

# Appendix 1



\* required information

**Section 1 of 19**

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

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

Yes  No

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

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 the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

Is the applicant's business registered in the UK with Companies House?  Yes  No

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

Registration number

Business name

VAT number

Legal status

If the applicant's business is registered, use its registered name.

Put "none" if the applicant is not registered for VAT.

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

**Agent 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

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

*Continued from previous page...*

Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent 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 19**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

**Premises Address**

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

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

## Section 3 of 19

### APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

### Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

## Section 4 of 19

### NON INDIVIDUAL APPLICANTS

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

#### Non Individual Applicant's Name

Name

#### Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

PRIVATE LIMITED COMPANY

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

**Section 5 of 19**

**OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of 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.

COFFEE SHOP  
WISHING TO PROVIDE CLIENTELE WITH RANGE OF ALCOHOL PRODUCTS

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

*Continued from previous page...*

**Section 6 of 19**

**PROVISION OF PLAYS**

Will you be providing plays?

- Yes  No

**Section 7 of 19**

**PROVISION OF FILMS**

Will you be providing films?

- Yes  No

**Section 8 of 19**

**PROVISION OF INDOOR SPORTING EVENTS**

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 19**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 19**

**PROVISION OF LIVE MUSIC**

Will you be providing live music?

- Yes  No

**Section 11 of 19**

**PROVISION OF RECORDED MUSIC**

Will you be providing recorded music?

- Yes  No

**Section 12 of 19**

**PROVISION OF PERFORMANCES OF DANCE**

Will you be providing performances of dance?

- Yes  No

**Section 13 of 19**

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

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes  No

**Section 14 of 19**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Continued from previous page...

Yes

No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

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

Indoors

Outdoors

Both

Where taking place in a building or other structure tick 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.

State any seasonal variations



Continued from previous page...

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

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

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

**Section 15 of 19**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

- Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

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 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.

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

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

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

**Name**

First name

Family name

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Continued from previous page...

Personal Licence number (if known)

Issuing licensing authority (if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 19**

**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

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

NONE

**Section 17 of 19**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

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

Continued from previous page...

THURSDAY

|       |                                    |     |                                    |
|-------|------------------------------------|-----|------------------------------------|
| Start | <input type="text" value="07:00"/> | End | <input type="text" value="23:30"/> |
| Start | <input type="text"/>               | End | <input type="text"/>               |

FRIDAY

|       |                                    |     |                                    |
|-------|------------------------------------|-----|------------------------------------|
| Start | <input type="text" value="07:00"/> | End | <input type="text" value="24:00"/> |
| Start | <input type="text"/>               | End | <input type="text"/>               |

SATURDAY

|       |                                    |     |                                    |
|-------|------------------------------------|-----|------------------------------------|
| Start | <input type="text" value="07:00"/> | End | <input type="text" value="24:00"/> |
| Start | <input type="text"/>               | End | <input type="text"/>               |

SUNDAY

|       |                                    |     |                                    |
|-------|------------------------------------|-----|------------------------------------|
| Start | <input type="text" value="07:00"/> | End | <input type="text" value="22:30"/> |
| Start | <input type="text"/>               | End | <input type="text"/>               |

State any seasonal variations

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

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

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

**Section 18 of 19**

**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.

Staff training shall be recorded and updated every 6 months Training shall cover the requirements for ID as part of age verification, how to detect proxy sales, the consequences of underage sales (fines and punishment) , drunks and street drinkers, licensing objectives and other relevant matters as regards the licensing act, and the responsibilities of staff The licence holder shall ensure that a refusals register is kept on the premises and that this shall be immediately available upon request of an authorised officer. The register shall record any refused sale of alcohol.. The refusal register shall be inspected on a regular basis by the DPS (OR NOMINATED PERSON)and signed by the DPS (OR NOMINATED PERSON)that

*Continued from previous page...*

they have checked the register

At least 12 months of refusal register details shall be retained and made available upon request by an authorised officer

There shall be a documented reporting structure back to the Designated Premises Supervisor (DPS) and premises licence holder which shall include telephone contact numbers. This reporting document shall be immediately available upon request of an authorised officer

The premises licence holder shall ensure that a 'challenge 25' policy is adopted on the premises at all times. Signage of the 'challenge 25' policy shall be prominently displayed on the premises.

Acceptable identification accepted by the premises licence holder, DPS, or other staff members shall be a passport, photo driving licence or PASS accredited identity card

Signage shall be displayed in a prominent position on the premises requesting that customers leave quietly

Signage shall be prominently displayed warning customers of the legal penalties for purchasing alcohol for any person under the age of 18 years

There must be a suitable colour digital CCTV system installed at the premises

The system must be capable of providing 21 days recording. The images recorded are to be retained for 21 days and made available to the Police or other enforcement agencies upon REASONABLE REQUEST AND POLICE OR OTHER AGENCIES TO ENSURE ANY REQUEST MEETS DATA PROTECTION LAW. DVD/USB copies of relevant footage to be provided to the Police or other enforcement agencies at no cost.

Any failure to be rectified within a two week period

b) The prevention of crime and disorder

There WILL be a suitable colour digital CCTV system installed at the premises

The system must be capable of providing 21 days recording. The images recorded are to be retained for 21 days and made available to the Police or other enforcement agencies upon REASONABLE request AND POLICE OR ANY AGENCIES TO ENSURE ANY REQUEST COMPLIES WITH DATA PROTECTION LAW. DVD/USB copies of relevant footage to be provided to the Police or other enforcement agencies at no cost.

Any failure to be reported to Licensing and rectified within two weeks

c) Public safety

Adhere to legislation and covered in a) above

d) The prevention of public nuisance

Staff training shall be recorded and updated every 6 months Training shall cover the requirements for ID as part of age verification, how to detect proxy sales, the consequences of underage sales (fines and punishment) , drunks and street drinkers, licensing objectives and other relevant matters as regards the licensing act, and the responsibilities of staff

e) The protection of children from harm

The premises licence holder shall ensure that a 'challenge 25' policy is adopted on the premises at all times. Signage of the 'challenge 25' policy shall be prominently displayed on the premises.

Acceptable identification accepted by the premises licence holder, DPS, or other staff members shall be a passport, photo

*Continued from previous page...*

driving licence or PASS accredited identity card

Staff training shall be recorded and updated every 6 months Training shall cover the requirements for ID as part of age verification, how to detect proxy sales, the consequences of underage sales (fines and punishment) , drunks and street drinkers, licensing objectives and other relevant matters as regards the licensing act, and the responsibilities of staff The licence holder shall ensure that a refusals register is kept on the premises and that this shall be immediately available upon request of an authorised officer. The register shall record any refused sale of alcohol.. The refusal register shall be inspected on a regular basis by the DPS(OR NOMINATED [PERSON) and signed by the DPS (OR NOMINATED PERSON)that they have checked the register

At least 12 months of refusal register details shall be retained and made available upon request by an authorised officer

## Section 19 of 19

### 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.

Premises Licence 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](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4,300 = £100.00

Band B - £4,301 to £33,000 = £190.00

Band C - £33,001 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 your are required to pay a higher fee

Band D - £7001 to £12500 = £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment only where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event 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

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 (£)

190.00

### DECLARATION

\* 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.

**Continued from previous page...**

The 28 full days consultation period on the public notice on the premises and on the newspaper must state the same consultation end date. The advert on the local newspaper must be published on at least one occasion during the period of 10 working days starting on the day after the day on which the application was given to the Licensing Authority.

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

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

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

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

1. Save this form to your computer by clicking file/save as...
  2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/tower-hamlets/apply-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 | <input type="text" value="TOWER HAMLETS-GUSTA COFFEE"/> |
| Fee paid                   | <input type="text"/>                                    |
| Payment provider reference | <input type="text"/>                                    |
| ELMS Payment Reference     | <input type="text"/>                                    |
| Payment status             | <input type="text"/>                                    |
| Payment authorisation code | <input type="text"/>                                    |
| Payment authorisation date | <input type="text"/>                                    |
| Date and time submitted    | <input type="text"/>                                    |
| Approval deadline          | <input type="text"/>                                    |
| Error message              | <input type="text"/>                                    |
| Is Digitally signed        | <input type="checkbox"/>                                |

# Appendix 2

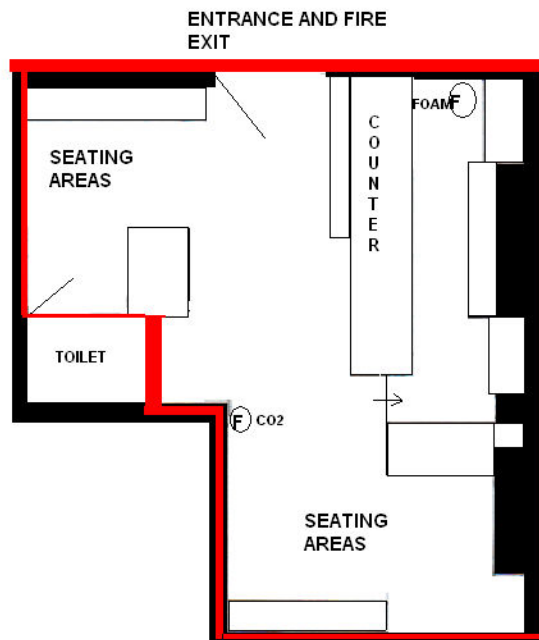


PREMISES: GUSTA COFFEE,91 FIELDGATE,LONDON,E1 1JU

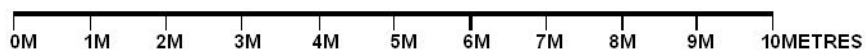
(F) FIRE EXTINGUISHER

WHOLE OF PREMISES TO BE LICENSED FOR ALCOHOL DISPLAY

[Red Outline] LICENSABLE AREA



SCALE BAR 1:100 AT A4



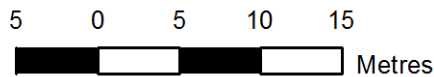
# Appendix 3



# 91 Fieldgate Street



Scale 1:567





# 91 Fieldgate Street



Scale 1:2270

20 0 20 40 60



Metres



**TOWER HAMLETS**

# Appendix 4

| NAME AND ADDRESS  | LICENSING HOURS   | OPENING HOURS   |
|---|---|---|
| <b>(Tesco Stores Ltd.)</b><br><b>4 Fieldgate Street</b> | Sale of alcohol (off sales only):<br><br>Monday to Friday: 08:00 to 23:00;<br>Saturday: 08:00 to 22:30;<br>Sunday: 11:00 to 17:30.                      | Monday to Friday: 06:00 to 00:30;<br>Saturday: 06:00 to 22:30;<br>Sunday: 11:00 to 17:30. |
| <b>(New Road Off Licence)</b><br><b>109 New Road</b>    | <u>The Supply of Alcohol (off sales only)</u> <ul style="list-style-type: none"> <li>• Monday to Sunday from 09:00hrs to 00:00hrs (midnight)</li> </ul> | Monday to Sunday from 09:00hrs to 00:00hrs (midnight)                                     |

# Appendix 5

## Corinne Holland

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**From:** Corinne Holland on behalf of Licensing  
**Sent:** 06 April 2017 08:24  
**To:** Corinne Holland  
**Subject:** FW: Gusta Coffee, 91 Fieldgate Street, London E1 1JU

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**From:** Ala Uddin [REDACTED]  
**Sent:** 05 April 2017 21:34  
**To:** Licensing  
**Subject:** RE: Gusta Coffee, 91 Fieldgate Street, London E1 1JU

Madam

1. All objections related to planning breaches would be ecerbated as they are already so with the neighbouring property. All of which I have reported to the local authority who choose to ignore this.
2. I have also reported to the MP and to no avail all these factors the noise nuisance, local children safety.
3. Local violent crime has risen and  
Local youth have often clashed with patrons to the area
4. By ignoring these factors you are perpetuating the safety of local etc...
5. My objection to the neighbouring property should not be taken in isolation to Gusta as you are trying to do. For the record I have yet again informed the local authority about this planning breach. I will be pursuing this matter when the time allows and may sue the local authority; and it won't be the first that I will win. I will also bring criminal charges where necessary.

Thanks

Regards

Ala  
[REDACTED]

---- Licensing wrote ----

Dear Mr Uddin

Would you be able to expand on your objection to this licensing application.

Your objection letter mainly relates to issues regarding a neighbouring restaurant and not Gusta Coffee.

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

- **the prevention of crime and disorder**



- the prevention of public nuisance
- public safety
- the protection of children from harm

kind regards


*Corinne Holland - Licensing Officer*

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



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

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**From:** Ala Uddin   
**Sent:** 19 March 2017 15:10  
**To:** Licensing  
**Subject:** Gusta Coffee, 91 Fieldgate Street, London E1 1JU

Please see attached.

\*\*\*\*\*

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

London Borough of Tower Hamlets E-Mail Disclaimer.

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

\*\*\*\*\*

Please consider your environmental responsibility: Before printing this e-mail or any other document , ask yourself whether you need a hard copy.



Head of Environmental Health & Trading Standards  
David Trolley  
Licensing Section  
John Onslow House  
1 Ewart Place  
London  
E3 5EQ

19 March 2017

Dear Mr Trolley

Thank you for your letter dated the 9 March 2017, regarding the planning application from Gusta Coffee, 91 Fieldgate Street, London E1 1JU.

I wish to notify you of my objection to this planning application as it within a controlled drinking zone, which is regularly violated by the local restaurant at 89 Fieldgate Street, London E1. Incidentally, this, Tyyabs restaurant has now been operating without planning permission since 2005. The local authority has now served notice of closure in February 2016.

The owners continue to ignore and have no disregard for the law or respect the neighbourhood. Any further violation of this conservation area would be in tolerable.

Yours faithfully

Ala Uddin

# Appendix 6

## Corinne Holland

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**From:** Mohshin Ali on behalf of Licensing  
**Sent:** 14 March 2017 14:26  
**To:** Corinne Holland  
**Subject:** FW: CLC/EHTS/LIC/099036

**From:** Laura D [REDACTED]  
**Sent:** 14 March 2017 11:04  
**To:** Licensing  
**Subject:** CLC/EHTS/LIC/099036

Dear Sir/Madam,

I'm writing to express my dissent on the "sale of alcohol, regulated entertainment or late night refreshment" Licensing application that Tower Hamlet has received from Gusta, Coffee, 91 Fieldgate Street, London E1 1JU.

I am a resident at [REDACTED] As such, I and my neighbours have been increasingly and greatly suffered from a disproportionate amount of noise pollution, and air pollution due to all new licensing and building works that the Borough has already approved in the neighbourhood.

Granting yet another Alcohol and Late Night license in the area would deeply worsen the already unbearable living conditions in the neighbourhood; where we already experience a high level of this application will have an impact and is "relevant" to one or more of the following licensing objectives:

- alcohol and drug-related public disorder
- public nuisance after 9PM
- public safety

Please advise if you have enough information in order to rule against the Licensing request, based on this information. Or if instead, you need me to change the wording in order to re-submit this information in form of a more formal Petition against this licensing.

Thank you in advance and

Kind Regards,  
Laura Delnevo

# Appendix 7

## Corinne Holland

---

**Subject:** FW: Gusta Coffee License Application - Fieldgate Street

**From:** Lucia Ladi [REDACTED]  
**Sent:** 17 March 2017 09:38  
**To:** Licensing  
**Subject:** Gusta Coffee License Application - Fieldgate Street

Hi there,

I've received a letter notifying me that Gusta Coffee on Fieldgate Street E1 have applied for a 'Alcohol and entertainment licence and late night refreshment' license.

I live [REDACTED] It is a residential building with 9 flats all directly above the coffee shop. 6 of which have bedrooms facing the street,; 3 bedrooms are directly above the frontage of Gusta, [REDACTED]

We already have the nightmare of Tayyab's next door, but thankfully we get some respite after 11 when it closes (though customers often stay on very loudly afterwards, and the staff are very noisy until the early hours). We then get woken up at 6am by the bottle/rubbish collection from Tayyab's. To add further insult to injury the hours after 11pm may now be ruined by more loud noise, potentially fueled by alcohol. This is actually making me feel completely distraught, it will be a nightmare!!!! If someone could come into our flat to hear how close we are to Gusta that might help.

In addition to the flats in the same building as Gusta there are hundreds of others flats directly next door and over the (narrow) street - Fieldgate Mansions are a very large residential block which would be greatly affected by this. A huge concern of mine is that many of these residents may not understand the letter being sent with English not being their first language. I think it's disgraceful not to have sent it out in multi-language form considering the multicultural nature of the area. It is precluding the possibility of these people objecting, when I'm sure they would. This is even more likely considering the license includes alcohol which is likely to upset the largely Muslim population of the street and immediate area.

This is going to have a massive impact on the residents of my building and the surrounding buildings; we simply will not be able to sleep or have peace and quiet. It's also going to exacerbate the dreadful parking and traffic problems around the area - the drunken customers spill out onto the street causing disruption as well as endless taxis parking up and causing traffic jams and incessant beeping. (on another note a sign to tell people to stop using their horns would be much appreciated as this is terribly annoying and wakes us up constantly).

To make all matters worse, the link to 'complaints and appeals' on your website [http://www.towerhamlets.gov.uk/lgnl/business/licences/alcohol\\_and\\_entertainment/alcohol\\_and\\_entertainment.aspx](http://www.towerhamlets.gov.uk/lgnl/business/licences/alcohol_and_entertainment/alcohol_and_entertainment.aspx) does not work!!

I am on the verge of tears at the thought of this going ahead and would appreciate someone getting back to me ASAP on this.

Many thanks,  
Lucia Ladi - [REDACTED]

# Appendix 8

## Corinne Holland

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**From:** Corinne Holland on behalf of Licensing  
**Sent:** 06 April 2017 08:23  
**To:** Corinne Holland  
**Subject:** FW: CLC/EHTS/LIC/099036 Gusta Coffee license application - opposition

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**From:** nicola chesaites [REDACTED]  
**Sent:** 05 April 2017 22:56  
**To:** Licensing  
**Subject:** CLC/EHTS/LIC/099036 Gusta Coffee license application - opposition

Your Reference: CLC/EHTS/LIC/099036

Tower Hamlets  
Communities, Localities & Culture  
Licensing Section  
1 Ewart Place  
London E3 5EQ

**PREMISES: Gusta Coffee, 91 Fieldgate Street, London E1 1JU**  
**For the attention of: David Tolley, Head of Environmental Health & Trading Standards**

I write to you with reference to your letter dated 9 March 2017 regarding the abovementioned licensing application.

My name is Nicola Chesaites and I am the owner and occupier of [REDACTED] [REDACTED] which is my permanent place of residence. While I understand that I am required to provide my personal details in order for your services to consider these representations, I do not consent to the disclosure of my personal data, which is protected under applicable data protection legislation, beyond that which is legally required and necessary for the purpose of your consideration of these representations pursuant to the Licensing Act 2003.

I have read the application for a premises licence under the Licensing Act 2003, made by Gusta Coffee on 8 April 2017 (the "**Application**"), as well as Tower Hamlets' Licensing Policy under the Licensing Act 2003, and I am opposed to the Application on the following grounds:

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

### **The prevention of crime and disorder**

Gusta Coffee is situated on Fieldgate Street which is a narrow, one-way street, flanked on both sides by low rise apartment buildings, including a residential housing estate. It is therefore essentially residential. While there are a handful of small cafes and a restaurant, none of those establishments have a license to sell or serve alcohol. The only business that has a license to sell alcohol is Tesco's which is located at the far end of Fieldgate Street, at a walking distance of approximately 5-7 minutes.



Gusta Coffee's premises are located immediately adjacent to Tayyabs' restaurant at 83-89 Fieldgate Street. Tayyabs restaurant is a well-established and extremely popular restaurant which attracts a large number of customers, including large groups, seven days a week. The restaurant is open from 12:00 until 23:30 pm and while it does not serve or sell alcohol to its customers, it permits customers to bring and consume alcohol purchased elsewhere on the premises. It seems fair to assume that the purpose of the Application is to supply alcohol to Tayyabs' customers given: (i) the proximity of Gusta Coffee to Tayyabs; (ii) the fact that Tayyabs has no license; and (iii) Gusta Coffee has very small premises that have insufficient space (it has a few small tables at most on the premises) for customers to consume alcohol.

The risk that this creates is that alcohol sold and served from Gusta Coffee (should the Application be granted) will likely be consumed on Fieldgate Street, which, as mentioned above, is essentially a residential area, leading to low level crime and disorder. The grounds for considering the likelihood of this risk are that such is the popularity of Tayyabs restaurant that there is a regular queue outside the restaurant in the evenings. This leads to regular crowds outside the restaurant who congregate on the pavement and in the road to wait for a table and/or smoke cigarettes. At times, this leads to disorder and low level crime in the form of antisocial, unruly and sometimes threatening behaviour and littering (including broken glasses and bottles). The risk is that with the increased opportunity for the consumption of alcohol in Fieldgate Street this will aggravate and increase this behaviour.

The granting of the Application would likely lead to a substantial change in the character of Fieldgate Street, transforming it from a residential street where families with young children are often present, and where no alcohol is currently sold (save in the grocery store at the far end of the street), to one in which alcohol will likely be consumed on the street by/ in the vicinity of the fairly large number of clients of Tayyabs. This is not in the public interest and is not in keeping with the immediate environment.

#### **The prevention of public nuisance**

The matters mentioned under the heading "The prevention of crime and disorder" above are repeated. The current levels of noise and disturbance emanating from the clients visiting Tayyabs' restaurant are at times unsociable and interfere with residents' ability to sleeping in their homes along Fieldgate Street. As already mentioned, Fieldgate Street is essentially a residential area, and it has a large number of young families. The availability of alcohol is likely to lead to an increase of noise emanating from customers of Gusta Coffee until 23:30 at night, an increase in traffic and parking issues, which will be particularly hard on many residents, particularly those who are vulnerable and those with large families.

Yours faithfully.

Nicola Chesaites

# Appendix 9

**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 10

## **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 11

## **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 12

## Public nuisance - S182 Updated March 2015

- 2.14 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.
- 2.15 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.
- 2.16 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 15). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.
- 2.17 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.

- 2.18 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.
- 2.19 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.
- 2.20 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

# Appendix 13

## **Prevention of Nuisance** – Licensing Policy, updated March 2015

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



# Appendix 14

## **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 15

## **Planning**

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