

# Appendix 1

London Borough of Tower Hamlets

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I/We Arnold & Henderson

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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Rochelle Canteen Rochelle School Arnold Circus			
Post town	London	Post code	E2 7ES

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£4,300.00

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as  
Please tick yes

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i. as a limited company  please complete section (B)
  - ii. as a partnership  please complete section (B)
  - iii. as an unincorporated association or  please complete section (B)
  - iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

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

Please tick yes

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

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

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

**SECOND INDIVIDUAL APPLICANT** (if applicable)

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

**(B) OTHER APPLICANTS**

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

Name	Melanie Arnold and Margot Henderson
Address	The Rochelle School 5 Arnold Circus London E2 7ES
Registered number (where applicable)	
Description of applicant (for example, partnership, company, unincorporated association etc.)	Partnership
Telephone number (if any)	
E-mail address (optional)	

**Part 3 Operating Schedule**

When do you want the premises licence to start?

AS SOON AS POSSIBLE

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

Day	Month	Year

**A**

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

Licensed Premises.

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

--

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

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

**Provision of regulated entertainment**

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)

- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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

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

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

**A**

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

**B**

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

Sun			
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**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b>Please give further details</b> (please read guidance note 3)
Day	Start	Finish	<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 4)
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			
			<b>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</b> (please read guidance note 5)

**D**

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

**E**

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

**F**

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

**G**

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

**H**

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



I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon			<b>Please give further details here</b> (please read guidance note 3)		
Tue					
Wed			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)		
Thur					
Fri	23:00	23:30	<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat	23:00	23:30			
Sun					

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	10:00	23:00	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Tue	10:00	23:00			
Wed	10:00	23:00			
Thur	10:00	23:00	<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri	10:00	23:30			
Sat	10:00	23:30			
Sun	10:00	23:00			

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

<b>Name</b> ████████████████████
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<b>Address</b> [REDACTED]	
<b>Postcode</b>	[REDACTED]
<b>Personal Licence number (if known)</b> [REDACTED]	
<b>Issuing licensing authority (if known)</b> [REDACTED]	

**K**

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

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	
Mon	08:00	23:30	<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 5)
Tue	08:00	23:30	
Wed	08:00	23:30	
Thur	08:00	23:30	
Fri	08:00	00:00	
Sat	08:00	00:00	
Sun	08:00	23:30	

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

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

Please find attached proposed list of conditions which deal with all four of the licensing objectives.  
We enclose representations in support of our application from neighboring residents.

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

**c) Public safety**

**d) The prevention of public nuisance**

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

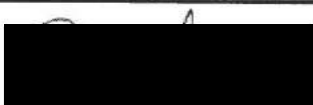
**Please tick yes**

- I have made or enclosed payment of the fee or
- I have not made or enclosed payment of the fee because the application has been made in relation to the introduction of the late night levy
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

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

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


**Signature of applicant or applicant's solicitor or other duly authorised agent** (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	16 <sup>th</sup> March 2017
Capacity	Poppleston Allen – Solicitors for and on behalf of the applicant

**For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent.** (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**


Signature	
Date	
Capacity	

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

  
 Poppleston Allen Solicitors  
 The Stanley Building  
 7 Pancras Square

**Post town** London

**Post code** 

**Telephone number (if any)** 

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



#### Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.

8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

## **Proposed Conditions**

### **Rochelle Canteen, Rochelle School, Arnold Circus, London, E2 7ES**

1. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
2. The supply of alcohol shall be by waiter or waitress service only.
3. There shall be no vertical drinking at the premises.
4. The premises shall install and maintain a comprehensive CCTV system. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
5. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images
6. All outside tables and chairs shall be rendered unusable by 22.00 hours each day.
7. All doors and windows to be kept closed by 22.00 hours each day.

# Appendix 2

# Canteen Licensing Plans

REV	DATE	DESCRIPTION
-	06/02/2017	Issued for information
A	27/02/2017	Issued for information

ALL DIMENSIONS TO BE CONFIRMED. ALL DIMENSIONS AND DISTANCES TO BE REPORTED TO THE APPLICANT'S ARCHITECT. THE DRAWING IS TO BE SEEN IN CONJUNCTION WITH ALL CONDITIONS PROVIDED ON THE DRAWING AND THE LICENSING CONDITIONS TO BE SEEN ON THE OFFICE OF ALL INFORMATION AND LICENSING.

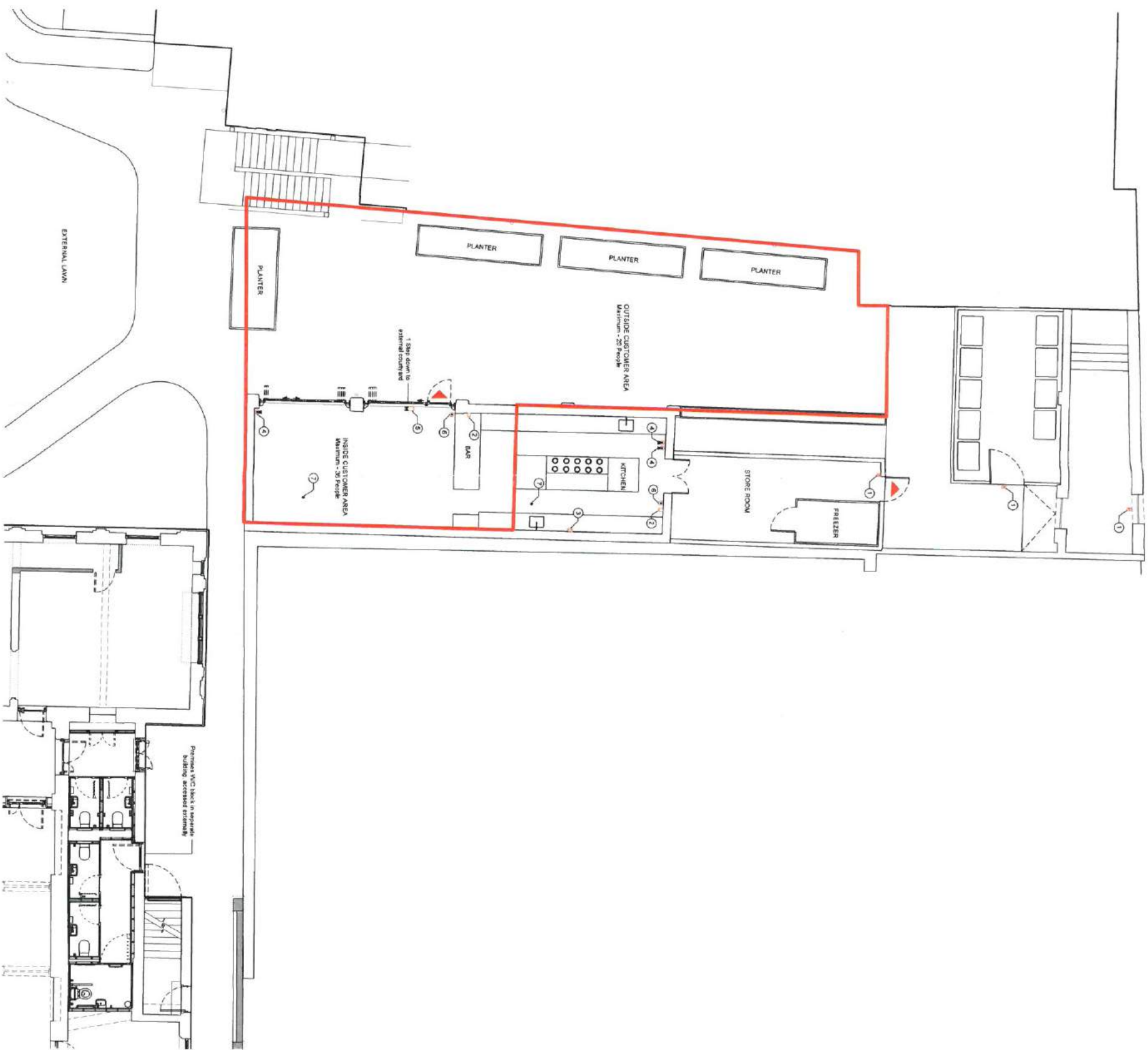
### LEGEND

- The area where licensable activities will take place
- ▲ Access / escape from premises

### NOTES

- ① Emergency lighting
- ② Fire alarm sander
- ③ Fire blanket
- ④ Fire Extinguisher
- ⑤ Illuminated fire exit sign
- ⑥ Manual call point
- ⑦ Smoke detector on ceiling above

The location and type of any fire safety and any other safety equipment is shown as present. This may be varied from time to time with the agreement of the fire officer or after a fire risk assessment



## Quinn Architects

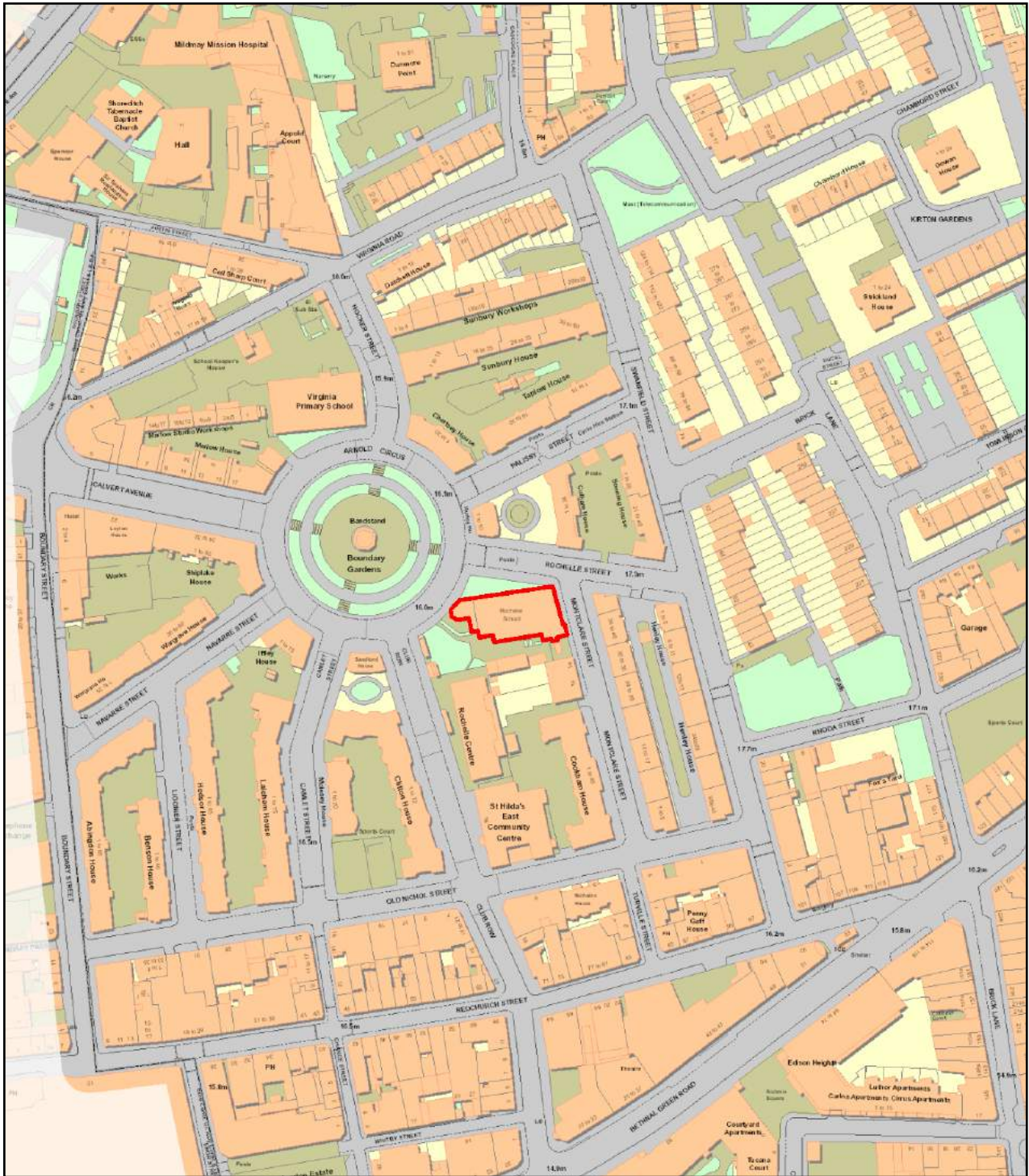
Rochelle School, Arnold Circus, London, E2 7ES

### Canteen License Plan

DATE	06/02/2017
DESIGNED BY	VAH
CHECKED BY	CE



# Appendix 3



# Rochelle Canteen

## MAP 1



Scale 1:2270

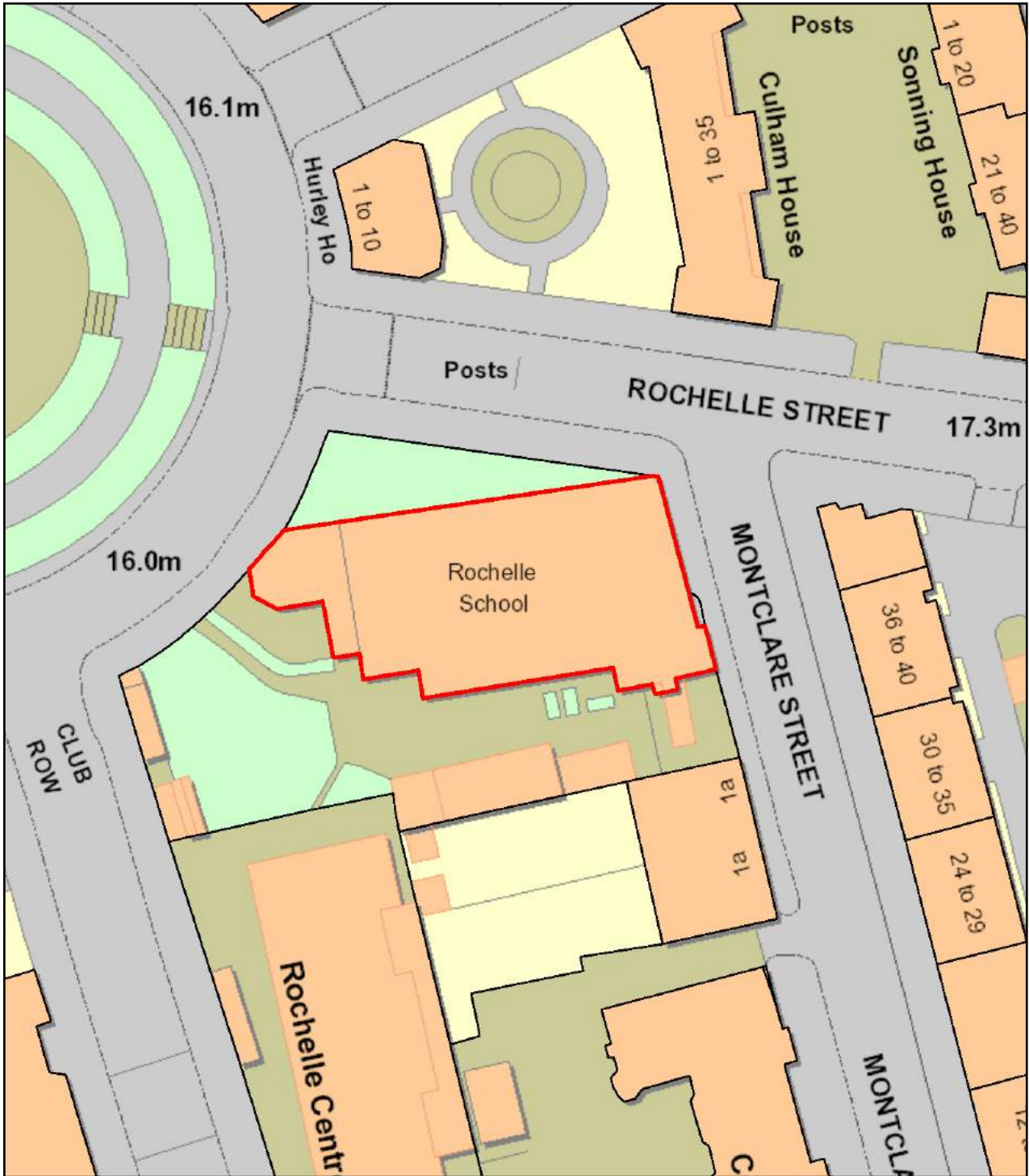
20 0 20 40 60



Metres



**TOWER HAMLETS**

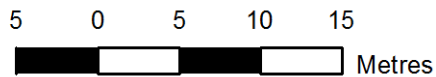


# Rochelle Canteen

## MAP 2



Scale 1:567



# Appendix 4

**Corinne Holland**

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**From:** Dermot O'Brien [REDACTED]  
**Sent:** 19 April 2017 15:17  
**To:** Licensing  
**Subject:** Ref: CLC/EHTS/LIC/99232

Dear Sir/Madam,

I would like to register my objection/s to the application of Rochelle "School" Canteen ( [www.rochelleschool.org](http://www.rochelleschool.org) ) for an extended alcohol license.

Why would a school need to sell alcohol?

Apart from the duplicity - residents of the Boundary Estate, of which I am one, were given repeated assurances such a license would not be pursued - my objections centre around the negative impact on the quality of life in what was famously designed to be an exclusively residential area, public safety, public nuisance, crime and disorder.

Since such "assurances" were given not to (repeatedly, by stealth) apply for this license, the traffic around the estate has got heavier (unsafe for the public in the limited confines of the roundabout, especially with children playing on and around the estate), parking ever more problematic and the unique ambience of Arnold Circus (which, if the applicant were perhaps a tad more candid, they are commercialising) is increasingly imperiled by the bar culture on its perimeter: Increased alcohol consumption inevitably brings increased risk (and actuality) of public nuisance/crime and disorder.

I hope Tower Hamlets will, finally, put an end to this embarrassing dance and refer the applicant to its originally stated concern for its neighbours (and, indeed, the original decision of Tower Hamlets Council).

Best regards,

Dermot O'Brien

[REDACTED]

[REDACTED]

[REDACTED]

# Appendix 5

[REDACTED]

Licensing Section  
Tower Hamlets Council  
John Onisow House  
1 Ewart Place  
London  
E3 5EQ

10<sup>th</sup> April 2017

Dear Sirs,

**RE: Premise License application - Rochelle Canteen, Rochelle School, Arnold Circus, London, E2 7ES**

I am a resident of [REDACTED] Arnold Circus and wish to object to the premise license application.

Over the last few years there has been a large increase in the number of licensed establishments in the Shoreditch area. The roads connecting to Arnold Circus act as a conduit for people to move between the areas numerous venues and the Band Stand provides an attractive area for impromptu gatherings.

The cumulative effect of this has led to a significant increase in noise and general disturbance especially at night (and often well into the early hours of the morning) in and around Arnold Circus (which is predominantly residential).

My flat is located on the ground floor (a requirement as I have multiple sclerosis) and despite having fitted additional double glazing, suffer regular disturbances caused by the anti-social behaviour of inebriated persons (screaming, shouting, fighting, vomiting, using my window ledges to consume drugs off etc). The pavement outside my flat and along [REDACTED] is often littered in the morning with cans/bottles, scraps of take away food, drug taking paraphernalia and vomit. I pity the children who have to witness this as they walk to Virginia Primary School.

I have included some analysis of the Metropolitan Police crime statistics (February 2016 to January 2017) for the Weavers neighbourhood to highlight the fact that the highest recorded crime type (by a significant margin) for Arnold Circus and adjacent roads is anti-social behaviour.

The license application provides no detail on how the applicants will promote the four licensing objectives. I believe the approval of this premise license permitting the sale of alcohol for consumption on and off premise seven days a week from 10am to 11pm (11.30pm on Friday/Saturday) would further detrimentally affect mine and my fellow local residents' quality of life.

Yours faithfully,

[REDACTED]

Emma Love

**LBTH**  
**TRADING STANDARDS**  
12 APR 2017  
**LICENSING**

**Reported crime: Arnold Circus & adjacent roads between February 2016 and January 2017**

Data from Metropolitan Police Service:

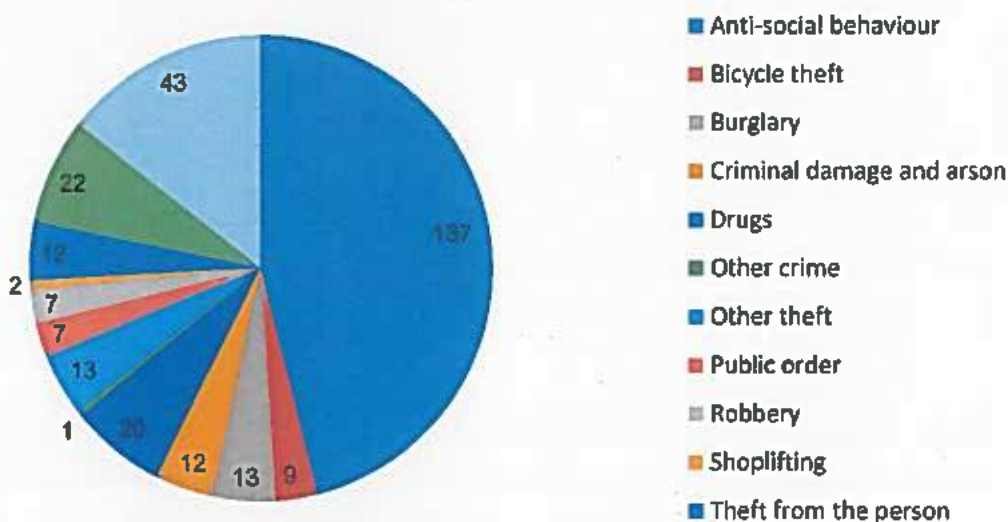
<https://www.police.uk/metropolitan/E05009335/crime/stats/data/38c4a2f6-5fb4-4b9b-a735-466f35c4de26/>  
 (Detailed statistics for Weavers)

**Locations included (filtered) in results:**

- On or near Arnold Circus
- On or near Calvert Avenue
- On or near Camlet Street
- On or near Club Row
- On or near Hocker Street
- On or near Navarre Street
- On or near Palissy Street
- On or near Rochelle Street

Crime Category	Count of Category	Percentage
Anti-social behaviour	137	46%
Bicycle theft	9	3%
Burglary	13	4%
Criminal damage and arson	12	4%
Drugs	20	7%
Other crime	1	0%
Other theft	13	4%
Public order	7	2%
Robbery	7	2%
Shoplifting	2	1%
Theft from the person	12	4%
Vehicle crime	22	7%
Violence and sexual offences	43	14%
<b>TOTAL</b>	<b>298</b>	

**Reported Crimes: Arnold Circus and adjacent roads  
 Feb 2016 - Jan 2017**





# Appendix 6

12 April 2011

Mr P Clarke

Dear Sir,

I wish to object to the granting of a premises license to ARNOLD & Henderson of the Rochelle 'Canteen',  
Rochelle School,  
ARNOLD Circus,  
London E2 7ES

on the grounds of (1) the prevention of crime and disorder.

(2) The prevention of public nuisance,

(3) Saturation. There are more than enough pubs, bars, restaurants, cafés etc within a short walking distance of ARNOLD Circus.

It should be noted that in the middle of ARNOLD Circus there is a public park which is open twenty four hours a day. This already attracts enough drunks etc with a glorified off license open until the late hours, it would become a glorified beer garden for the Rochelle canteen. Further more ARNOLD Circus is a strictly residential area except for a school (a real school & not the Rochelle School) and what is in reality the A Foundation business centre but they don't call it a business centre instead they call it The Rochelle School or Rochelle

continued

Centre. The so called Rochelle Canteen was opened in the grounds of the A Foundation's premises. It was established by a mixture of half truths, and deviously worded statements on planning applications which few people could claim to be comprehensible.

I have no hesitation in saying that Arnold and Henderson and their confederates in the A Foundation, call it what you will, are both dishonest and unscrupulous. I enclose the following documents in support of my assertions.

**No. 1.** This is a photocopy of a leaflet that was put through my door some time in 2009. It speaks for itself.

**No. 2** This is a black & white photocopy of a coloured leaflet that was put through my door on the 4<sup>th</sup> March 2017. Please note it does not mention times or the off license part.

**Nos 3a & 3b.** This is a hand written copy of what is pinned to the door outside the Rochelle School. It is rather different from the rather 'chummy' tone of document no 2. I enclose it because there are discrepancies with what is on the official application form. Namely on page 8, section J, it states that the supply of alcohol will be for consumption both on and off the premises.

On page 9, section L it states that the times for both Tuesday and Saturday are from 8 - to 00.00 (presumably this means midnight).

It's my personal opinion, that if the earlier planning applications, which were approved by the council, were challenged in a court of law they would not be upheld. They have been extremely ill and so consequently I do not know how they got the planning permission to remain open until 11 pm that used to be the time on their notice board but they have recently altered it to 10 pm.

If they were granted this premises license it would mean that the park in Arnold Circus would become a virtual beer garden for the Rochelle canteen. It would make the Rochelle Canteen in almost ipso a public house. The Rochelle Canteen has a history of dishonesty.

I feel that the licensing authority is morally compelled to take into account the fact that Arnold Circus is not only a residential area but it is an extremely vulnerable one, both with its park, and the utterly unscrupulous and anti-social activities of the Rochelle 'Canteen'. Frankly if they opened a brothel they would still be calling it a 'canteen'. I do not approve of this omnibus use of the word canteen to mean whatever they want it to.

Yours faithfully

P.S. I was unable to find a public notice of their application in a newspaper so I had to come the door version by hand.

5.22 22<sup>nd</sup> June 1909

No. 1.

### **Important Notice to all Residents**

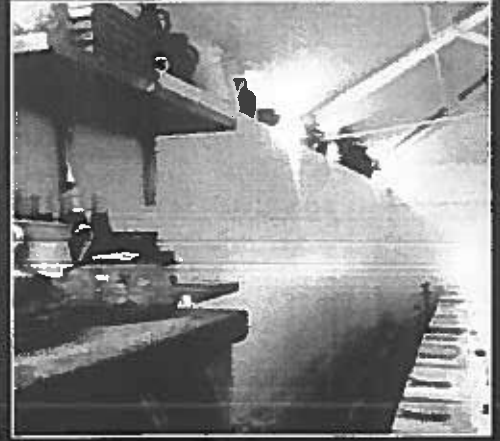
For the third year in a row, Rochelle School on Arnold Circus have applied to the council to remove a condition on their planning application that will enable them to open the canteen to the general public. At present they are only supposed to be open to those who use the centre, though it is in fact advertised on various websites as open to all.

On a letter you may have received from the council, they describe the effect of removing condition 3 as enabling provision of catering to offsite premises. This wording, provided by Rochelle, was accepted by the council. It is misleading as it doesn't mention the fact that it will lead to the opening of a public restaurant in the middle of our estate.

The council's letter says that the closing date for objections is 11<sup>th</sup> June but because they failed to put a site notice up, this has been extended to June 19<sup>th</sup>. This is the last guaranteed date that objection letters can be accepted. In effect the decision is due to be made on 5<sup>th</sup> July and any letters received up until that point will be taken into account. The address to write to is:

Amy Cooper, Tower Hamlet's Planning, Mulberry Place (AH), PO Box 55739, 5 Clove Crescent, E14 1BY.  
Or email [dr.developmentcontrol@towerhamlets.gov.uk](mailto:dr.developmentcontrol@towerhamlets.gov.uk)  
Quote Reference PA/09/00804.

Whatever your views on this application, isn't it better to have proper consultation and debate rather than sneaking it in through the back door?



## **Rochelle Canteen**

**Rochelle School, Arnold circus, E2 7ES**

4<sup>th</sup> March 2017

Dear Resident,

As you may know, we have been the operators of the Rochelle Canteen for over 10 years.

We would like to now apply for a premises licence for our restaurant, so that our customers (including many of you who are our neighbours) can enjoy our food with an alcoholic beverage.

We would like to invite you to the Rochelle Canteen on Tues 7 March 2017 from 6 pm to 7.30pm for you to see our premises and also to deal with any questions that you may have in relation to our proposed application.

We do hope you can join us.

Kind regards.

Melanie Arnold/Margot Henderson

**Rochelle School**

Notice of application for the grant of a Premises License under Section 17 of the Licensing Act 2003.

Notice is hereby given that Melanie Arnold and Margot Henderson have applied to London Borough of Tower Hamlets for the grant of a Premises License in respect of Premises known as Rochelle Canteen, Rochelle School, Arnold Circus, London E2 7ES

The proposed licensable activities and their hours are.

- 1. Sale of Alcohol: Sunday - Thursday 10.00 hour - 23 hours; Friday - Saturday 10.00 hours - 23.30 hours
- 2. Late Night Refreshment Friday - Saturday 23.00 hours - 23.30 hours.
- 3. Opening Hours Sunday - Thurs 08 hours - 23.30 hours. Friday - Saturday 08.00 hours - 0.00.

Any representations regarding the above-mentioned application must be received in writing by Licensing Section, London Borough of Tower Hamlets, John Onslow House, 1 Ewart Place, E3 5EQ.

no later than 13<sup>th</sup> April 2017 stating the representation

~~PFO~~

see page 2

The register of London Borough of Tower Hamlets and the record of the application may be inspected at the address of the council, given above, during normal business hours or on the council's website - [www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk).

It is an offence knowingly or recklessly to make a false statement in connection with an application. A person is liable to an unlimited fine on ~~conviction~~ conviction should such a false statement be made.

Pophleston Allan  
37 Stoney St.,  
The Lace Market,  
Nottingham NG1 1LS.

Pophleston Allen,  
The Stanley Building,  
7 Pancras Square  
London N1C 4AG.



# Appendix 7

## Corinne Holland

---

**From:** [REDACTED]  
**Sent:** 18 April 2017 13:58  
**To:** Corinne Holland  
**Subject:** Re: CLC/EHTS/LIC/99232

Corinne,

apologies. My full name is Robert [REDACTED] Allen, Address: [REDACTED], Arnold Circus, London, [REDACTED]

Thank you.

>----Original Message----

>From: [REDACTED]@towerhamlets.gov.uk

>Date: 18/04/2017 9:44

>To: "" [REDACTED]

>Subj: FW: CLC/EHTS/LIC/99232

>

>Dear Sir/Madam,

>

>Licensing Act 2003

>New premises Licence Application: Rochelle canteen, Arnold Circus

>

>Please can you provide me with your full name and address in order for your representation to be considered.

>

>Thank you

>

>

>Regards

>

>

>Corinne Holland - Licensing Officer

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

>':020 7364 3986 | ':020 7364 5008 | •:corinne.holland@towerhamlets.gov.uk<mailto:[REDACTED]@towerhamlets.gov.uk> | •:

Licensing@towerhamlets.gov.uk<mailto:Licensing@towerhamlets.gov.uk>

>

>

>From: [REDACTED]  
[REDACTED] uk]

>Sent: 13 April 2017 15:24

>To: Licensing

>Subject: CLC/EHTS/LIC/99232

>

>

>>Dear Sir/Madam,

>>

>>I would like to register my objection to the above licensing

>>application. I am a local resident: in fact my flat is approximately

>>10 metres from

>>the perimeter wall of the building at ground level. My objection is

>on  
>>the grounds of noise, disturbance and loss of amenity.  
>>As you will be aware, the Boundary estate is a beautiful, historic and  
>>architecturally important estate.  
>It also sits within a conservation area and I believe the  
>>council must protect the integrity of such places.  
>>  
>>There is a history to the continued expansion of this organisation.  
>>Initially local residents were promised that it was only for people  
>who  
>>worked on site but it was then advertised throughout London.  
>>It was only through the concerted efforts of local residents, spending  
>>a lot of time and energy in mobilizing others, that the plans were  
>>fought off. The operators of the canteen defied local planning  
>>restrictions and breached planning conditions  
>concerning  
>>the canteen's use on many occasions, so much so that the council sent  
>>a breach of condition notice to the owners (see attached  
>documents).  
>>  
>>I note that the applicant makes promises to prevent noise and  
>disturbance but fundamentally they cannot  
>>guarantee this: they will have drunk people leaving the premises late  
>at  
>>night. They also make veiled threats concerning the canteen's  
>>viability: they need this license, otherwise they can't make the  
>>business pay. Yet somehow the business still seems to survive.  
>>  
>>This estate is one of very few places in Shoreditch not immediately  
>>blighted by bars and the attendant crowds, noise, drunks and rowdy  
>>behaviour. It is becoming impossible to enjoy what was once a  
>tranquil  
>>escape from all that. It is predominantly a residential area and  
>there  
>>is enough activity already at a place that was once a school and  
>>therefore quiet at weekends and after 4pm midweek. I do not have the  
>time or  
>>energy anymore to mount a campaign against the relentless extension  
>of  
>>this organisation but I believe I speak for many others who will be  
>>unaware of the application, or do not have the time, resources or  
>>knowledge to register their objection. In fact, despite living as  
>close as anyone to the canteen I did not receive notification from the  
>licensing department. If you didn't inform local residents fully and  
>properly then surely you cannot gauge the extent of objection to this  
>application ?  
>>  
>>This is a special, unique area, already struggling against the  
>encroachment of  
>>Hoxton and Brick Lane. Applying for this permission to allow alcohol  
>consumption in the middle of a residential estate shows complete  
>disregard  
>>for local residents. I believe the council would collude in this  
>disregard if it  
>>puts the interest of a business above the welfare of its residents.  
>>

>>Regards.

>

>P.S. I would be grateful if you would put me on your list of local  
>residents to be consulted and informed about this application

>

>\*\*\*\*\*

>\*\*\*\*\* Working Together for a Better Tower Hamlets Web site :

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

>

>London Borough of Tower Hamlets E-Mail Disclaimer.

>

>This communication and any attachments are intended for the addressee  
only and may be confidential. It may contain privileged and confidential information and if you are not the intended  
recipient, you must not copy, distribute or take any action in reliance on it. If you have received this E-Mail in error  
please notify us as soon as possible and delete this E-Mail and any attachments. This message has been checked for  
viruses, however we cannot guarantee that this message or any attachment is virus free or has not been intercepted  
or amended.

The information contained in this E-Mail may be subject to public disclosure under the Freedom of Information Act  
2000. Unless the information is legally exempt from disclosure, the Confidentiality of this E-Mail and your reply  
cannot be guaranteed.

>

>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.

>

# Appendix 8

## Corinne Holland

---

**From:** [REDACTED] behalf of Licensing  
**Sent:** 12 April 2017 15:43  
**To:** Corinne Holland  
**Subject:** FW: Objection to late- night licence for the sale of alcohol by Rochelle Canteen, Rochelle Street School, Arnold Circus, E2

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

**From:** Terry Bailey [REDACTED]  
**Sent:** 12 April 2017 10:46  
**To:** Licensing  
**Subject:** Objection to late- night licence for the sale of alcohol by Rochelle Canteen, Rochelle Street School, Arnold Circus, E2

Dear Marie,

I strongly object to the granting of a late night to above premises. This is because of the following issues:

I live [REDACTED] the Rochelle Street School on Arnold Circus an hotspot for crime and disorder over the past ten years and getting increasing worse. Alcohol binging takes place nightly on Arnold Circus Gardens with hordes or revellers which made their way to this spot from the nearby clubs from Shoreditch High Street which neighbour the Estate.

My wife and I find it impossible to get to sleep, as all that can be heard throughout most nights of the week (especially in the warmer weather) is wine and beer bottles being smashed on the bandstand area and streets around the circus, along with the sounds of threatening and intimidating language, from the drinkers.

My wife has even been attacked by a man who chased her into our block early one morning a couple of years ago as she set out to work as a Carer. Luckily, she managed to escape into the block and call the police.

Rochelle Canteen is in the heart of a residential estate and it entrances and exits issue onto the estate, only. Therefore granting a late night license can only make matters worse for us and therefore I implore the authority to reject this application.

Regards,

Terry Bailey  
[REDACTED]  
[REDACTED]  
[REDACTED]

# Appendix 9

Kathy Driver  
Principle Licensing Officer

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



Application Ref: CLC/EHTS/LIC/99232

**RE: ROCHELLE CANTEEN - APPLICATION FOR ALCOHOL LICENSE**

Dear Kathy,

As residents of [redacted] we would like to put forth our objection to the granting of an alcohol license to Rochelle Canteen.

Rochelle Canteen is our immediate neighbour - a 25cm thick wall separates us. Due to our closely proximity to Rochelle Canteen we have and continue to be immediately impacted by it's commercial activities.

Our family have resided at [redacted] for almost 28 years - it is home to elderly homeowners aged 89 years and 67 - who are presently being treated for cancer and stroke, both who are reduced in mobility and speech. It is also a home to two young children aged three and one as well as their mother in addition to three full time working professionals. We have repeatedly experienced noise levels and noxious smells that have been disruptive to our family and limit what we are able to do with our home. To name a few:

- Such as the simple task opening our window or garden door to get fresh air
- Unable to enjoy peace and tranquillity in our garden whilst the children attempt to play.
- Having to tolerate our clothing may potentially smell of charcoal, manure or other odours.
- Being able to sleep at a reasonable hour during the weekday for the adult to go to work and children to nursery.
- Being woken-up at early on the weekends to the sound of crashing glasses bottle - a result of wine and beer bottles being removed.
- Commercial waste being collected in front of our main door everyday.
- Attendees chaining their bikes to signpost inadequately scratching motor vehicles.
- Commercial delivery vans loading good in front our house, restricting how we leave our home.

The disruption has intensified over the course of many years as the borough has granted Rochelle Canteen to open its door to the public and more recently a temporary license extending their opening hours. In doing so not only has the noise increase but also has an



increased foot flow and traffic into the neighbourhood, and this now continues into the late evening.

In conjunction we have seen a rise in pollution within our neighbourhood ranging from rubbish, human faeces and people urinating. The exit of Arnold Circus leading into Montclare Street has become a prime spot from narcotic distribution, which is a well-known fact amongst local community members.

There have been instances where our concerns have been reported to Environmental Health and directly to Rochelle Canteen verbally, and no measures have been placed by Rochelle Canteen to alleviate our concerns. However, in keeping with Environmental Health reporting protocols, our family have been unable to report instances that have occurred during the daytime as those present at home are limited in their English and recovering from serious health issues.

Rochelle Canteens activities have been prejudicial to our family's health and if granted an alcohol license this will continue. It will also increase drunk and disorderly behaviour especially in the evenings and weekends and give way to increased alcohol related crimes in the neighbourhood. Something that is acknowledged by the borough and mentioned in Tower Hamlets Substance Misuse Strategy 2016-2019 "the impact of alcohol on crime is significant. Data shows that Tower Hamlets has the 8th highest rate of alcohol related crime in London, higher than the London and England averages".

Furthermore, granting an alcohol (Premise) license will enable Rochelle Canteen to trade after 23.30pm. As such it will enable Rochelle Canteen to affect us through unsociable hours. Based on Rochelle Canteens past actions this will be something they will take up and there is already indications of this from their license notification where they are advertising their opening hours on Fridays and Saturday from 08:00 - 00:00. (See *appendix 1*) In real logistical terms it would take 30 minutes to an hour for staff and members of the public to vacate the premises.

As its immediate neighbours, we have no confidence in Rochelle Canteen to keep any of its promises or measures they may state to the licensing committee. When Rochelle Canteen initial opened it did so on the basis that it would be a catering facility for the staff with the Rochelle School complex, however, the nature of its business quickly changed as it started to cater to the public and extend its opening hours without the appropriate licenses and reassurances made to local community members. (See *appendix 2*)

During the planning consultation in 2010 over 250 residents raised concerns about a potential alcohol license, Rochelle Canteen told residents that this would not occur. Since then they have actively promoted members of the public to bring in alcohol to the premises with a corkage charge (see *appendix3*). Though the corkage charge limits alcohol consumption this is another example of where Rochelle Canteen have disregarded their neighbours for their own commercial gains.

Over the course of our lifetime we have seen our neighbourhood transform, the night time economy with Tower Hamlets and Hackney have expanded to the outskirts of the

Boundary Estate and Weavers ward. Both Brick Lane and Hoxton fall under the respective boroughs cumulative impact zones. Both areas are subject to high levels of Anti Social Behaviour, narcotics distribution and nuisance due to the over supply with the controlled zone. By granting the Premise License it will further bring inwards some of the existing problems occurring a few roads away into what is a relatively quiet resident area, and slowly erode our community and quality of life.

The cumulative impact of noise, disturbance and related activities that would result from Rochelle Canteen's premises would be harmful to the living condition of us and others adjacent resident. As residents of Tower Hamlets the borough has promised to support us - "children, young people, adults and their families to make healthy lifestyle choices to reduce the negative impact of drugs and alcohol on their health. We will reduce harm to those at risk" as well as "bear down on the crime and anti- social behaviour associated with drug and alcohol misuse that impacts on our communities". -Tower Hamlets Substance Misuse Strategy 2016-2019 "

The application must be refused on the grounds that Rochelle Canteen:

- Sits within a high dense residential area.
- There is already drunk and disorderly behaviour. A Premise License will further enable this to increase.
- It will increase traffic, general noise and pollution to the area.
- The License will enable Rochelle Canteen to increase its trading hour with possible consumption of alcohol and light beverages during unsociable hours in a high dense residential area.
- Residents and visitors are already well supplied with numerous restaurants, bars and eateries as social and community meeting point close to the neighbourhood (as is walking distance of Hoxton and Brick Lane/ Bethnal Green).
- It will set precedent for other local business seeking to increase their operating hours and serve alcohol in highly dense community/ estates.
- Will help reshape and expand Tower Hamlets Cumulative Impact Zone - which the neighbourhood is already affected by.
- The Boundary Estate and the surrounding building are grade 2 listed building (this includes our home); Tower Hamlets and the Licensing Office have a responsibility to preserve a historical sight - as the first ever council homes built in the UK over 100 years ago.

It cannot be stressed enough that in granting a Premise License to Rochelle Canteen will further result negatively to our neighbourhood. As life long residents we feel that Rochelle Canteen (with its limitless resources) are slowing being allowed to force us out of our home and making our living condition difficult. Like us many of the residents have been here long before Rochelle Canteen ever existed and don't know the formal route to making an objection - some who have signed the petition enclosed.

Yours sincerely



Jenefa Hamid

**Appendix 1: Rochelle Canteen notification of application to public**

Rochelle bicycle parking has moved to a new dedicated area in the Wonder Garden (on your left).

Bicycle parking is no longer allowed in the school grounds.

**Notice of application for the grant of a Premises Licence under Section 17 of the Licensing Act 2003**

Notice is hereby given that Melanie Arnold and Margot Henderson have applied to London Borough of Tower Hamlets for the grant of a Premises Licence in respect of Premises known as Rochelle Canteen, Rochelle School, Arnold Circus, London, E2 7ES.

The proposed licensable activities and their hours are:

1. Sale of Alcohol: Sunday - Thursday 10:00 hours - 23:00 hours; Friday - Saturday 10:00 hours - 23:30 hours;
2. Late Night Refreshment: Friday - Saturday 23:00 hours - 23:30 hours;
3. Opening Hours: Sunday - Thursday 08:00 hours - 23:30 hours; Friday - Saturday 08:00 hours - 00:00 hours.

Any representations regarding the above-mentioned application must be received in writing by Licensing Section, London Borough of Tower Hamlets, John Onslow House, 1 Ewart Place, E3 5EQ

no later than 13<sup>th</sup> April 2017 stating the grounds for representation.

The register of London Borough of Tower Hamlets and the record of the application may be inspected at the address of the council given above, during normal business hours or on the council's website - [www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)

It is an offence knowingly or recklessly to make a false statement in connection with an application. A person is liable to an unlimited fine on conviction should such a false statement be made.

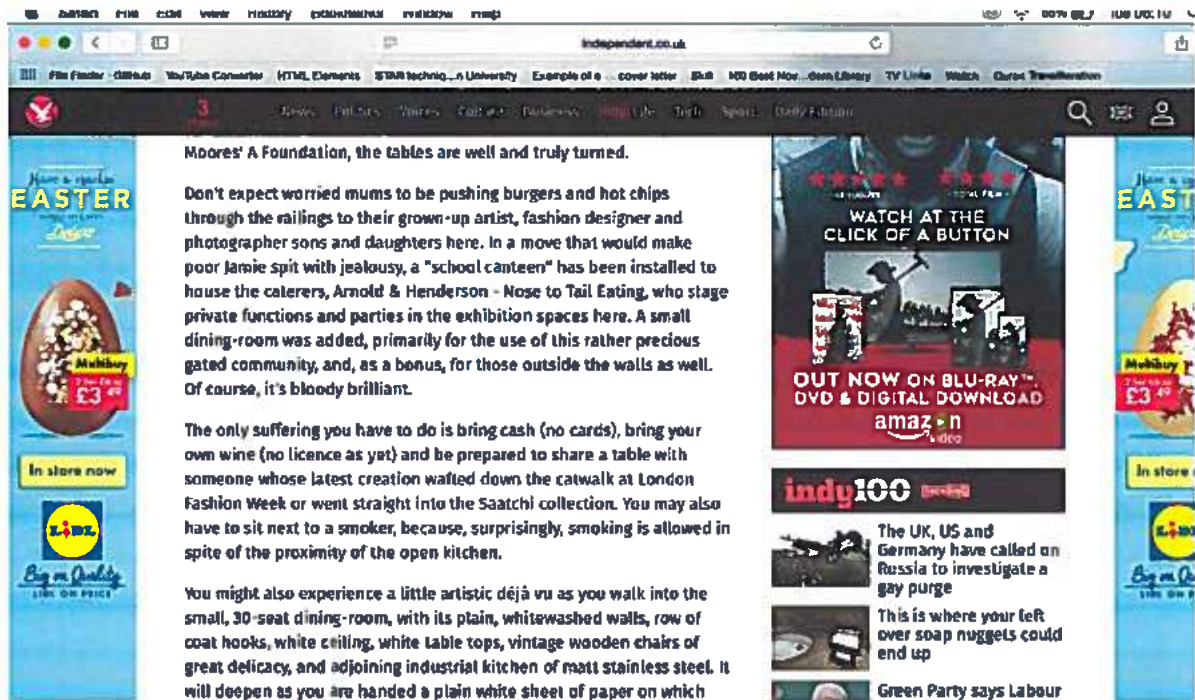
Proprietary Name:  
27 Tower House  
The Landmark  
Hoxton, N1 5LJ

Proprietary Name:  
The Security Building  
7 Princes Square  
London N 1C 4AD

## Appendix 2: Breaches by Rochelle Canteen

## 2.1 Article by Independent online

<http://www.independent.co.uk/life-style/food-and-drink/reviews/rochelle-canteen-london-e2-420787.html>



The screenshot shows a web browser window displaying an article on the Independent website. The browser's address bar shows the URL: [www.independent.co.uk](http://www.independent.co.uk). The page layout includes a navigation bar at the top with links for News, Politics, World, Culture, Business, and Life. The main content area features an article titled "Moore's: A Foundation, the tables are well and truly turned." The article text discusses a canteen at the Moore's exhibition space, mentioning caterers Arnold & Henderson - Nose to Tail Eating. The article is flanked by advertisements for Easter products (Easter Eggs, Mobbury) and Blu-ray/DVD releases (WATCH AT THE CLICK OF A BUTTON, indy100).

**Moore's: A Foundation, the tables are well and truly turned.**

Don't expect worried mums to be pushing burgers and hot chips through the railings to their grown-up artist, fashion designer and photographer sons and daughters here. In a move that would make poor Jamie Spit with jealousy, a "school canteen" has been installed to house the caterers, Arnold & Henderson - Nose to Tail Eating, who stage private functions and parties in the exhibition spaces here. A small dining-room was added, primarily for the use of this rather precious gated community, and, as a bonus, for those outside the walls as well. Of course, it's bloody brilliant.

The only suffering you have to do is bring cash (no cards), bring your own wine (no licence as yet) and be prepared to share a table with someone whose latest creation waltzed down the catwalk at London Fashion Week or went straight into the Saatchi collection. You may also have to sit next to a smoker, because, surprisingly, smoking is allowed in spite of the proximity of the open kitchen.

You might also experience a little artistic déjà vu as you walk into the small, 30-seat dining-room, with its plain, whitewashed walls, row of coat hooks, white ceiling, white table tops, vintage wooden chairs of great delicacy, and adjoining industrial kitchen of matt stainless steel. It will deepen as you are handed a plain white sheet of paper on which

## 2.2 Breach of Condition Notice served to Rochelle Canteen



### **IMPORTANT-THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**Town and Country Planning Act 1990  
(as amended by the Planning and Compensation Act 1991)**

### **BREACH OF CONDITION NOTICE**

#### **SERVED BY:**

**The Mayor And Burgesses Of The London Borough Of Tower Hamlets, of the  
Town Hall, Mulberry Place, 5 Clove London E4 2BG ("the Council")**

#### **TO:**

1. **"A Foundation Limited"** of Studio N, Rochelle School, Arnold Circus,  
London, E2
2. **"James Moores"** of 4<sup>th</sup> Floor, [REDACTED] and [REDACTED]  
[REDACTED].
3. **"Melanie Arnold"** of Arnold & Henderson, Rochelle School, Arnold Circus, London,  
7ES.
4. **"Margot Henderson"** of Arnold & Henderson, Rochelle School, Arnold Circus,  
London, E27ES.

5. " [REDACTED] of Arnold & Henderson, Rochelle School, Arnold Circus, London,  
E2 7ES.
6. "The Owner(s)" of Rochelle Canteen, Rochelle School, Arnold Circus, London,  
E2 7ES.
7. "The Occupier(s)" of Rochelle Canteen, Rochelle School, Arnold Circus, London,  
E2 7ES.

1. THIS NOTICE is served by the Council under section 106 of the Act, because they consider that conditions attached to a grant of planning permission, relating to the land described in paragraph 2 below, have not been complied with. The Council considers that you should be required to comply with the conditions specified in this notice. The notice at the end of this notice contains important additional information.

## 2. THE LAND TO WHICH THE NOTICE RELATES

Land at Rochelle Canteen, Rochelle School, Arnold Circus, London, E2 7ES (the land) shown edged red on the site plan.

## 3. THE RELEVANT PLANNING PERMISSION

The relevant planning permission to which this notice relates is the permission granted by the Council on 16<sup>th</sup> January 2006 (PA/04/01790) for external alterations to an outbuilding in connection with the provision of an ancillary cafe for the occupiers of the main Rochelle Old College Building and Club Row Building only, with a cooking extract system linked to the main Rochelle Old College Building.

## 4. THE BREACH OF CONDITION

The following conditions have not been complied with:

(i) Condition 3 - The accommodation hereby approved for cafe purposes shall not be used or occupied otherwise than as ancillary in connection with the existing principal Rochelle Centre building's uses.

(ii) Condition 6 - The cafe use hereby permitted shall not be carried out other than between the hours of 9.00am to 6.00pm Mondays to Saturdays and shall not take place on Sundays or Public Holidays.



## WHAT YOU ARE REQUIRED TO DO

the person responsible for the breach of condition specified in paragraph 4 this notice you are required to comply with the stated conditions by taking the following

1. opening the cafe to customers who are not connected to the principle 01 and B1 uses of the Rochelle Centre.
2. using the cafe for catering purposes, other than for catering for events being held inside the Rochelle Centre.
3. Cease opening the cafe for business (including catering) other than between the hours of 0900hrs and 1800hrs Mondays to Saturdays.

Period for compliance: **28 days** beginning with the day on which this notice is served on you.

Dated: 21/12/10

Signed:

A black rectangular box redacting the signature of the authorized council officer.

The Authorised Council Officer - For and on behalf of the Corporate Director, Development and Renewal

on behalf of: **The Mayor and Burgesses of the London Borough of Tower Hamlets, the Town Hall, Mulberry Place, 5 Clove Crescent, London E14 2BG**

**ANNEX**

**WARNING**

**THIS NOTICE TAKES EFFECT IMMEDIATELY IT IS SERVED ON YOU IN PERSON OR ON THE DAY YOU RECEIVED IT BY POST.**

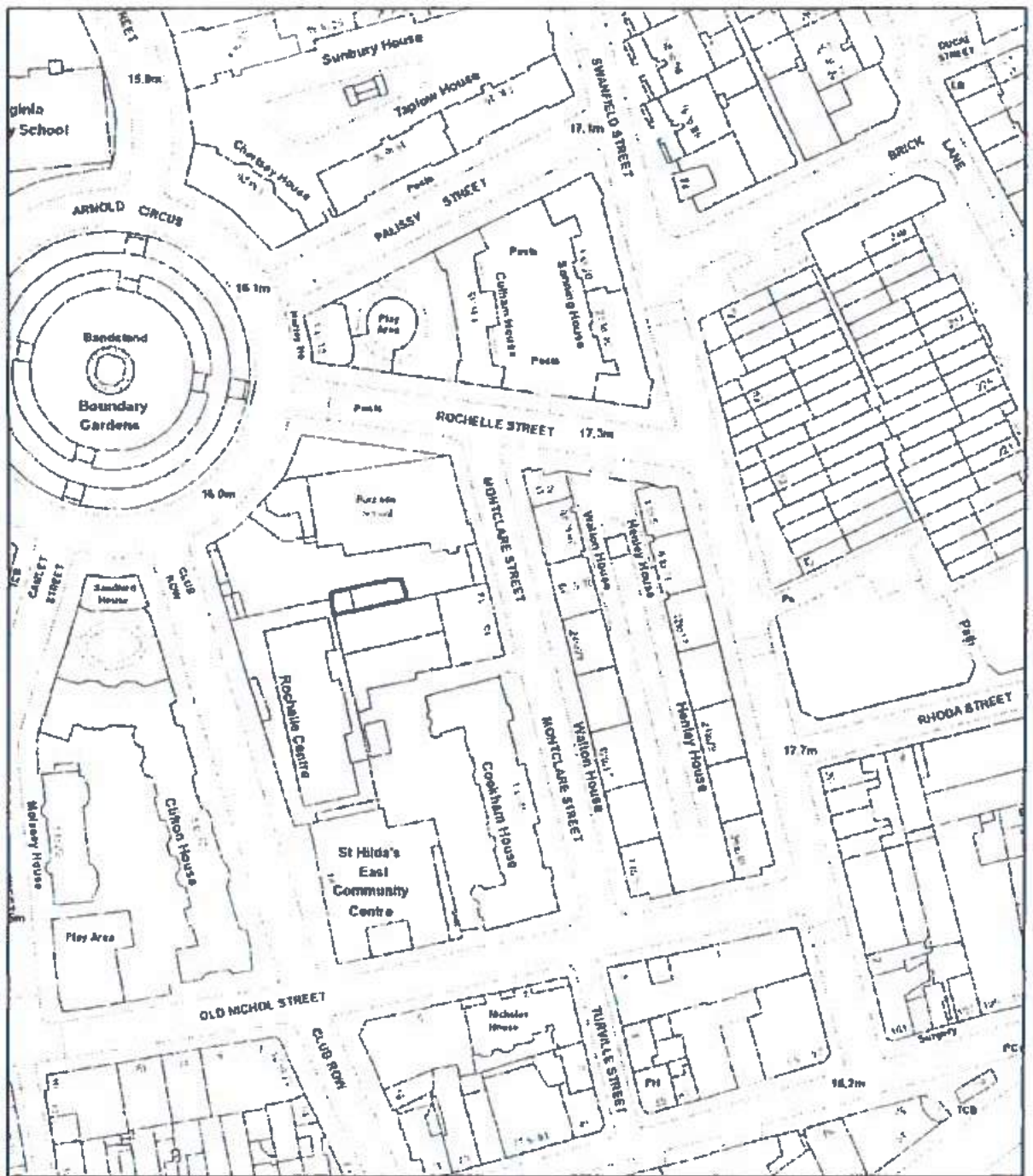
**THERE IS NO RIGHT OF APPEAL TO THE SECRETARY OF STATE FOR THE ENVIRONMENT AGAINST THIS NOTICE.**

It is an offence to contravene the requirements stated in **paragraph 5** of this notice after the end of the compliance period. You will then be at risk of immediate prosecution in the Magistrates' Court, for which the maximum penalty is £1,000 for a first offence and for any subsequent offence. If you are in any doubt about what this notice requires you to do, you should get in touch immediately with:

[REDACTED]  
Planning Enforcement Team Leader  
Development and Renewal  
Mulberry Place (AH) Anchorage House  
PO Box 55739, 5 Clove Crescent  
London, W4 1BY

Phone [REDACTED]

If you do need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review.



## Breach of Condition Notice

Rochelle Canteen, Arnold Circus, London, E2 7ES



Scale 1:1250

10 0 10 20 30

Metres



TOWER HAMLETS

Produced by London Borough of Tower Hamlets on 29/12/2019. This map is based upon Ordnance Survey material with the permission of Ordnance Survey in full and the Controller of Her Majesty's Stationery Office & Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. 102/110/2019

Appendix 3 - Ronette Cammen promoting al[cohol] on its premises

http://www.arnoldandhenderson.com/ronette\_cammen.html

File Edit View Favorites Tools

Suggested Sites IC&E Financial Volunteeri... Google My Way One Zone Senckenberg DBS PRAX

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Publion Templates, Samples

Publion - Tower Hamlets Linc...

Blank Page

Arnold & Henderson

100% 22/09/2017

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ARNOLD & HENDERSON

Converted from the old school hall and opened in 2006, Ronette Cammen looks out onto the grassy playground and the trees of Arnold Circus beyond. Whichever it's warm enough tables are set outside the cafe for a peaceful sit in the sun.

Please note, the cafe is not licensed. You're welcome to bring your own wine, the corkage is £6.50 per bottle. Let's Shop is only a minute away on Calvert Avenue and offers a delicious selection of wines for you to choose from. For more information please contact [redacted]

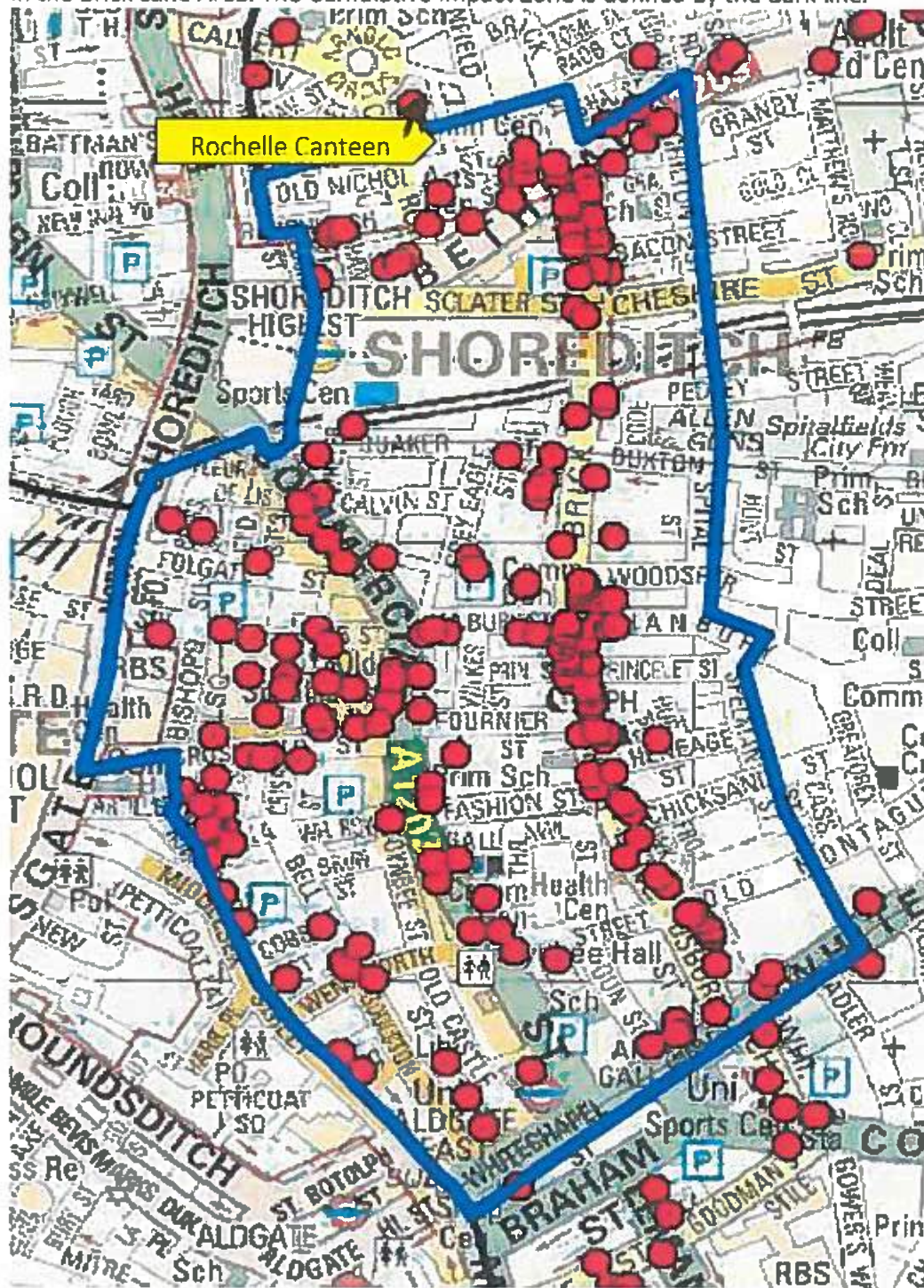
The cafe is also available to book for private hires including breakfast or daytime meetings.

For enquiries and all bookings please ring the Cafe on [redacted] between 10am-12pm or 1-5pm.

Zodiak School Arnold Circus London E7 7ES  
info@arnoldandhenderson.com

# Appendix : Tower Hamlets. Cumulative Impact zone.

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.



Map courtesy of Metropolitan Police

Source: Statement of Licensing Policy 2013 - 2018, London Borough of Tower Hamlets

# Appendix 10

# Petition:

## No to Rochelle Canteen Alcohol License

Created by Jenefa Hamid - [REDACTED]

As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol, regulated entertainment or late night refreshment (supply of hot food after 11pm).

Our concerns related to increased noise nuisance both from the premises and customer egress, light pollution, littering, noxious smells and disruption from parked vehicles to the surrounding residents in what is a quiet grade 2 listed residential area.

Our concerns further relate to Rochelle Canteen's continuous disregard for its neighbours - as it had veered off course from its original premise to provide refreshment to staff within the Rochelle School complex to now extending its operating hours and service to the general public. Rochelle Canteen has also continues to promote local off-licenses and customers to bring alcohol (as displayed on it's website <http://www.arnoldandhenderson.com/4rochellecanteen/html>) irrespective of their reassurance to limit this as raised by residents. In addition to breaching the terms of previous planning applications.

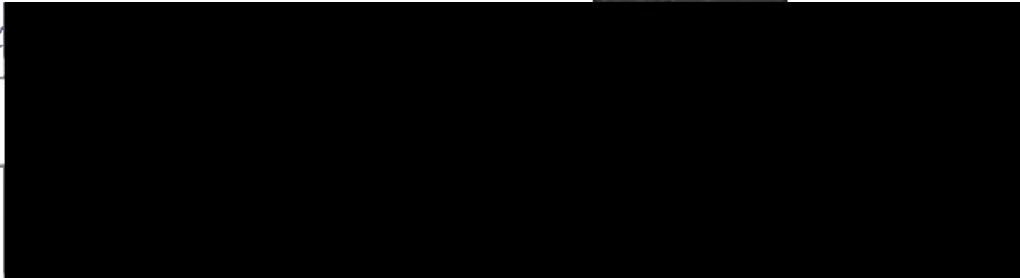
Residents and visitors are already well supplied with numerous restaurants, bars and eateries as social and community meeting point close to the neighbourhood. They are situated not too far (bordering on) the "Brick Lane Cumulative Impact Zone (CIZ)" an area already subject to high levels of Anti Social Behaviour, narcotics distributions and nuisance due to the over supply within the CIZ. These include Brew Dog, Well and Bucket, Blanket Beach and Babylon, Dirty Bone, The Owl and the Pussycat, Tapas Revolution, Verge Bar, and many others.

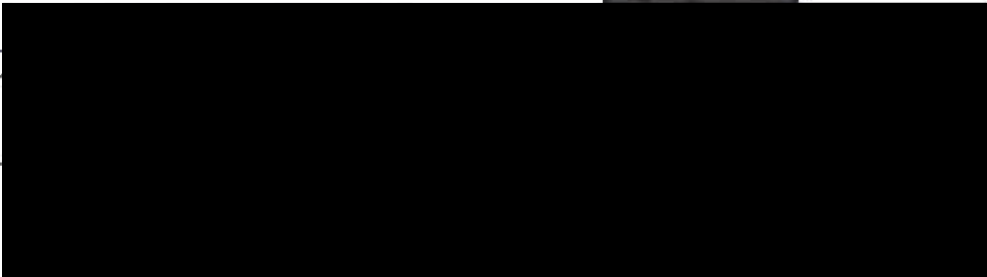
To allow Rochelle Canteen a Premise License will set precedent to other businesses in the heart of a peaceful residential area to apply for such licences and negatively impact the quality of life the residents and in the foreseeable future reshape the CIZ. More importantly it will continue to bring into the heart of a tranquil residential community many of the problems that are frequently occurring a few roads down and slowly erode away our community and quality of life.

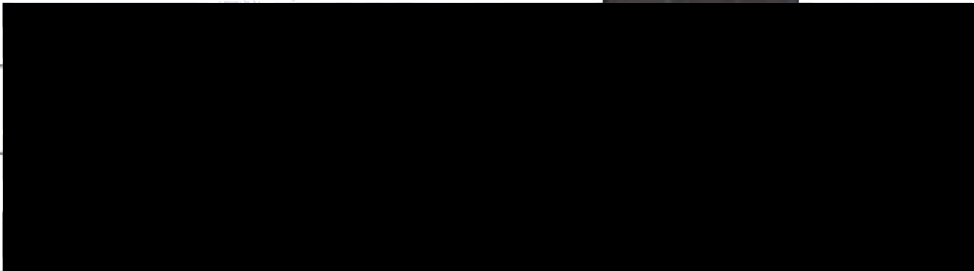


As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE	MISS	FULL NAME	Jenefa Hamid
ADDRESS			
EMAIL			
SIGNATURE			

TITLE	MR	FULL NAME	ABDUL HAMID
ADDRESS			
EMAIL			
SIGNATURE			

TITLE	MRS	FULL NAME	SIRIA BEZUM
ADDRESS			
EMAIL			
SIGNATURE			

TITLE	MISS	FULL NAME	NAZIA KHANOM
ADDRESS			
EMAIL			
SIGNATURE			



As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol, regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE	MR	FULL NAME	AMRATN AU
ADDRESS	[REDACTED]		POSTCODE [REDACTED]
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]		DATE 23/03/17

TITLE	MR	FULL NAME	SHAHIN AU HAQDE
ADDRESS	[REDACTED]		POSTCODE [REDACTED]
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]		DATE 23/03/17

TITLE	MRS	FULL NAME	SHAMIDA BEGUM
ADDRESS	[REDACTED]		POSTCODE [REDACTED]
EMAIL	[REDACTED]		
SIGNATURE	" "		DATE 23/03/17

TITLE	MRS	FULL NAME	PARZANA CATOWATTUREY
ADDRESS	[REDACTED]		POSTCODE [REDACTED]
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]		DATE 23/03/17

As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol, regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE	MR	FULL NAME	Mohammad Amran Anis
ADDRESS	[REDACTED]		
EMAIL			
SIGNATURE	[REDACTED]	DATE	24/03/17

TITLE		FULL NAME	
ADDRESS		POSTCODE	
EMAIL			
SIGNATURE		DATE	

TITLE		FULL NAME	
ADDRESS		POSTCODE	
EMAIL			
SIGNATURE		DATE	

TITLE		FULL NAME	
ADDRESS		POSTCODE	
EMAIL			
SIGNATURE		DATE	

As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol, regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE		FULL NAME	Abu Bakr
ADDRESS	[REDACTED]		
EMAIL			
SIGNATURE	[REDACTED]	DATE	24/3/17

TITLE		FULL NAME	MOYNIOL HOQUE
ADDRESS	[REDACTED]		
EMAIL			
SIGNATURE	[REDACTED]	DATE	

TITLE	MR	FULL NAME	RIPON CHOWDHURY
ADDRESS	[REDACTED]		
EMAIL			
SIGNATURE		DATE	

TITLE	MR	FULL NAME	ZAHER MIAH
ADDRESS	[REDACTED]		
EMAIL			
SIGNATURE	[REDACTED]	DATE	

As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol, regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE	MR	FULL NAME	IMRAN MIHAI
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	[REDACTED]

TITLE	MR	FULL NAME	AHMED MICH
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	[REDACTED]

TITLE	MR	FULL NAME	AZIZUL HOQUE
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	[REDACTED]

TITLE	MR	FULL NAME	NAZM CHOWDHURY
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	[REDACTED]

As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol, regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE		FULL NAME	Hamidul Islam
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	

TITLE	Mr	FULL NAME	Kobirul Rahman
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	

TITLE	MV	FULL NAME	Mohibur Rahman
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/03/17

TITLE	MV	FULL NAME	MITU MIAH
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/03/17

As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol, regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE	MR	FULL NAME	NOSIR ALI
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	

TITLE	MR	FULL NAME	ABDELAM DAKHANE
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/3/17

TITLE		FULL NAME	SHUHED MIAN
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	

TITLE	MR	FULL NAME	TARIP UDDIN
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24.3.2017

As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol, regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE	MV	FULL NAME	MUHAMMAD ZUBAIR
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	

TITLE	MR	FULL NAME	ZUBAIR RANA
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/3/17

TITLE	MR	FULL NAME	SURAJ ALI 24/3/17
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	

TITLE	MR	FULL NAME	FARUK ALI
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	

As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol, regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE	MR	FULL NAME	MUHAMMAD AL EDDIN
ADDRESS	[REDACTED]		POSTCODE [REDACTED]
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	

TITLE	MR	FULL NAME	Sheikh Azaduzzaman
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/3/17

TITLE		FULL NAME	AZAD Hossain
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/03/17

TITLE		FULL NAME	Chowdhury
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/03/17



As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol, regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE		FULL NAME	Mohammed Shohid
ADDRESS	[REDACTED]		
EMAIL			
SIGNATURE	[REDACTED]	DATE	24/03/17

TITLE	WR	FULL NAME	Jabru'l Islam Chowdhury
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24.3.17

TITLE		FULL NAME	
ADDRESS		POSTCODE	
EMAIL			
SIGNATURE		DATE	

TITLE		FULL NAME	
ADDRESS		POSTCODE	
EMAIL			
SIGNATURE		DATE	

As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol-regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE	MR.	FULL NAME	ABDULLAH
ADDRESS		POSTCODE	
EMAIL			
SIGNATURE		DATE	

TITLE	MR	FULL NAME	MAHIBUL RAHMAN
ADDRESS	[REDACTED]		
EMAIL			
SIGNATURE	[REDACTED]	DATE	26/03/17

TITLE	MR	FULL NAME	KHAYRU ISLAM
ADDRESS	[REDACTED]		
EMAIL			
SIGNATURE	[REDACTED]	DATE	27/3/17

TITLE	MR	FULL NAME	JAMAL ISLAM
ADDRESS	[REDACTED]		
EMAIL	-		
SIGNATURE	[REDACTED]	DATE	2/4/17

As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol, regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE	MR	FULL NAME	LUTHFUR RAHMAN CHOWDHURY
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	3/4/17

TITLE	MR	FULL NAME	AHJAN HUSSAIN
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	3/4/17

TITLE	MR	FULL NAME	Mohammed Meher
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	7/4/17

TITLE		FULL NAME	
ADDRESS		POSTCODE	
EMAIL			
SIGNATURE		DATE	

As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol, regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE	Mr	FULL NAME	Abdul Rahman	
ADDRESS	[REDACTED]			
EMAIL	[REDACTED]			
SIGNATURE	[REDACTED]		DATE	24/03/12

TITLE	Mr	FULL NAME	Jabbar [REDACTED]	
ADDRESS			POSTCODE	
EMAIL				
SIGNATURE			DATE	

TITLE	MR	FULL NAME	ABDUL WAHAD OMAR	
ADDRESS	[REDACTED]			
EMAIL	[REDACTED]			
SIGNATURE	[REDACTED]		DATE	24/3/17

TITLE		FULL NAME		
ADDRESS			POSTCODE	
EMAIL				
SIGNATURE			DATE	

As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE	MR	FULL NAME	MOHAMED ALI
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/3/17

TITLE	MR	FULL NAME	Schel miad
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/3/17

TITLE	MR	FULL NAME	Abdul wasiul
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/3/17

TITLE		FULL NAME	
ADDRESS	SHAZIDUR RAHMAN	POSTCODE	[REDACTED]
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/3/17

As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol, regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE	MR	FULL NAME	YAK MUHAMMAD BYAS MIAH
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/03/17

TITLE	MR	FULL NAME	ALI Hussain
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/03/17

TITLE	MR	FULL NAME	ZUBON MIAH
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/03/17

TITLE	MR	FULL NAME	HASSAN MOHAMMAD
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/03/17

As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE	MA	FULL NAME	ADAMAR MOADY
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	20/03/11

TITLE		FULL NAME	TOKLISYR RAHMAN
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	

TITLE		FULL NAME	Abdhammed Hussain
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/03/11

TITLE		FULL NAME	Mohamed Mullis
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	24/03/11

As residents of Weavers ward and in close proximity to Rochelle Canteen (Arnold Circus), we the undersigned object to Rochelle Canteen's application for a Premise License - that will enable the sale of alcohol, regulated entertainment or late night refreshment (supply of hot food after 11pm).

TITLE		FULL NAME	Saidur Rahman
ADDRESS	[REDACTED]		
EMAIL			
SIGNATURE	[REDACTED]	DATE	

TITLE	MR	FULL NAME	KHALIL AHMED
ADDRESS	[REDACTED]		
EMAIL	[REDACTED]		
SIGNATURE	[REDACTED]	DATE	29/03/17

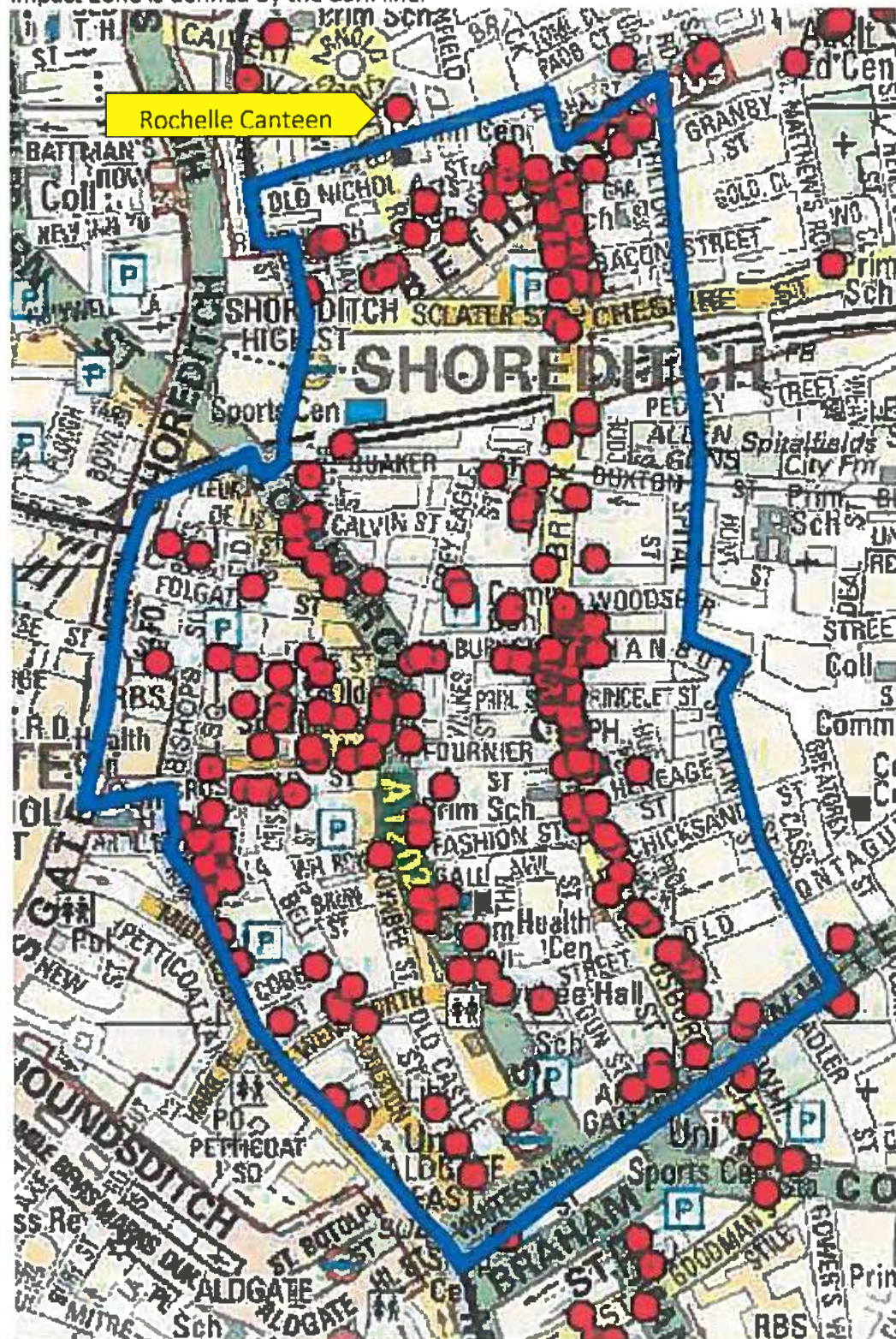
TITLE		FULL NAME	
ADDRESS		POSTCODE	
EMAIL			
SIGNATURE		DATE	

TITLE		FULL NAME	
ADDRESS		POSTCODE	
EMAIL			
SIGNATURE		DATE	



## 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.



Map courtesy of Metropolitan Police

Source: Statement of Licensing Policy 2013 - 2018, London Borough of Tower Hamlets

# Appendix 11

To:  
Tower Hamlets Licensing Section  
London Borough of Tower Hamlets  
John Onslow House  
1 Ewart Place  
E3 5EQ

**LBTH**  
**TRADING STANDARDS**  
11 APR 2017  
**LICENSING**

Re: Application for Rochelle Canteen Arnold Circus London E2 &ES

I write to object to this proposed licensable activities and their hours

- 1 sale of alcohol Sun – Thurs 10:00 – 23:00; Fri- Sat 10.00 -23:00 hrs
- 2 Late night refreshment Fri – Sat 23.00-23.30 hrs
- 3 Opening hours Sun- Thurs 08.00 -23.00 hrs, Fri – Sat 08:00 – 00:00 hrs

For the following reasons:

The premises are located close to the Shoreditch Special Policy Area and Brick Lane SPA, and therefore should be rejected given the risks of undermining the SPA/saturation zones in the area.

2. The Boundary estate is a conservation area and the Rochelle Canteen is overlooked by the residential properties including Walton House, Cookham House, Clifton House Sandford House and most alarmingly directly next door to The Old Laundry on Montclair St all of aforementioned tenement's house children and adults who have to wake early and Will be disturbed by people leaving late at night

3. This address is near some of London's busiest bars. The area surrounding the site is often an open-air club, with violence, vomiting, urination, defecation, drug use and unsociable conduct late into the night, presenting real safety and security issues.  
By allowing the restaurant to become licensed may bring the chaos of the surrounding area closer

4. The venue is in the middle of a residential area within a zone that is saturated beyond breaking point with late-night drinking, licensed restaurants and party venues, attracting hordes of booze tourists every weekend causing intolerable noise, anti-social behavior, littering and fouling of the streets. On the website of Rochelle it says "an oasis of creativity " alcohol may change the peace and tranquility of this residential neighborhood forever

5. The protection of children from harm is vital. Shoreditch is

overwhelmed with inebriated and unsociable people due to the concentration of drinking establishments, and the area surrounding The Boundary Estate is rapidly becoming a fundamentally unsafe area for families. The Boundary Gardens and the play areas on the estate are the only areas locally where children and parents can enjoy their environment without the worry of inebriated folk disturbing the quality of their work life balance.

I would like it to remain a peaceful and safe area for children and by granting this licence you are threatening the ecology of the neighbourhood.

Should a license be deemed suitable, I believe there should be reasonable restrictions related to;

Licensed only in relation to the use permitted on original planning consent

no noise emanating from the property

no off sales;

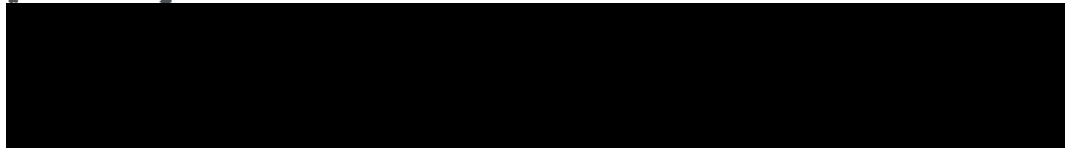
strict limits on the use of the outdoor areas and no external dining or drinking activity outside after 9pm, all customers to be seated at a dining table indoors at 9 pm and alcohol continuing to be sold only ancillary to a meal

all outdoor furniture to be dismantled by 9.30 pm.

SIA Doormen to be in-situ throughout opening hours when alcohol is available. Rochelle grounds are extensive and SIA doormen will ensure the gardens and other areas of the grounds are not used for licensable activities

[Name] Nuressa Khafun

[Address]



overwhelmed with inebriated and unsociable people due to the concentration of drinking establishments, and the area surrounding The Boundary Estate is rapidly becoming a fundamentally unsafe area for families. The Boundary Gardens and the play areas on the estate are the only areas locally where children and parents can enjoy their environment without the worry of inebriated folk disturbing the quality of their work life balance. I would like it to remain a peaceful and safe area for children and by granting this licence you are threatening the ecology of the neighbourhood.

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no off sales;

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SIA Doormen to be in-situ throughout opening hours when alcohol is available. Rochelle grounds are extensive and SIA doormen will ensure the gardens and other areas of the grounds are not used for licensable activities

[Name]

Jaida Khatur

[Address]

[Redacted Address]

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SIA Doormen to be in-situ throughout opening hours when alcohol is available. Rochelle grounds are extensive and SIA doormen will ensure the gardens and other areas of the grounds are not used for licensable activities

[Name]

Jamila Khetan

[Address]

[Redacted Address]

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SIA Doormen to be in-situ throughout opening hours when alcohol is available. Rochelle grounds are extensive and SIA doormen will ensure the gardens and other areas of the grounds are not used for licensable activities

[Name] MD. ABDUL GOFUR

[Address]

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

overwhelmed with inebriated and unsociable people due to the concentration of drinking establishments, and the area surrounding The Boundary Estate is rapidly becoming a fundamentally unsafe area for families. The Boundary Gardens and the play areas on the estate are the only areas locally where children and parents can enjoy their environment without the worry of inebriated folk disturbing the quality of their work life balance. I would like it to remain a peaceful and safe area for children and by granting this licence you are threatening the ecology of the neighbourhood.

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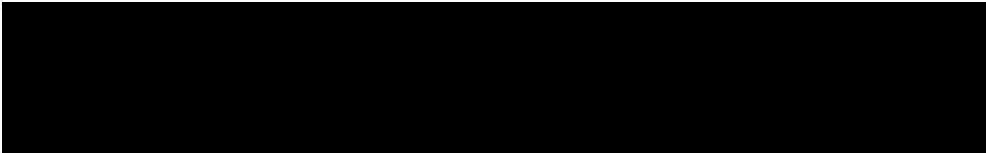
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SIA Doormen to be in-situ throughout opening hours when alcohol is available. Rochelle grounds are extensive and SIA doormen will ensure the gardens and other areas of the grounds are not used for licensable activities

[Name] Karuna Begum 

[Address]





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I would like it to remain a peaceful and safe area for children and by granting this licence you are threatening the ecology of the neighbourhood.

Should a license be deemed suitable, I believe there should be reasonable restrictions related to;

Licensed only in relation to the use permitted on original planning consent

no noise emanating from the property

no off sales;

strict limits on the use of the outdoor areas and no external dining or drinking activity outside after 9pm, all customers to be seated at a dining table indoors at 9 pm and alcohol continuing to be sold only ancillary to a meal

all outdoor furniture to be dismantled by 9.30 pm.

SIA Doormen to be in-situ throughout opening hours when alcohol is available. Rochelle grounds are extensive and SIA doormen will ensure the gardens and other areas of the grounds are not used for licensable activities

[Name] Mohammed Ahmed

[Address]

[Redacted Address]

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[Name] Amran Ali

[Address] 

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[Name] ALI HAZDEK

[Address] \_\_\_\_\_  
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[Name] SYLIA BEGUM 

[Address] 

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[Name] MOYNILL HOQUE 

[Address]



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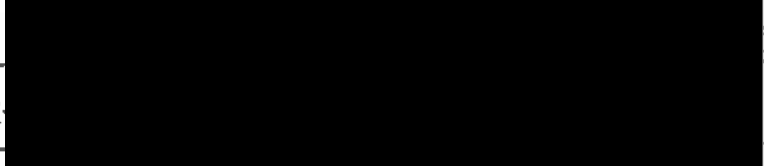
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[Name] S M I A H

[Address]

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[Name] SHAJNA KHANAM

[Address]

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[Name]

Shamela Khan

[Address]

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[Name] SIFOT ALI 

[Address] 

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[Name] SAMA AHMED 

[Address] 

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[Name] ABDUL HAMID 

[Address] 

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# Appendix 12

## **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 13

## 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 14

## **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 15

## **Crime and disorder - S182 Updated March 2015**

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

# Appendix 16

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

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

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



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

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

Smuggled goods

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

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

I. Seller's name and address

II. Seller's company details, if applicable

III. Seller's VAT details, if applicable

IV. Vehicle registration detail, if applicable

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

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

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

# Appendix 17

## **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 18

## **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 19

## **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 20

## **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.