

# Appendix 1

**(Sakana Sushi Ltd)  
Unit E, 43a Commercial Street  
London  
E1 6BD**

**Licensable Activities authorised by the licence**

The provision of late night refreshment

**See the attached licence for the licence conditions**

**Signed by**

**John McCrohan**   
**Trading Standards and Licensing Manager**

**Date: 9<sup>th</sup> December 2008**



**Part A - Format of premises licence**

Premises licence number

18183

**Part 1 - Premises details**

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

(Sakana Sushi Ltd)  
Unit E, 43a Commercial Street

**Post town**  
London

**Post code**  
E1 6BD

**Telephone number**

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

N/A

**Licensable activities authorised by the licence**

The provision of late night refreshment

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

Monday to Thursday 11:00 hours – 01:30 hours  
Friday & Saturday 11:00 hours – 02:00 hours  
Sunday 11:00 hours – midnight

**The opening hours of the premises**

Monday to Thursday 11:00 hours – 01:30 hours  
Friday & Saturday 11:00 hours – 02:00 hours  
Sunday 11:00 hours – midnight

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

Not applicable



## **Annex 1 - Mandatory conditions**

No nudity or semi nudity permitted.

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

1. Deliveries to the premises will only be made between 11:00 hours and 16:00 hours.
2. Four staff will be in attendance at all times whilst the premises are open or business.
3. No music will be played from within the premises.
4. CCTV will be installed in the premises and will operate 24 hours-a-day, with recordings kept for at least 30 days, and made available for inspection by the police or other statutory authority.
5. All staff will be trained in the operation of the CCTV system and record will be maintained of the training which will be made available for inspection.
6. "CCTV in operation" sign will be displayed in the premises.
7. The main doors of the premises will be kept closed at all times except for access and egress.
8. Customers will be asked to leave the premises quietly during late night trading.
9. Signage will be displayed to show customers where to dispose of waste.
10. Staff will clean up any waste from outside the premises every two hours.

## **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:

7<sup>th</sup> October 2008



**Part B - Premises licence summary**

**Premises licence number**

18183

**Premises details**

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

(Sakana Sushi Ltd)  
Unit E, 43a Commercial Street

**Post town**  
London

**Post code**  
E1 6BD

**Telephone number**

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The provision of late night refreshment



The times the licence authorises the carrying out of licensable activities

Monday to Thursday	11:00 hours – 01:30 hrs
Friday & Saturday	11:00 hours – 02:00 hrs
Sunday	11:00 hours – midnight

The opening hours of the premises

Monday to Thursday	11:00 hours – 01:30 hrs
Friday & Saturday	11:00 hours – 02:00 hrs
Sunday	11:00 hours – midnight

Name, (registered) address of holder of premises licence

Sakana Sushi Limited Unit 5 43a Commercial Street London E1 6BD



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

Not applicable
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Registered number of holder, for example company number, charity number (where applicable)

08880369
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Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

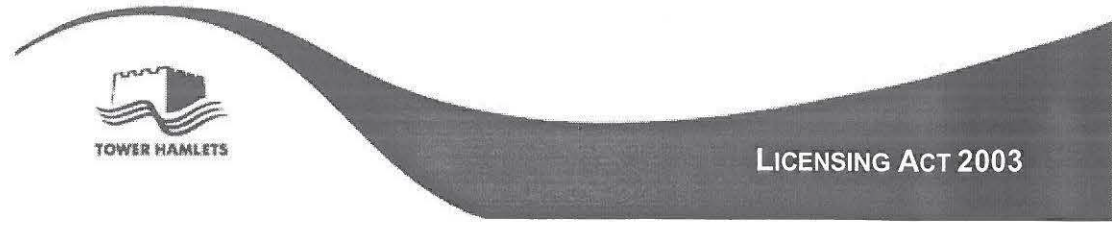
Not applicable
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State whether access to the premises by children is restricted or prohibited

No restrictions
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# Appendix 2



FOR OFFICE USE			
Receipt No:	FEE REQUIRED:	Date:	Initials:
On-Line Payment Ref:			

This form should be completed and forwarded to: Licensing Section, Mulberry Place, 5 Clove Crescent, London E14 1BY with a cheque for the correct fee, made payable to the London Borough of Tower Hamlets.  
 On-Line payments can be made at:  
[http://www.towerhamlets.gov.uk/content\\_pages/pay\\_it.aspx](http://www.towerhamlets.gov.uk/content_pages/pay_it.aspx)  
 Or alternatively from <http://www.towerhamlets.gov.uk/> under 'Online Services'

**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 (Insert name(s) of applicant) SHIBLI ALAM / MUHAMMED ZAKIR HUSSAIN

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	
<u>43A COMMERCIAL STREET (SAKANA SUSHI)</u> <u>LONDON</u> <u>UNIT E</u>	
Post town	Post code <u>E1 6BD</u>

Telephone number at premises (if any) [REDACTED]

Non-domestic rateable value of premises £ 11,500

## Part 2 - Applicant details

Please state whether you are applying for a premises licence as

- Please tick as appropriate
- a) an individual or individuals\*  Please complete section (A)
- b) a person other than an individual \*
- i. as a limited company  please complete section (B)
- ii. as a partnership  please complete section (B)
- iii. as an unincorporated association or  please complete section (B)
- iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) an individual who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

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

- Please tick as appropriate
- 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  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"/>
---	----------------------

<b>E-mail address (optional)</b>	<input type="text"/>
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**SECOND INDIVIDUAL APPLICANT** (if applicable)

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"/>
------------------	----------------------	-----------------	----------------------

<b>Daytime contact telephone number</b>	<input type="text"/>
---	----------------------

<b>E-mail address (optional)</b>	<input type="text"/>
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**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	SHIBLI ALAM & MOHAMMED ZAKIR HOSSAION (JAPANESE CUISINE LTD)
Registered number (where applicable)	956 75 66
Description of applicant (for example partnership, company, unincorporated association etc)	LIMITED COMPANY BY SHARES
Telephone number, if any	07834986795
E-mail (optional)	

COMPANY ADDRESS  
UNIT 2-3  
52-55 MILE END ROAD  
E1 4UN

**Part 3 Operating Schedule**

When do you want the premises licence to start?

Day Month Year

1	0	1	2	2	0	1	6
---	---	---	---	---	---	---	---

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

Day Month Year

--	--	--	--	--	--	--	--

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

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

it is a restaurant on a main road, the road mixed of commercial and residential.  
The restaurant is one floor (ground) with back kitchen.  
we provide Japanese Cuisine (food hot & cold) with sitting for 30 people max.

What licensable activities do you intend to carry on from the premises?  
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

**Provision of regulated entertainment**

Please tick all that apply

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

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

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

**In all cases complete boxes K, L and M**

**A**

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

**B**

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





**E**

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

**F**

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

**G**

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

**H**

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing
Day	Start	Finish	
Mon			Please give further details here (please read guidance note 3)
Tue			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)
Wed			
Thur			
Fri			
Sat			
Sun			

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)</b>	Indoors	
Day	Start	Finish		Outdoors	
Mon	11 am	01.30	Please give further details here (please read guidance note 4) <i>next day</i>		
Tue	11 am	01.30			
Wed	11 am	01.30			
Thur	11 am	01.30			
Fri	11 am	02.00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list (please read guidance note 5) <i>next day</i>		
Sat	11 am	02.00			
Sun	11 am	12.00			

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick [Y] (please read guidance note 7)</b>	On the premises	
Day	Start	Finish		Off the premises	
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed					
Thur					
Fri			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

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

Name shibli ALAM

Address  A

Person

Issuing licensing authority (if known)

K

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

*we will only be selling alcohol between  
11.30am - 11.30pm Monday - Thursday and  
Friday & Saturday 11.30am - 12 midnight  
Sunday 11.30am - 10.30pm  
There will not be any entertainment taking  
place.*

L

Hours premises are open to the public Standard timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)
Day	Start	Finish	
Mon	11am	01.30	<p><b>Non standard timings. Where you intend to the premises to be open at different times to those listed in the column on the left, please list</b> (please read guidance note 5)</p>
Tue	11	01.30	
Wed	11	01.30	
Thur	11	01.3	
Fri	11	02.00	
Sat	11	02.00	
Sun	11	Midnight	

M

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

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

Strong Management Controls and effective training of all staff so that they are aware of the Premise licence and the requirements to meet the four licensing objectives with particular attention to:

- 1) No selling of Alcohol to underage people.
- 2) No Drunk and disorderly behavior on the Premise area.
- 2) vigilance in preventing the use and sale of illegal drugs at the retail area.
- 3) NO violent and Anti Social behaviour
- 4) No any harm to children.

b) The prevention of crime and disorder

CCTV system installed to monitor entrances, exits and other parts of the Premises in order to address the prevention of crime objective.

A clear & legible notice outside the Premises indicating the normal hours under the terms of the Premises licence during which licensable activities are permitted

Clear & conspicuous notices warning of potential criminal activity, such as theft, that may target customers will be displayed.

No selling of alcohol to drunk or intoxicated customers

All staff will be trained

Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises.

c) Public safety

Internal & external lighting to promote the public safety.

There will be training and implementation of underage ID checks.

will keep log book or recording system for inspections.

d) The prevention of public nuisance

There will be prominent and clear and legible notice displayed at the exit requesting Customers to respect residents and leave the premises and area quietly.  
Customers will not be allowed to stand outside the premises.  
Customers will not be admitted to premises above opening hours.  
Adequate waste receptacles for use by customers will be provided in the local vicinity.

e) The protection of children from harm

will display challenge 25 sign.  
will check and accept only photo ID  
will keep log book at all times.  
Training provided to all staff.

You have completed part 3 of this form. Below is a checklist for your assistance.

CHECKLIST:

Please tick to indicate agreement

- I have made or enclosed payment of the fee  
Insert On-Line Payment reference here if applicable :
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan (showing the area to be licensed) to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be 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

**Part 4 – Signatures** (please read guidance note 10)

**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**

Signature of applicant or applicant's solicitor or other duly authorised agent. (See guidance note 11) If [REDACTED] please state in what capacity.

Signature

Date

21.10.2016

Capacity

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 12) If signing on behalf of the applicant please state in what capacity.

Signature

Date

21.11.2016

Capacity

Director

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

Post town

Post code

Telephone number (if any)

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



# Appendix 3

## Andrew Heron

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**From:** [REDACTED]  
**Sent:** 09 January 2017 09:06  
**To:** Licensing [REDACTED]  
**Cc:** Nicola Cadzow  
**Subject:** Sakana Sushi 43a Commercial St ref M/097314

Dear Licensing

Please note our agreement. I will now withdraw my objection.

Alcohol Hours

Monday - Thursday: 1130 - 2300: closing 2330

Friday - Saturday: 1130- 2330: closing midnight

No off sales

LNR

Friday - Saturday: 2300 -2330

Conditions

1 .CCTV

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

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

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

2. Use of incident /refusal book.

3. No drinks to be consumed outside the premises

54 No more than 4 smokers to be outside at one time

---

**From:** Nicola Cadzow [REDACTED]  
**Sent:** 09 January 2017 08:55  
**To:** Licensing  
**Cc:** Cruickshank Alan D - HT; Perry MARK J - [REDACTED]  
**Subject:** FW: Sakana Sushi 43a Commercial St ref M/097314

Dear Licensing,

Following agreement to the conditions as set by Alan, and the amendment to the opening hours (see email trail below), I have no objection the Premise License application for Sakana Sushi 43a Commercial Street, ref M/097314.

Kind regards

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

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**From:** Sakana Sushi [REDACTED]  
**Sent:** 07 January 2017 16:17  
**To:** Nicola Cadzow  
**Subject:** RE: 43a Commercial St ref M/097314

Dear sir/madam  
Thanks very much for withdraw your objection.  
Obviously I am agree your proposed conditions.  
Thanks again  
Yours sincerely  
Shibli alam

On Fri, Jan 6, 2017 at 1:55 PM +0000, "Nicola Cadzow" [REDACTED] > wrote:

Dear Alam,

Whilst there is no regulated entertainment applied for, I was concerned over the late hours with Patrons entering and leaving the premises causing Public Nuisance. However, as you have agreed with the hours proposed by Alan, I

have no objections to you Premise License Application, following your agreement to Alan's conditions, for me in particularly points 3 & 4.

Kind regards

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

---

**From:** [REDACTED]  
**Sent:** 06 January 2017 13:10  
**To:** [REDACTED] [k](#)  
**Cc:** Nicola Cadzow  
**Subject:** 43a Commercial St

Dear Mr Alam

Thank you for agreeing the hours. I will withdraw my objection if you also agree to the following which I outlined in my representation.

1. No off sales

Conditions

1 .CCTV

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

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

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

2. Use of incident /refusal book.

3. No drinks to be consumed outside the premises

54 No more than 4 smokers to be outside at one time

Best wishes

Alan

---

**From:** Sakana Sushi [REDACTED]  
**Sent:** 06 January 2017 12:53  
**To:** Cruickshank Alan D - HT  
**Subject:** Re: 43a Commercial St

Dear sir/ madam

For your kind information I am writing to you that about two weeks ago when we talk over telephone then I agreed your proposed time table. After that I informed ( your proposed time table) principal offer of licence and administrative offer of licence by email .  
But it was my out of knowledge that I have to give confirmation mail to you, I am sorry for that.

Now I am confirming you ,your proposed opening closing time table below:

Sun -Thu 11.30 - 23.00 : closing 23.30

Fri - Sat 11.30 - 23.30 :

Closing Midnight

So it is my cordial request if you kindly reconsider consider my application it will be highly appreciated. Thanks

Yours sincerely  
Shibli alam

On Fri, Jan 6, 2017 at 10:33 AM +0000, [REDACTED]

[REDACTED] wrote:

Dear Licensing

Please find my objection to the above premises licence application.

Regards

Alan Cruickshank PC 189HT

**Total Policing is the Met's commitment to be on the streets and in your communities to catch offenders, prevent crime and support victims. We are here for London, working with you to make our capital safer.**

# Appendix 4

## Andrew Heron

---

**From:** Nicola Cadzow  
**Sent:** 09 January 2017 08:55  
**To:** Licensing  
**Cc:** [REDACTED]  
**Subject:** FW: Sakana Sushi 43a Commercial St ref M/097314

Dear Licensing,

Following agreement to the conditions as set by Alan, and the amendment to the opening hours (see email trail below), I have no objection the Premise License application for Sakana Sushi 43a Commercial Street, ref M/097314.

Kind regards

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

---

**From:** Sakana Sushi [REDACTED]  
**Sent:** 07 January 2017 16:17  
**To:** Nicola Cadzow  
**Subject:** RE: 43a Commercial St ref M/097314

Dear sir/madam  
Thanks very much for withdraw your objection.  
Obviously I am agree your proposed conditions.  
Thanks again  
Yours sincerely  
Shibli alam

On Fri, Jan 6, 2017 at 1:55 PM +0000, "Nicola Cadzow" <[REDACTED]> wrote:

Dear Alam,

Whilst there is no regulated entertainment applied for, I was concerned over the late hours with Patrons entering and leaving the premises causing Public Nuisance. However, as you have agreed with the hours proposed by Alan, I have no objections to you Premise License Application, following your agreement to Alan's conditions, for me in particularly points 3 & 4.

Kind regards

Nicola Cadzow

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

---

**From:** [REDACTED]  
**Sent:** 06 January 2017 13:10  
**To:** [REDACTED]  
**Cc:** Nicola Cadzow  
**Subject:** 43a Commercial St

Dear Mr Alam

Thank you for agreeing the hours. I will withdraw my objection if you also agree to the following which I outlined in my representation.

1. No off sales

Conditions

1 .CCTV

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

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

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

2. Use of incident /refusal book.

3. No drinks to be consumed outside the premises

54 No more than 4 smokers to be outside at one time

Best wishes



Alan

---

**From:** Sakana Sushi [REDACTED]  
**Sent:** 06 January 2017 12:53  
**To:** Cruickshank Alan D - HT  
**Subject:** Re: 43a Commercial St

Dear sir/ madam

For your kind information I am writing to you that about two weeks ago when we talk over telephone then I agreed your proposed time table. After that I informed ( your proposed time table) principal offer of licence and administrative offer of licence by email .

But it was my out of knowledge that I have to give confirmation mail to you, I am sorry for that.

Now I am confirming you ,your proposed opening closing time table below:

Sun -Thu 11.30 - 23.00 : closing 23.30

Fri - Sat 11.30 - 23.30 :

Closing Midnight

So it is my cordial request if you kindly reconsider consider my application it will be highly appreciated. Thanks

Yours sincerely  
Shibli alam

On Fri, Jan 6, 2017 at 10:33 AM +0000, [REDACTED]  
[REDACTED] wrote:

Dear Licensing

Please find my objection to the above premises licence application.

Regards

Alan Cruickshank PC 189HT

**Total Policing is the Met's commitment to be on the streets and in your communities to catch offenders, prevent crime and support victims. We are here for London, working with you to make our capital safer.**

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# Appendix 5

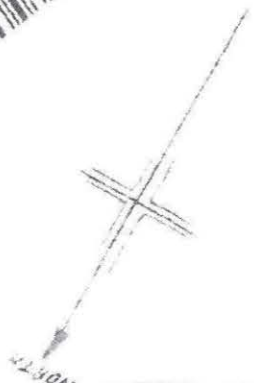
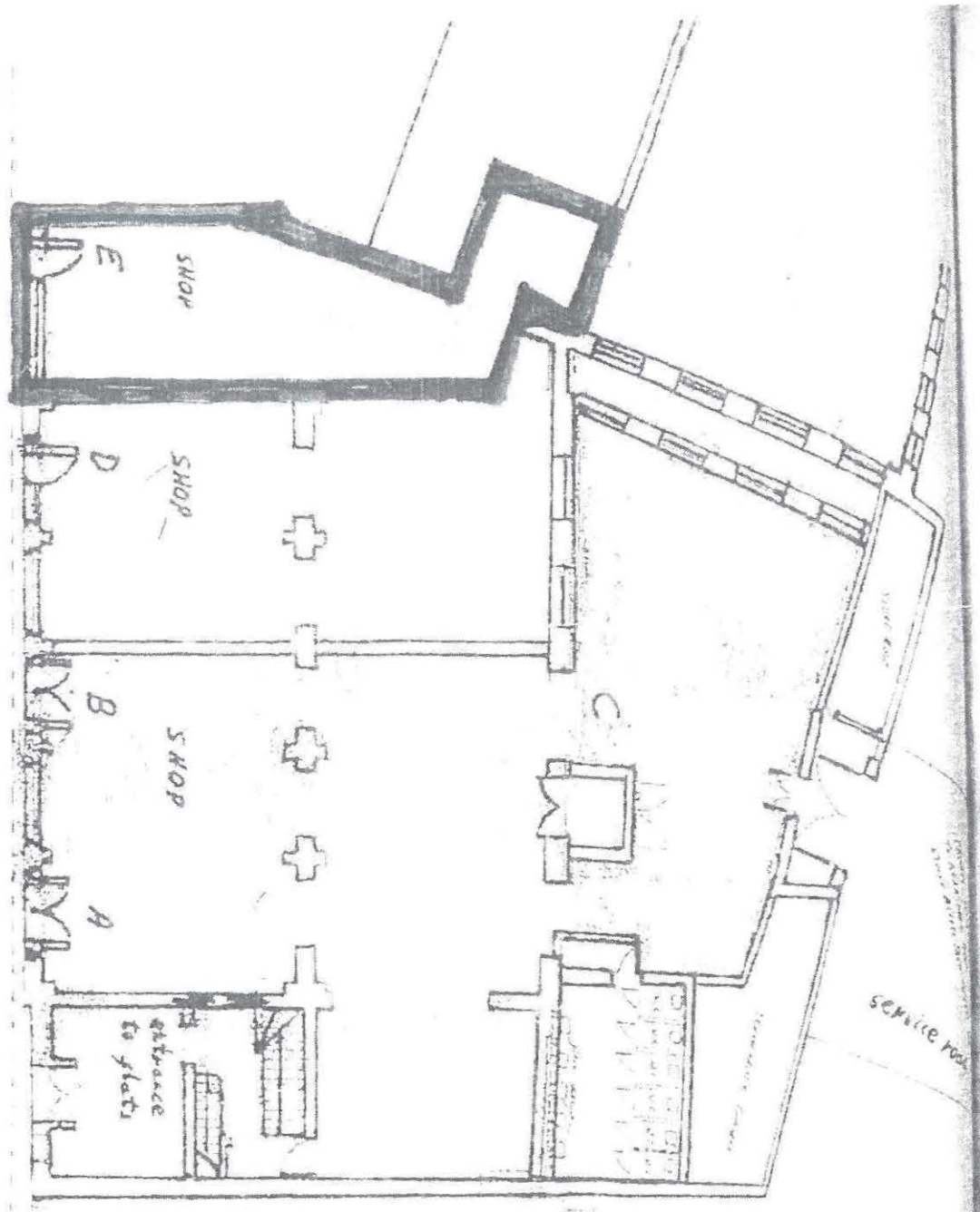


GROUND FLOOR PLAN  
43a COMMERCIAL STREET  
LONDON E1 6BD  
UNIT E

COMMERCIAL STREET

SCALE 1:200

NOTICE OF INTENT TO APPLY



*Handwritten notes:*  
Unit E  
43a Commercial Street  
London E1 6BD

# Appendix 6

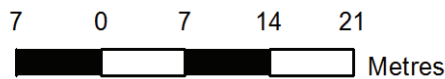


# Unit E, 43a Commercial Street

## Map 1



Scale 1:769



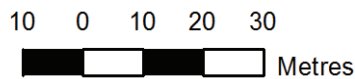


# Unit E, 43a Commercial Street

## Map 2



Scale 1:1537





# Unit E, 43a Commercial Street

## Map 3



Scale 1:3074

25 0 25 50 75



Metres





# Appendix 7

**Surrounding Licensed Premises in the Immediate Vicinity**

**(Som Saa)**

43a Commercial Street  
London  
E1 6BD

The sale by retail of alcohol:

Monday to Thursday from 10:00hrs to 23:30hrs  
Friday and Saturday from 10:00hrs to 00:00hrs (midnight)  
Sunday from 12:00hrs (midday) to 22:30hrs

Late Night Refreshment: (Indoors only)

Monday to Thursday until 23:30hrs  
Friday and Saturday until 00:00hrs (midnight)

The opening hours of the premises

Monday to Thursday from 10:00hrs to 23:30hrs  
Friday and Saturday from 10:00hrs to 00:00hrs (midnight)  
Sunday from 12:00hrs (midday) to 22:30hrs

---

**(Zengi)**

44 Commercial Street  
London  
E1 6LT

Sale of alcohol

- Monday to Sunday from 11:00hrs to 23:30hrs

Provision of late night refreshment – Indoor and outdoor

- Monday to Sunday from 23:00hrs to 23:30hrs

Provision of regulated Entertainment - Indoor

Live music, recorded music, performance of dance and anything of a similar description. Provision of facilities for making music, Provision of facilities for dancing and anything of a similar description

- Monday to Sunday from 11:00hrs to 23:30hrs

Licensable activities non-standard timings:

- New Year's Eve from 11:00hrs to 01:30hrs (the following day)

The opening hours of the premises

- Monday to Sunday from 11:00hrs to 00:00hrs (midnight)

Non-standard timings:

- New Year's Eve, from 11:00hrs to 02:00hrs (the following day)
- 

**(Agah Turkish Restaurant)**

43 Commercial Street  
London  
E1 6BD

The Supply of Alcohol (on sales only)

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

The Provision of Late Night Refreshment (indoors)

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

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

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

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

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

The opening hours of the premises

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

**Culpeper**

40-42 Commercial Street  
London  
E1 6LP

Supply of Alcohol and Regulated Entertainment (plays, films, indoor sporting events, recorded music, performance of dance, provision of facilities for making music and provision of facilities for dancing)

- Monday to Wednesday from 07:00hrs to 00:00hrs (midnight)
- Thursday to Saturday from 07:00hrs to 03:00hrs
- Sunday from 10:00hrs to 23:00hrs

Live music

- Monday to Saturday from 07:00hrs to 23:30hrs
- Sunday from 10:00hrs to 23:00hrs

Late Night Refreshment

- Monday to Wednesday from 23:00hrs to 00:30hrs

- Thursday to Saturday, from 23:00hrs to 04:00hrs
- Sunday, from 23:00hrs to 23:30hrs

#### Non-standard timings

Supply of Alcohol and Regulated Entertainment (plays, films, indoor sporting events, recorded music, performance of dance, provision of facilities for making music and provision of facilities for dancing)

- Sundays immediately preceding a bank holiday, from 07:00hrs to 03:00hrs
- Bank Holiday Mondays, from 07:00hrs to 01:00hrs
- St. Valentine's Day, St. Patrick's Day, St. Georges Day, Halloween, Christmas Eve and Boxing Day, from 07:00hrs to 03:00hrs
- New Year's Eve, from 07:00hrs to 03:00hrs 2<sup>nd</sup> January

#### Late Night Refreshment

- Sundays immediately preceding a bank holiday, from 23:00hrs to 04:00hrs
- Bank Holiday Mondays, from 23:00hrs to 01:30hrs
- St. Valentine's Day, St. Patrick's Day, St. Georges Day, Halloween, Christmas Eve and Boxing Day, from 23:00hrs to 04:00hrs
- New Year's Eve, from 23:00hrs to 04:00hrs 2<sup>nd</sup> January

#### The opening hours of the premises

- Monday to Wednesday, from 07:00hrs to 00:30hrs
- Thursday to Saturday, from 07:00hrs to 04:00hrs
- Sunday, from 10:00 hours to 23:30hrs

#### Non-standard timings

- Sundays immediately preceding a bank holiday, from 07:00hrs to 04:00hrs
- Bank Holiday Mondays, from 07:00hrs to 01:30hrs
- St. Valentine's Day, St. Patrick's Day, St. Georges Day, Halloween, Christmas Eve and Boxing Day, from 07:00hrs to 04:00hrs
- New Year's Eve, from 07:00hrs to 03:00hrs 2<sup>nd</sup> January

# Appendix 8

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

#### Relevant, vexatious and frivolous representations

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

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

# Appendix 9



## Andrew Heron

---

**From:** Tony de Jasay [REDACTED]  
**Sent:** 08 January 2017 20:30  
**To:** Licensing  
**Subject:** Sakana Sushi, 43A Commercial Street E1 6BD

Dear Sir

I am writing to object to the above application It is for the attempted transformation of a distinctive food outlet, into yet another supplier of late-night alcoholic refreshment, in the CIZ where such license extensions are subject to a 'presumptive rebuttal'.

Sakana Sushi is a good example of a local hospitality business trying to adapt to the already excessive supply of food and drink in the area, by pushing into an area of unstable and poorly rewarded enterprise. These marginal offerings exploit both the younger consumers who equate excitement with excess, and their staff who work unsocial hours serving and delivering. Despite their hard work and determination, these businesses shift from being overall value-creating to being overall value destructive, because they conflict with the long-term sustainable future of their customers and their host-environments. As soon as degradation of a neighbourhood and its defensive reaction becomes significant, the popular late-night hang-outs for cheap excess, move elsewhere, leaving behind social and physical scars that take years to make good.

My apologies for reviewing these general points. They were fully appreciated by the Council at the time the CIZ was put in place. That policy is incremental to, and on a higher level than, 'normal' licensing policy which looks to conditions on specific licenses to meet licensing objectives. It is a rules-based, overall policy, ensuring that one does not 'lose sight of the wood for the trees'. Repeating what members already know is unfortunately the only way for residents to draw attention to the importance of the CIZ.

Yours faithfully

Anthony de Jasay  
[REDACTED]  
[REDACTED]

# Appendix 10

## Andrew Heron

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**From:** Mail Admin  
**Sent:** 13 January 2017 10:43  
**To:** Licensing  
**Subject:** licensing application for sakana sushi 43a commercial street london

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

---

**From:** pat jones [REDACTED]  
**Sent:** 12 January 2017 20:46  
**To:** Licensing  
**Subject:** licensing application for sakana sushi 43a commercial street london

dear sirs i wish to object to this application for alcohol sales unit 1.30 am weekdays and 2am on weekends - these hours are excessive and much more than apply generally; there are well documented problems with anti-social behaviour in this area , including verbal and physical abuse, noise, urination, vomit, defecation,public sex etc all caused by alcohol and these long hours will make the problems worse and the licensing objectives of the prevention of crime and disorder, public nuisance and public safety cannot be met by excessive hours for alcohol provision - i urge you to reject this application - pat jones [REDACTED]

# Appendix 11

## Andrew Heron

---

**From:** Glenn Leeder [REDACTED]  
**Sent:** 08 January 2017 06:31  
**To:** Licensing  
**Subject:** Sakana Sushi, 43a Commercial St

I wish to object to the granting of a late night refreshment licence for Sakana Sushi at 43a Commercial Street.

If this licence is granted, local residents, myself included, will be subjected to additional late night disturbances. The same premises has applied for a liquor licence in the local Brick Lane Cumulative Impact Zone. London Borough of Tower Hamlets has already recognised this area to be saturated with enough liquor licences, so this application should be rejected as well. Late night drinking results in patrons leaving premises and then causing noise disturbances to local residents. They often leave litter and it is very unpleasant when we have vomit and urine left on our doorsteps.

Please respect the local CIZ and reject any liquor licence at Sakana Sushi, 43a Commercial Street. Please consider local residents and reject this late night refreshment licence at the same address. Please do not allow any more off sales of alcohol in the CIZ,

Thank you.

Glenn leeder  
[REDACTED]  
[REDACTED]

# Appendix 12

## Andrew Heron

---

**From:** Spitalfields Community Group [REDACTED] >  
**Sent:** 03 January 2017 21:03  
**To:** Licensing  
**Cc:** Alan Cruickshank  
**Subject:** application at Sakana Sushi, 43a Commercial St, E1 6BD

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

Dear Sir/Madam,

SCG wishes to OBJECT to the licensing application at Sakana Sushi, 43a Commercial St, E1 6BD for late night refreshment and sale of alcohol.

Spitalfields Community Group was formed in September 2011 with the aim of promoting and protecting the quality of life of people living and working in the ward of Spitalfields and Banglatown. We have over 200 members and are growing. Our current survey, conducted to identify priorities for action, highlighted the growing problems faced by locals as a result of the existing dense concentration of licensed premises in the area, exacerbating the negative impact on us of the night time economy.

The provision of late-night refreshment clearly encourages excessive drinking and associated nuisance including noise and antisocial behaviour. There is an unfortunate provision in Brick Lane of late night alcohol off-sales which exacerbates this problem, and the misery caused to surrounding residents. There has been a recent upsurge in antisocial behaviour in the residential streets adjacent to Brick Lane, in which visitors loiter causing a disturbance late at night. A particularly unacceptable facet of this is the number of instances of vomit on pavements, in doorways, light-wells providing light to residential basement kitchens and on cars. Excessively late hours for late-night refreshment fuels this disgusting phenomenon. We believe the hours applied for here are clearly excessive and will only exacerbate the problems in the area.

In addition we have concerns about the granting of a further alcohol licence in an area that is clearly saturated with such licences. The premises lie within the CIZ which was introduced by LBTH in recognition of the scale of the antisocial behaviour problem. The applicant is not clear as to whether he wishes to make off-sales from the premises. These are a particular problem for the area and we strongly oppose the introduction of any further capacity for people drinking in the street late into the night.

For the above reasons SCG objects to the licensing application at Sakana Sushi, 43a Commercial St, E1 6BD.

From and on behalf of Spitalfields Community Group

c/o Selina Mifsud  
[REDACTED]

# Appendix 13



## **Andrew Heron**

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**From:** Mr Alan Williams [REDACTED]  
**Sent:** 05 January 2017 15:45  
**To:** Licensing  
**Subject:** Sukan Sushi, 43a Commercial Street, E1 6BD

### **Sukan Sushi, 43a Commercial Street, E1 6BD**

Late Night Refreshment (LNR) to 01.30 daily (02.00 Sat eve, 00.00 Sun eve)  
Alcohol to 23.30 daily (00.00 Fri/Sat eves)

I wish to object to this application as it stands.

The grounds of my objection are: The most relevant criteria for this neighbourhood are the prevention of crime and disorder, public safety and the prevention of public nuisance.

Also, the applicants have applied for a licence to serve alcohol in the heart of the Cumulative Impact Zone. I am concerned about the proliferation of licences in an area which the Local Authority already recognises as being saturated.

The late night behaviour in these streets is very bad; drunkenness, drugs, and foul behaviour are but three examples. It is not right to add more alcohol to an area already 'saturated' with alcohol and I urge the Committee not to accept the application as it stands.

It is unclear whether Off-Sales are requested or not; but my view is that:  
there should be no LNR;  
alcohol sales should finish at 22.00; and  
no Off-Sales should be allowed.

Many thanks.  
Alan Williams

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

# Appendix 14

### Anti-Social Behaviour on the Premises

#### Licensing Policy

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

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

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

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

#### Police Powers

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

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

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

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

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff or agents, but can directly impact on the behaviour of customers in the immediate vicinity of the premises as they seek entry or leave (1.16).

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

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

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

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

This relates to attempts to control minimum prices.

#### Other Legislation

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

# Appendix 15

### Anti-Social Behaviour from Patrons Leaving the Premises

#### General Advice

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

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

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

#### Licensing Policy

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

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

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

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

## Cumulative Impact

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

## Police Powers

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

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

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

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

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

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

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

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

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

## Other Legislation

### Crime and Disorder Act 1998

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

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

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



# Appendix 16

### Access and Egress Problems

Such as:  
Disturbance from patrons arriving/leaving the premises on foot  
Disturbance from patrons arriving/leaving the premises by car  
Lack of adequate car parking facilities  
Close proximity to residential properties

#### Comment

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

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

#### General Advice

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

The hours of operation also need to be considered.

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

#### Licensing Policy

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

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

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

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

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

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

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

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

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

Licence conditions should not duplicate other legislation (1.16).

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

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

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

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

# Appendix 17

### Licensing Policy Relating to Hours of Trading

All applications have to be considered on their own merits.

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

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

(see 12.8 Of the Licensing Policy)

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

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

(See 12.8 of the licensing policy)

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

- Theatres
- Cinemas
- Premises with club premises certificates
- Premises licensed for off sales only

# Appendix 18

## Appendix 18

### Special Cumulative Impact Policy for the Brick Lane Area

- Section 8 of the LBTH Licensing Policy provides for the Cumulative Impact Policy for the Brick Lane Area.
- As with many other London Borough's the majority of late night licensed premises are concentrated within one area of the Borough. Following guidance issued under the Licensing Act 2003 a cumulative impact policy was adopted on 18th September 2013 by the Council.
- After consultation the Council recognises that because of the number and density of licensed premises selling alcohol, on and off the premises and the provision of late night refreshment (sale of hot food after 11pm) within the Brick Lane Area as defined in **Figure One**, there might be exceptional problems of nuisance, disturbance and/or disorder outside or away from those licensed premises as a result of their combined effect.
- The Licensing Authority is now of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and/or the provision of late night refreshment in the area highlighted in Figure One is having a cumulative impact on the licensing objectives and has therefore declared a cumulative impact zone.
- The effect of this Special Cumulative Impact Policy is to create a rebuttable presumption for applications in respect of the sale or supply of alcohol on or off the premises and/or late Night Refreshment for new Premises Licences, Club Premises Certificates or Provisional Statements and applications for variations of existing Premises Licences, Club Premises Certificates (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity). Where the premises are situated in the cumulative impact zone and a representation is received, the licence will be refused. To rebut this presumption the applicant would be expected to show through the operating schedule and where appropriate with supporting evidence that the operation of the premises will not add to the cumulative impact already being experienced. This policy does not act as an absolute prohibition on granting/varying new licences in the Cumulative Impact Zone.
- The Special Cumulative Impact policy will not be used to revoke an existing licence or certificate and will not be applicable during the review of existing licences.

## The Cumulative Impact Zone in the Brick Lane area

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

Figure One

