

Appendix 1

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

Licensable Activities authorised by the licence

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

See the attached licence for the licence conditions

Signed by

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

Date: 30th August 2016



Part A - Format of premises licence

Premises licence number

20340

Part 1 - Premises details

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

(Agah Turkish Restaurant)
43 Commercial Street

Post town

London

Post code

E1 6BD

Telephone number

██████████

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

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

The times the licence authorises the carrying out of licensable activities

The Supply of Alcohol (on sales only)

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

The Provision of Late Night Refreshment (indoors)

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

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

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

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

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

The opening hours of the premises

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

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

On sales only

Part 2

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

Lop Lop Limited
43 Commercial Street
London
E1 6BD

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

Registered Company Number: 09374933

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

Ritesh Viswanatha Panicker

[REDACTED]

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

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

Annex 1 - Mandatory conditions

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

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

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

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

5.
 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
 2. For the purposes of the condition set out in paragraph 1—
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) “permitted price” is the price found by applying the formula —

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

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

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

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

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

Annex 2 - Conditions consistent with the operating Schedule

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

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

Not applicable

Annex 4 - Plans

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

- 25th July 2016 – Ground Floor and Basement



Part B - Premises licence summary

Premises licence number

20340

Premises details

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

(Agah Turkish Restaurant)
43 Commercial Street

Post town

London

Post code

E1 6BD

Telephone number



Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

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

The times the licence authorises the carrying out of licensable activities

The Supply of Alcohol (on sales only)

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

The Provision of Late Night Refreshment (indoors)

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

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

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

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

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

The opening hours of the premises

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

Name, (registered) address of holder of premises licence

Lop Lop Limited
43 Commercial Street
London
E1 6BD

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

On sales only

Registered company number

09374933

Name of designated premises supervisor

Ritesh Viswanatha Panicker

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

Adult supervision at all times for young children.

Appendix 2



* required information

Section 1 of 17

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

System reference

Not Currently In Use

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

Your reference

Premises License Variation 20340

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

Are you an agent acting on behalf of the applicant?

Yes No

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

Applicant Details

* First name

Rithesh V

* Family name

Panicker

* E-mail

[Redacted]

Main telephone number

[Redacted]

Include country code.

Other telephone number

[Redacted]

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

Are you:

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

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

Applicant Business

Is your business registered in the UK with Companies House?

Yes No

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

Registration number

09374933

Business name

Lop Lop Ltd T/A Agah Turkish Restaurant

If your business is registered, use its registered name.

VAT number

GB

202571741

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

Legal status

Private Limited Company

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 17

APPLICATION DETAILS

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

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

* Premises Licence Number

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

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable
value of premises (£)

71,500

Section 3 of 17

VARIATION

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

Yes

No

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

Yes

No

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

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

Describe Briefly The Nature Of The Proposed Variation

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

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

Section 4 of 17

PROVISION OF PLAYS

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

Yes

No

Section 5 of 17

PROVISION OF FILMS

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

Yes

No

Section 6 of 17

PROVISION OF INDOOR SPORTING EVENTS

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

Continued from previous page...

Yes

No

Section 7 of 17

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

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

Yes

No

Section 8 of 17

PROVISION OF LIVE MUSIC

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

Yes

No

Section 9 of 17

PROVISION OF RECORDED MUSIC

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

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

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

- Indoors Outdoors Both

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

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

Music is regulated and amplified with proper sound limiters

State any seasonal variations for playing recorded music.

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

No seasonal variations

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

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

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

Section 10 of 17

PROVISION OF PERFORMANCES OF DANCE

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

- Yes No

Section 11 of 17

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

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

- Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

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

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

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

Will this entertainment take place indoors or outdoors or both?

Indoors Outdoors Both

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

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

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

Continued from previous page...

State any seasonal variations for entertainment.

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

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

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

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

Not Applicable.

Section 12 of 17

PROVISION OF LATE NIGHT REFRESHMENT

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

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start 07:00

End 02:00

Start

End

SUNDAY

Start 07:00

End 01:00

Start

End

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

- Indoors Outdoors Both

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

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

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

State any seasonal variations.

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

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

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

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

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

Section 13 of 17

SUPPLY OF ALCOHOL

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

- Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption?

- On the premises Off the premises Both

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

State any seasonal variations.

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

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

Continued from previous page...

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

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

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

Section 14 of 17

ADULT ENTERTAINMENT

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

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

not applicable

Section 15 of 17

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

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

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

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

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

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

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

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

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

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

Section 16 of 17

LICENSING OBJECTIVES

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

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

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

Continued from previous page...

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

b) The prevention of crime and disorder

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

c) Public safety

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

d) The prevention of public nuisance

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

e) The protection of children from harm

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

Section 17 of 17

PAYMENT DETAILS

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

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

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

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

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

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

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Continued from previous page...

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

* Fee amount (£)

315.00

DECLARATION

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

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

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

* Full name

Rithesh V Panicker

* Capacity

Operations Manager

* Date

16 / 02 / 2017
dd mm yyyy

Add another signatory

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

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

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

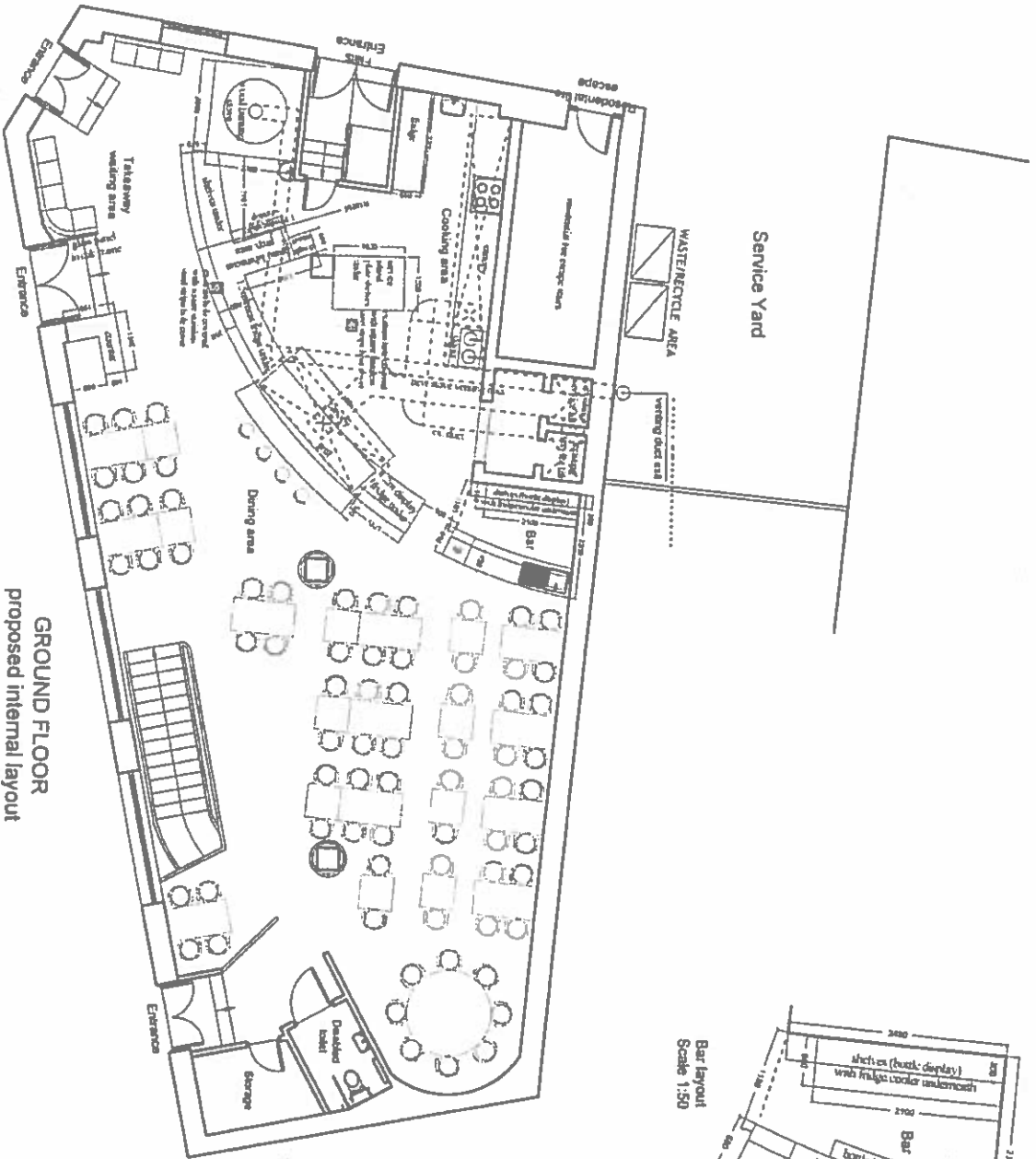
IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

OFFICE USE ONLY

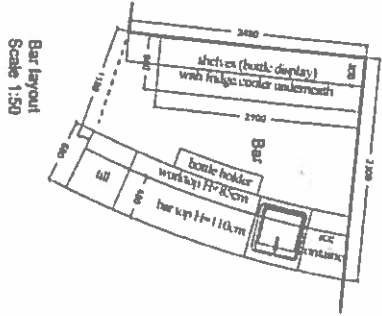
Applicant reference number	Premises License Variation 20340
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

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

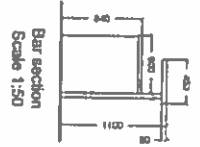
Appendix 3



GROUND FLOOR
Proposed internal layout
(pln.)



Bar layout
Scale 1:50



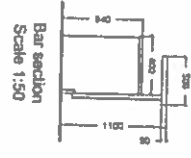
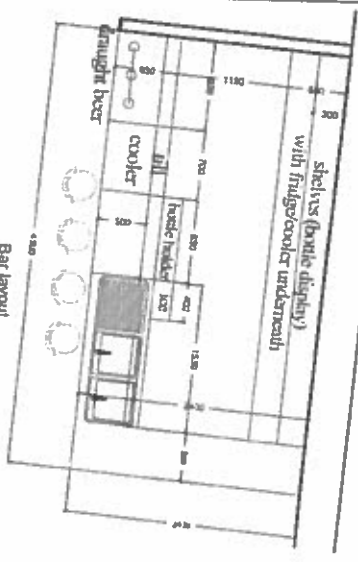
Bar section
Scale 1:50

© 2013 DVA DESIGN. All rights reserved. This drawing is the property of DVA DESIGN and is not to be reproduced in any form without the written permission of DVA DESIGN. The information contained herein is for the use of the client only and is not to be used for any other purpose. The information contained herein is not to be used for any other purpose. The information contained herein is not to be used for any other purpose.

DVA DESIGN
078 Cavendish Road, HX 9RQ
Tel: +44 (0) 1924 611111
info@dva-design.co.uk
www.dva-design.co.uk

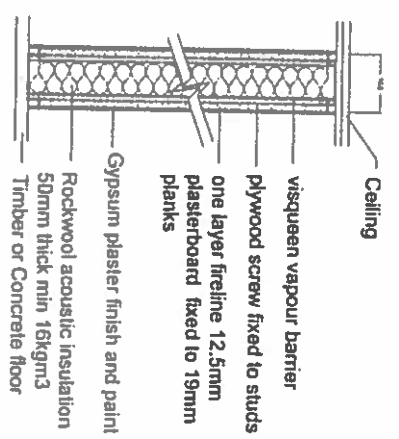
BUILDING CONTROL
Project Address: 41 COUNTESS SQUARE
LONDON, E1 8ND
Project Ref: 02100414/13/11/10/01
Drawing Title: PROPOSED GROUND FLOOR

Author	Drawn By
14129-A-100-008	18.08.13
	V.0
	1:100 @ A3

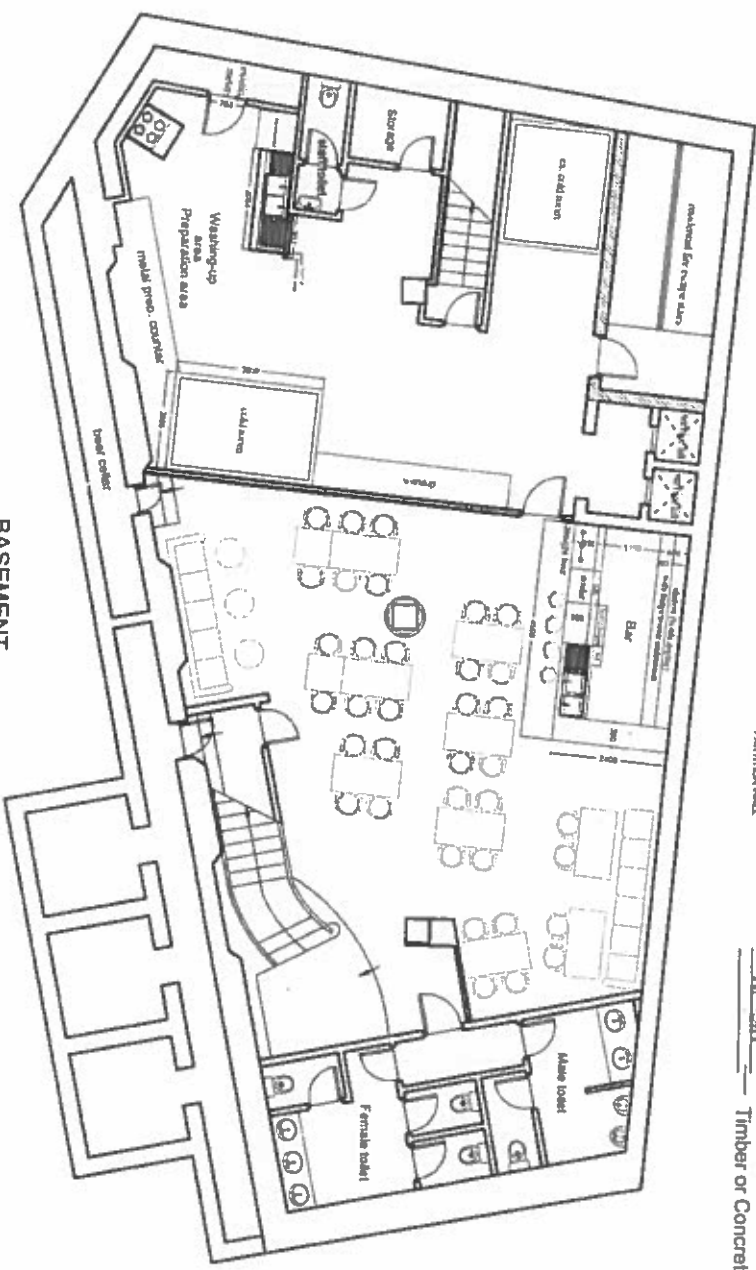


NEW SOUND PROOF PARTITION WALL
1/2 FIRE RESISTANT AND SOUND PROOF PARTITION WALL

TYPICAL STUD WALL DETAIL 1
Internal partition



BASEMENT
(as proposed)



This drawing is the property of E&O Design and shall not be used for any other project without the written consent of E&O Design. The drawing is to be used for information only and is not to be used for construction purposes. E&O Design is not responsible for any errors or omissions in this drawing. All dimensions are in millimeters unless otherwise stated.

E&O DESIGN
878 Carleton Road, 4th, 88R
Tel: 4410 2034070K
info@eandesign.com
www.eandesign.com

BUILDING CONTROL
Project: **PHYSIOLOGICAL STREET**
Project No: **14/00000000**
Project File: **14/00000000**
Drawing No: **14/00000000**

Issue	Issue Date	Issue Description
1	14/08/15	Issue for
2	14/12/15	Issue for
3	V.O.	Issue for
4	14/12/15	Issue for

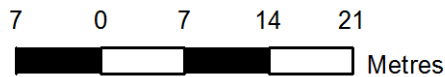
Appendix 4



43 Commercial Street



Scale 1:769

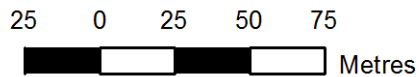




43 Commercial Street



Scale 1:3074



Appendix 5

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

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

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

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

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

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

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

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

Appendix 6

Tom Lewis
LBTH Licensing
Toby Club
Vawdrey Close
E1 4UA

HT - Tower Hamlets Borough
HH - Limehouse Police Station

Licensing Office
Toby Club Sno
Vawdrey Close
E1 4UA

Telephone: [REDACTED]

Facsimile:

Email:

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

Your ref:

Our ref:

6 March 2017

Dear Mr Lewis

Application to vary a premises licence

Agah, 43 Commercial St, E1 68D

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

The prevention of crime and disorder

The prevention of public nuisance

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

Alcohol: Thursday-Saturday: until 0200

Sunday : until 0100

LNR reflect the above hours.

Closing hours: as above

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

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

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

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

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

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

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

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

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

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

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

The proposed steps

1. No sale of alcohol to underage people

This is already a statutory obligation.

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

This is already a statutory obligation.

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

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

4. CCTV: a lack of detail

5 .How will they train staff on licensing laws.

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

This is already a statutory obligation.

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

Alcohol: Sun-Thursday: 1200-2230

Fri-Sat : 1200-2300

Closing a half hour later.

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

I would consider the Sunday hours to be extended:

All licensable activities to finish at 2230: closing at 2300

I would also ask for the following conditions

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

2. CCTV

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

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

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

3. Use of incident /refusals book

4. No drinks to be taken outside.

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

Alan Cruickshank PC 189HT

Appendix 7

**Place Directorate
Public Realm**

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

Tower Hamlets Licensing

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

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

13/03/17

www.towerhamlets.gov.uk

My reference: P/LIC/98596

Dear Sir / Madam,

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

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

This increase is:

Provision of Recorded Music:

Mon – Wed 0700- 1200hrs

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

Late Night Refreshments:

Thurs 2300 – 0200hrs

Fri – Sat 2330 – 0200hrs

Sun 2300 – 0100hrs

Sale of Alcohol:

Thurs – Sat 2300 – 0200hrs

Fri – Sat 2330 – 0200hrs

Sun 2200 – 0100hrs

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

Mon - Thurs 1200 – 2300hrs

Fri – Sat 2200 – 0000hrs

Sun 1200hrs – 0000hrs

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

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

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

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

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

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

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

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

Yours sincerely,

A black rectangular redaction box covering the signature of Corinne Holland.

Corinne Holland
Licensing Officer

Appendix 8

Mohshin Ali

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

Follow Up Flag: Follow up
Flag Status: Flagged

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

Dear Sir/Madam,

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

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

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

We therefore ask that you reject this application.

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

Yours,

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

Appendix 9

Noise while the premise is in use

General Advice

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

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

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

Licensing Policy

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

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

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

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

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

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

Police Powers

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

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

Licence conditions should not duplicate other legislation (1.16).

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

Other Legislation

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

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

Appendix 10

Access and Egress Problems

Such as:

Disturbance from patrons arriving/leaving the premises on foot

Disturbance from patrons arriving/leaving the premises by car

Lack of adequate car parking facilities

Close proximity to residential properties

Comment

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

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

General Advice

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

The hours of operation also need to be considered.

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

Licensing Policy

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

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

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

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

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

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

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

Licence conditions should not duplicate other legislation (1.16).

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

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

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

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

Appendix 11

Anti-Social Behaviour on the Premises

Licensing Policy

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

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

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

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

Police Powers

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

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

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

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

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

Guidance Issued by the Office of Fair Trading

This relates to attempts to control minimum prices.

Other Legislation

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

Appendix 12

Anti-Social Behaviour from Patrons Leaving the Premises

General Advice

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

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

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

Licensing Policy

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

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

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

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

Cumulative Impact

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

Police Powers

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

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

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

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

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

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

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

Other Legislation

Crime and Disorder Act 1998

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

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

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

Appendix 13

Planning

An application for a Premises Licence can be made in respect of a premises even where the premises does not have relevant Planning Permission. That application has to be considered and Members can only refuse the application where the application itself does not promote one of more of the Licensing Objectives. Members cannot refuse just because there is no planning permission. Where a Premises Licence is granted and which exceeds what is allowed by the Planning Permission and that Premises then operates in breach of planning then the operator would be liable to enforcement by Planning.

Appendix 14

Licensing Policy Relating to Hours of Trading

All applications have to be considered on their own merits.

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

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

(see 15.8 of the Licensing Policy)

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

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

(See 15.9 of the licensing policy)

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

- Theatres
- Cinemas
- Premises with club premises certificates

Appendix 15

Licensing Policy

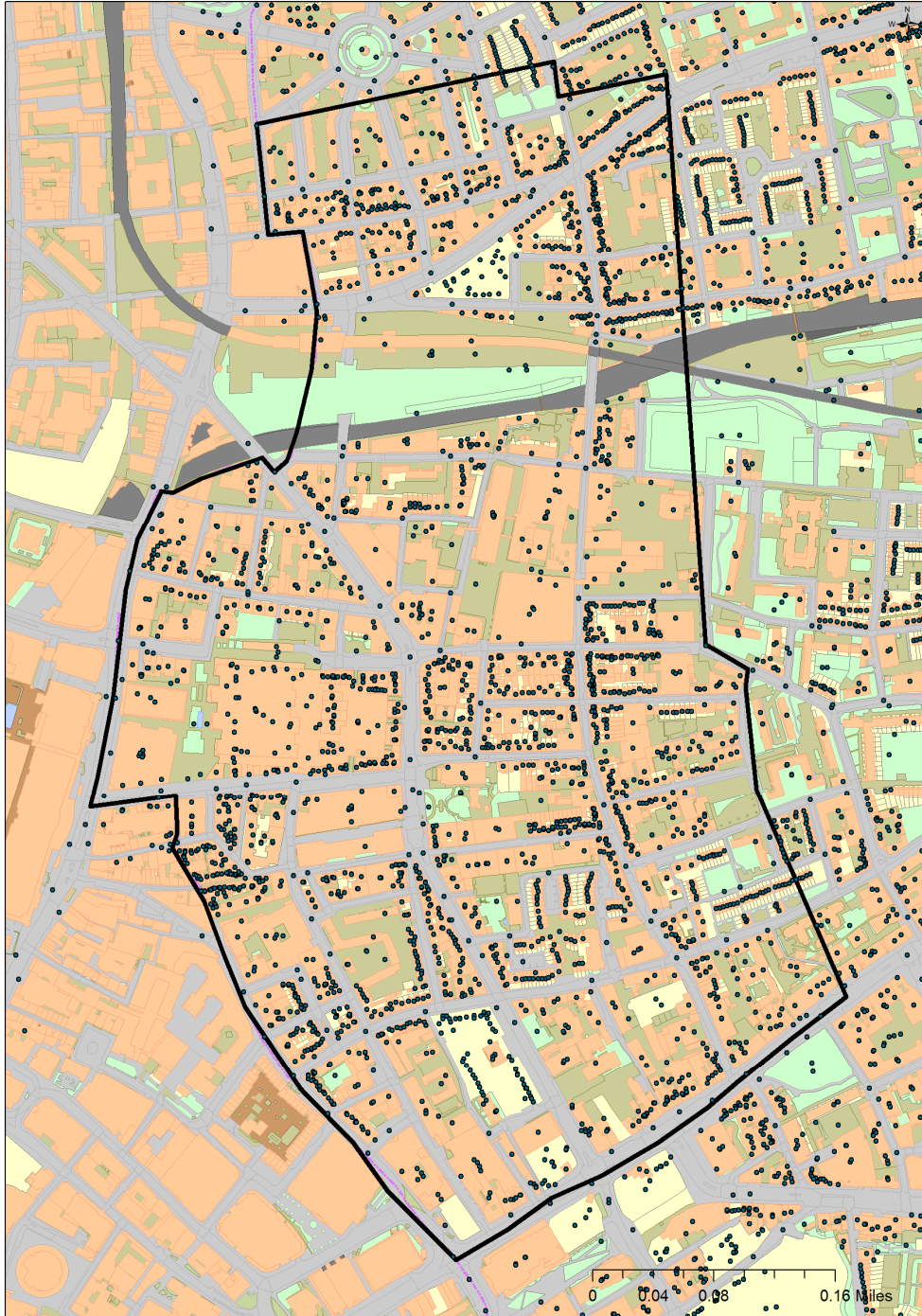
8 Special Cumulative Impact Policy for the Brick Lane Area

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

Figure One

The Cumulative Impact Zone in the Brick Lane area

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



Cumulative Impact Zone

