly object if they want to serve foods & drinks at the forecourt from 8 in the morning. We, the residents above bars & restaurants need some peace in the morning. Enough is Enough!

I thank you for your very kind considering.

Best regards

Sook Miller(Mrs)
Resident
[REDACTED]
[REDACTED]
[REDACTED]

Appendix 7

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 8

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 9

Noise while the premise is in use

General Advice

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

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

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

Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. **(See Sections 8.1 of the Licensing Policy)**.

While all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. **(See Section 12.11)**.

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. **(See Section 8.2 of the Licensing Policy)**.

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. **(See Appendix 2 Annex D of the Licensing Policy)**. In particular Members may wish to consider (this list is not exhaustive):

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

- Conditions controlling lighting (this needs to be balanced against potential crime prevention benefits)

Police Powers

Part 8 of the Licensing Act 2003 enables a senior police officer to close down a premises for up to 24 hrs. a premises causing a nuisance resulting from noise emanating from the premises.

Guidance Issued under Section 182 of the Licensing Act 2003

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

The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community (2.33).

Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.36) and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder (2.38).

Other Legislation

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

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