

# LICENSING SUB COMMITTEE

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Wednesday, 29 November 2017 at 2.00 p.m.

C1, 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London,  
E14 2BG

This meeting is open to the public to attend.

**Contact for further enquiries:**

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

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QR code for smart phone users.



**APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

**1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST (Pages 5 - 8)**

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 9 - 18)**

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

**3. MINUTES OF THE PREVIOUS MEETING(S) (Pages 19 - 40)**

To confirm as a correct record the minutes of the Licensing Sub-Committee held on 19<sup>th</sup> September and 24<sup>th</sup> October 2017.

	<b>PAGE NUMBER(S)</b>	<b>WARD(S) AFFECTED</b>
<b>4. ITEMS FOR CONSIDERATION</b>		
<b>4 .1 Application to Review the Premises Licence for the Angel and Crown, 170 Roman Road, London, E2 0RY</b>	<b>41 - 126</b>	<b>Bethnal Green</b>
<b>4 .2 Application for a Premises Licence for Mangal, 514 Commercial Road, London E1 0HY</b>	<b>127 - 194</b>	<b>Shadwell</b>

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

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

# Agenda Item 1

## **DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER**

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

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

### **Interests and Disclosable Pecuniary Interests (DPIs)**

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

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

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

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

### **Effect of a Disclosable Pecuniary Interest on participation at meetings**

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

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

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

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

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

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

### **Further advice**

For further advice please contact:-

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

## APPENDIX A: Definition of a Disclosable Pecuniary Interest

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

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

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**TOWER HAMLETS**



**LICENSING COMMITTEE**

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

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

## **1. Interpretation**

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

## **2. Composition of Sub-Committee**

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

## **3. Procedure**

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

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

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

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

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

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

#### **4. Exclusions**

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

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

## Guidance for Licensing Sub-Committee Meetings.

### (1) Attendance at Meetings.

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

### (2) Licensing Sub-Committee Role and Membership.

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

#### Licensing Sub-Committee Webpages

To view go to the Committee and Member Services web page:  
[www.towerhamlets.gov.uk/committee](http://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. A Decision letter will be sent to all interested parties confirming the decision made.

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## LONDON BOROUGH OF TOWER HAMLETS

### MINUTES OF THE LICENSING SUB COMMITTEE

HELD AT 6.30PM ON TUESDAY, 19 SEPTEMBER 2017

THE COUNCIL CHAMBER, TOWN HALL, MULBERRY PLACE, 5 CLOVE  
CRESCENT, LONDON, E14 2BG

#### Members Present:

Councillor Peter Golds (Chair)  
Councillor Shah Alam  
Councillor Dave Chesterton

#### Officers Present:

Mohshin Hamim	–	(Senior Licensing Officer)	
Vivienne Walker	–	(Senior Prosecution Lawyer)	
Kathy Driver	–	(Principal Licensing Officer)	
Simmi Yesmin	–	(Senior Committee Officer, Democratic Services)	

Representing applicants	Item Number	Role
Sefano Dell'utri	3.2	Applicant
Azmal Hussain	3.1	Supporting Review

Representing objectors	Item Number	Role
Veronica Paul	3.2	Local Resident
Terry Ablet	3.2	Local Resident
Abdul Munim	3.2	Local Resident

#### Apologies

None

#### 1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

No declarations were made.

#### 2. RULES OF PROCEDURE

The rules of procedure were noted.

#### 3. ITEMS FOR CONSIDERATION

### **3.1 Application to Review the Premises Licence for Curry Bazaar, 77 Brick Lane, London E1 6QL**

At the request of the Chair, Mr Mohshin Ali, Licensing Officer, introduced the report which detailed the application for a review of the premises licence for Curry Bazaar, 77 Brick Lane, London E1 6QL. It was noted that the review had initially been triggered by the Licensing Authority but they had subsequently withdrawn their representation. It was also noted that the Police who had supported the review had also withdrawn their representation as well as a local resident. Mr Ali confirmed that there were still representations remaining from other interested parties.

Members then heard from Mr David Dadds, Legal Representative for the Premises Licence Holder who explained that there should be no regard to the review process as the Licensing Authority had withdrawn their review so there was no application to consider.

Members adjourned at 6.40pm to seek legal advice and reconvened at 6.50pm

The Chair informed all parties that the application would be considered in relation to the remaining representations. It was noted that Members would disregard all the information contained on pages 26-79 of the agenda which related to the representations from the Licensing Authority, Police and the local resident who had all withdrawn their representations.

At the request of the Chair, Mr Azmal Hussain, Local businessman, stated that the premises was opposite his restaurant and that one of his staff has been assaulted by the staff and owners of the premises, he also stated that staff at premises continuously tout and shout out at customers. Mr Hussain also mentioned that the premises had been found to employ an illegal asylum and had also sold illegal alcohol at the premises.

Members then heard from Mr Dadds, who briefly explained that the incident of the assault that had been mentioned by Mr Hussain was not connected to the premises and was proven self-defence at court, and the sale of illegal alcohol had been dealt with by a different review process.

He then went through the other remaining representations and explained that they were trade objectors and direct competition and therefore little or no weight should be given. He said the representations from local residents were of general matters in relation to the local area.

In response to questions the following was noted;

- It was accepted that the premises was a family run business.
- That the previous Premise Licence Holders did not work at the premises

- That the current Premises Licence Holder and his brother take it in turns to manage, open and close the premises.
- The change in management, successful test purchases, and transfer of the premises licence holder were factors which assisted in the decision to withdraw representations.
- It was confirmed that if the licence had not been transferred then the review representation would not have been withdrawn.

Members adjourned the meeting at 7.30pm for deliberations and reconvened at 7.45pm.

### **The Licensing Objectives**

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

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

### **Consideration**

Each application must be considered on its own merit. The Sub Committee had carefully considered all of the evidence before them and listened to the verbal representations made by the Licensee's Legal Representative and other person's party to the application present at the meeting with particular regard to the licensing objectives of crime and disorder and prevention of public nuisance.

Members noted the withdrawal of the representations made by the Responsible Authorities and one of the local residents. Whilst Members noted that the change in management and the transfer of licensee was a consideration of the Licensing Authority when making their decision to withdraw their representation. Members were still concerned about the involvement of the previous premises license holders and felt that a condition to exclude them from any day to day management of the premises would help alleviate any concerns of previous mismanagement and misconduct.

Accordingly, the Sub Committee unanimously

### **RESOLVED**

That the application for a Review of the Premises Licence for Curry Bazaar, 77 Brick Lane, London E1 6QL be **REFUSED** and a condition imposed.

**Condition**

To exclude Mrs Azirun Nessa and Mr Mohammed Juber Ahmed from any positions of management or the role of DPS or the day to day control or management of the premises.

**3.2 Application for Variation of a Premises Licence for Green Truffle, 21 Roman Road, London E2 0HU**

The Sub Committee briefly listened to an application made by the Applicant and also heard from resident objectors present at the meeting. Members were concerned about the difficulty the applicant experienced in presenting his submissions and lack of clarity in the answers given when questioned by Members. Therefore Members decided to adjourn the meeting in order for the Applicant to seek appropriate licensing advice and appoint an advocate or representative to help support him in making his application and demonstrate his understanding of the licensing objectives.

**RESOLVED**

That the application for a Variation of the Premises Licence for Green Truffle, 21 Roman Road, London E2 0HU be **Deferred** to another meeting of the Licensing Sub Committee.

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

The meeting ended at 9.00pm

Chair, Councillor Peter Golds  
Licensing Sub Committee

**LONDON BOROUGH OF TOWER HAMLETS****MINUTES OF THE LICENSING SUB COMMITTEE****HELD AT 6.45 P.M. ON TUESDAY, 24 OCTOBER 2017****THE COUNCIL CHAMBER, TOWN HALL, MULBERRY PLACE, 5 CLOVE  
CRESCENT, LONDON, E14 2BG****Members Present:**

Councillor Rajib Ahmed (Chair)  
 Councillor Suluk Ahmed  
 Councillor Rachael Saunders

**Others Present:**

Sophie Soar	Goldsmiths University
Lucinda Diamond	Goldsmiths University
Sophia Ankel	Goldsmiths University
Darren Mew	Goldsmiths University
Ugbad Ewi	Goldsmiths University
Yiso Hgo	Goldsmiths University
Lisa Bunker	Item 4.3
Mohammad Ismail	Item 4.3

**Officers Present:**

Mohshin Ali	Senior Licensing Officer
PC Mark Perry	Metropolitan Police
Catrina Marshall	Licensing Officer
PC Thomas Ratican	Metropolitan Police

<b>Representing applicants</b>	<b>Item Number</b>	<b>Role</b>
Mr Stewart Gibson	4.1	Licensing Agent
Mr Alistair Cantor	4.2	Counsel for Top Pizza
Mr Mohammad Aziz	4.2	Applicant
Mr Niall McCann	4.3	Counsel for Twisted LDN
Mr Engelbert Gamsriegler	4.3	General Manager for Twisted LDN
<b>Representing objectors</b>	<b>Item Number</b>	<b>Role</b>
PC Mark Perry	4.1	Responsible Authority
Mr Christopher Lloyd	4.1	Resident on behalf of Mr Jon Shapiro
Mr Dilowar Hussain	4.2	Resident & Petition Organiser
Mohshin Ali	4.3	Responsible Authority
Caroline Watts	4.3	Witness – ASB Team
Mr Conor Magill	4.3	Resident
Mr Abdullah Al-Mahmood	4.3	Resident

**1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST**

No member declared any discloseable pecuniary interests.

**2. RULES OF PROCEDURE**

The rules of procedure were noted.

**3. MINUTES OF THE PREVIOUS MEETING(S)**

The minutes of the meeting of 23<sup>rd</sup> August 2017 were agreed and approved as a correct record.

**4. ITEMS FOR CONSIDERATION****4.1 Variation of premises licence application - Agah, 43 Commercial Street, London E1 6BD**The Licensing Objectives

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

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

Consideration

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

Mohshin Ali, Licensing Officer introduced the report and referred Members to the various appendices within the report. He reminded Members of the licensing objectives and offered to answer any questions the Members may have in relation to this application.

Members heard from Mr Stewart Gibson (Licensing Agent for the applicant) who firstly offered the Applicant's apologies for non-attendance before proceeding to explain why the Applicant had sought a variation of the licence.



Mr Gibson stated the application to vary could be seen in three parts: 1) to allow for the consumption of food and alcohol outside the premises; 2) to extend the hours in which the licensed premise operates and 3) a licence for late night refreshment.

Mr Gibson said the request for 'off sales' was with respect to the outside seating area and the applicant had applied for a table and chair licence which would cease at 10:00 p.m. Therefore his client accepted the condition stated in the Licensing Authority's letter of 4<sup>th</sup> September, that the sale of alcohol should be 'on sales only and ancillary to a sit down meal' would apply to the outside seating area too.

With respect to the opening hours of the premises the applicant was seeking to extend the hours to 02:30 a.m. hours the following day, seven days a week. Mr Gibson explained the reason for requesting this extension was to allow the business to cater for private functions on the lower ground floor, with entertainment being provided until 01:00 a.m. the following day. Mr Gibson stated his client had offered up a condition that there would be 'no entry for patrons after midnight' so external people who had not had a meal at the restaurant would not be allowed entry.

With respect to the late night refreshments, this would allow for hot food to be served to patrons and any alcohol would be ancillary to food until 02:00 a.m. the following day. The applicant also sought to provide late night entertainment throughout the week until 01:00 a.m. the following day. In giving consideration to the licensing objective 'Prevention of public nuisance' Mr Gibson argued that because the private functions would be on the lower ground floor noise pollution would be limited and entertainment would be secondary to patrons enjoying a meal. On occasions the restaurant wanted to provide live entertainment for private pre-booked functions, with traditional Turkish music and dance. Mr Gibson stated his client was happy to work with the Environmental Protection team to ensure 'noise limiters' were installed and entry would not be permitted after 12:00 midnight to the lower floor. In addition he stated that as the outside area would be cleared by 10:00 p.m. all doors and windows would be closed at this time, thus limiting noise from any entertainment provided.

Mr Gibson made reference to the objections raised by the responsible authorities that the current licence was granted 3 months ago at the end of May 2017 and therefore a variation ought not to be granted. He referred Members to Page 94 of the agenda and said it was now 5 months since the restaurant was operating and there had been no complaints at all. It was a well-run premises that had demonstrated it can operate safely. It was mere conjecture on part of the responsible authorities that if the premises are allowed to open later i.e. until 02:30 a.m. this would compromise the licensing objectives. Mr Gibson stated that presently there was two door staff on duty Friday and Saturday however if the licence was granted it would mean there would be two SIA door staff seven days a week, thus preventing crime and disorder, as the streets would be safer.

Mr Gibson continued that the restaurant's dispersal policy would require patrons to book taxis from their tables and those walking would be ushered to move along quickly and quietly from the restaurant. Mr Gibson stated the premises are covered by 4 CCTV cameras to which the responsible authorities could have access at any time. He also pointed out that no objections had been raised by local residents and therefore the application to vary the licence should be granted.

To counter the Applicant's submission, PC Mark Perry for the Metropolitan Police stated the late opening of the restaurant would add to crime and disorder in the area, as the premises are in the Cumulative Impact Zone (CIZ). PC Perry referred Members to Pages 77 – 80 of the agenda and stated that all but one licenced premises finished by 12:00 midnight and therefore it would set a wrong precedent for this restaurant to operate beyond its existing licence of 23:30 hours Monday to Thursday and Sunday and 01:00 a.m. Fridays and Saturdays.

PC Perry stated if the restaurant was to open until 02:30 a.m. Mondays to Sundays this would mean customers would have another 2½ hours to consume alcohol. In addition the Applicant has stated on page 60 of the agenda that entertainment would be provided by DJ's for private events. There is demand for venue spaces to be rented and as such there is concern the basement area would be hired out to DJ's for dance parties rather than meals and light entertainment. This would cause anti-social behaviour and is a cause for concern. Furthermore the condition offered -i.e. no entry after midnight appears to be more of a condition a club would offer than a restaurant. PC Perry stated the Applicants effort to prevent noise, when patrons were leaving was noteworthy however disturbance in the early hours of the morning was inevitable for residents who lived in the area. PC Perry stated the application to vary the licence should be rejected on the basis that it had only been 3 months since the licence was granted and as such time was required for it to operate, up to a year, before any variation should be considered.

Catrina Marshall, Licensing Officer referred Members to pages 93-95 of the agenda and stated the Licensing Authority considered 3 months since the granting of the current licence to be an insufficient period to judge the impact of the restaurant on the area and residents. She stated the premise was in the CIZ and consideration had to be given to the licencing objectives. She reiterated the condition that "off sales are permitted only to customers seated in the outside seating area partaking in a substantial table meal" and had no objection to condition 6 being changed "from Challenge 21 to Challenge 25 plus bringing the regulated entertainment permitted hours in line with the hours granted for other licensable activities."

Mr Christopher Lloyd representing Mr Jon Shapiro stated the granting of the variation would be in breach of the CIZ, and would merely encourage other local restaurants to apply for extended hours, which would clearly impact on the CIZ. In addition he stated whilst he understood the commercial pressures to open late there would hardly be demand for meals until 2:30 a.m. It was

absurd an extension should be granted so soon after their previous licence application.

Mr Mohshin Ali, Licensing Officer also reminded Members to note the written objections of the Environmental Protection Noise team – Page 90.

Members of the Sub-Committee asked the following questions:

- Can you describe the nature of events the Restaurant will hold and why the applicant has decided to seek a variation so soon after the original licence was granted?

*Mr Gibson responded that the intention was to make the lower ground floor useable and for it to be operational in the run up for Christmas, because the restaurant could potentially benefit from private party hires.*

- What is the capacity of the restaurant?  
*It can hold 60 people in the lower ground floor and 90 in the restaurant.*
- How will the Applicant deal with additional people who might attend the restaurant?

*Mr Gibson said it will be for private hire and functions and therefore no one after 12:00 midnight would be allowed in. Alcohol will be ancillary to patrons taking a substantial meal.*

- Has there been any crime or disorder reported in relation to the premises?

*PC Perry stated no incidence had been reported however if the business was intending to expand it would be better for it to apply for Temporary Event Notices (TENS) to gauge the interest before expanding. Further the Applicant has made clear in this application the use of DJ's and this suggests it would be operating as a mini club rather than a restaurant.*

Both the Applicant's representative and the Objectors summarised their points before the Members adjourned to make their decision.

### **Decision**

Accordingly, the Sub-Committee unanimously

### **RESOLVED**

That the application for a Variation of a Premise Licence for Agah Turkish Restaurant, 43 Commercial Street, London E1 6BD be **REFUSED** subject to the following reasons:

There should be no variation to the existing licensable opening hours, as the business needed to demonstrate it could operate sufficiently under the existing licence.

No 'off sales of alcohol would be permitted unless customers seated in the outside seating area are partaking in a substantial table meal', with a maximum of 25 people allowed in the seating area until 22:00 hours.

That the conditions as outlined in the Operating Schedule – at pages 33 -35 points 6.0 to 6.15 shall apply as drawn.

That condition 6.6. is agreed that Challenge 21 should be replaced with Challenge 25.

**The sale by retail of alcohol (on sales only)**

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

**The Provision of Late Night Refreshment - indoors**

- (Monday to Thursday – None)
- Friday and Saturday from 23:00hrs to 00:30hrs the following day
- (Sunday – None)

**The Provision of Regulated Entertainment - Indoors**

(in the form of Recorded Music )

- 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

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

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

**The opening hours of the premises**

- Monday to Thursday from 07:00hrs to 23:30hrs
- Friday and Saturday from 07:00hrs to 01:00hrs the following day
- Sunday from 07:00hrs to 23:30hrs

**Operating Schedule Conditions**

- 6.1 All current conditions to remain on the licence except condition 2, and the alteration to condition 6.
- 6.2 The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal
- 6.3 Two SIA staff to be employed from 8pm until closing Friday and Saturday
- 6.4 The CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum of 31 days.
  - a) A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained.

- b) The correct time and date will be generated onto both the recording and the real time image screen.
  - c) The system will comply with other essential legislation and all signs as required will be clearly displayed.
  - d) The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.
  - e) 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
  - f) A camera to be placed outside the entrance and on entry
  - g) If the CCTV equipment (Including any mobile units in use at the premises) breaks down the Premises Licence Holder shall ensure the designated premises supervisor, or in his/her absence other responsible person, verbally informs the Licensing Authority and the Police as soon as is reasonably practicable. This information shall be contemporaneously recorded in the incident report register and shall include the time, date and means this was done and to whom the information was reported. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. The Licensing Authority and the Police shall be informed when faults are rectified.
  - h) The premises Licence holder shall ensure that there are trained members of staff available during licensable hours to be able to reproduce and download CCTV images into a removable format at the request of an authorised officer of the Licensing Authority or a constable.
  - i) There shall be clear signage indicating that CCTV equipment is in use recording at the premises during all trading hours.
- 6.5 An incident book will be kept at the premises which will record all refusals of the sale of alcohol, all disorder and crimes that occur either in the premises or involve the premises' customers or any other incident of note. The book shall be available for inspection at the premises by the police or an authorised officer of the licensing authority at all times whilst the premises are open.
- 6.6 The premises will operate a Challenge 25 policy and all those who look under 25 years of age will be asked for proof of age. There will be Challenge 25 signs at the bar. If the customer is unable to provide identification then no sale shall be made. Any staff member who may be under the age of 18 must call a senior staff member to take over the sale and complete the transaction.

- 6.7 If it is known that a customer intends to purchase alcohol to provide to minors then that sale will be refused. All refused sales will be recorded in a refusals book, which will be made available for inspection by Police or Licensing Officers of the council on request.
- 6.8 The premises will clearly display operational hours
- 6.9 Staff will be trained on Licensing and Health and Safety legislation. Training will be an ongoing part of staff development and will be fully documented
- 6.10 The premises will have a clear evacuation procedure in case of a fire
- 6.11 Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly. Patrons will be moved on from outside of the premises
- 6.12 The premises will clear bins only during permitted hours and no waste or recyclable materials, including bottles, shall be moved, removed from, or placed in outside areas between 23:00 hours and 08:00 hours the following day, so as not to disturb the neighbourhood
- 6.13 The premises shall not cause any noise pollution so as not to disturb the neighbourhood
- 6.14 Adult supervision at all times for young children.
- 6.15 All staff will be fully trained in their responsibilities with regard to the sale of alcohol, and will be retrained every six months, with recorded training records kept for inspection.

#### **4.2 Application for a Premises Licence for (Tops Pizza), 3 West India Dock Road, London E14 8EZ**

##### The Licensing Objectives

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

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

##### Consideration

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

Mohshin Ali, Licensing Officer introduced the report and referred Members to the various appendices within the report. He reminded Members of the licensing objectives and offered to answer any questions the Members may have in relation to this application.

Members heard from Mr Cantor (Counsel for the applicant) who stated his client was seeking a late night refreshment licence and referred Members to pages 129 – 150 of the agenda. He said his client was not seeking a licence for the sale of alcohol and was looking to open until 02:00 a.m. Mon to Thurs and 3:00 a.m. Fri to Saturday and 12:00 a.m. on Sunday.

Mr Cantor continued that the Responsible Authorities had not objected to the application and that his client Mr Aziz had been in consultation with them. He said his Client was proposing to serve the last pizza 10 minutes before closing time in order to ensure the premises closed in time.

With respect to the licensing objectives, the applicant had addressed this in the application on pages 146-147 of the agenda. The objections in a form of a petition from 23 individuals refers to “fighting, shouting and loud talking” - page 165 but is it unclear if this is a general observation or relating to my clients premise. In relation to other premises nearby – page 157 there are some which are operating until 04:00 a.m. No complaints have been made to Environmental Protection and it is clear the Police do not have any concerns. Mr Cantor continued that the representations made by the objectors were hazy and his clients premises are a well-run business.

Mr Dilowar Hussain raised his objections stating that there was not much space inside the shop and therefore customers spilled into the street. He said the loud talking, shouting and fighting resulted in him being unable to sleep. He also said that the smell and rising heat from the Pizza shop was an issue and was affecting his quality of life.

Mr Dilowar Hussain continued in Bengali and the Chair of the Sub-Committee was reminded that proceeding should be conducting in English.

Mr Cantor stated that the application had to be considered on its merits and no new evidence was permissible. He said by way of compromise his Client was agreeable to operating “no counter service past 12:00 midnight and for the remaining time just do home deliveries.”

Mr Mohshin Ali, Licensing Officer confirmed no complaints against the premises had been received however on visiting the premises on the 30<sup>th</sup> June 2017 it found the premises were operating without a licence. A warning was issued on the 26<sup>th</sup> July 2017 which has subsequently led to the owner applying for a licence.

In defence, Mr Cantor stated his client was unaware that the licence had lapsed but he promptly applied for one as soon as he was made aware. He repeated the application was for a late night refreshment licence that would not be serving alcohol and that no complaints against his client had been raised with the Responsible Authorities. It was unclear what authority the other signatories of the petition had given to Mr Hussain and the alleged medical problems to which Mr Hussain refers and the heat generated from the pizza machines and smell cannot be considered.

Members of the Sub-Committee asked the following questions:

- How high are the ducts which expel food smells?  
*Mr Aziz stated the ducts were at the back of the building and were about two floors high. He said the adjacent building – i.e. flats had no windows or doors on the back where the duct was and therefore could not be affected by any food smell.*
- The objector has raised there is 'fighting, shouting and loud talking' and little space inside the shop. Are the flats connected to the premise in question?  
*No they are not connected.*
- Have the addresses of the petitioners been checked to see if they are within 100 miles of the premises?  
*The named individuals have not been written to but the addresses are within the same block of flats.*

The Chair invited the Applicant's representative and the Objector to sum up their argument before retiring to make a decision.

### **Decision**

Accordingly, the Sub-Committee unanimously

### **RESOLVED**

That the application for a Premises Licence for Top Pizza, 3 West India Dock Road, London E14 8EZ be **GRANTED** subject to the following conditions:

#### **The provision of late night refreshment - Indoors and outdoors**

- Monday to Thursday, from 23.00 hrs to 02:00 hrs the following day Counter Service until 00:00 hrs (midnight) and deliveries until 02:00 hrs
- Friday and Saturday, from 23:00 hrs to 03:00 hrs the following day Counter Service until 00:00 hrs (midnight) and deliveries until 03:00 hrs
- Sunday, from 23:00 hrs to 00:00 hrs (midnight)

#### Non-standard timings:

- Vaisaki, Diwali, Valentines Day, Sunday before Bank Holiday, Eid, Christmas Day, New Year's Eve and New Years Day, from 23:00 hrs to 03:00 hrs the following day



**The opening hours of the premises**

- Monday to Thursday, from 23.00 hrs to 02:00 hrs the following day
- Friday and Saturday, from 23:00 hrs to 03:00 hrs the following day
- Sunday, from 23:00 hrs to 00:00 hrs (midnight)

Non-standard timings:

- Vaisaki, Diwali, Valentines Day, Sunday before Bank Holiday, Eid, Christmas Day, New Year's Eve and New Years Day, from 23:00 hrs to 03:00 hrs the following day

In addition the conditions as per the Operating Schedule pages 123-124 points 7.0 to 7.10 will apply:

- 7.1 Appropriate staff training to be completed, training records shall be made available for inspection upon request by a relevant officer of a responsible authority.
- 7.2 Vehicles used for delivery must switch off their engines when waiting outside of the Premises for the collection of food for delivery.
- 7.3 Drivers shall wait inside the premises between deliveries/for deliveries.
- 7.4 Home deliveries shall only be carried out by in-house employees of the business
- 7.5 The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer.
  - a) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
  - b) The CCTV system shall continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises.
  - c) All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31-day period.
  - d) A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
- 7.6 Notice to customers regarding consideration shall be displayed at the entrance and exit

- 7.7 Staff who arrive in the morning or depart late at night will be asked not to cause disturbance to nearby residents.
- 7.8 No rubbish will be moved, removed or placed outside between the hours of 23:00 and 08:00
- 7.9 An incident log shall be kept at the premises, and made available on request to an authorised officer or the Police.
- 7.10 Order is received over the phone by a person who sounds like they may be under 16 years staff member will ask to speak to a parent or responsible adult.

#### **4.3 Application for a Premises Licence for Twisted LDN, 12 Batty Street, London E1 1RH**

##### The Licensing Objectives

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

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

##### Consideration

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

Catrina Marshall, Licensing Officer introduced the report and referred Members to the various appendices within the report. She reminded Members of the licensing objectives and offered to answer any questions the Members may have in relation to this application.

Members heard from Mr Niall McCann (Legal representative for the applicant) who said his client was seeking a 24 hour licence to manage the commercial outlet of his online business. The concept was food with a twist and this had a large following. The business was not comparable to an ordinary takeaway service as there would be no customers picking up food from the premises.

Mr McCann said his client would accept a condition that customers shall not be permitted to pick up orders.

Most of the deliveries would be made by moped or push bike to customers place of work or home. He referred Members to the menu, which was tabled at the meeting and said that his clients were not at the low price point and envisaged mainly food deliveries with 10-20% being alcohol sales.

In reference to the objections raised by residents, Mr McCann said two issues needed to be considered 1) Public Nuisance – delivery drivers coming to and fro from the premises and 2) the legal framework hours.

In relation to Public Nuisance Mr McCann stated his clients would adopt robust conditions in order to ensure delivery drivers were not being a nuisance. He referred to the conditions outlined on page 227 of the agenda and stated his client would be happy to adopt all that were relevant to them. He further added Delivery drivers would be told 'idling of their engines' – for mopeds would not be acceptable and that drivers would need to wait inside the premises when picking up delivery orders. Mr McCann stated that roughly 50% of deliveries would be by push bike and therefore would not be causing a public nuisance. He added that because the delivery drivers would be going to and fro from the location in Batty Street, with would also assist in the wider problem in the area of drug dealers and prostitution as this would be deterred.

In reference to the framework hours Mr McCann referred Members to page 273 and the bullet points referred to therein.

- He stated the location of the premises was not in the Cumulative Impact Zone and the licensing objectives had been addressed in the application – Page 211.
- Mr McCann said the intention was to open the premises by the 30<sup>th</sup> November 2017 and in the first instance the premises would open until 2:00 a.m.
- With respect to crime and disorder, the premises are near Commercial Street and whilst they could not alleviate all the issues, his client was willing to adopt what was necessary to ensure crime and disorder did not adversely impact on the local residents and area.
- With regard to previous history he reminded Members the premise had never been licensed before.
- Access to public transport – was not relevant in this case
- And likewise the proximity to other licensed premises are of no consequence or relevance.

Mohshin Ali, Licensing Officer for the responsible authority raised his objections to the application stating they were concerned about the 2:00 a.m. finish time especially as the location of the premises are in a quiet residential street. Mr Ali said the Applicant needed to clarify the times when the push bikes and mopeds were to operate and had concern of the impact of noise disturbing the neighbours. He also asked the Members to be mindful of the

objection raised by Ms Cadzow on page 230 and recommended that the premises operate within the legal framework hours.

Mr Ali asked Caroline Watts, Anti-social Behaviour team to come as a witness and asked her to further expand on the issues stated.

Ms Watts stated the area had issues with drug dealing and Batty Street was often used for 'deals' to be done in broad daylight, as it was a narrow street. Deals happen through car windows and there is issues with vehicles blocking the road. Mopeds and bicycle riders will often mount the pavement to pass and this is a public safety concern.

Ms Watts was keen to learn what control the premises licensee would have over their delivery drivers. She said that if the company are to outsource to companies like Deliveroo, Just Eat, Uber for example, it was impossible to control public nuisance as many drivers are causing anti-social behaviour concerns in the area.

Mr Conor Magill, resident echoed Ms Watts concerns and said it would be inappropriate to have a 24 hour operation in a quiet residential street. Whilst the Applicant was not to blame for the crime and disorder in the locality, it was fanciful to suggest that moped and bike riders will help to reduce crime.

Mr Magill then went on to describe the character of the street, giving details of the types and nature of building in the area. He stated the quality of life for residents would be adversely affected and there was little that could be done to prevent noise from delivery drivers on a busy night. He said noise from one moped at 02:00 a.m. would be magnified and whilst he had been invited to talk to the Applicants, far more information was required on how they will run their operation.

Mr Magill stated that if the Members were minded to grant the licence stringent conditions were required to reduce vehicle noise, interaction between drivers and times of when mopeds were to be used. He said whilst the Applicant was giving assurances for this, it cannot be guaranteed general disorder will not ensue. Mr Magill said he opposed the proposed 24 hour nature of the premise operation and stated he would prefer it not to operate outside the legal framework hours.

Mr Al-Mahmood, resident also contributed to the objections stating the narrow street already experienced congestion and noise from delivery drivers unloading goods and blocking the pavement. Mr Al-Mahmood asked if the Applicant had data which showed alcohol would only amount to 10-20% of sales.

Member of the Sub-Committee asked the following questions:

- How will the delivery drivers be controlled?  
*Mr McCann stated that his client was happy to accept the conditions outlined by Ms Watts in the supplemental agenda. Mr McCann confirmed the company did not have its own drivers and would in the*

*first instance be using companies such as Deliveroo or Uber. However no contract had been signed with these companies and as such the concerns stated by Ms Watts would be incorporated into the contract.*

*Mr McCann also pledged that redacted copies of the contracts entered into could be provided to Ms Watts which stated things like no smoking or talking outside the premises and that drivers will need to leave quietly.*

- The apps used to book delivery drivers do not distinguish between car drivers / moped and bikes. So how is this going to be managed?

*The contract will make it quite clear that no cars are allowed and we just want to use push bikes and moped drivers. We shall also have an addendum that drivers cannot mount the pavement and drive on the footpath.*

The Applicant and the objectors were given an opportunity to summarise their points before the Members adjourned to make their decision.

### **Decision**

Accordingly, the Sub-Committee unanimously

### **RESOLVED**

That the application for a Premises Licence for Twisted LDN, 12 Batty Street London E1 1RH be **GRANTED** subject to the following conditions:

- The Licensable activity will be as per the Council's framework hours plus one additional hour.
- That the conditions stated in the operating schedule Pages 190 -191 points 7.0 to 7.7 apply as well as the conditions stated by the Licensing Authority on Page 227- 228 points 1 to 14 and the further conditions stated by the Anti-Social Behaviour Team in the supplement agenda Page 4.
- Further the Applicant must share the contracts entered into with delivery companies with the Anti-social Behaviour team for approval.
- In the contract it should clearly state only pedal bikes and mopeds should be used for deliveries and no deliveries will be made to customers using cars or vans.
- Delivery drivers cannot mount the pavement and will not be permitted to smoke or talk outside the premises.
- It will be a disciplinary offence if drivers do not leave quietly.
- No drivers can wait outside when collecting orders; and

- Clear signage must be displayed inside and outside the premises making clear to drivers the conditions which apply.

**Legal Framework Hours plus one hour**

Monday to Thursday, from 06:00 hrs to 00:30 hrs

Friday and Saturday, from 06:00 hrs to 01:00 hrs

Sunday, from 06:00 hrs to 23:30 hrs

**Operating Schedule conditions:**

- 7.1 Customers shall be reminded to provide acceptable form of ID such as Driving licence, Passport or PASS card when placing bookings both online or by phone.
- 7.2 The company's website shall provide links to 'drinkaware' and 'alcohol concern' webpages.
- 7.3 The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when drivers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
- 7.4 Alcohol will be sold ancillary to a food order.
- 7.5 Notices shall be prominently displayed at all exits requesting drivers to leave the area quietly.
- 7.6 A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
- 7.7 A refusal log shall be maintained by each delivery driver and made available for inspection by Police Officer or Authorised Officer, this log shall include the date, time Name and signature of staff member who refused the sale along with the name address and postcode of the customer.

**Additional conditions:**

1. All ordering shall be done via the website, persons ordering alcohol will be required to declare they are over 18 before an order can be placed;
2. There shall be no direct sale of alcohol or collection of alcohol from the actual premises.

3. There shall be no direct sale of hot food and hot drinks or collection of hot food and hot drinks from the actual premises.
4. A clear and legible sign at the premises stating the operating times and to indicate no provision of alcohol on the premises; alcohol and any food products are solely off premises;
5. No alcohol will be sold or consumed on the premises
6. Alcohol shall only be delivered to people who have ordered it and have produced the appropriate identification to prove they are over 18 years of age.
7. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a take-away meal.
8. All sealed containers of alcoholic drinks offered for sale for consumption off the premises must be clearly labelled or marked with the name and postcode of the premises.
9. A Challenge 25 policy will be implemented. Trained delivery staff will implement the requirement to see appropriate ID for those people who appear to be under 25;
10. A refusal book will be maintained and records of any refusals to be logged. The refusals book should be available at the premises for inspection upon demand by an authorised officer;
11. No waste bins shall be put outside after 23:00 hrs
12. External doors shall be kept closed unless being used as access and egress to prevent noise;
13. No idling of delivery vehicles outside the premises;
14. Staff shall be instructed to respect the needs of local residents and leave the premises quietly when they arrive and leave after 23:00 hrs;

### **ASB Conditions**

1. That all sales are on-line and there are no direct sales or collections from the premises at 12 Batty Street;
2. Twisted LDN or delivery personnel are not to congregate or loiter in Batty Street between 21:00 hrs to 08:00 hrs - this includes standing in the street to smoke.
3. Twisted LDN are responsible for the behaviour of their delivery drivers. This includes, but is not limited to, ensuring there is no noise nuisance to residents, there is no obstruction of the footpath or the public highway, drivers are insured and have roadworthy vehicles. This applies to drivers directly employed, contractors or delivery companies such as Deliveroo, Just Eat, Uber Eat.

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

The meeting ended at 10.50 p.m.

Chair, Councillor Rajib Ahmed  
Licensing Sub Committee



# Agenda Item 4.1

Committee: <b>Licensing Sub-Committee</b>	Date: 29 November 2017	Classification: UNRESTRICTED	Report No.	Agenda Item No.
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Report of: <b>David Tolley</b> <b>Head of Environmental Health &amp; Trading Standards</b>  Originating Officer: <b>Corinne Holland</b> <b>Licensing Officer</b>	Title: <b>Licensing Act 2003</b> <b>Application to Review the Premises Licence for the Angel and Crown, 170 Roman Road, London, E2 0RY</b>  Ward affected: <b>Bethnal Green</b>
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## 1.0 Summary

Name and Address of premises:	<b>Angel and Crown 170 Roman Road London E2 0RY</b>
Licence under review:	<b>Licensing Act 2003</b> <ul style="list-style-type: none"><li>▪ <b>Sale by retail of alcohol</b></li><li>▪ <b>Provision of Regulated Entertainment</b></li><li>▪ <b>Provision of Late Night Refreshments</b></li></ul>
Review triggered by: Representations:	<b>Metropolitan Police Local Residents</b>

## 2.0 Recommendations

- 2.1 That the Licensing Committee considers the application for review and then adjudicates accordingly.

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

Brief description of "background paper"	Tick if copy supplied for register	If not supplied, name and telephone number of holder
<ul style="list-style-type: none"><li>• Guidance Issued under Section 182 of the Licensing Act 2003</li><li>• Tower Hamlets Licensing Policy</li><li>• File</li></ul>		Corinne Holland 020 7364 3986

## **Review Application**

3.0 This is an application for a review of the premises licence for the Angel and Crown Public House, 170 Roman Road, London, E2 0RY. The review was triggered by PC Mark Perry of the Metropolitan Police (Licensing Division).

3.1 A copy of the review application and supporting evidence is attached in **Appendix 1**.

### **4.0 The Premises**

4.1 The premises licence was a converted licence from the 1964 Licensing Act under grandfather rights in 2005. A minor variation was submitted in August 2016 for the addition of conditions in an attempt to prevent crime and disorder and public nuisance. A copy of the current licence is contained in **Appendix 2**.

The current licence holder Angel and Crown (Bethnal Green) Ltd has been the licence holder since November 2014 and the Designated Premises Supervisor has been Stephen Baldwin since February 2008.

4.2 Maps showing the premises, surrounding area and vicinity of local residents are included in **Appendix 3**.

### **5.0 Representations**

5.1 This hearing is required by the Licensing Act 2003, because a review has been triggered by the Metropolitan Police (Licensing Division).

5.2 Three local Residents have made representations in support of the Review:

- Suzy Norman - **Appendix 4**
- Phil Norman – **Appendix 5**
- Hugh Mendes – **Appendix 6**

5.3 Only representations that relate to the following licensing objectives are relevant:

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

5.4 In the view of the interested party and the responsible authorities it is necessary to achieve the licensing objective of

- the prevention of crime & disorder
- the prevention of public nuisance

## 6.0 Review Explained

- 6.1 The Licensing Act 2003 was described by the Government at the time as “light touch” but as Baroness Blackstone stated in the Lords at the time of the second reading (26 Nov 2002) “Local residents and businesses as well as expert bodies, will have the power to request that the licensing authority review existing licences where problems arise. Such a review could result in the modification of the licence, its suspension, or ultimately, revocation.”
- 6.2 The Home Office has issued guidance under Section 182 of the Licensing Act 2003 in relation to reviews and that is contained in **Appendix 7**. It is available on the Government’s website, [www.homeoffice.gov.uk](http://www.homeoffice.gov.uk). It was last revised in April 2017.
- 6.3 Members are particularly asked to note the comments in relation Crime and Disorder. In particular the home office advice is that “The role of the licensing authority when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure that the crime prevention objective is promoted.”
- 6.4 Members should also note the Council’s Licensing Policy in relation to Crime and Disorder, the relevant parts of which are contained in **Appendix 8**.
- 6.5 Members should also note the Section 182 Guidance in relation to Crime and Disorder, the relevant parts of which are contained in **Appendix 9**.
- 6.6 In relation to the prevention of Public Safety the Home Office advises Licensing Authorities under article 43 of the Regulatory Reform (Fire Safety) Order 2005 any conditions imposed by the licensing authority that relate to any requirements or prohibitions that are or could be imposed by the Order have no effect and should therefore not seek to impose fire safety conditions where the Order applies.
- 6.7 The Home Office has advised that where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co-operation.
- 6.8 An interested party or a responsible authority can trigger a review at any time, but the grounds must be relevant to the licensing objectives. The form of the application, and the advertisement of the review are the subject of regulations (The Licensing Act 2003 (Premises Licences and

Club Premises Certificate) Regulations 2005). In addition, the licensing authority has to satisfy itself of certain matters in relation to the Licensing Act 2003. All the matters stated in 5.0 were considered before any representations were accepted for inclusion in this report.

- 6.9 The Licensing Act 2003 requires that the Licensing Authority satisfies itself that it should reject the grounds for a review because:
- The ground is not relevant to one or more of the licensing objectives
  - In the case of an application by a local resident that the application is frivolous, vexatious or repetitious.

## 7.0 Review Advertisement

- 7.1 The review was advertised by a blue poster, next to the premises, by the Licensing Section. This was periodically monitored by the Section to ensure it was on continuous display, and replaced as necessary. It was also advertised at Mulberry Place, 5 Clove Crescent, London E14 2BG.
- 7.2 The statutory blue notice was attached to a lamp post outside the premises on 25/9/17 by a council officer but it was noticed that it had been removed by the following day. A Licensing Officer then attended the premises on 26/9/17 and placed another notice on the same lamppost, together with displaying one on the inside of the premises window, so it could be read from the outside of the premises.

On the 04/10/17 another Licensing Officer reported that both of these notices had been removed. This officer attached another blue notice to the lamppost outside the premises during this visit.

It was then noticed on the 10/10/17 that the blue notice had again been removed. Another two notices were placed on different lampposts on either side of the premises on the 10/10/17.

An email was sent to the Designated Premises Supervisor stating these notices should not be removed. An acknowledgement of this email was received. These emails can be seen in **Appendix 10**

The notice remained in place for the rest of the consultation period.

- 7.3 The party that triggers the review must notify the licence holder and responsible authorities. The review documents were sent to the licence holders.
- 7.4 The procedure for a review can be summarised as follows:
- A review is triggered by a responsible authority or interested party
  - Consultation is conducted for 28 full days
  - Other responsible authorities or interested parties may join in the review
  - Members conduct a hearing
  - Members make a determination

- All the parties to the review have the right of appeal to the magistrates court (i.e. the licence holder, the person who triggered the review and those who have made a representation).

## 8.0 Licensing Officer Comments

8.1 The Governments advice in relation to reviews is contained in **Appendix 7**. Members must consider all the evidence and then decide from the following alternatives:

- Take no further action as it is not required to take any further steps to promote the licensing objectives.
- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition)
- Exclude a licensable activity from the scope of the licence
- Remove the Designated Premises Supervisor
- Suspend the licence for a period not exceeding three months
- Revoke the licence completely

8.2 The licence should only be suspended or revoked if Members believe that alterations to the existing licence, including imposing new conditions does not have a reasonable prospect of ensuring that the licensing objectives are met.

8.3 Members should bear in mind that conditions may not be imposed for any purpose other than to meet the licensing objectives.

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

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

## 9.0 Legal Comments

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

## 10.0 Finance Comments

10.1 There are no financial implications in this report.

## 11.0 Appendices

<b>Appendix 1</b>	Copy of the review application
<b>Appendix 2</b>	Current Premises Licence
<b>Appendix 3</b>	Maps of the premises and surrounding area
<b>Appendix 4</b>	Representation of S Norman
<b>Appendix 5</b>	Representation of P Norman
<b>Appendix 6</b>	Representation of H Mendes
<b>Appendix 7</b>	Guidance issued under Section 182 by the Home Office for reviews
<b>Appendix 8</b>	Guidance Issued by the Home Office under Section 182 of the Licensing Act 2003 concerning Crime and Disorder
<b>Appendix 9</b>	London Borough of Tower Hamlets Licensing Policy in relation to the prevention of Crime and Disorder
<b>Appendix 10</b>	Emails re display of notice

# Appendix 1



This form should be completed and forwarded to:

**London Borough of Tower Hamlets,  
Licensing Section, Mulberry Place (AH), PO BOX 55739, 5 Clove Crescent, London E14 1BY**

**Application for the review of a premises licence or club premises certificate  
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 ...Pc Mark Perry 748HT Borough Licensing Officer apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)**

**Part 1 – Premises or club premises details**

<b>Postal address of premises or club premises, or if none, ordnance survey map reference or description</b> Angel and Crown 170 Roman Road	
<b>Post town</b> Tower Hamlets	<b>Post code (if known)</b> London

**Name of premises licence holder or club holding club premises certificate (if known)**

**Number of premises licence or club premises certificate (if known)**



**Part 2 - Applicant details**

Please tick  yes

I am

- 1) an interested party (please complete (A) or (B) below) 
  - a) a person living in the vicinity of the premises
  - b) a body representing persons living in the vicinity of the premises
  - c) a person involved in business in the vicinity of the premises
  - d) a body representing persons involved in business in the vicinity of the premises
  
- 2) a responsible authority (please complete (C) below)  Y
  
- 3) a member of the club to which this application relates (please complete (A) below)

**(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)**

Mr  Mrs  Miss  Ms  Other title   
(for example, Rev)

**Surname**

**First names**

Please tick  yes

**I am 18 years old or over**

**Current postal address if different from premises address**

**Post Town**

**Postcode**

**Daytime contact telephone number**

**E-mail address (optional)**

(B) DETAILS OF OTHER APPLICANT

Mr  Mrs  Miss  Ms  Other title   
(for example, Rev)

<b>Surname</b>	<b>First names</b>
<input type="text"/>	<input type="text"/>

I am 18 years old or over Please tick  yes

<b>Current postal address if different from premises address</b>	<input type="text"/>
--	----------------------

<b>Post Town</b>	<input type="text"/>	<b>Postcode</b>	<input type="text"/>
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<b>Daytime contact telephone number</b>	<input type="text"/>
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<b>E-mail address (optional)</b>	<input type="text"/>
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(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address:  Pc Mark Perry 748HT Licensing Officer Tower Hamlets Police Toby Club Vawdry Close E1 4UA
Telephone number (if any) <input type="text"/>
E-mail (optional) <input type="text"/>

**This application to review relates to the following licensing objective(s)**

Please tick one or more boxes

- |   |                          |
|---|--------------------------|
| 1) the prevention of crime and disorder | Y                        |
| 2) public safety                        | <input type="checkbox"/> |
| 3) the prevention of public nuisance    | Y                        |
| 4) the protection of children from harm | <input type="checkbox"/> |

**Please provide as much information as possible to support the application** (please read guidance note 2).

Tower Hamlets Police are reviewing the premises License of the Angel and Crown Public House on the grounds of Crime and Disorder and Public Nuisance. Over the last 18 months the premises has become known to Police due to complaints from local residents regarding crime and anti-social behaviour, the observations of Police when they have visited the premises, and the actions of the staff and management of the venue.

Various visits to the pub by Police have found the following:

Customers drinking in the bar when they were so intoxicated they could barely stand up unaided.

Groups of youths hanging around outside the pub drinking alcohol and using nitrous oxide,

Groups of customers outside drinking on the street, being loud and intimidating.

Strong traces of drugs found in the premises.

Generally found the pub to be very poorly run with no effective management.

The problems faced by residents are very well described in an e-mail received by Police in June 2016 from a local resident who had been affected by the customers of the pub.

*Dear PC Perry,*

*I would like to make a statement regarding my personal experiences of the Angel and Crown which I insist be used anonymously.*

*I have lived in close proximity to the Angel and Crown public house for over 16 years. Living on a main road and close to a pub I do expect to hear some noise, however, the level of noise and anti social behaviour in and around the pub has over the last few years become completely unacceptable.*

*As far as I can tell, the actual landlord and landlady of the pub are not present for a lot of the time, which leaves the pub to be run by female bar staff who are ill equipped to deal with the level of problems happening outside the pub.*

*The problems can start from a Thursday late afternoon/evening and follow through to Sunday. There are often groups of young men and some women drinking outside the pub, this can be known to sprawl across the pavement, around the side of the pub in Smart Street and around the back of the flats. I have a good view of these areas and can sometimes see people crossing the street to avoid walking directly past the pub as it can be incredibly intimidating. I have witnessed passers by being verbally and physically abused by customers from the pub.*

*I have recently witnessed a customer from the pub so drunk that he was barely able to stand however, he managed to urinate over a car with a pint glass in the other hand. This was in the early evening when it was still light. I have lost count of the number of times I have witnessed Nitrous Oxide being inhaled, cannabis being smoked and powder being snorted on the back of hands outside the pub in broad daylight.*

*Even if I couldn't see the issues above, I could certainly hear the levels of noise. When customers are that drunk and that high, I am presuming that they are unaware of how loud they can be. Myself and my partner can never be guaranteed to get to sleep before 11pm and sometimes later. This is mostly due to customers talking and shouting for hours, cabs tooting, cars playing music etc.*

*I have recently been speaking to neighbours as I wanted to gauge how the situation was affecting them. Some I spoke to had made complaints and others were too frightened to for fear of reprisals.*

*During my years of observing the pub and its customers the one thing that stands out for me is the lack of respect that the landlords and owners have for the local area and its residents. The only time I have ever seen a member of staff from the pub try to control the behaviour of its customers outside the pub was around a month ago, when the landlady came out of the pub and asked a group of young males to kick any nitrous oxide canisters that they were using down the drain and if they did so, she would bring them a free drink, which she did.*

*Living with the levels of noise and ASB for such a long time does have a negative effect on*

*myself and my partner. It's not something you ever get used to. We both work full time and just want to come home and relax at the weekend and often this is not possible due to the pubs customers. Stress levels can be high and sometimes I pray for rain so that it stops so many people congregating outside.*

*I have looked at and have frequented many other public houses in Bethnal Green and all across London and can honestly say I have never seen anything like the situation that is allowed to carry on outside The Angel and Crown in such a built up residential area. The surrounding area on Roman Road, apart from traffic noise, is generally very quiet otherwise.*

*I think with changes to the licensing hours, the landlords doing their job properly and no drinking outside the pub things may improve but this would need to be closely monitored and results would have to be long term and not just for a few weeks.*

*Thank you so much for getting in touch and I really look forward to seeing some improvements being made in and around The Angel and Crown not just for me but for all local residents who are disturbed on a regular basis.*

The resident was known to Police and we had been in contact with them regarding the problems they had been experiencing and working to help resolve them. They did not want to provide their details as they genuinely feared reprisals by the customers of the pub.

**A second complaint from same resident is below dated 19th April 2016.**

*On my way home from work, I noticed a group of young men 20-25 years old blocking the pavement outside the Angel and Crown public house. Some were drinking from glasses, presumably from the pub whilst some were rolling, smoking and passing around joints. The group were sitting on the pub pull down chairs and appeared to be intimidating. It was a sunny evening and the drugs were being openly and blatantly smoked in front of passers by, children etc. This went on for about an hour. I noticed a female community officer standing a few shops along from the pub and wondered if perhaps she had noticed and reported the incident.*

*A similar group of men were smoking cannabis on a Saturday, two weeks ago during daylight hours.*

The evidence of local residents is backed up by what Police officers have discovered when they have attended the venue:

**The following was a record of a Police visit to the Angel and Crown on Friday 10th June 2016 by PC Ferguson of the local Safer Neighbourhood Team**

*We had to attend the Angel & Crown pub on Roman Road around 22:45 hours due to constant complaints from residents concerning litter, noise, and nitrous oxide usage. On scene a group of 5-8 males were standing to the side of the premises and clearly inhaling the balloons, causing residents concerns. Some are known nominal's from the Cranbrook estate and Old Ford Road area. Only statements were "it's a Friday night, nothing else to do" "whose complaining, were not doing anything wrong" - denied causing the litter.*

*The landlord was not on the premises, and my sergeant did speak to the barmaid. She states that another member of staff had asked them to leave but took it no further when they refused. It was not the staff or landlord at anytime that called the Police - just left to residents complaints. Mr Chapman was reached on the phone and stated that he was working with licensing and myself to improve the situation, although incidents are still occurring. Barmaid initially stated Mr Chapman had "just popped out", and was overhead on the phone "yes yes I've told them you have just left for a moment" although after questioning indicated that he had not been there.*

*Photographs have been attached to the review evidence.*

I visited the Angel and Crown that night and found several customers both inside and outside the premises who were drunk, there were a group of younger customers outside who were drinking alcohol from the pub and had been taking nitrous oxide. The management had clearly been allowing their customers to get so drunk they could barley stand.

On previous licensing visits I have conducted to the Angela and Crown I have seen the same people standing outside the premises drinking and also inside the pub drinking. In the opinion of the Police the management of the Angel and Crown have allowed this group of people to use the pub as a place to hang out, to use illegal drugs and cause harassment alarm and distress to local residents. What is equally concerning is that the management and staff at the pub have not called the Police, or even banned them from their premises, but simply allowed their customers to cause problems form local residents.

**11th June 2016**

Officer notice a group of MALE standing around moped and Boris bikes out side the Angel and Crown pub on Roman road.. Half of the group run away when police arrived. The rest were moved on by police, at the time the staff of the Angel and Crown did not come out of the pub to speak with police.

The second time police went to the pub was because of a complaint from local residents. The youths are bring glass jars out of the pub and taking gas.

**21st July 2016 at 2030hr**

The reporting officer from Bethnal Green Safer Neighbourhood Team (SNT) was passing by the ANGEL and CROWN Public House on ROMAN ROAD, E2. The SNT have ongoing issues with males on motor scooters pulling up outside the pub and blatantly dealing drugs to those standing outside. The SNT and Licensing Team have had meetings with the landlord and certain conditions are being put in place regarding CCTV and groups gathering outside.

**Sunday 16th October 2016**

Officers were called by the victim who stated he had been pushed out of the Angel and Crown by the a male customer.

The victim stated he ordered delivery of a pizza online for dinner with his family. The pizza



was not delivered in time so he called the delivery of company who stated the pizza had been delivered to a male who was standing outside the pub. The male stated to the delivery man he ordered the pizza and was given to large pizza, this male then entered the pub.

The victim came down to the pub and saw males eating the pizza inside the pub. He approached them and stated the pizzas are his and that he wanted them back. The males refused and stated they ordered the pizza.

An altercation between the victim and the suspect occurred inside the pub. The victim was pushed out of the pub by the suspect without any pizzas.

The victim wanted to make police aware as drinkers in the pub have been causing him issues. A few minutes later a large fight was called at the pub. The victim was not involved in the this call as he was inside his flat upstairs.

The victim was advised to contact the pizza delivery company to complain in regards to "his pizza were not delivered to him" but he had paid for the pizza online.

The victim had been drinking and a statement was not taken. The victim did not want to make a report of this incident, however wife was insisting he does. Wife did not witness the incident in the pub. No suspects were identified and the case was closed.

### **Sunday 16th October 2016**

Police called by a member of the public who would not give his details stating that members of the travelling community were at Angel and Crown public house roman road and that on leaving the pub were drunk loud and looked liked there were about to fight so has called police. Two people were at scene and were spoken to both stated that they had an argument over a cab and there was only a verbal argument. No injuries were seen and there were no allegations of assaults made by either party.

Recorded as an affray as there was a phone call from member of public but there was no witnesses that wanted to come forward and provide statement or details

Tower Hamlets Police Licensing tried to work with the landlord to resolve the issues, in the first instance the landlord was made aware of the issues and asked to report incidents to Police, to bar customers who are causing problems. The landlord Mr Baldwin agreed to work with the local SNT, and to ban customers causing problems. However there was almost no contact from the pub to Police and complaints from residents continued to be received.

Following these continued complaints from local residents about the Angel and Crown Public House, Roman Road Police conducted several visits to premises and found that customers were being served alcohol while intoxicated, that local youths were using the pub and taking nitrus oxide outside. The premises was causing noise nuisance to local residents. At a meeting with the landlord and LBTH Licensing the following minor variation was made to the license which will hopefully resolve the problems.

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

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

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

2) Two SIA security staff are to be on duty at the premises on Friday and Saturday nights from 7pm until the premises is closed and the last customers have left the premises. The security must sign and out in a record book at the start and end of their shifts, and must be clearly identifiable as security.

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

every day by the manager even if there is nothing to report.

4) A Sound Limiter to be fitted by the premises and a level set by Tower Hamlets Environmental Health Team, and checked twice a year.

5) All doors and windows to be kept closed while regulated entertainment is taking place in the premises.

6) The hours the premises are open to the public and able to carry out licensable activities are changed to the following:

**OPEN TO THE PUBLIC**

Sunday to Thursday - 09:00 - 23:30

Friday and Saturday - 09:00 - 00:00

**SALE OF ALCOHOL**

Sunday to Thursday - 09:00 - 23:00

Friday and Saturday - 09:00 - 23:30

**LATE NIGHT REFRESHMENT**

Friday and Saturday - 09:00 - 23:30

**REGULATED ENTERTAINMENT**

Sunday to Saturday - 09:00 - 23:00

This appeared to work for a few months, however as can be seen from the complaints from residents listed below, after a couple of months the pub reverted to its old ways and complaints from residents started again. The Police have also had to attend the venue several times since the new conditions were added to the license.

**11th June 2017**

Premises visited by Police and found a group of about 10 people outside drinking alcohol, which is against a voluntary agreement reached. Empty nitrous oxide canisters outside the

pub and believed that this was the pub's customers. Same had been observed the previous night. One customer found in the pub who was intoxicated. Manager Joanne Arristide spoken to and she refused the customer service, when he asked for another drink. However if I had not been there I believe she would have served him. She denied her customers had been using nitrous oxide.

**On the 25th June 2017**

Police have been called by a female stating that a male and female were fighting in the street in Roman Road outside the Angel and Crown Public House. On arrival police have seen sus1 and sus2 was throwing punches and has also slapped the male in the face. Police have arrived and separated the two parties. The male suspect was holding a phone and has said to police that the female was his wife and that they have had an argument and that he has been hit by her a couple of times but does not want anything to be done about it.

The female was seen by police arriving to be throwing punches and slapping the male. She was spoken to separately and was also extremely intoxicated and did not want to speak to police although on arrival was shouting towards the car, call the police, he has been hitting me I want him arrested.

The two witnesses have then made themselves known to police and have stated that they had also seen the male to be attacking the female by punching slapping at one point to be grabbing hold of her by the throat and also throwing her to the floor.

The first witness states that he was driving in his car into Smart Street from Roman Road and has seen the males trying to get the female into a car believed to be a cab and because the female was drunk she didn't and then was assaulted by the male by being pushed to the floor and slapped in the face. The two witnesses have got out the car concerned for the female and have challenged the male that he should leave them alone. The male suspect has then approached the witness after pushing the female again to the floor and has shouted at him 'get back in your car' and has then approached him and has pushed him in the chest with his chest.

As the witnesses went back to their car after trying to help the female who had dropped her

bag from being pushed to the floor the second witness has looked round and has then watched the female approach the male and begin to slap him constantly round the face and they have decided to get in the car. The first witness was aware that a female passer by had called police and the decided to leave for fear of being assaulted themselves. They have seen police arrive and have made themselves known.

What is concerning about this crime is that nobody at the pub has contacted Police, this is a theme from the management of the Angel and Crown that when incidents occur Police are not called which invariably means the problems escalate and customers feel free to act any way they see fit. In this case intimidating passers by when they try to assist.

The other serious concern is that customers are frequently allowed to get very drunk, which increases the chances of violence and disorder occurring. Again this is a theme with many of the incidents that occur at the pub.

Despite both the male and female involved in the incident being arrested neither of them wished to substantiate any allegation and the case was not proceeded with.

**Resident contact the Safer Neighbourhood Team in July 2017 to report the following:**

*Dear Safer Neighbourhood Team*

*I left a message on your answering machine the other evening and just wanted to confirm what I had said.*

*There have been many many incidents of awful behaviour outside the Angel and Crown for the past few years but over the recent months things have really accelerated.*

*Twice recently I have called the police due to fights, and I understand that a couple of weekends ago police were also called, with paramedics to attend yet another fight.*

*On the 20 July there was a loud explosion outside the pub, the men from Simply Fresh over the road came rushing out to see what the cause was, there was black smoke coming from*

*the noise of the explosion but we do not know what caused it. It is so normal now for there to be screaming and fighting outside the pub that no one even bothered to call the police, though two nights later, last Saturday, the police were again called to a fight.*

*I went to speak to the landlord about one incident that my neighbour and I had actually watched (having called the police) and he said all the trouble was caused by Asian men, but we can confirm that there wasn't an Asian person in sight, they were all white. He was rude and aggressive and gave the impression that he can do what he likes.*

*It is quite frightening living close to the pub, apart from the fighting and yelling there is regular drug dealing out the back and men use the back of our flats as a urinal. The behaviour of the 'regulars' is intimidating and I know of no other pub where most of the clientele stand outside with their pints, I thought people had to stay inside unless they were going outside for a cigarette.*

*I would be grateful if you could take this seriously as it is making some of the residents' lives absolutely miserable.*

The following are extracts from a residents "Facebook" account set up to discuss the problems residents have suffered due to the Angel and Crown pub.

### **23<sup>RD</sup> July 2017- Resident Report**

*Just for the record - another big punch up outside the Angel and Crown this evening - two police cars, smashed glass all over the pavement - can we discuss this at our next meeting please*

### **23rd July 2017 - Police Report**

Police were on route to another call and drove passed the Angel and Crown Public House, as they did a commotion could be heard. It appeared a large pub fight had broken out. Police entered the location and detained a male who was being held back, this seemed to de-escalate the situation and the fighting stopped.

Urgent assistance was requested and more units attended. Both parties ran off, landlord didn't want to know. Nobody wished to make any allegations.

One male had small cuts to neck units responding to the urgent assistance call bandaged males.

All potential witnesses spoken to by various officers but nobody including bar staff wished to assist Police with their investigation.

One group was a large band of Irish travellers who were very drunk.

**25th July 2017 at 21:35**

*It's been bad again this evening.*

**Undated**

*More drunk screaming and raging from 10-30 until past 1-30 this morning by the same group who frequent the pub. They hang around outside after closing time drinking from bottles until they start fighting one another. I have contacted Safer Neighbourhoods and the local MP. If any one else has any suggestions, I would love to hear them.*

*I'm trying not to be defeatist but I think the angel and Crown must have some kind of special dispensation because it seems that whatever goes on there will make no difference. The landlord gives the impression that he is untouchable and perhaps he is*

**1<sup>ST</sup> September 2017**

*Watch your feet when entering or exiting 19-34 as some idiot from Angel and Crown has sprayed what appears to be two gallons of urine on our doorstep. To top it off he (assuming a man here) left a pint glass next to the puddle. A more courageous version of me would have returned it to the pub along with a snarky comment but as the last time I set foot in there I was ejected by force I'm staying clear.*

**Undated**

*Anyone any idea what was going on last night - flashing lights, loads of yelling - you know - the usual stuff.*

The Angel and Crown NEVER used to be this bad - I just don't understand why it's got worse.



**4th August 2017**

Premises visited as concerns that there was drug dealing at the premises. Visit at around 22:00. Drug tests conducted in the toilets and strong hits on the MALE toilets indicating fresh use. Hits on ledge and toilet roll holder. No SIA staff on duty in breach of license. Sec 19 Issued. Believed we were observed before entering premises.

**2nd September 2017**

PC Corcoran 696HT from response team contacted licensing due to them being continually called out to the premises.

*Please can you have a look at the Angel And Crown on Roman Road and their licensing conditions. Tonight for the 3rd time in 6 weeks we have been called their to a traveller incident where by they couldn't manage. It abstracted a large number of officers to resolve and I would suggest that the pub is flirting with danger in order to make money.*

**4th September 2017**

I met the Landlord Stephen Baldwin at the pub to go over my concerns that there were still complaints from residents, that Police had been called down to the pub several times over the last month. Most worryingly that when I conducted a visit there a month ago there were no SIA staff on duty, which is a breach of his license. Mr Baldwin said there were SIA on duty, we checked the CCTV and there was no SIA on duty. We then looked at his incident book, and it became clear that there had not been any SIA staff employed at the pub for several months. Please see attached photograph of the roster.

It appears that despite trying to work with the management of the Angel and Crown the premises continues to cause problems for local residents and the Police. The management have not adhered to the conditions added to the pub at the end of 2016. They have not stopped serving people who are drunk, they have not employed security staff as agreed,

they have not contacted Police when there are problems. They have demonstrated that they cannot be trusted to follow the conditions on their license or uphold the Licensing Objectives.

This is in part due to the Owner Mr Baldwin not being there during the evening when these problems are occurring. This means there is no effective control of the pub and it has allowed the customers to effectively take over the running of the pub. As a result drunken and violent customers as well as drug dealers have begun to use the pub, and in the opinion of the Police have become established in the pub, and it will now be very difficult if not impossible to remove from the pub, especially with the current management.

Tower Hamlets Police therefore have no alternative to ask for the Premises License to be revoked.

Have you made an application for review relating to this premises before

**Please tick ? yes**  
N

If yes please state the date of that application

Day		Month		Year			

**If you have made representations before relating to this premises please state what they were and when you made them**

No

Please tick  yes

I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate Y

I understand that if I do not comply with the above requirements my application will be rejected Y

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 3 – Signatures** (please read guidance note 3)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (please read guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature  
.....  
Date  
.....  
Capacity  
.....

<b>Contact name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 5)	
<b>Post town</b>	<b>Post code</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b>	

### **Notes for Guidance**

- 1 1. The ground(s) for review must be based on one of the licensing objectives.
- 2 Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
- 3 The application form must be signed.
- 4 An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- 5 This is the address which we shall use to correspond with you about this application.





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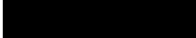
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1/8 0130 1103 0184 8688 License number  
called police at Midnight no trouble  
customers & just would not leave  
Ref CAD 10111

9 0130 1103 0184 8688 [REDACTED]

**WITNESS STATEMENT**

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of  ..... URN: 

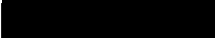
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Age if under 18    Over 18 ..... (if over 18 insert 'over 18') Occupation: .....

This statement (consisting of: .... **2**..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature:  ..... Date: 14.09.17.....


Tick if witness evidence is visually recorded  (supply witness details on rear)

I am  a local resident and have lived in the Roman Road area for seven years, this statement refers to the problems I have had with a local pub called the Angel and Crown of 170 Roman Road. My life has been greatly affected by the non-existent management of this pub which has resulted in fights, anti-social behaviour and drug dealing now unfortunately an all too regular occurrence at the venue.

The problems of drug dealing, loud noise, and anti social behaviour occur most weekends, with violent fights now taking place more regularly. Most weekends from my home I can hear the sounds of customers of the pub screaming at each other, making allot of noise even when they talk due to the amount of alcohol they have consumed. I have watched from my window and seen customers of the pub drinking outside, I know they are from the Angel and Crown as I have begun to recognise them, seen them go into and out of the pub and drink from glasses from the pub not from bottles bought elsewhere.

The customers of the pub get so drunk I have seen them staggering outside, shouting and swearing, sometimes the people outside number between 10 - 20. I have never seen any member of staff or manager make any effort to control the customers, even when they are falling down drunk and unable to walk in a straight line. When they had security staff on they would just seem to watch and take no action. There is no effective control of the pub or its customers.

There is also a problem with younger customers of the pub hanging around the side drinking, getting drunk, they are also inhaling nitrous oxide and dealing drugs. I have seen the after effects, the small silver canisters, the smashed bottles and beer glasses on the street by the pub. They are usually there on Friday and Saturday nights, sometimes till 1 or 2 in the morning. They hang around in groups, sometimes there are cars there they are very intimidating to me. I have heard a member of staff talking to the group saying "I know you deal drugs". This

Signature:  ..... Signature witnessed by: .....

Continuation of Statement of .....

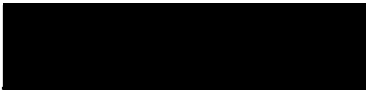
problem seems to of got worse from about May and is bad during the summer months. I have been told by PC Perry that the premises stopped using its security around then and this would seem to be one of the reasons for the bad behaviour to increase. Over the last 6 weeks I have seen the Police been called to the pub twice late at night due to unruly customers, the problems at the pub never seem to stop.

All these problems have had a detrimental effect on my life, I am not able to sleep due to serious disorder outside. It is affecting my job making it difficult to work as I am groggy from the poor nights sleep I have had. I am unable to enjoy home, I wouldn't bring friends back because of noise and anti-social behaviour from the customers of the pub, they are just too intimidating and I would not subject my friends to their bad behaviour. I am also undergoing treatment for cancer and need rest something I can't do with the pub being run as it is.

It is not just me saying this it is other people in the area. We have a social media group where we have recorded how the pub has affected us.

I therefore ask that the premises license of the Angel and Crown is revoked.

Signature:



Signature witnessed by: .....

**WITNESS STATEMENT**

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **Estella DOOLEY** ..... URN: 

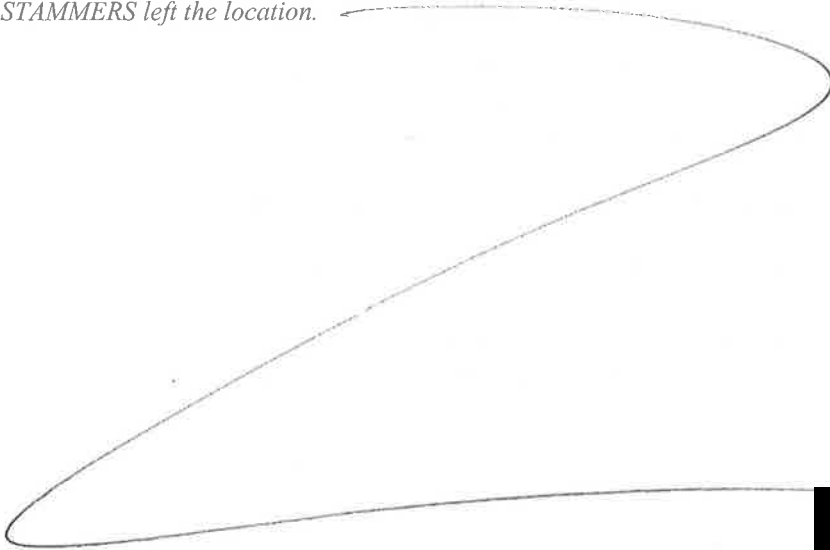

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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Sergeant 71 HT**.....

This statement (consisting of: .... **1**..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature:  Date: 11/09/2017

Tick if witness evidence is visually recorded  (supply witness details on rear) On **FRIDAY 4<sup>th</sup> of AUGUST 2017** I was on duty in plain clothes assisting **PC PERRY** who is the Police Licensing Officer. On the aforementioned date we attended the **ANGEL AND CROWN** which is situated on **ROMAN ROAD**. **PC PERRY** then informed the Bar worker that he was here to perform tests for drug use in the premises. **PC PERRY** then, along with myself entered cautiously both Men and Women bathrooms at the rear of the pub, whilst **PC STAMMERS** remained in the bar area to interact with the customers and deterring any breach of the peace. **PC PERRY** at around 2200 hours performed the tests. He informed the bar worker/landlord that the swab tests he had performed in the bathrooms had tested positive and that there was strong use from the male toilets. There were no **SIA** door staff in breach of the license and I witnessed **PC PERRY** issued a Sect 19 order. I did not see any male leave the toilets prior to the tests being conducted. After the notice was served Myself, **PC PERRY**, **PC STAMMERS** left the location.

Signature:  Signature witnessed by: .....

**WITNESS STATEMENT**

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **PC Harry Edgecombe** ..... URN: 

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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Officer 239464** .....

This statement (consisting of: .... **2**..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: **PC Harry Edgecombe 160HT** ..... Date: **11/06/2016** .....

Tick if witness evidence is visually recorded  (supply witness details on rear)

I have been asked to provide this statement by PC 748HT PERRY in relation to a licensing visit conducted at THE ANGEL AND CROWN, 170 ROMAN ROAD, LONDON, E2 0RY on SATURDAY 11TH JUNE 2016 at approximately 0015 hours. H8

On FRIDAY 10TH JUNE 2016 I was tasked to assist the Tower Hamlets Licensing Team during that evenings EURO 2016 event, primarily as the driver of the police vehicle. I was on duty between 1800 hours on FRIDAY 10TH JUNE 2016 and 0200 hours on SATURDAY 11TH JUNE 2016 accompanied by PC 748HT PERRY, an experienced licensing officer. Throughout the night we had conducted various licensing checks in and around Canary Wharf, The Isle of Dogs and Bethnal Green. At approximately 0015 hours, whilst driving along ROMAN ROAD, back towards BETHNAL GREEN ROAD, our attention was drawn to THE ANGEL AND CROWN, 170 ROMAN ROAD, LONDON, E2 0RY which was situated on the left hand side of the road from our direction of travel at the junction of SMART STREET. Our attention was drawn to the venue as outside the main entrance was a large gathering of individuals, between the ages of approximately 18 and 25, both males and females, who appeared visibly intoxicated and had a loud demeanour. This was apparent as a majority of the individuals had drinks in their hands and appeared to be staggering around the pavement outside the venue entrance. H8

As a result of this PC 748HT asked me to pull up by the venue so that a licensing check could be conducted, and the manager be spoken to. Due to a lack of suitable parking areas I had to drive around to the rear of the venue and park, as soon as we pulled up on SMART STREET the individuals outside the venue entrance 'starburst' meaning that they all rapidly dispersed in differing directions; some on push bikes and some in vehicles. PC 748HT and I did not go immediately to the venue as when I stepped out of the vehicle I immediately noticed an extremely large number of Nitrous Oxide Canisters all over the pavement and road, which I pointed out to PC 748HT; I would estimate there to have been approximately 150 Canisters and the boxes they came in scattered all

Signature: **PC Harry Edgecombe 160HT** Signature witnessed by: .....

Continuation of Statement of **PC Harry Edgecombe**.....

over the ground. Also clearly visible were a mixture of both broken and intact glasses around the pavement area and a number of bottles. My attention was also drawn, to what I believed to be, urine up against the wall and running down the pavement. PC 748HT took photographs of the resulting mess which was left by what appeared to be customers from THE ANGEL AND CROWN.

*HE*

PC 748HT and I have then gone to the venue to seek out a manager, outside the venue remainder approximately 3 to 5 individuals approximately 18 - 25 years of age who were clearly intoxicated with drinks in their hands. As we approached the door a female member of staff made herself known to us as the duty manager, having stepped into the venue it was clear that a number of customers inside the venue were also clearly intoxicated and still being served by the bar staff. PC 748HT asked to speak to the duty manager outside so that he could show her the mess which had been left. The female immediately started talking about how she had had enough and that there was nothing more she could do as she had been screaming and shouting at the customers to go back inside all night. She stated how she was unable to control the individuals outside, who she confirmed were her customers, also confirming that it was her customers who had been using the Nitrous Oxide Canisters and confirming the glasses outside did indeed belong to the pub. PC 748HT gave the duty manager stern words of advice and informed her that he would be seeking a review of the premises licence. I also informed the Duty Manager of the new laws surrounding legal highs, and that if individuals were using them in, on or around her premises, she should call Police so that the individuals could be dealt with appropriately. The duty manager stated that she would pass on the message to the landlord, profusely apologised, and stated she would clean up all the mess which she began to do whilst we were on scene.

*HE*

Having been satisfied that action was being taken, PC 748HT and I left the venue to continue with other licensing checks in the Bethnal Green area before returning to the Police Station at 0115 hours to compile paperwork and reports for the evening.

*HE*



Signature: **PC Harry Edgecombe 160HT** Signature witnessed by: .....

On Monday 11th September 2017  
Stephyn Baldwin manager of the  
Angel + Crown Roma Road,  
Spoke to me and admitted that  
Security had not been hired for  
several months in breach of license  
Also incident book not used in  
3 months. He agreed with me  
that his staff were not informing  
him of incidents at the pub. I  
explained that due to the number  
of incidents and that as he had  
not held up his agreement regarding  
Security and incident book that I  
was left with no choice but to  
revoke the license and said to  
revoke it. Mr Baldwin said that  
he was selling the lease and  
offed to close at 2pm on Friday  
or Saturday. I said I would pass  
this onto the licensing committee  
in my licensing review application<sup>12</sup>

and that he could make his  
own representation at the committee.  
I told Mr Baldwin that should  
the license be revoked and a  
new application be made by new  
owner I would consider it on  
its merits. That is a accurate  
record of what was said.  
+

[REDACTED]  
04/09/17.



### WITNESS STATEMENT

**Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B**

URN

Statement of: Oscar Pantano

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Officer

This statement (consisting of \_\_\_\_\_ page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature: ..... Date:

I am the above named person. This statement refers to a series of incidents that took place at or near the Angel & Crown Public House based at 170 Roman Road, Bethnal Green, London, E2 0RY.

I am a dedicated ward officer for the Bethnal Green Ward at the Bethnal Green Safer Neighbourhoods Team. I have been working in Tower Hamlets for the last two years and I am well aware of the issues surrounding this establishment. I am also well informed about the negative impact suffered by the local residents due to all sorts of crime and anti-social behaviour instigated in the local area by the publicans who attend these premises on a daily basis.

I firstly became aware of the Angel & Crown when I joined my current team. I was informed at the time that there had been innumerable incidents where police attendance had been requested due to fights, drug dealing, street drinking, noise, littering, breach of licence conditions, urinating in public, cycling on pavements, etc.

Residents have contacted me personally and explained how many of them are afraid to walk down the road after dark and how they are woken up in the early hours of the morning on a regular basis by rowdy behaviour taking place right outside their windows. This has an even worse impact on the elderly and infirm residents who live in the nearby properties. Some of them have reached a breaking point and after confronting the culprits have been verbally abused and threatened.

I have personally seen punters drinking and being noisy outside the premises and I have stopped and carried out checks on those individuals. I am aware that drugs are being consumed at the premises and even though no offences had been reported by the managers, tests have confirmed that the premises toilets are being used for drug use.

I am aware that meetings between the landlord and the police licensing officer have taken place but even though the landlord put measures in place to rectify everything that had gone

Witness Signature: .....

Signature Witnessed by Signature:.....

Continuation of Statement of:

wrong with his business, he has not managed to resolve the problems. It is now clear to me and to the other agencies involved in this matter that the managers of the business are not able to turn the business around and/or to ban the individuals who are causing the issues from drinking at the pub.

A separate issue created by the activities carried out at these premises is the demand on emergency services resources like police and the ambulance service who regularly attend to incidents involving injuries. These calls will eventually translate into lengthy investigations involving the first officers at the scene, secondary investigators like CID, crime scene examiners, CCTV operators, lab scientists, local authority officials, etc. This creates an enormous work load for local policing teams which will undeniably keep officers off the streets who will instead spend a great deal of their time arranging meeting, taking statements and completing case files.

Additionally, it cannot be ignored the fact that there will be a high financial element to take into account, at a time when resources are limited and public service organizations are looking into ways to save money.

I believe the issues explained above are affecting local resident's confidence in police and this could eventually prevent them from engaging due to lack of trust. This is a situation that must be avoided at all costs as without the support of the local community there could be long term consequences to the effectiveness of policing.

Witness Signature: .....

Signature Witnessed by Signature:.....

## Corinne Holland

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**From:** MARK.J.Perry [REDACTED]  
**Sent:** 20 October 2017 11:16  
**To:** Corinne Holland  
**Subject:** Regarding the Angel and Crown on Roman Road

Hi,

Please can the below be added to my evidence regarding the review of the Angel and Crown public house.

Thanks

Mark

PC Mark Perry  
Police Licensing Officer  
Toby Club  
Vawdry Close  
E1 4UA

---

**From:** Sent: 16 October 2017 21:57  
**To:** Perry MARK J - HT  
**Subject:** Regarding the Angel and Crown on Roman Road

Dear Mark,

We are a family of three, with a two-and-a-half year old son and we live in ,

We have been invited to share our thoughts about the license of the Angel and Crown and are happy to do so. We had not previously thought to record our grievances with the pub in detail, and had we kept a diary this letter could have easily run 15 pages – but we will here relate two stories that we feel are quite indicative of the pub’s effect on the neighbourhood.

Both of these stories involved police attending so they are recorded in the Bethnal Green constabulary’s records.

The first event occurred on 16 October 2016. We had ordered pizza to be delivered to our home, and got a phone call from the delivery man at about 9.15pm asking us about the entrance to the block. After directing him and waiting for about 5 minutes (and, delivery being with Uber, being unable to ring the courier back) I decided to walk downstairs to look for him. He was nowhere to be found, but as I passed by the pub I noticed two pizzas matching our order being consumed inside the Angel and Crown. I entered the pub and (politely) asked the patrons why they thought it was okay to steal other people’s pizza (they were almost entirely consumed so I didn’t see the point in asking them to return them) at which point two of them, in my recollection being cheered on by the landlady, proceeded to eject me by force and in the process hit my shoulder against the doorway in a manner that made my arm hurt for two days after. I tried to plead with the pub staff but they completely ignored me. I called the police to report the indecent and they attended our flat shortly after and took a statement – the reference number is CAD8423.

The second event happened during the first or second week of September, unsure about the exact date. At that point there had for several weeks regularly been large crowds gathered outside the pub, both during and after its opening hours, acting extremely noisy and behaving in a very threatening and aggressive manner. We have a direct view onto the entrance to the pub from our balcony entrance and we witnessed fights with an alarming frequency. Wednesdays and Thursdays generally being the worst evenings, often with a group of about 20 people lingering around until 2–3 in the morning, with crates of beer that they would down and then crash the bottles into the street. Police would attend nearly every evening to break up fights. The evening in question, about 6 or 7 police cars had been outside the Angel and Crown for about 30-40 minutes, and as I saw they were all leaving whilst there was a large crowd of people still outside I decided to go downstairs to plead with the police to break up the crowd (it was about 11pm). As I arrived downstairs I got the attention of the last police car and wave to them to ask them to stop, which they do just in front of the pub. Whilst I try to talk to the police through their open windows, a patron of the pub

approaches me from behind and pushes me into the police car door. He was visibly very intoxicated and when I asked him to stop and get off me, he claimed he was trying to help me from falling over. I thanked him and continued to talk to the police, and after about 10 seconds he did the same thing again, in an even more violent manner, at which point the officers in the car told me to get in the back so they could drive off, which I did, and they did – the man following in pursuit into the street and even managing to pull the car door open to try to punch me. The police then drove me around the block onto the back of the building where I spoke to them for about 15 minutes about the pub – they told me they knew all about the situation and attended regularly to break off fights, but that there was little they could do as it's a licensing matter and not a police matter (being loud and drunk in the street is not in itself an offence, they said). I went back into my building through the back but the episode left me afraid to exit the building through the front as I recognised the person that had attacked me as being a regular at the pub.

The months of August and September were particularly horrific when it came to noise from the Angel and Crown, and the few times we've had interactions with its management or weekend security guards it's quickly become obvious that they have no intention of accommodating the residence of the building. The security guards on weekends (on the occasions there is one present) is generally very dismissive when asked to help keep the noise down (we have been down to ask to speak to them on a few occasions).

Since the Angel and Crown started closing at 7pm on weekends, most of their regular patrons seem to have abandoned the pub for other venues, and though we feel sorry for the residents at whatever new place they've chosen, the quality of life for us has improved immeasurably. We hope that this licensing condition be made permanent, or better still that the license be revoked completely. A pub should of course be a place of life and with that a bit of noise is to be expected, but the all around aggressive and threatening ambiance radiating from the venue has in our view no place in civilised society.

Thank you very much for the opportunity to voice our concerns and please feel free to get in touch if you have any questions or would like more information.

Your sincerely

**Consider our environment - please do not print this email unless absolutely necessary.**

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# Appendix 2

**(Angel & Crown)**  
170 Roman Road  
London  
E2 0RY

**Licensable Activities authorised by the licence**

The sale by retail of alcohol

The provision of regulated entertainment consisting of films, indoor sporting events, live music, recorded music

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: 23/02/2006**

Minor variation 24<sup>th</sup> August 2017



TOWER HAMLETS

LICENSING ACT 2003

## Part A - Format of premises licence

Premises licence number

21902

### **Part 1 - Premises details**

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

170 Roman Road

**Post town**

London

**Post code**

E2 ORY

**Telephone number**

[REDACTED]

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

Not applicable

**Licensable activities authorised by the licence**

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

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

**Sale of Alcohol**

- Sunday to Thursday, 09:00 hrs to 23:00 hours
- Friday and Saturday, 09:00 hrs to 23:30 hours

**Regulated Entertainment (films, indoor sporting events, live music, recorded music)**

- Sunday to Saturday, 12:00 hrs to 23:00 hrs

**Late Night Refreshment**

Friday and Saturday until 23:30 hours.

**The opening hours of the premises**

- Sunday to Thursday, 09:00 hrs to 23:30 hours
- Friday and Saturday, 09:00 hrs to midnight

**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**

Angel & Crown (Bethnal Green) Ltd  
170 Roman Road  
Bethnal Green  
London  
E2 0RY

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

██████████

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

Stephen Baldwin  
Angel & Crown  
170 Roman Road  
London  
E2 0RY

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

Personal Licence No: ██████████

Issuing Authority: ████████████████████

## Annex 1 - Mandatory conditions

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

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

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

1.

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

3.

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

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

## **Annex 2 - Conditions consistent with the operating Schedule**

1. Applicant will be a member of Pub Watch and is prepared to be a member of Nite Net or similar organisation
2. Signage will be on display requesting customers to leave quietly.
3. Local arrangements with local taxi operators shall be in place.
4. A CCTV system to be put in place, the cameras are to be of sufficient quality so that peoples faces are clearly identifiable from the footage. The cameras are to be placed in such a way as the cover areas of the pub specified by the Police.  
The system is to record the footage and to keep it for a minimum of 30 days and a copy of the CCTV footage is to be made available to Police or the Local Authority upon request and supplied within 24 hours.  
While the premises are open to the public a member of the staff must be on duty who can operate the CCTV system.

5. Two SIA security staff are to be on duty at the premises on Friday and Saturday nights from 7pm until the premises is closed and the last customers have left the premises. The security must sign in and out in record book at the start and end of their shifts and must be clearly identifiable as security.
6. An incident book is to be kept at the premises, this book will record all refusals of the sale of alcohol all disorder and crimes that occur either in the premises or involve the premises customers, or any other incident of note. The incident book is to be signed off every day by the manager even if there is nothing to report.
7. A sound limiter to be fitted by the premises and a level set by Tower Hamlets Environmental health Team and checked twice a year.
8. All doors and windows to be kept closed while regulated entertainment is taking place in the premises.

**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:

24 November 2005

**Part B - Premises licence summary**

**Premises licence number**

21902

**Premises details**

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

170 Roman Road

**Post town**

London

**Post code**

E2 0RY

**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 consisting of films, indoor sporting events, live music, recorded music

The provision of late night refreshment

The times the licence authorises the carrying out of licensable activities

<p><b>Sale of Alcohol</b></p> <ul style="list-style-type: none"><li>• Sunday to Thursday, 09:00 hrs to 23:00 hours</li><li>• Friday and Saturday, 09:00 hrs to 23:30 hours</li></ul> <p><b>Regulated Entertainment (films, indoor sporting events, live music, recorded music)</b></p> <ul style="list-style-type: none"><li>• Sunday to Saturday, 12:00 hrs to 23:00 hrs</li></ul> <p><b>Late Night Refreshment</b> Friday and Saturday until 23:30 hours.</p>
---

The opening hours of the premises

<p>Sunday to Thursday, 09:00 hrs to 23:30 hours</p> <p>Friday and Saturday, 09:00 hrs to midnight</p>
---

Name, (registered) address of holder of premises licence

<p>Angel &amp; Crown (Bethnal Green) Ltd 170 Roman Road Bethnal Green London E2 0RY</p>
---

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

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

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

<p>6777946</p>
----------------

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

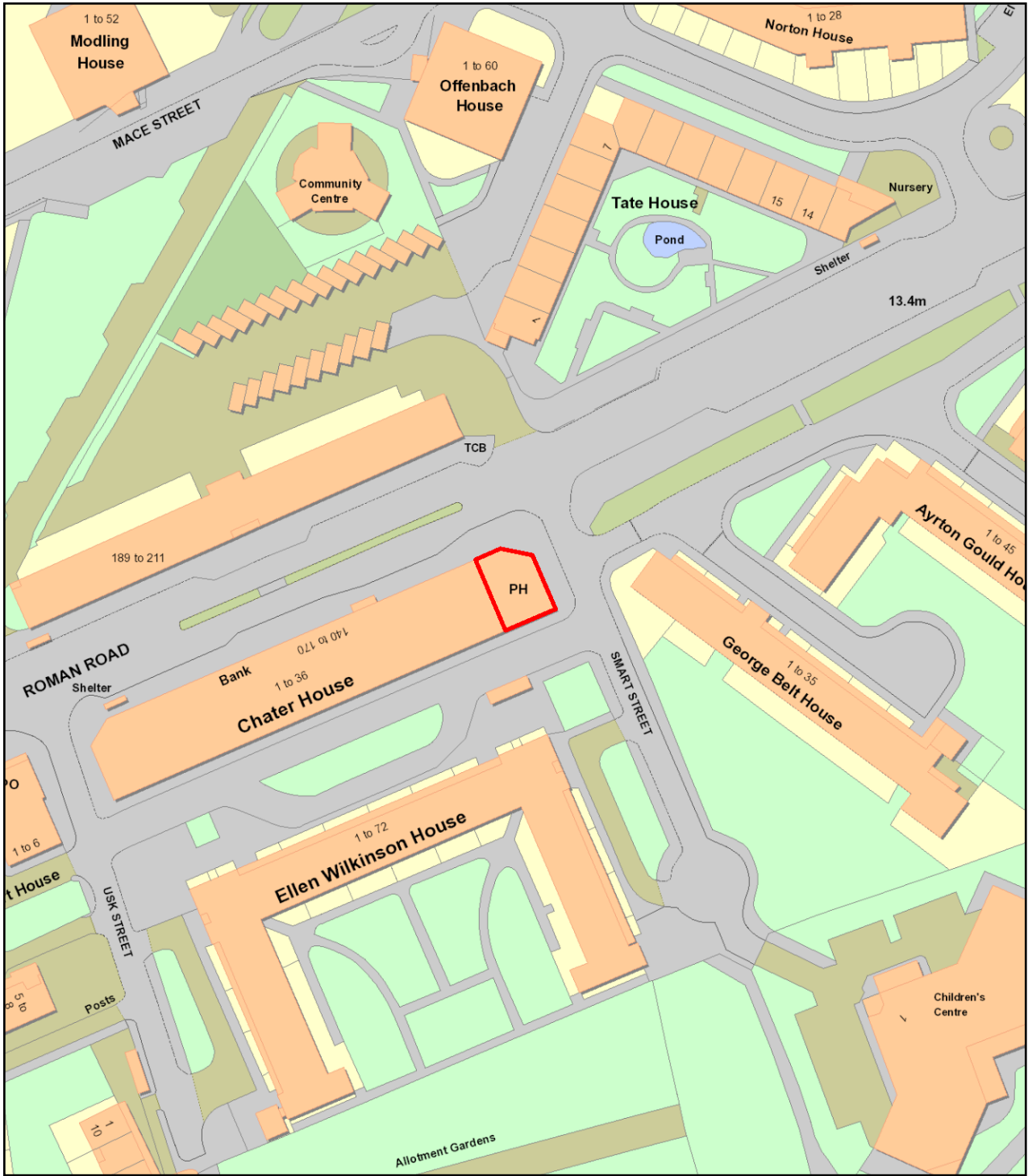
<p>Stephen Baldwin</p>
------------------------

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

<p>No</p>
-----------

# Appendix 3



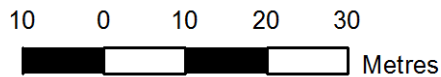


# Angel and Crown 170 Roman Road

## Map 1



Scale 1:1135



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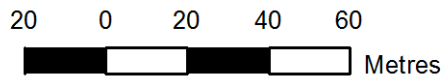


# Angel and Crown 170 Roman Road

## Map 2



Scale 1:2270



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# Appendix 4

## Corinne Holland

---

**From:** Suzy Norman <[REDACTED]>  
**Sent:** 18 October 2017 19:48  
**To:** Licensing  
**Subject:** Angel and Crown pub Bethnal Green

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi,

As a resident of [REDACTED] the Angel and Crown pub in Roman Rd, I strongly oppose renewing its licence. I have lived here for 14 yrs and the noise and fighting from there at the weekend has seriously affected our quality of life. It's unacceptable to be expected to live like this.

Yours faithfully,

Suzy Norman  
[REDACTED]  
[REDACTED]  
[REDACTED]

--

<http://www.spotlight.com/1532-4532-3730>

## Corinne Holland

---

**From:** Suzy Norman <[REDACTED]>  
**Sent:** 19 October 2017 22:08  
**To:** Licensing  
**Subject:** Angel and Crown pub, Roman Rd E2

**Categories:** Green Category

Dear Sir/Madam,

I am writing, as a resident of [REDACTED] the premises of the Angel and Crown pub in Roman Rd, to strongly request their license is not renewed. Currently they have a weekend closing time of 7 pm and since this has been in force anti-social noise and fighting has all but ceased. As a resident of [REDACTED] for 14 yrs, I cannot begin to tell you how much distress has been caused by the noise and fighting from the pub. Please don't make us return to those dark days.

Yours faithfully,

Suzy Norman

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

# Appendix 5

## Corinne Holland

---

**From:** Phil Norman <[REDACTED]>  
**Sent:** 19 October 2017 15:32  
**To:** Corinne Holland  
**Subject:** RE: FW: Angel and Crown pub licence, Roman Road

Yes, it is:

[REDACTED]  
[REDACTED]  
[REDACTED]

Thank you.

On 19 Oct 2017 3:30 pm, "Corinne Holland" <[Corinne.Holland@\[REDACTED\]](mailto:Corinne.Holland@[REDACTED])> wrote:

Dear Mr Norman

Thank you for your email but could I have your full address please.

Kind regards

*Corinne Holland - Licensing Officer*

Licensing Team . Environmental Health & Trading Standards . John Onslow House . [1 Ewart Place . London E3 5EQ](#)

:020 7364 3986 | :020 7364 5008 | :[corinne@\[REDACTED\]](mailto:corinne@[REDACTED])  
:[Licensing@towerhamlets.gov.uk](mailto:Licensing@towerhamlets.gov.uk)

**From:** Phil Norman [mailto:[\[REDACTED\]](mailto:[REDACTED])]  
**Sent:** 19 October 2017 14:27  
**To:** Corinne Holland  
**Subject:** Re: FW: Angel and Crown pub licence, Roman Road

Dear Corrinne,

Apologies for leaving this out.

My concern is with public order and public safety, as fighting and disturbances break out in the pub and surrounding area with alarming frequency when it had its licence, in late evening and well into the night. Since the licence was suspended, these have notably reduced by a great deal.

Many thanks,

On Thu, Oct 19, 2017 at 12:32 PM, Corinne Holland <[Corinne.Holland](mailto:Corinne.Holland)> wrote:

Dear Mr Norman

### **Licensing Act 2003**

[Review of the Premises Licence for , \(Angel and Crown\), 170 Roman Road, London E2 0RY](#)

Thank you for your email, the contents of which are noted.

Unfortunately I cannot accept this as a valid representation at this point, as it does not contain enough information. In order for us to consider your representation, you must make it clear how this premises has an impact 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

You need to expand on how you are currently detrimentally affected by this premises.

I look forward to hearing from you. Please respond by **23/10/17** at the latest, otherwise I will have to consider your representation as being invalid and it will be discounted from the final report for consideration by the Licensing Sub Committee.



I am also required to have your full name and address and please note the premises is entitled to a full, un-redacted copy of your representation. If you do not wish to supply your details then your representation in support of the police review can be made through your ward councillor, the police or other representative body.

Kind regards

*Corinne Holland - Licensing Officer*

Licensing Team . Environmental Health & Trading Standards . John Onslow House . [1 Ewart Place . London E3 5EQ](#)

:020 7364 3986 | :020 7364 5008 | :[corinne.holland](mailto:corinne.holland@towerhamlets.gov.uk) [REDACTED] |  
:[Licensing@towerhamlets.gov.uk](mailto:Licensing@towerhamlets.gov.uk)

**From:** Phil Norman [REDACTED]  
**Sent:** 19 October 2017 11:53  
**To:** Licensing  
**Subject:** Angel and Crown pub licence, Roman Road

Dear sir/madam,

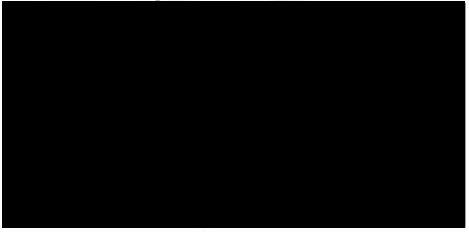
I am writing to express my opposition to the re-granting of the licence to the Angel and Crown pub in Roman Road.

I am a resident of [REDACTED], in the area.

Thank you for your time,

--

# Appendix 6



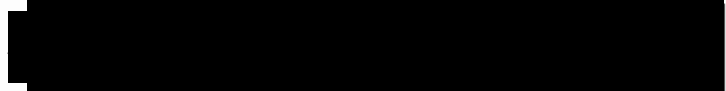
Dear Licencing Section of  
Tower Hamlets,


Regarding the notice outside The Angel & Crown Pub  
at 170 Roman Rd., for a licence renewal:

I am writing to confirm that the pub  
continuously undermines any crime, disorder  
and public nuisance objectives.

Since it has been closing early on Friday and  
Saturday evenings, this has helped. Crime  
related incidents seem to have been reduced.

I live in a flat on the



 I have continuously  
witnessed incidents resulting in the police being  
called out. Mainly public disorder, fighting,  
anti-social behavior, shouting and screaming.  
Extreme drunkenness, people urinating on our  
front door, etc. Many apparent incidents of  
drug dealing and consumption, especially behind  
the pub, right under my balcony.

I strongly feel the licence should  
not be renewed.

Yours Sincerely, Hugh Mendes

# Appendix 7

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

Updated April 2017

## The review process

- 11.1 The proceedings set out in the 2003 Act for reviewing premises licences and club premises certificates represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate.
- 11.2 At any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or any other person, may ask the licensing authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives.
- 11.3 An application for review may be made electronically, provided that the licensing authority agrees and the applicant submits a subsequent hard copy of the application, if the licensing authority requires one. The licensing authority may also agree in advance that the application need not be given in hard copy. However, these applications are outside the formal electronic application process and may not be submitted via GOV.UK or the licensing authority's electronic facility.
- 11.4 In addition, the licensing authority must review a licence if the premises to which it relates was made the subject of a closure order by the police based on nuisance or disorder and the magistrates' court has sent the authority the relevant notice of its determination, or if the police have made an application for summary review on the basis that premises are associated with serious crime and/or disorder.
- 11.5 Any responsible authority under the 2003 Act may apply for a review of a premises licence or club premises certificate. Therefore, the relevant licensing authority may apply for a review if it is concerned about licensed activities at premises and wants to intervene early without waiting for representations from other persons. However, it is not expected that licensing authorities should normally act as responsible authorities in applying for reviews on behalf of other persons, such as local residents or community groups. These individuals or groups are entitled to apply for a review for a licence or certificate in their own right if they have grounds to do so. It is also reasonable for licensing authorities to expect other responsible authorities to intervene where the basis for the intervention falls within the remit of that other authority. For example, the police should take appropriate steps where the basis for the review is concern about crime and disorder or the sexual exploitation of children. Likewise, where there are concerns about noise nuisance, it is reasonable to expect the local authority exercising environmental health functions for the area in which the premises are situated to make the application for review.

- 11.6 Where the relevant licensing authority does act as a responsible authority and applies for a review, it is important that a separation of responsibilities is still achieved in this process to ensure procedural fairness and eliminate conflicts of interest. As outlined previously in Chapter 9 of this Guidance, the distinct functions of acting as licensing authority and responsible authority should be exercised by different officials to ensure a separation of responsibilities. Further information on how licensing authorities should achieve this separation of responsibilities can be found in Chapter 9, paragraphs 9.13 to 9.19 of this Guidance.
- 11.7 In every case, any application for a review must relate to particular premises in respect of which there is a premises licence or club premises certificate and must be relevant to the promotion of one or more of the licensing objectives. Following the grant or variation of a licence or certificate, a complaint regarding a general issue in the local area relating to the licensing objectives, such as a general (crime and disorder) situation in a town centre, should generally not be regarded as a relevant representation unless it can be positively tied or linked by a causal connection to particular premises, which would allow for a proper review of the licence or certificate. For instance, a geographic cluster of complaints, including along transport routes related to an individual public house and its closing time, could give grounds for a review of an existing licence as well as direct incidents of crime and disorder around a particular public house.
- 11.8 Where a licensing authority receives a geographic cluster of complaints, the authority may consider whether these issues are the result of the cumulative impact of licensed premises within the area concerned. In such circumstances, the authority may also consider whether it would be appropriate to include a special policy relating to cumulative impact within its licensing policy statement. Further guidance on cumulative impact policies can be found in Chapter 14 of this Guidance.
- 11.9 Representations must be made in writing and may be amplified at the subsequent hearing or may stand in their own right. Additional representations which do not amount to an amplification of the original representation may not be made at the hearing. Representations may be made electronically, provided the licensing authority agrees and the applicant submits a subsequent hard copy, unless the licensing authority waives this requirement.
- 11.10 Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co-operation.

11.11 If the application for a review has been made by a person other than a responsible authority (for example, a local resident, residents' association, local business or trade association), before taking action the licensing authority must first consider whether the complaint being made is relevant, frivolous, vexatious or repetitive. Further guidance on determining whether a representation is frivolous or vexatious can be found in Chapter 9 of this Guidance (paragraphs 9.4 to 9.10).

## **Repetitious grounds of review**

11.12 A repetitious ground is one that is identical or substantially similar to:

- a ground for review specified in an earlier application for review made in relation to the same premises licence or certificate which has already been determined; or
- representations considered by the licensing authority when the premises licence or certificate was granted; or
- representations which would have been made when the application for the premises licence was first made and which were excluded then by reason of the prior issue of a provisional statement; and, in addition to the above grounds, a reasonable interval has not elapsed since that earlier review or grant.

11.13 Licensing authorities are expected to be aware of the need to prevent attempts to review licences merely as a further means of challenging the grant of the licence following the failure of representations to persuade the licensing authority on an earlier occasion. It is for licensing authorities themselves to judge what should be regarded as a reasonable interval in these circumstances. However, it is recommended that more than one review originating from a person other than a responsible authority in relation to a particular premises should not be permitted within a 12 month period on similar grounds save in compelling circumstances or where it arises following a closure order.

11.14 The exclusion of a complaint on the grounds that it is repetitious does not apply to responsible authorities which may make more than one application for a review of a licence or certificate within a 12 month period.

11.15 When a licensing authority receives an application for a review from a responsible authority or any other person, or in accordance with the closure procedures described in Part 8 of the 2003 Act (for example, closure orders), it must arrange a hearing. The arrangements for the hearing must follow the provisions set out in regulations. These regulations are published on the Government's legislation website ([www.legislation.gov.uk](http://www.legislation.gov.uk)). It is particularly important that the premises licence holder is made fully aware of any representations made in respect of the premises, any evidence supporting the representations and that the holder or the holder's legal representative has therefore been able to prepare a response.

## **Powers of a licensing authority on the determination of a review**

- 11.16 The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives.
- 11.17 The licensing authority may decide that the review does not require it to take any further steps appropriate to promoting the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.
- 11.18 However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate. Similarly, licensing authorities may take into account any civil immigration penalties which a licence holder has been required to pay for employing an illegal worker.
- 11.19 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps: modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption)<sup>10</sup>;
  - remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
  - suspend the licence for a period not exceeding three months;
  - revoke the licence.
- 11.20 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.
- 11.21 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.



- 11.22 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.
- 11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives or preventing illegal working. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

### **Reviews arising in connection with crime**

- 11.24 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises, money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.
- 11.25 Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.

- 11.26 Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.
- 11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:
- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
  - for the sale and distribution of illegal firearms;
  - for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
  - for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
  - for prostitution or the sale of unlawful pornography;
  - by organised groups of paedophiles to groom children;
  - as the base for the organisation of criminal activity, particularly by gangs;
  - for the organisation of racist activity or the promotion of racist attacks;
  - for employing a person who is disqualified from that work by reason of their immigration status in the UK;
  - for unlawful gambling; and
  - for the sale or storage of smuggled tobacco and alcohol.
- 11.28 It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

## **Review of a premises licence following closure order**

11.29 Licensing authorities are subject to certain timescales, set out in the legislation, for the review of a premises licence following a closure order under section 80 of the Anti-social Behaviour, Crime and Policing Act 2014 or section 38 of and Schedule 6 to the Immigration Act 2016. The relevant time periods run concurrently and are as follows:

- when the licensing authority receives notice that a magistrates' court has made a closure order it has 28 days to determine the licence review – the determination must be made before the expiry of the 28th day after the day on which the notice is received;
- the hearing must be held within ten working days, the first of which is the day after the day the notice from the magistrates' court is received;
- notice of the hearing must be given no later than five working days before the first hearing day (there must be five clear working days between the giving of the notice and the start of the hearing).

## **Review of a premises licence following persistent sales of alcohol to children**

11.30 The Government recognises that the majority of licensed premises operate responsibly and undertake due diligence checks on those who appear to be under the age of 18 at the point of sale (or 21 and 25 where they operate a Challenge 21 or 25 scheme). Where these systems are in place, licensing authorities may wish to take a proportionate approach in cases where there have been two sales of alcohol within very quick succession of one another (e.g., where a new cashier has not followed policy and conformed with a store's age verification procedures). However, where persistent sales of alcohol to children have occurred at premises, and it is apparent that those managing the premises do not operate a responsible policy or have not exercised appropriate due diligence, responsible authorities should consider taking steps to ensure that a review of the licence is the norm in these circumstances. This is particularly the case where there has been a prosecution for the offence under section 147A or a closure notice has been given under section 169A of the 2003 Act. In determining the review, the licensing authority should consider revoking the licence if it considers this appropriate.

# Appendix 8

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

Updated April 2017

## Crime and disorder

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

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

# Appendix 9

## **Crime and Disorder** – Licensing Policy, updated March 2015

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



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

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

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

Smuggled goods

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

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

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

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

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

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

# Appendix 10

## Corinne Holland

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**From:** Corinne Holland  
**Sent:** 19 October 2017 11:43  
**To:** 'Emma Smith'  
**Subject:** RE: Premises Licence Review - Angel and Crown

Dear Ms Smith

The Licensing Authority was not aware that that Mr Anthony Hynes is running the premises whilst Mr Baldwin is away with a view of taking over the pub in the future. I have informed the police and they were not aware either.

There is a provisional date set for the hearing of the 29<sup>th</sup> November 2017. A formal notification will be sent nearer the time. Please note until you receive this formal notification the date is subject to change.

The notifications are posted out and will be posted to the Premises Licence Holder.

Kind regards

### *Corinne Holland - Licensing Officer*

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

☎:020 7364 3986 | ☎:020 7364 5008 | 💻:[corinne](#) [REDACTED]

✉:[Licensing@towerhamlets.gov.uk](mailto:Licensing@towerhamlets.gov.uk)

**From:** Emma Smith [REDACTED]  
**Sent:** 16 October 2017 14:47  
**To:** Corinne Holland  
**Subject:** Fwd: Premises Licence Review - Angel and Crown

Good Afternoon Corinne,

Thank you for your email. Rhonda and Stephen Baldwin are currently away and are not due to return until the 12th of November. Before they left they ensured that a copy of your notice was displayed at the bar within the premises.

As you may be aware the Angel and Crown now has a new Tenant at Will in place who took over the management of the property as of the 8th October 2017. He (Anthony Hynes) has managed several other premises in the area including The Albert in Bow. He currently holds a personal licence and will be looking to take over the premises ( and premises licence) on a permanent basis as soon as the issues with this have been resolved.

In regards to the complaint, several changes to the operation of the business have been made to rectify the issues including closing early on Friday and Saturday nights (approx 7 pm). The new manager is trying to resolve the issues raised in the complaint and we would ask that all due consideration be given to him while he endeavours to resolve these issues.

Could you please advise when the hearing for the review of the licence is scheduled to take place, we would ask that this be after the Baldwin's return to the UK.

If you have any queries please do not hesitate to contact me

Kind Regards

----- Forwarded message -----

From: **Rhonda Baldwin** <[REDACTED]>  
Date: 10 October 2017 at 18:53  
Subject: Fwd: Premises Licence Review - Angel and Crown  
To: [REDACTED]

Sent from my iPad

Begin forwarded message:

**From:** Corinne Holland <[Corinne.Holland@\[REDACTED\]](mailto:Corinne.Holland@[REDACTED])>  
**Date:** 10 October 2017 at 12:17:35 GMT-4  
**To:** "[REDACTED]"  
**Subject:** FW: Premises Licence Review - Angel and Crown

Dear Stephen

**Licensing Act 2003 – Premises Licence Review**

**Re: Angel and Crown, [170 Roman Road, London, E2 0RY](#)**

As you are aware your premises is subject to a police review.

As part of this process it is a legal requirement to display the statutory blue notice at the premises.

The Licensing Authority have affixed a number of notices to the lamppost directly outside the premises which have been removed. An officer visited the premises again today and there is no notice being displayed.

On 26/9/17 I personally attended the premises and attached one to the lamppost outside as well as put one up in the pub window (on the inside of the window). Both of these were removed. A new notice was attached on the 4/10/17 and this again has been removed.

As stated this notice is a statutory notice and is required to be displayed for the 28 day consultation period.

I must inform you that you, your staff, or your customers, should not remove these notices. This matter will be raised in the Licensing Sub Committee Review Hearing.

Please acknowledge this email

Kind regards

*Corinne Holland - Licensing Officer*

Licensing Team . Environmental Health & Trading Standards . John Onslow House . [1 Ewart Place](#) . London E3 5EQ

☎:020 7364 3986 | ☎:020 7364 5008 | 💻:[corinne](#) [redacted]  
✉:[Licensing@towerhamlets.gov.uk](mailto:Licensing@towerhamlets.gov.uk)

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

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If your request relates to a Freedom of Information enquiry, please resend this to [foi@towerhamlets.gov.uk](mailto:foi@towerhamlets.gov.uk)  
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# Agenda Item 4.2

Committee : <b>Licensing Sub-Committee</b>	Date 29 November 2017	Classification <b>Unrestricted</b>	Report No.	Agenda Item No.
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Report of: <b>David Tolley</b> <b>Head of Environmental Health &amp; Trading Standards</b>  Originating Officer: <b>Mohshin Ali</b> <b>Senior Licensing Officer</b>	Title: <b>Licensing Act 2003</b> <b>Application for a Premises Licence for (Mangal), 514 Commercial Road, London E1 0HY</b>  Ward affected: <b>Shadwell</b>
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## 1.0 Summary

Applicant: **Mangal Cook Limited**

Name and **Mangal**

Address of Premises: **514 Commercial Road  
London  
E1 8DR**

Licence sought: **Licensing Act 2003 – premises licence**  
• **The provision of late night refreshment**

Representations: **One resident**

## 2.0 Recommendations

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

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

Brief description of "background paper"	Tick if copy supplied for register	If not supplied, name and telephone number of holder
<ul style="list-style-type: none"><li>Guidance Issued under Section 182 of the Licensing Act 2003</li><li>Tower Hamlets Licensing Policy</li><li>File</li></ul>		Mohshin Ali 020 7364 5498

### 3.0 **Background**

- 3.1 This is an application for a premises licence for (Mangal), 514 Commercial Road, London E1 0HY.
- 3.2 The applicant has described the premises as follows:  
*“Turkish restaurant situated in a parade of shops with residential above”.*
- 3.3 A copy of the premises licence application form is enclosed as **Appendix 1**.
- 3.4 The applicant has reduced the hours applied for in consultation with Environmental Health Noise. The revised licensable activities and timings applied for are as follows:-

#### **The provision of late night refreshment - Indoors**

- Monday to Sunday, from 23.00 hrs to 01:00 hrs the following day

#### **The opening hours of the premises**

- Monday to Sunday, from 11.00 hrs to 01:00 hrs the following day

- 3.5 Members may wish to note that late night refreshment are proposed to continue until the premises closes to the public. 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 may want 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 2**.
- 4.3 Maps showing the vicinity are included as **Appendix 3**.
- 4.4 Details of the nearest licensed venues are included as **Appendix 4**.

### 5.0 **Licensing Policy and Government Advice**

- 5.1 The Council has adopted a licensing policy and this is available from the Licensing Section, and at the hearing. The revised policy came into effect on the 1<sup>st</sup> 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](http://www.homeoffice.gov.uk). It was last revised in April 2017.
- 5.4 Relevant Sections of this advice are brought to Members attention within the Licensing Officers report. Members should note however, than in some areas Tower Hamlets, after a proper consideration of local circumstances, has not followed the Government's advice, or has developed it further.
- 6.0 Representations**
- 6.1 All representations have to meet basic legal and administrative requirements. If they fail to do so they cannot be accepted. When rejected the person sending in the representation must be written to, and an explanation for rejection given in writing
- 6.2 A responsible authority or other person can make a representation. There are two tests for other persons and only one for a responsible authority. The two tests are contained in Section 18 of the Act.
- 6.3 All representations must be "about the likely effect of the grant of the premises licence on the promotion of the licensing objectives." Likely means something that will probably happen, i.e. on balance more likely than not.
- 6.4 Representations by responsible authorities do not have to meet the second test of not being vexatious and frivolous. Other persons have to meet this test.
- 6.5 The Home Office recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation.
- 6.6 Section 182 Advice by the Home Office concerning relevant, vexatious and frivolous representations is attached as **Appendix 5**.
- 6.7 All the representations in this report have been considered by the relevant officer (Team Leader Licensing & Safety) and determined to have met the requirements of the Licensing Act 2003.
- 6.8 This hearing is required by the Licensing Act 2003, because relevant representation has been made by a local resident. Please see **Appendix 6**.
- 6.9 All of the responsible authorities have been consulted about this application. They are as follows:
- The Licensing Authority
  - The Metropolitan Police
  - The LFEPA (the London Fire and Emergency Planning Authority).
  - Planning
  - Health and Safety

- Noise (Environmental Health)
  - Trading Standards
  - Child Protection
  - Public Health
  - Home Secretary (Home Office Immigration Enforcement)
- 6.10 In addition the application was required to be advertised in a local newspaper and by a blue poster. Only representations that relate to the following licensing objectives are relevant:
- the prevention of crime and disorder
  - public safety
  - the prevention of public nuisance
  - the protection of children from harm
- 6.11 Essentially, the relevant parties oppose the application because in their opinion, the applicant has not explained how within the context of the application they will meet licensing objective of the prevention of public nuisance and the prevention of crime and disorder.
- 6.12 There are strict time limits to any representations. The time limits are contained in The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005.
- 6.13 The applicant has offered measures in the operating schedule of the application that address the promotion of the Licensing Objectives. If there were no representations, the Licensing Authority would grant the licence, with conditions consistent with the operating schedule, which are relevant, proportionate and enforceable. Members are asked to consider the schedule and incorporate any conditions as necessary to address the licensing objectives.

## **7.0 Conditions consistent with Operating Schedule**

- 7.1 *Training to be provided to all serving staff to have a good knowledge and awareness of prevention of crime and disorder and drug awareness.*
- 7.2 *CCTV will be installed and the recorded materials shall be retained and stored in a suitable/secure manner for a minimum of 31 days.*
- a) *A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained.*
  - b) *The system will comply with essential legislations.*
  - c) *CCTV will be operational during opening hours.*
  - d) *Recordings and images will be available for police or responsible authorities on demand.*

- 7.3 *Management will control the premises, will not cause or permit a person to solicit for custom for the premises in any street or public places*
- 7.4 *Premises to have experienced staff who will run our premises, adequate door control will be taken to prevent crowd outside of our premises.*
- 7.5 *Premises to ensure that all customers leave quietly. If any customers need to wait for a taxi, staff will try to keep them on the premises until the taxi arrives. Premises will offer them a complimentary coffee/ tea.*
- 7.6 *Premises will not allow anyone to queue in front of our restaurant.*
- 7.7 *If anyone comes to pick up their friend or family member from our restaurant we will ask them not to blow their car horn.*
- 7.8 *Premises will provide low key volume recorded music that will not be heard from flat above to our premises or nearby residents.*
- 7.9 *Outside of the premises will be kept tidy, all spillage will be cleaned. I.e. Bottles, glass, litter etc.*
- 7.10 *Bottled drink or food will be not allowed to be consumed in front of the restaurant. (Except take away food which will be taken from the restaurant to eat at customers home).*
- 7.11 *No early morning delivery or collection or late delivery/collection will take place*
- 7.12 *Un-accompanied children Under 16 are not allowed in into the premises premises between midnight to 5 am.*

## **8.0 Conditions in consultation with the Responsible Authorities**

- 8.1 Environmental Health Noise have agreed reduced times with the applicant (Please see **Appendix 7**).
- 8.2 The applicant has submitted evidence in support of the application. This is enclosed in **Appendix 8**.

## **9.0 Licensing Officer Comments**

- 9.1 The following is intended simply to advise Members of the relevant aspects of the Boroughs Licensing Policy, guidance from the Secretary of State, legislation and good practice. Members may depart from the Council's Licensing Policy and/or Government advice, provide they consider it appropriate to do so, and have clear reasons for their decision.
- 9.2 Guidance issued under section 182 of the Licensing Act 2003

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

- ❖ The Guidance states: “It is still permitted to sell alcohol using promotions (as long as they are compatible with any other licensing condition that may be in force), and the relevant person should ensure that the price of the alcohol is not less than the permitted price. Detailed guidance on the use of promotions is given in the guidance document available on the Gov.uk website.” (10.58) Also, “Licensing authorities should not attach standardised blanket conditions promoting fixed prices for alcoholic drinks to premises licences or club licences or club premises certificates in an area.” (10.21)
- 9.3 The Licensing Act 2003 permits children of any age to be on the premises which primarily sells alcohol providing they are accompanied by an adult. It is not necessary to make this a condition.
- 9.4 In all cases the Members should make their decision on the civil burden of proof, that is “the balance of probability.”
- 9.5 In all cases Members should consider whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.
- 9.6 The Government has advised that conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. Conditions cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff and standardised conditions should be avoided where they cannot be shown to be appropriate. (1.16/1.17)
- 9.7 The Council’s Licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.
- 9.8 In **Appendices 9 - 14** Members are given general advice, and also have explanations of the Council’s Licensing Policy, Government advice and other legislation relating to the matters previously identified.
- 10.0 Legal Comments**
- 10.1 The Council’s legal officer will give advice at the hearing.
- 11.0 Finance Comments**
- 11.1 There are no financial implications in this report.

## 12.0 Appendices

<b>Appendix 1</b>	A copy of the application
<b>Appendix 2</b>	Site Plan
<b>Appendix 3</b>	Maps of the surrounding area
<b>Appendix 4</b>	Other licensed venues in the area
<b>Appendix 5</b>	Section 182 Guidance by the Home Office
<b>Appendix 6</b>	Representation by a local residents
<b>Appendix 7</b>	Conditions agreed with Police and Environmental Health Noise
<b>Appendix 8</b>	Evidence forwarded by applicant
<b>Appendix 9</b>	Licensing Officer comments on noise while the premise is in use
<b>Appendix 10</b>	Licensing Officer comments on access/egress Problems
<b>Appendix 11</b>	Licensing Officer comments on crime and disorder on the premises
<b>Appendix 12</b>	Licensing Officer comments on crime and disorder from patrons leaving the premises
<b>Appendix 13</b>	Planning
<b>Appendix 14</b>	Licensing Policy relating to hours of trading

# Appendix 1

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

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

**I/We Mangal Cook Limited**

*(Insert name(s) of applicant)*

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

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description <b>Mangal 514 Commercial Road London</b>			
Post town	London	Postcode	<b>E1 0HY</b>
Telephone number at premises (if any)		[REDACTED]	
Non-domestic rateable value of premises		<b>£43500.00</b>	

**Part 2 - Applicant details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- |  |                                     |                             |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals *                    | <input type="checkbox"/>            | please complete section (A) |
| b) a person other than an individual *               |                                     |                             |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability)   | <input type="checkbox"/>            | please complete section (B) |
| iii as an unincorporated association or              | <input type="checkbox"/>            | please complete section (B) |
| iv other (for example a statutory corporation)       | <input type="checkbox"/>            | please complete section (B) |
| c) a recognised club                                 | <input type="checkbox"/>            | please complete section (B) |
| d) a charity   | <input type="checkbox"/>            | please complete section (B) |
| e) the proprietor of an educational establishment    | <input type="checkbox"/>            | please complete section (B) |
| f) a health service body                             | <input type="checkbox"/>            | please complete section (B) |



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

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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

I am making the application pursuant to a statutory function or

a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS (fill in as applicable)**

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

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		<input type="checkbox"/> Please tick yes	
Nationality					

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

**(B) OTHER APPLICANTS**

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

Name Mangal Cook Limited
Address 10 Scarborough Street London E1 8DR
Registered number (where applicable) 10595620
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY

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

DD	MM	YYYY

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

**Turkish Restaurant situated in a parade of shops with residential premises above.**

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Wed					
Thur			<b><u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat					
Sun					

C

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

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)			
Mon						
Tue						
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)			
Thur						
Fri			<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)			
Sat						
Sun						

**E**

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



**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon	11:00	3:30			
Tue	11:00	3:30	<b>Recorded music will be played in Low Key Volume</b>		
Wed	11:00	3:30			
Thur	11:00	3:30	<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Fri	11:00	3:30			
Sat	11:00	3:30	<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sun	11:00	3:30			

**G**

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

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)		
Fri					
Sat			<b><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></b> (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23:00	3:30	<b><u>Please give further details here</u></b> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	23:00	3:30			
Wed	23:00	3:30	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
Thur	23:00	3:30			
Fri	23:00	3:30	<b><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></b> (please read guidance note 6)		
Sat	23:00	3:30			
Sun	23:00	3:30			

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			<b>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</b> (please read guidance note 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Mr Abdul Halim	
[Redacted]	
Address [Redacted]	
Postcode	[Redacted]
Personal licence number (if known) [Redacted]	
Issuing licensing authority (if known) [Redacted]	

K

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

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	11:00	3:30	<p><b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)</u></b></p>
Tue	11:00	3:30	
Wed	11:00	3:30	
Thur	11:00	3:30	
Fri	11:00	3:30	
Sat	11:00	3:30	
Sun	11:00	3:30	

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

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

This business had a Premises Licence, the licence has lapsed. Therefore, we are applying for a new premises licence.

All reasonable steps will be taken to ensure that the premises have a positive impact on the local environment and its residents at all times

**b) The prevention of crime and disorder**

Training will be provided to all serving staff to have a good knowledge and awareness of prevention of crime and disorder and drug awareness. CCTV will be installed and the recorded materials shall be retained and stored in a suitable/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 essential legislations. CCTV will be operational during opening hours. Recordings and images will be available for police or responsible authorities on demand.

**c) Public safety**

Compliance with Health & Safety Law.

All staff will have sufficient knowledge on how to prevent any accidents, fire safety procedure and any kinds of trouble.

Management will control the premises, will not cause or permit a person to solicit for custom for the premises in any street or public places

**d) The prevention of public nuisance**

We have experienced staff who will run our premises, adequate door control will be taken to prevent crowd outside of our premises. We will ensure that all customers leave quietly if any customers need to wait for a taxi we will try to keep them on the premises until the taxi arrives. We will offer them a complimentary coffee/ tea. We will not allow anyone to queue in front of our restaurant. Also, we will ask our customers to leave quietly. If anyone comes to pick up their friend or family member from our restaurant we will ask them not to blow their car horn. We will provide low key volume recorded music that will not be heard from flat above to our premises or nearby residents. We will keep outside of our premises tidy, all spillage will be cleaned. I.e. Bottles, glass, litter etc. Bottled drink or food will be allowed to be consumed in front of our restaurant. (Except take away food which will be taken from our restaurant to eat at customers home).

No early morning delivery or collection or late delivery/collection will take place

**e) The protection of children from harm**

Un-accompanied children Under 16 are not allowed in any licenced premises between midnight to 5 am.

**Checklist:**

**Please tick to indicate agreement**

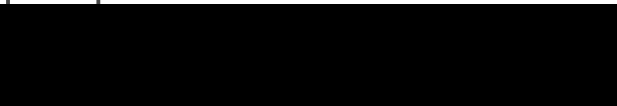
- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.**

**Part 4 – Signatures (please read guidance note 11)**

**Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)</li> </ul>
<b>Signature</b>	
<b>Date</b>	10/07/17
<b>Capacity</b>	Director

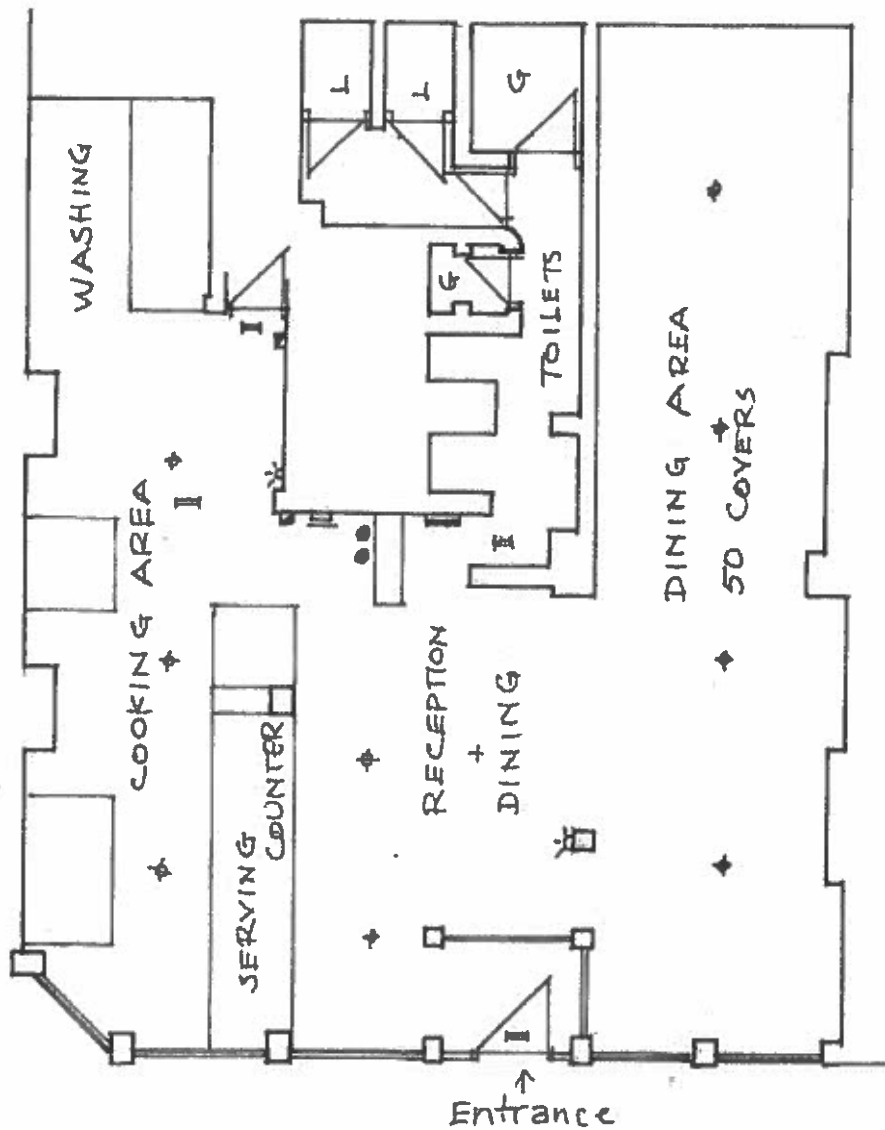


For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) <b>Mostak Ahmod Askor (MIH, FRSPH)</b> <b>Clearview Resources Limited</b> <b>22 Market Square (1<sup>st</sup> Floor)</b> <b>London</b>			
Post town	London	Postcode	E14 6AB
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) [REDACTED]			

# Appendix 2



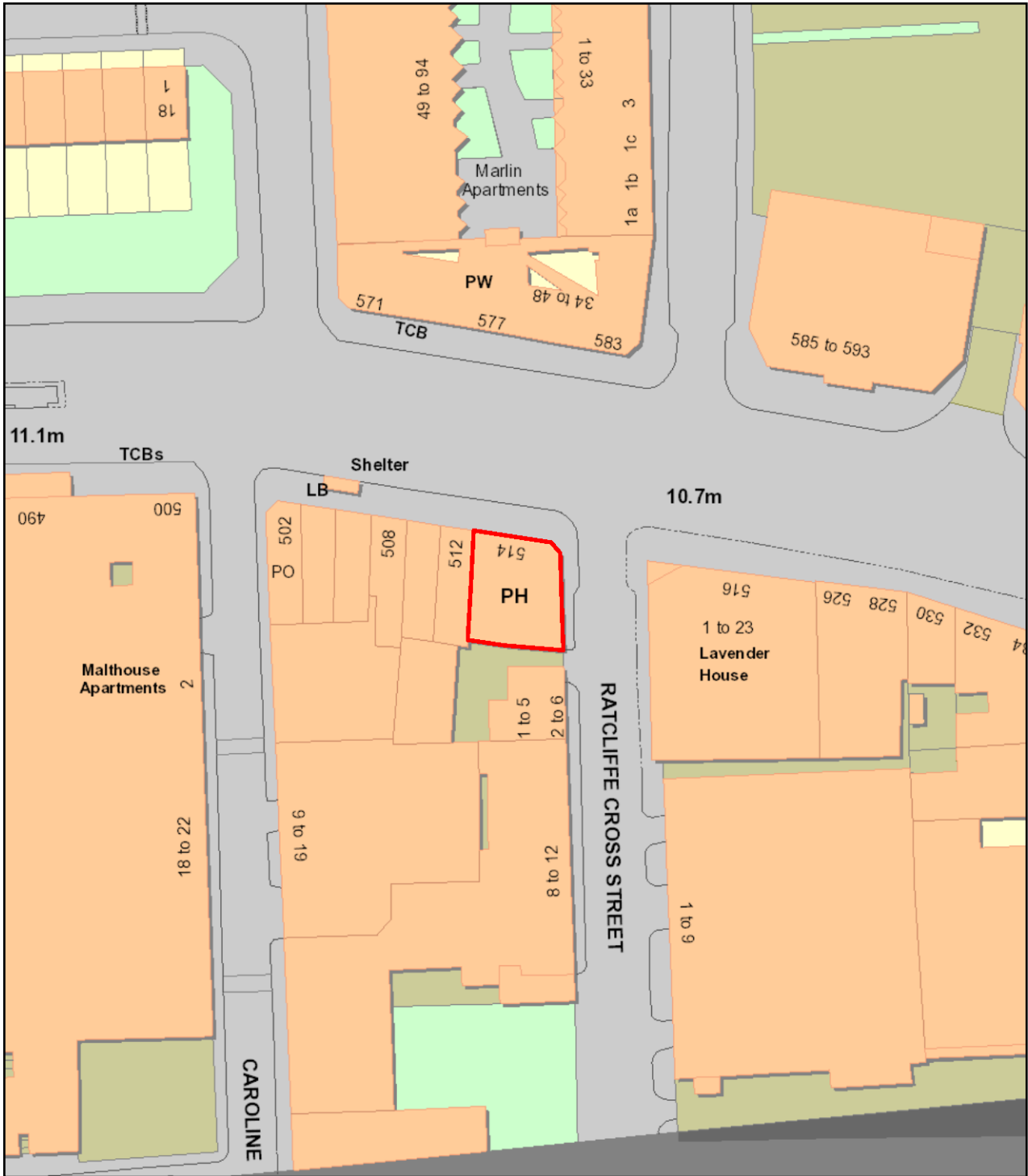
← Commercial Road →

- I = Emergency Exit Sign light
- ⊕ = Smoke & heat detectors of Fire alarm system
- ▣ = Break glass panel
- ⚡ = sounder
- = Fire Alarm Panel
- ▢ = Fire Blanket
- = Fire Extinguishers CO<sub>2</sub> + H<sub>2</sub>O.

SCALE: 1:100

Existing FloorPlan of  
MANGAL RESTAURANT.  
514, Commercial Road.

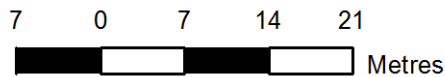
# Appendix 3



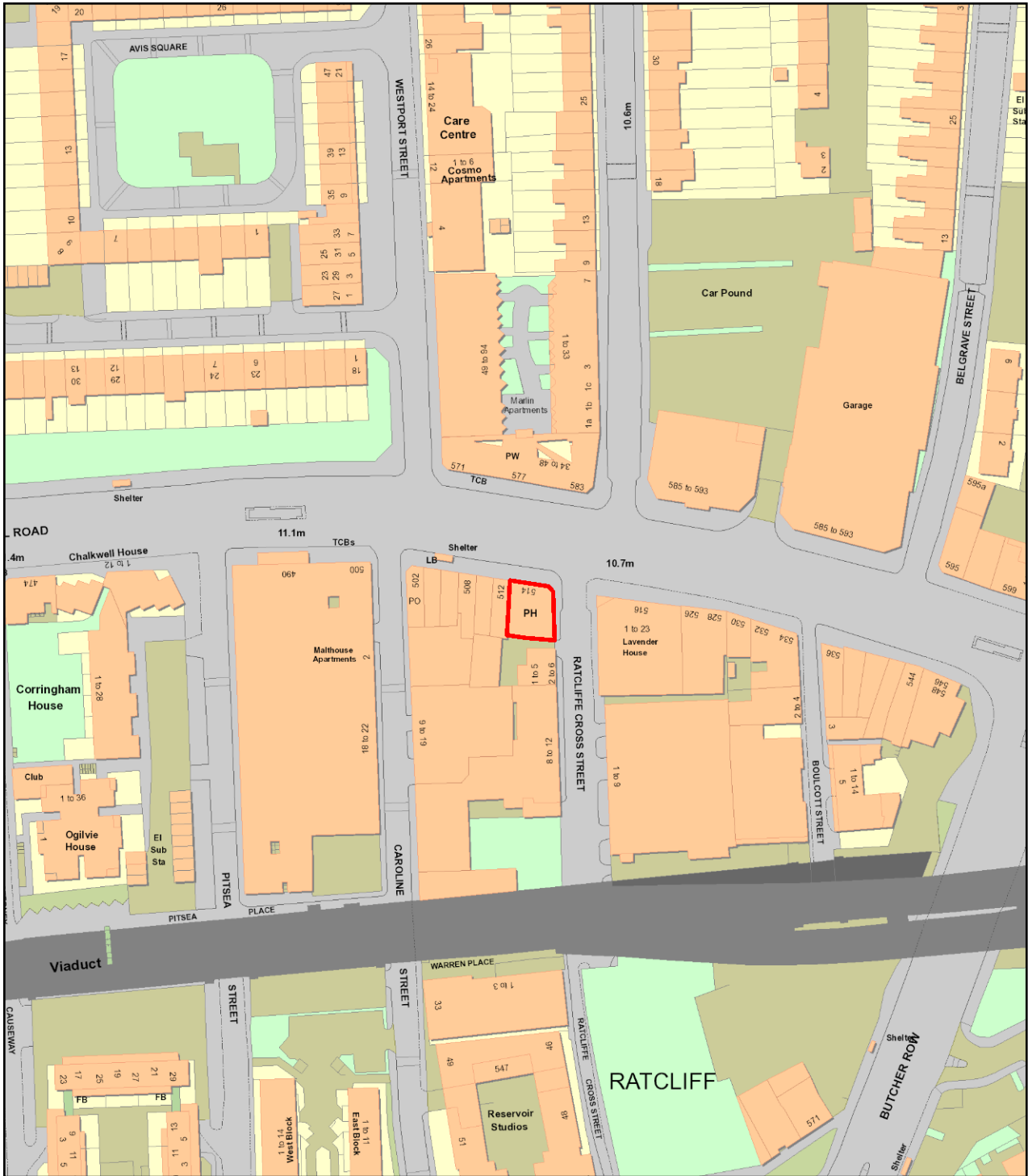
# 514 Commercial Road



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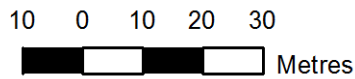
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# 514 Commercial Road



Scale 1:1537



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# Appendix 4

## Mangal, 514 Commercial Road

Name and address	Licensable activities and hours	Opening hours
<b>(Sainsbury's)</b> 516 - 520 Commercial Road London E1 0HY	<b>The sale by retail of alcohol (Off sales only)</b> <ul style="list-style-type: none"> <li>• Monday to Sunday 07.00 hours to Midnight</li> </ul>	Monday to Sunday 00.00 hours to 24.00 hours
<b>(Euro Foods and Wines)</b> 508 Commercial Road London E1 0HY	<b>The sale by retail of alcohol (off sales only)</b> <ul style="list-style-type: none"> <li>• Monday to Sunday, from 06:00 hours to 23:00 hours</li> </ul> <u>Non-standard times</u> Christmas Day from 11:00 hours to 16:00 hours	Monday to Sunday, from 06:00 hours to 23:00 hours  <u>Non-standard times</u> Christmas Day from 11:00 hours to 16:00 hours
<b>(Docklands Fish Bar)</b> 506 Commercial Road London E1 0HY	The provision of late night refreshment <ul style="list-style-type: none"> <li>• On Monday to Sunday, 23.00 hours to 01.00 hours the following day</li> </ul>	There are no restrictions on the hours during which this premises is open to the public
<b>(Off Licence) 502 Commercial Road London E1 0HY</b>	Alcohol shall not be sold or supplied except during permitted hours. (Off sales only) In this condition, permitted hours means: <ol style="list-style-type: none"> <li>a. On weekdays, other than Christmas Day, 8 a.m. to 11 p.m.</li> <li>b. On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m.</li> <li>c. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.</li> <li>d. On Good Friday, 8 a.m. to 10.30 p.m.</li> </ol> See Mandatory conditions for drinking up time	There are no restrictions on the hours during which this premises is open to the public
<b>(The Brewery Tap) 500 Commercial Road London E1 0HY</b>	Alcohol shall not be sold or supplied except during permitted hours. (On and off sales) In this condition, permitted hours means: <ol style="list-style-type: none"> <li>a. On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10 a.m. to 11 p.m.</li> <li>b. On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30 p.m.</li> <li>c. On Good Friday, 12 noon to 10.30 p.m.</li> <li>d. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.</li> <li>e. On New Year's Eve, except on a Sunday, 11 a.m. to 11 p.m.</li> <li>f. On New Year's Eve on a Sunday, 12 noon to 10.30 p.m.</li> <li>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).</li> </ol> For conditions re. "drinking up time" see	There are no restrictions on the hours during which this premises is open to the public



## Mangal, 514 Commercial Road

	<p>Annex 1 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>Alcohol may be sold or supplied for one hour following the hours set out above and on Christmas day between 3p.m. and 7 p.m. 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><b>(Flash 24 Superstore)</b> 542 Commercial Road London E1 0HY</p>	<p><b>Alcohol (Off sales)</b> Monday to Sunday, from 00:00 hours to 23:59 hours (24 hours)</p>	<p>Monday to Sunday, from 00:00 hours to 23:59 hours (24 hours)</p>
<p><b>(Troxy)</b> 490 Commercial Road London E1 0HX</p>	<p><b>Sale of alcohol: (On and off sales)</b></p> <ul style="list-style-type: none"> <li>• Sunday to Thursday from 10:00 hours to midnight</li> <li>• Fridays and Saturdays from 10:00 hours to 02:00 hours the following days</li> </ul> <p><b>Regulated entertainment consisting of: Films, Live Music, Recorded Music, Performance of Dance, provision of facilities for making music, facilities for dancing. Indoor Sporting Events, Boxing or wrestling entertainments.</b></p> <ul style="list-style-type: none"> <li>• Sunday to Thursday from 10:00 hours to midnight</li> <li>• Fridays and Saturdays from 10:00 hours to 02:00 hours the following days</li> </ul> <p><b>Plays:</b></p> <ul style="list-style-type: none"> <li>• Monday to Saturday from 10:00 hours to 23:00 hours</li> <li>• Sunday from 12:00 hours to 22:30 hours</li> </ul> <p><b>Late Night Refreshment.</b></p> <ul style="list-style-type: none"> <li>• Sunday to Thursday until midnight</li> <li>• Fridays and Saturdays until 02:00 hours the following day</li> </ul>	<ul style="list-style-type: none"> <li>• Sunday to Thursday from 10:00 hours to 00:30 hours</li> <li>• Fridays and Saturdays from 10:00 hours until 02:30 hours the following days</li> </ul> <p><b><u>Non-standard timings 1</u></b></p> <p>On 48 occasions on a given day between Sunday and Thursday the licensable hours can be extended to 02:30 hours.</p> <p><b><u>Non-standard timings 2 (Subject to conditions in Annex 3)</u></b></p> <p>Including New Years Eve, on 12 occasion on either a Friday or a Saturday the following opening hours can be extended for the hours as specified:</p> <ul style="list-style-type: none"> <li>• 02:30 hours to 06:00 hours</li> </ul>

**Mangal, 514 Commercial Road**

	<p><b><u>Non-standard timings 1</u></b> On 48 occasions on a given day between Sunday and Thursday the licensable activities can be extended to 02:00 hours.</p> <p><b><u>Non-standard timings 2 (Subject to conditions in Annex 3)</u></b> Including New Years Eve, on 12 occasion on either a Friday or a Saturday the following licensable activities can be extended for the hours as specified:</p> <p><b>Sale of Alcohol (on sales only)</b> 02:00 hours until 05:30 hours</p> <p><b>Regulated entertainment consisting of: Live Music; Recorded Music; provision of facilities for making music and dancing and similar entertainment;</b> 02:00 hours until 06:00 hours</p> <p><b>Late Night Refreshment</b></p> <ul style="list-style-type: none"> <li>• 02:00 hours until 05:00 hours</li> </ul>	
<p><b>(Hung Tou Chinese Takeaway) 538 Commerical Road London E1 0HY</b></p>	<p><b>The provision of late night refreshment</b></p> <ul style="list-style-type: none"> <li>• Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday until midnight</li> <li>• Bank Holiday Mondays until midnight</li> </ul>	<ul style="list-style-type: none"> <li>• Tuesday, Wednesday, Thursday, Friday and Saturday from 17:00 hours to midnight</li> <li>• Sunday from 18:00 hours until midnight</li> <li>• Bank Holiday Mondays from 18:00 until midnight</li> </ul>
<p><b>(Costcutter) 597-603 Commercial Road London E1 0HJ</b></p>	<p><b>The sale by retail of alcohol (Off sales only)</b> Monday to Sunday from 06:00hrs to 02:00hrs (the following day)</p>	<p>Monday to Sunday from 06:00hrs to 02:00hrs (the following day)</p>

# Appendix 5

**Section 182 Advice by the Home Office  
Updated on April 2017**

Relevant, vexatious and frivolous representations

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

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

# Appendix 6

## Mohshin Ali

---

**From:** Tom Wallace [REDACTED]  
**Sent:** 03 October 2017 20:55  
**To:** Licensing  
**Subject:** Re: Mangal, commercial road E1 0HY

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi Katrina,

I'd like to object to this licensing application, and this is on the following grounds:

1 - Smell. The restaurant is opposite where we live, and we have been in touch with the environmental health department at Tower Hamlets Council. The road, and our apartment regularly fills with the smells from the kitchen exhaust which smell disgusting. These smells drift a long way down the road, and into one of two only windows into our entire apartment. When this smell occurs we need to close our windows, and therefore if the licence is extended then we will need to keep the windows closed at all times of day and night. We would not be able to open our window.

2 - People typically pull up outside and use the restaurant, particularly when collecting takeaway food, this is a red route, so no-one should stop there. I never see staff moving people on.

3 - The application claims people will leave quietly. This does not normally happen, and I have seen many arguments between people or shouting between people outside this restaurant, particularly at night.

4 - Waste. The pavement is regularly dirty outside, and I have seen commercial waste bags left out on the pavement on many mornings.

In summary, I have found Mangal to be a real blight on this section of commercial road. It smells bad, attracts some unsavoury people, and the management seem to not care about the state of the road and pavement outside, as well as the impact on the local people.

Do I need to do anything else to log my objection, or is this sufficient?

Thanks  
Tom

---

**From:** Katrina Marshall [REDACTED] on behalf of Licensing

**Sent:** 27 September 2017 08:27  
**To:** 'Tom Wallace'  
**Subject:** RE: Mangal, commercial road E1 0HY

Good morning Tom,

Please find attached the above application which you can comment on or object to, consultation expires on the 9/10/2017 we can accept either via email, post or by hand.

If I can be any further help do let me know.

Regards

**Catrina Marshall**  
Licensing Officer

2nd Floor, John Onslow House  
1 Ewart Place,  
London, E3 5EQ

[REDACTED]  
[REDACTED]  
[REDACTED]

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

Hotline: 0207 364 5008  
General email: [licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)

See our regular licensing news pages at: [towerhamlets.gov.uk/licensing](http://towerhamlets.gov.uk/licensing)



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**From:** Tom Wallace [REDACTED]  
**Sent:** 27 September 2017 09:19  
**To:** Licensing  
**Subject:** Mangal, commercial road E1 0HY

Hi,  
  
I live opposite Mangal, which I see has applied to extend their licence. Where can I comment on this application?

Thanks  
Tom Wallace

Sent from my iPhone

\*\*\*\*\*

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

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# Appendix 7

## Mohshin Ali

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**From:** Corinne Holland on behalf of Licensing  
**Sent:** 04 October 2017 14:02  
**To:** Mohshin Ali  
**Subject:** FW: New Premise License Application - Mangal 514 Commercial Street - Ref M/103253

---

**From:** Nicola Cadzow  
**Sent:** 04 October 2017 13:54  
**To:** Licensing  
**Cc:** Thomas.Ratican [REDACTED]; clearviewinfo [REDACTED]  
**Subject:** FW: New Premise License Application - Mangal 514 Commercial Street - Ref M/103253

Dear Licensing,

I have no objections to the New Premise License Application for Mangal 514 Commercial Street - Ref M/103253, following confirmation by the applicant to the following (see email trail):-

- (1) the hours for Licensable activities (Late Night Refreshment) until 01:00 Hours seven days a week
- (2) Music will be background music only.

Kind regards

Nicola Cadzow  
Environmental Health Technical Officer  
Place Directorate  
Public Realm - Environmental Health and Trading Standards  
London Borough of Tower Hamlets John Onslow House, 1 Ewart Place London E3 5EQ

**From:** Clearview Resources Limited [REDACTED]  
**Sent:** 04 October 2017 12:42  
**To:** Nicola Cadzow  
**Subject:** Re: New Premise License Application - Mangal 514 Commercial Street - Ref M/103253

Dear **Nicola Cadzow**

**Subject: New Premise License Application - Mangal 514 Commercial Street - Ref M/103253**

Further to your email, I am confirming that Mr. Halim has agreed with your proposal of the hours for Licensable activities (Late Night Refreshment) until 01:00 Hours seven days a week and the background will be played.

Should you require any information regarding this application please do contact me

Mostak Ahmod Askor

Dear **Nicola Cadzow**

**Subject: New Premise License Application - Mangal 514 Commercial Street - Ref M/103253**

Further to your email, I am confirming that Mr. Halim has agreed with your proposal of the hours for Licensable activities (Late Night Refreshment) until 01:00 Hours seven days a week.

Should you require any information regarding this application please do contact me

Mostak Ahmod Askor

Clearview Resources Limited  
[REDACTED]

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

From: Nicola Cadzow [REDACTED]  
To: 'Clearview Resources Limited' <[REDACTED]>  
CC: Thomas.Ratican [REDACTED]; Licensing [REDACTED] <[REDACTED]>  
Sent: Wed, 4 Oct 2017 8:28  
Subject: RE: New Premise License Application - Mangal 514 Commercial Street - Ref M/103253

Dear Mr Askor,

Thank you for your email.

Having spoken to Mr Halim he said that music would be background music. Please could you confirm that this is so.

Regards

Nicola Cadzow  
Environmental Health Technical Officer  
Place Directorate  
Public Realm - Environmental Health and Trading Standards  
London Borough of Tower Hamlets John Onslow House, 1 Ewart Place London E3 5EQ

**From:** Clearview Resources Limited [REDACTED]  
**Sent:** 03 October 2017 16:52  
**To:** Nicola Cadzow  
**Cc:** [Thomas.Ratican](#) [REDACTED] [Licensing](#) [REDACTED].  
**Subject:** Re: New Premise License Application - Mangal 514 Commercial Street - Ref M/103253

Dear **Nicola Cadzow**

**Subject: New Premise License Application - Mangal 514 Commercial Street - Ref M/103253**

Further to your email, I am confirming that Mr. Halim has agreed with your proposal of the hours for Licensable activities (Late Night Refreshment) until 01:00 Hours seven days a week.

Should you require any information regarding this application please do contact me

Mostak Ahmod Askor

\*\*\*\*\*

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

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\*\*\*\*\*

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# Appendix 8



# MANGAL COOK LIMITED

514 COMMERCIAL ROAD, LONDON E1 0HY

TELEPHONE: [REDACTED]

18/10/17

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

**Re: Mangal, 514 Commercial Road, London E1 0HY**

I have applied for a premises licence for the above Mangal restaurant. I believe a residence has showed some concerns in regards to Licensing application. In response to the objection made, I would like to highlight Followings;

1) The objection was made in regards to the smell.

There was an issue with smell.

Mangal had a visit from Tower Hamlets EHO officer and has asked us to install a carbon filter in the extraction system to control the smell.

We have complied with this and have installed a carbon filter according to the requirements made by the EHO officer.

In regards to the smell there are a number of restaurants and cafes on commercial road where the restaurant is situated which sells similar foods. To say and pin point the smell is coming from Mangal is absolutely absurd.

2) Commercial Road is a Main Road and carries so much traffic and its busy 24 hours a day, this is a major main road and linked with A13, Blackwell Tunnel, Limehouse Link and Rotherhithe Tunnel.

So therefore the noise level is going to always high and constantly busy. Furthermore, there is a 24hr Mini Cab office opposite our premises that operates 7 days a week. As there is a minicab the constant flow of human traffic and therefore their drivers pull in and out all the times if they cannot find any space in front of their shop they park in front of our restaurant. This is a public place no one can ask them not to park there. Also, there are various business (fried chicken shop, fish & chip shop) who operate quite late including Troxy.

So to say that Mangal is contributing to the noise level does not make sense at all. Troxy is a major player as they attract over 3k to 5k people during the events and therefore the noise level will automatically increase the area.

3) About the red route people are allowed to stop after 7pm.

4) Our waste collection is contracted by Veolia waste collection (Tower Hamlets Councils Waste Collector) they have provided a big container which we use for disposing our waste. The waste in the road that from the flats above the shops that is not from my premises.

6) Actual time was on the original application was 3:30 Hours. EHO & Licensing police recommended for 1:00 Hours. We agreed with their recommendation.

I hope these facts will give you a clear information of my business situation and I will have my premises licence granted.

Abdul Halim

[REDACTED]  
Director

LBTH  
TRADING STANDARDS  
26 OCT 2017  
LICENSING

LBTH  
TRADING STANDARDS  
26 OCT 2017  
LICENSING

## Mohshin Ali

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**From:** Corinne Holland  
**Sent:** 30 October 2017 11:36  
**To:** Mohshin Ali  
**Subject:** FW: 514 Commercial Road,London E1 0HY

**From:** Clearview Resources Limited [REDACTED]  
**Sent:** 24 October 2017 18:12  
**To:** Corinne Holland  
**Cc:** Licensing  
**Subject:** Re: 514 Commercial Road,London E1 0HY

Dear Corrinne Holland

**Re: Mangal, 514 Commercial Road, London E1 0HY**

Further to your email I am informing you the followings:

- 1) There was an issue with smell, the restaurant had a visit from Tower Hamlets EHO officer and asked them to put carbon filters in extract system to control the smell. My Client has installed carbon filter according to the requirements by the council EHO officer.
- 2) Commercial Road carries so much traffic it is busy 24 hours a day, this is a major main road A13 linked with Blackwell Tunnel, Limehouse Link and Rotherhythe Tunnel. There is a Mini Cab office opposite side of the premises who operate 24 hours 7 days a week. Their driver pull in and out all the times if they cannot find any space in front of their shop they park in front of my clients restaurant. This is a public place no one can ask them not to park there. Also, There is a Various business (fried chicken shop, fish & chip shop) who operate quite late including Troxy. If mangal dont operate their business in commercial Road it will not reduce the noise level.
- 3) About the red route people are allowed to stop after 7pm.
- 4) My clients waste collection is contracted by Veolia waste collection (Tower Hamlets Councils Waste Collector) they have provided a big container which they use for disposing waste. The waste in the road that from the flats above the shops that is not from my clients premises.
- 5) My client is paying tax, Council tax and created job for 10 people. Mr Wallance has said in the objection that he found that Mangal to be real blight, he is insulting an establishment and that is not acceptable.
- 6) Actual time was on the original application was 3:30 Hours. EHO & Licensing police recommended for 1:00 Hours. We agreed with their recommendation.

**Do you think this is valid concern regarding my clients application?**

Mostak Ahmod Askor (MIH, FRSPH)  
Clearview Resources Limited

22 Market Square (1st Floor)  
London E14 6AB  
Phone: [REDACTED]

Dear Mostak

Please see the attached representations to your application.

Kind regards

*Corinne Holland - Licensing Officer*

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

---

**From:** Corinne Holland **On Behalf Of** Licensing  
**Sent:** 10 October 2017 15:25  
**To:** 'Clearview Resources Limited'  
**Subject:** RE: 514 Commercial Road

Dear Mostak

There has been an objection made to your application therefore it will need to go to a licensing subcommittee for a decision to be made regarding the granting of this licence.

At this stage you must still close at 11.00pm until the matter has gone to a hearing.

A copy of the representations made will be forwarded to you in due course.

Kind regards

*Corinne Holland - Licensing Officer*

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

**From:** Clearview Resources Limited [REDACTED]  
**Sent:** 10 October 2017 14:22  
**To:** Kathy Driver  
**Cc:** Licensing  
**Subject:** 514 Commercial Road

Dear Ms Kathy Driver

**Re: 514 Commercial Road, your Reference: TSS/LIC/103253**

I am writing to you regarding above detailed premises licence application, last day for consultation was yesterday 9th October 2017. Please let me know the position of the premises licence application.

Mostak Ahmod Askor  
Clearview Resources Limited  
22 Market Square (1st Floor)



# 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 10.1 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 15.10**).

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. (**See Section 10.2 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 3 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 where public nuisance is being caused by noise coming from the premises and the closure of the premises is necessary to prevent that nuisance.

### Guidance Issued under Section 182 of the Licensing Act 2003

The Licensing Policy has adopted the recommended Pool of Conditions as permitted (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 (2.15).

Licence conditions should not duplicate other legislation (1.16).

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

### Other Legislation

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

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

# Appendix 10

## Access and Egress Problems

Such as:

Disturbance from patrons arriving/leaving the premises on foot

Disturbance from patrons arriving/leaving the premises by car

Lack of adequate car parking facilities

Close proximity to residential properties

### Comment

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

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

### General Advice

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

The hours of operation also need to be considered.

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

### Licensing Policy

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

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

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

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

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

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

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

#### Guidance Issued under Section 182 of the Licensing Act 2003

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

Licence conditions should not duplicate other legislation (1.16).

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

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

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

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

# Appendix 11

## Anti-Social Behaviour on the Premises

### Licensing Policy

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

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

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

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

### Police Powers

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

### Guidance Issued under Section 182 of the Licensing Act 2003

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

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

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



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

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

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

#### Guidance Issued under Section 182 of the Licensing Act 2003

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

#### Guidance Issued by the Office of Fair Trading

This relates to attempts to control minimum prices.

#### Other Legislation

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

# Appendix 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 8 of the Licensing Policy**).

## Police Powers

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

## Guidance Issued under Section 182 of the Licensing Act 2003

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

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

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

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

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

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder (2.18/2.21).

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

## Other Legislation

### Crime and Disorder Act 1998

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

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

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

# Appendix 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

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