

Appendix 1



Tower Hamlets
Application for a premises licence
Licensing Act 2003

For help contact
licensing@towerhamlets.gov.uk
Telephone: 020 7364 5008

* required information

Section 1 of 21

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

System reference

Not Currently In Use

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

Your reference

Arches

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

Are you an agent acting on behalf of the applicant?

☒ Yes

☐ No

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

Applicant Details

* First name

Patrick

* Family name

Walsh

* E-mail

[REDACTED]

Main telephone number

[REDACTED]

Include country code.

Other telephone number

[REDACTED]

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

Is the applicant:

☐ Applying as a business or organisation, including as a sole trader

☒ Applying as an individual

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

Continued from previous page...

Address

* Building number or name	<input type="text"/>
* Street	<input type="text"/>
District	<input type="text"/>
* City or town	<input type="text"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text"/>
* Country	<input type="text" value="United Kingdom"/>

Agent Details

* First name	<input type="text" value="niall"/>
* Family name	<input type="text" value="forde"/>
* E-mail	<input type="text"/>
Main telephone number	<input type="text"/>
Other telephone number	<input type="text"/>

Include country code.

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

Are you:

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

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

Your Address

Address official correspondence should be sent to.

* Building number or name	<input type="text"/>
* Street	<input type="text"/>
District	<input type="text"/>
* City or town	<input type="text"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text"/>
* Country	<input type="text"/>

Section 2 of 21

PREMISES DETAILS

Continued from previous page...

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

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

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name	289 Railway Arches
Street	Cambridge Heath Road
District	
City or town	London
County or administrative area	
Postcode	E2 9HA
Country	United Kingdom

Further Details

Telephone number	
Non-domestic rateable value of premises (£)	25,000

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

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INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

- ☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Patrick

Family name

Walsh

Is the applicant 18 years of age or older?

- ☒ Yes ☐ No

Continued from previous page...

Current Residential Address

Is the address the same as (or similar to) the address given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text"/> dd mm yyyy
* Nationality	<input type="text"/>

Documents that demonstrate entitlement to work in the UK

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? 17 / 06 / 2017
dd mm yyyy

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

Provide a general description of the premises

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

Music venue and cultural space

Continued from previous page...

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

0

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start 11:00

End 00:00

Start

End

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

TUESDAY

Start 11:00

End 00:00

Start

End

WEDNESDAY

Start 11:00

End 00:00

Start

End

THURSDAY

Start 11:00

End 00:00

Start

End

FRIDAY

Start 11:00

End 01:00

Start

End

SATURDAY

Start 11:00

End 01:00

Start

End

SUNDAY

Start 11:00

End 00:00

Start

End

Continued from previous page...

Will the performance of a play take place indoors or outdoors or both?

☒ Indoors ☐ Outdoors ☐ Both

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

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

State any seasonal variations for performing plays

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

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

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

New Years Eve until 06:00

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Continued from previous page...

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the exhibition of films take place indoors or outdoors or both?

☒ Indoors ☐ Outdoors ☐ Both

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

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

State any seasonal variations for the exhibition of film

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

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

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

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PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Continued from previous page...

Will you be providing indoor sporting events?

☐ Yes ☒ No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

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PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

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WEDNESDAY

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THURSDAY

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Start

End

FRIDAY

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SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

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

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

Live music

State any seasonal variations for the performance of live music

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

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

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

New Years Eve until 06:00

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start 11:00

End 00:00

Start

End

THURSDAY

Start 11:00

End 00:00

Start

End

FRIDAY

Start 11:00

End 01:00

Start

End

SATURDAY

Start 11:00

End 01:00

Start

End

SUNDAY

Start 11:00

End 00:00

Start

End

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

☒ Indoors ☐ Outdoors ☐ Both

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

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

State any seasonal variations for playing recorded music

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

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

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

On New Years Eve until 06:00

Continued from previous page...

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

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THURSDAY

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FRIDAY

Start

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End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of dance take place indoors or outdoors or both?

☒ Indoors ☐ Outdoors ☐ Both

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

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

Continued from previous page...

State any seasonal variations for the performance of dance

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

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

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

New Years Eve until 06:00

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

See guidance on regulated entertainment

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

☐ Yes

☒ No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Continued from previous page...

THURSDAY

Start 23:00

End 00:00

Start

End

FRIDAY

Start 23:00

End 01:00

Start

End

SATURDAY

Start 23:00

End 01:00

Start

End

SUNDAY

Start 23:00

End 00:00

Start

End

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

☐ Indoors

☐ Outdoors

☒ Both

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

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

State any seasonal variations

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

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

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

Continued from previous page...

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start 11:00

End 00:00

Start

End

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

TUESDAY

Start 11:00

End 00:00

Start

End

WEDNESDAY

Start 11:00

End 00:00

Start

End

THURSDAY

Start 11:00

End 00:00

Start

End

FRIDAY

Start 11:00

End 01:00

Start

End

SATURDAY

Start 11:00

End 01:00

Start

End

SUNDAY

Start 11:00

End 00:00

Start

End

Will the sale of alcohol be for consumption:

☒ On the premises ☐ Off the premises ☐ Both

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

State any seasonal variations

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

Continued from previous page...

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

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

New Years Eve until 06:00

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

Name

First name

Family name

Date of birth

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

Continued from previous page...

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

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ADULT ENTERTAINMENT

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

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

None

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start 08:00

End 00:30

Start

End

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

TUESDAY

Start 08:00

End 00:30

Start

End

WEDNESDAY

Start 08:00

End 00:30

Start

End

THURSDAY

Start 08:00

End 00:30

Start

End

FRIDAY

Start 08:00

End 01:30

Start

End

SATURDAY

Start 08:00

End 01:30

Start

End

Continued from previous page...

SUNDAY

Start 08:00

End 00:30

Start

End

State any seasonal variations

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

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

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

New Years until 06:30

Section 18 of 21

LICENSING OBJECTIVES

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

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

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

The application is to re-instate the licence number LN18057 unfortunately the previous licence holders dissolved the company. We have therefore significantly updated the operating schedule to modernise it, but have left all activities and timings the same. The layout is almost identical, but we have done extensive refurbishment works to the site.

b) The prevention of crime and disorder

All instances of crime and disorder shall be reported to the police.

An incident book shall be used to record all instances of public disorder and incidents at the premises.

The holder of the premises licence shall subscribe to and participate fully in the local pub watch scheme.

When deemed necessary by way of event based risk assessment that SIA registered door supervisors will be employed until 30 past closing time at the rate of one door supervisor for every one hundred customers.

CCTV shall be installed, operated and maintained in agreement with the Police. The system will enable frontal identification of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days. Recordings shall be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request.

Clear and prominent notices shall be displayed on the premises warning customers of the need to guard their property and to be aware of the operation of pickpockets, bag snatchers, etc. The notices shall advise customers to report concerns to the designated premises supervisor or the person in charge of the licensed premises.

Continued from previous page...

c) Public safety

Safety checks shall be carried out before the admission of the public. Details of safety checks shall be kept in a Log-book on the premises. The Log-book shall be made available for inspection by authorised officers.

All exit routes shall be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly identified.

All exits doors shall be maintained easily operable without the use of a key, card, code or similar means.

Exit doors shall be regularly checked to ensure that they function satisfactorily and a record of the check shall be kept.

Adequate and appropriate supply of first aid equipment and materials must be available on the premises at all times.

d) The prevention of public nuisance

In the event of complaints of noise being received and substantiated by the council's noise officers, the licensee shall cease the activity of live music and appoint a noise consultant registered with the Institute of Acoustics or Association of Noise Consultants to prepare a scheme of further sound insulation and noise control measures, which may include the recalibration of the noise limiting device, to prevent persons in the neighbourhood from being unreasonably disturbed by noise of music, including live music, and amplified or raised voices coming from the premises.

The scheme shall be submitted for approval by the Council, and the approved scheme fully implemented to the satisfaction of the Council and the licensee notified in writing accordingly, before live music and dancing can resume at the premises.

Where a noise limiting device is installed, the system must be set by the appointed noise consultant to maximum music noise levels approved by, and in conjunction with, the Council's Pollution Team.

No drinking shall be permitted outside.

After 9pm the numbers of persons permitted to smoke outside shall be limited to 20 persons.

A policy shall be devised in respect of loading and unloading on equipment in and out of the premises to minimise disturbance to local residents.

Doors and windows to the premises will be kept closed, so far as practicable, at all times when noise generating regulated entertainment is taking place i.e. live and recorded music.

A dedicated licensed taxi/mini cab service shall be available with the premises for customers.

Bottling out from the premises is prohibited between 23:00 hours and 08:00 hours.

Refuse such as bottles must be placed into receptacles outside the premises at times that will minimise the disturbance to nearby properties.

The contact telephone number for the premises duty manager shall be displayed inside the premises or immediately outside the premises such that it is clearly visible from outside without the need to enter the premises.

The licensee shall devise a dispersal plan for evening events to be made available on request to reasonable authorities.

The licensee shall ensure that all staff, including Door Supervisors if required, shall be trained to carry out these tasks and to facilitate effective crowd dispersal at the end of any given evening, and ensure that they have signed a staff record form to verify that they have been trained in these process.

e) The protection of children from harm

Continued from previous page...

The licensee shall put arrangements in place to ensure that before serving alcohol to young persons, staff ask to see accredited proof of age cards e.g. Citizencard, a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.

Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.

The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The licensee shall keep records of training and instruction given to staff.

The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor.

All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons.

Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request.

The licensee should regularly monitor staff to check how they are dealing with young people who ask for alcohol and other age restricted products.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

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

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

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

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

* Full name	<input type="text" value="[Redacted Signature]"/>
* Capacity	<input type="text" value="Agent"/>
Date (dd/mm/yyyy)	<input type="text" value="6.06.2012"/>

Add another signatory

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

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

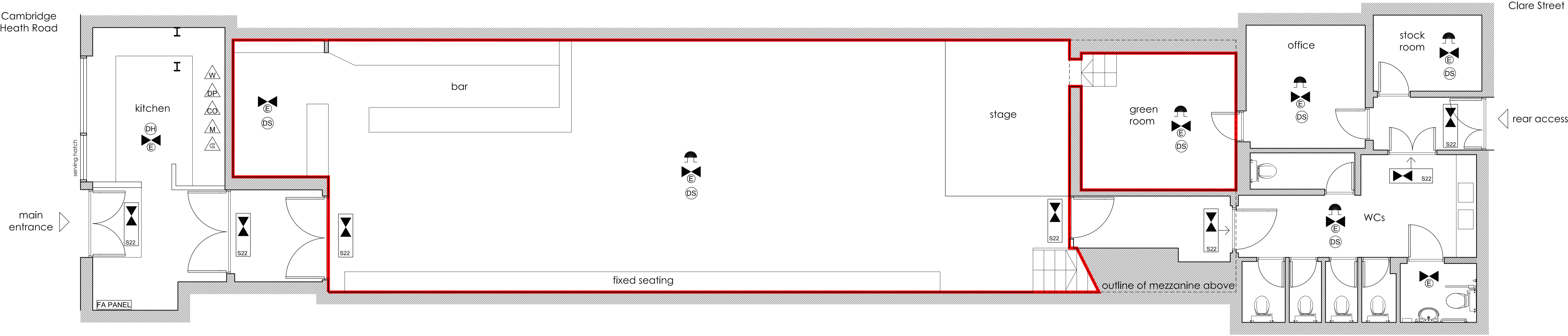
Don't forget to make sure you have all your supporting documentation to hand.

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

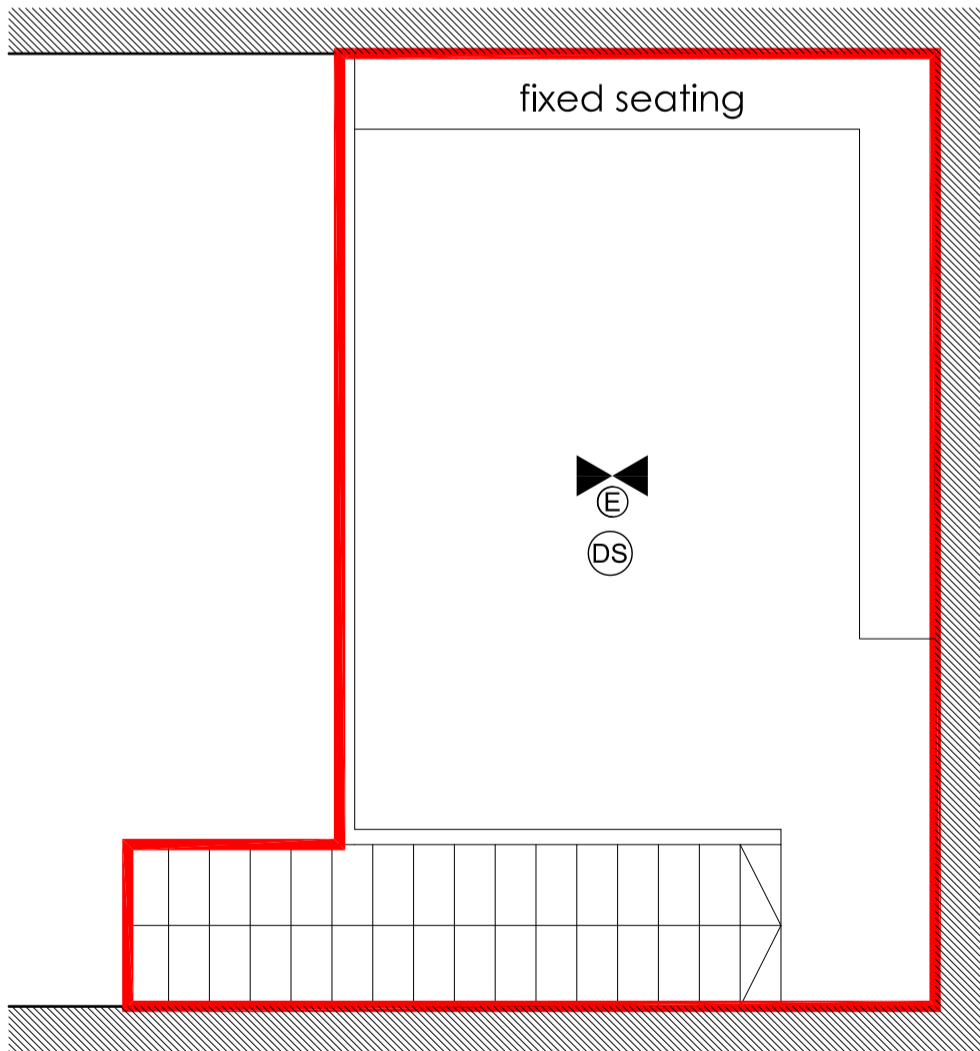
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT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

Appendix 2

GENERAL ARRANGMENT PROPOSED
GROUND FLOOR



GENERAL ARRANGMENT PROPOSED
MEZZANINE



Legend

Denotes area to be used for licensable activities

Emergency Lighting and Signage

S22 Maintained illuminated fire exit sign

S22 Maintained illuminated fire exit directional sign



Note: Emergency Lighting to be in accordance with BS 5266-1: 2016
Area covered with a system of escape lighting that will illuminate the area upon failure of the normal lighting power supply, to a sufficient standard, to enable persons to leave the area safely.
A commissioning certificate will be supplied and kept at site.

Fire Signage

Notes: 1. Fire signage to be in accordance with BS 5499

S14 Fire Door Keep Locked

S13 Fire Door Keep Shut

S14FSD Fire Door Keep Locked, Fail Safe open/digital control

S20 Fire Escape Keep Clear

Fire Safety Equipment

Notes: 1. Fire alarm system to be in accordance with BS5839-1: 2013.
A Commissioning certificate is to be issued on completion
2. Fire Fighting Equipment is to be installed in accordance with BS EN3: 1996 (or equivalent)



Fire extinguisher dry powder



Fire extinguisher carbon dioxide



Fire extinguisher water



Fire extinguisher multi purpose



Fire blanket



Automatic smoke detector



Automatic heat detector 65° (kitchen 75°)



Combined automatic heat & smoke detector



Fire alarm call point



Audible warning device



Fire alarm panel location

mackenzie wheeler

ARCHITECTS & DESIGNERS

11-13 Bateman's Row, Shoreditch, London EC2A 3HH
T +44 (0)20 7739 8279 www.mackenziewheeler.co.uk

Client

MR P WALSH

Project
289 CAMBRIDGE HEATH ROAD

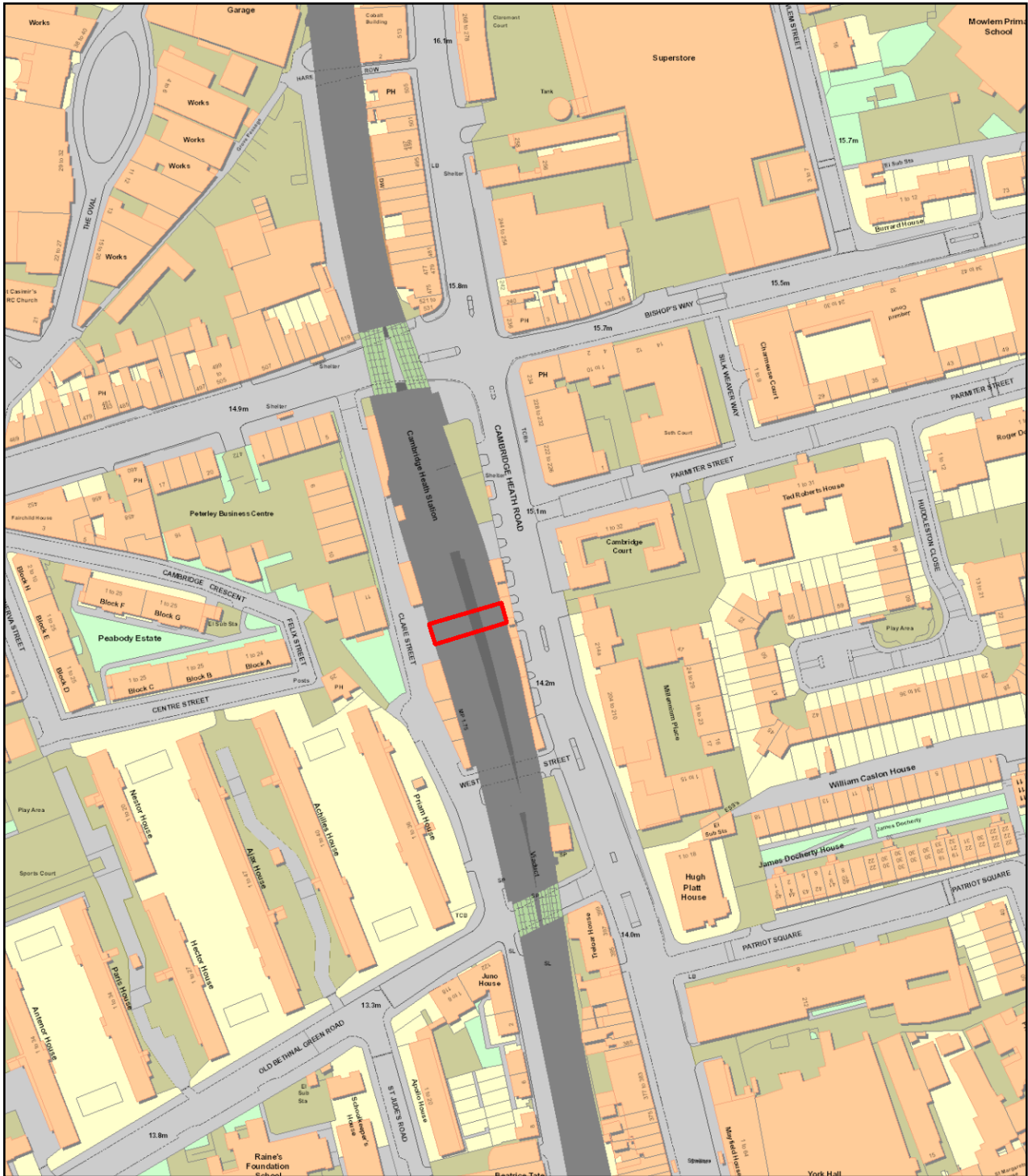
Drawing

Licensing
Ground & Mezzanine Plans

Drawing No.	Rev
1319-200	/
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ALL DIMENSIONS, SETTING OUT AND LEVELS MUST BE CHECKED ON SITE AND NOT
SCALED OFF THIS DRAWING BEFORE ORDERING AND STARTING WORK ON SITE
© MACKENZIE WHEELER

Appendix 3

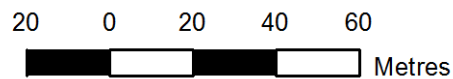


Map 1

289 Railway Arch



Scale 1:2219



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Appendix 4

Premises name and address	Licensable Activities and Hours	Opening Hours
<p>(The Café Chantant) Arch 300 Cambridge Heath Road</p>	<p><u>The Supply of Alcohol (on sales only)</u></p> <ul style="list-style-type: none"> Monday to Saturday from 12:00hrs (midday) to 22:30hrs Sunday from 12:00hrs (midday) to 21:30hrs <p><u>The Provision of Regulated Entertainment in the form of Live Music (indoors)</u></p> <ul style="list-style-type: none"> Sunday to Thursday from 19:00hrs to 21:00hrs Friday and Saturday from 19:00hrs to 22:00hrs 	<ul style="list-style-type: none"> Monday to Saturday from 07:00hrs to 23:00hrs Sunday from 08:00hrs to 22:00hrs
<p>(Metropolis) 234 Cambridge Heath Road London E2 9NN</p>	<p>The sale by retail of alcohol (on sales only)</p> <ul style="list-style-type: none"> Monday to Sunday, from 09:00 hours to 05:00 hours the following day <p>The provision of regulated entertainment <u>(Films and Live Music – Indoors)</u></p> <ul style="list-style-type: none"> Monday to Sunday, from 09:00 hours to 05:00 hours the following day <p><u>(Recorded Music and Performance of Dance – Indoors and Outdoors)</u></p> <ul style="list-style-type: none"> Monday to Sunday, from 09:00 hours to 05:00 hours the following day <p>The provision of late night refreshment – Indoors</p> <ul style="list-style-type: none"> Monday to Sunday, from 23:00 hours to 05:00 hours the following day 	<ul style="list-style-type: none"> Monday to Sunday, from 00:00 hours to 00:00 hours the following day (24 hours)

<p>Venue 299 Railway Arch 289- 299 Cambridge Heath Road</p>	<ul style="list-style-type: none"> • <i>Sale by retail of alcohol:</i> <i>Sunday to Wednesday, from 10:00 hours to 23:00 hours</i> <i>Thursday, from 10:00 hours to 23:30 hours</i> <i>Friday and Saturday, from 10:00 hours to 00:30 hours</i> • <i>The provision of regulated entertainment – Indoors</i> <u><i>Plays, Films, live music, recorded music</i></u> <i>Sunday to Wednesday, from 10:00 hours to 23:00 hours</i> <i>Thursday, from 10:00 hours to 23:30 hours</i> <i>Friday and Saturday, from 10:00 hours to 00:30 hours</i> • • <i>The provision of late night refreshment – Indoors</i> <i>Thursday, from 23:00 hours to 23:30 hours</i> <i>Friday and Saturday, from 23:00 hours to 00:30 hours the following day</i> 	<p><i>Sunday to Wednesday, from 10:00 hours to 23:30 hours</i> <i>Thursday, from 10:00 to 00:00 (midnight)</i> <i>Friday to Saturday, from 10:00 hours to 01:00 hours the following day</i></p>
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Appendix 5

Corinne Holland

From: Corinne Holland on behalf of Licensing
Sent: 05 July 2017 14:05
To: Corinne Holland
Subject: FW: Objection to Arch 289 license application - Cambridge Heath Road

From: Colin [REDACTED]
Sent: 05 July 2017 13:53
To: Licensing
Subject: Objection to Arch 289 license application - Cambridge Heath Road

Dear Licensing Dept of Tower Hamlets,

I understand that Arch 289 of Railway Arches, Cambridge Heath Rd, London E2 9HA have applied for a license to serve alcohol. I have been informed of this licensing application by a neighbour. I would like to lodge an objection to this application on the following grounds:

- There has not been adequate consultation taken place over the licensing application meaning that residents have not been informed and cannot therefore lodge any objections should they wish.
- There will be substantial noise generated late into the night and early morning. There will be large volumes of people congregating late at night creating large volumes of noise.
- The value of my property will be affected negatively,
- There is likely to be an increase in anti-social behaviour in the area

I would look forward to the opportunity to discuss the matter further to put across my points in person to ensure that the licensing application is not passed in it's current proposal.

Yours sincerely

Colin Phillips

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

Appendix 6

Corinne Holland

From: Mohshin Ali on behalf of Licensing
Sent: 06 July 2017 17:21
To: Corinne Holland
Subject: FW: Application for a Premises License: Patrick Walsh REDON, 289 Railway Arches, Cambridge Heath Road, E2 9HA

From: J DENHAM [REDACTED]
Sent: 05 July 2017 21:05
To: Licensing
Cc: [REDACTED]
Subject: Application for a Premises License: Patrick Walsh REDON, 289 Railway Arches, Cambridge Heath Road, E2 9HA

Dear Sirs,

Ref: Notice of Application for a Premises License published in the Docklands and East London Advertiser (June 22 issue)
Patrick Walsh, Redon 289 Railway Arches, Cambridge Heath Road, London E2 9HA

We live in [REDACTED], opposite Railway Arch 289 and wish to object strongly to this application on the following grounds:

Prevention of Public Nuisance:

There will be noise disruption to all residents in the vicinity of this venue, not just those living in Cambridge Court and not just those whose property looks out on to Cambridge Heath Road.

There is already major noise disruption from a number of other venues on Cambridge Heath Road which have been subject to numerous complaints to the Noise Team/Police, most recently about the Cafe Chantant at Arch 300. A number of residents of Cambridge Court are currently maintaining noise nuisance diaries as advised by officers from the Environmental Protection team at London Borough of Tower Hamlets as part of their investigation of these complaints.

This proposed venue (Arch 289) is closer to Cambridge Court so the noise disruption on a daily basis will only increase for us.

Residents of Cambridge Court had cause to complain on a number of occasions about the disruption from this venue under its previous guise as The Arch Gallery in relation to:

- extremely loud music (both live & recorded) which could be heard (and felt) even when residents and the venue had their doors and windows closed;
- 'customers' congregating outside the premises not only at closing time but also while the venue was open;

In addition the Arch Gallery was open late only on Friday & Saturday, the proposed application is for the venue to be open 'late' every day of the week.

The application indicates that plays, films, dance, live and recorded music will be provided indoors only, with windows and doors shut at all times. We note that it doesn't say amplified music but there are concerns as there is nothing to say how the premises will be sound proofed to ensure that there will be no noise disruption or vibration felt by residents from any music/sound. This venue was found wanting in its sound-proofing when it was the Arch Gallery and provided non amplified live and recorded music.

The application says no drinking is to be allowed outside the venue but how will this work when the same application also requests for late night refreshment to be available both indoors and outdoors from 11pm – midnight on Mon, Tues, Wed, Thurs, Sun and 11pm – 1am on Friday & Saturday. This will lead to public nuisance in noise (as above) and further littering. We already have to clear litter, including empty alcohol bottles, food remnants and other unsavoury things that have been left both in the car park and at the front entrance to Cambridge Court on a regular basis. This is not pleasant.

Residents currently suffer from unacceptable noise problems and vibration from other venues (as already mentioned above) and previously had to endure similar unacceptable disruption when the venue that is the subject of this application was open. Our windows and doors have to be shut (even in warm weather); television and radios have to be turned to full volume to drown out the noise; ear plugs have to be used in order to go to sleep (or at least try to). We have been unable to read, study or work in the evenings which can impact on our day jobs. The lack of peace and quiet disturbs everyone.

Public Safety:

'Customers' will congregate and loiter on the pavement outside the premises as they wait to go in to the venue, to have a smoke or a drink break, or when leaving at closing time (as occurred regularly when this venue was The Arch Gallery). This particular stretch of Cambridge Heath Road is already busy with foot traffic and passengers exiting from the nearby railway station, bus stops, and from Bethnal Green underground station a short walk away. A crowd of people outside a venue can be intimidating and will force pedestrians to walk in the road to avoid them.

Prevention of Crime and Disorder:

There is potential for an increase in anti social behaviour in the vicinity of Cambridge Heath Road and Cambridge Court. We have already had some unsavoury incidents inside Cambridge Court with non-residents gaining entry to take drugs (as already reported to the police).

The car park of Cambridge Court is already subject to anti social behaviour from non-residents. It is used as a urinal, particularly the entrance to the car park and the area by the residents' waste bins (and was regularly used for such purposes by customers of this venue when it was The Arch Gallery); it is also used as a place to undertake other dodgy actions at all hours such as drug dealing; drinking; car number plate changing, fly tipping, plus loading and unloading.

Cambridge Court residents have had their cars, parked in their own car park, damaged: paintwork scratched, tyres slashed and tyres let down, the latter example was a very serious risk to individuals' safety.

Cambridge Court residents are often unable to park in their own car park due to non-residents using it to load and unload goods, undertake repairs etc. Such non-residential use will increase if this application is approved: taxis will use it to wait for customers at closing time and as there are no parking facilities immediately outside the venue, the potential for further loading/unloading of goods and equipment increases.

Residents have also been verbally abused when challenging people to stop such actions.

This proposal will lead to an increase in such antisocial behaviour (these activities happened when the Arch Gallery was open too) and residents will feel even more vulnerable and unsafe.

In view of the above, we strongly urge that this application is refused.

Residents of Cambridge Court
[REDACTED]

[REDACTED]

Jo Denham [REDACTED]

Nicola Denham [REDACTED]

Maggie Li [REDACTED]

Lindsay Mead [REDACTED]

Appendix 7

Tuesday 4th July 2017

[REDACTED]

[REDACTED]

London

[REDACTED]

RE: Notice of Application for a Premises Licence – Redon, 289 Railway Arches, London, E2 9NA

Dear Sir/Madam,

I am writing to formally object to the application for a premises licence by Patrick Walsh of Redon, 289 Railway Arches, E2 9HA.

Given the highly residential nature of the area, the addition of another late night venue would not be appropriate and would have a detrimental impact. Cambridge Heath Road has a large number of residents in the direct vicinity of the 289 Railway Arches, with the Cambridge Court block alone containing 30 flats in private ownership.

We have owned and lived in our property for over 5 years now. While previously fairly peaceful, since July 2016 the granting of late night premises licences to local businesses has caused a lot of disruption to our lives. It is extremely stressful dealing with the current situation. It is unthinkable that the council would exacerbate the existing problem by granting yet another premises licence.

The council will have record of the numerous existing complaints to both Licencing and Environmental Health in relation to the two existing bars from a number of local residents. Both properties repeatedly breached the hours and/or restrictions on their premises licence and on many occasions the council have done very little to address these breaches.

Problems have included: excessive music noise, loud shouting and swearing in the early hours of the morning, antisocial behaviour in the car park of our property (which is publicly accessible) by bar patrons, gatherings on the streets after the premises have closed and patrons urinating in the alleyway of our property after leaving the existing venues.

I am very concerned that granting this premises licence to Redon, 289 Railway Arches, including the late night hours requested, would compound the existing issue. I would strongly recommend that the council either reject the application or at the very least restrict the hours to not past 10pm on week days, 11pm on Friday/Saturdays. Appropriate noise and antisocial behaviour conditions should also be put in place on the premises licence and must be enforced.

Please do feel free to contact me if you have any questions or require further information. I truly hope you understand the negative impact premises of this type are having on local residents and I would kindly urge you to consider my points above during the application review.

Kind regards,

[REDACTED]

Laura Clarke

[REDACTED]



Appendix 8

[REDACTED]
London
[REDACTED]

Dear Sir / Madam

I am writing to strongly object to the licence application for Redon 289 railway arches, london, E29HA.

My wife and I have been living in the flats [REDACTED] this arch for 8 years and over this time have had to contend with many different evolutions of this premises that all have been very disruptive to the local community.

There are currently two other late night bars along the arches and all are very disruptive,

We have spent the last 2 months setting up official noise complaints to your council as not many of the terms set out in the licence were adhered to such as-

- late night music being played outside
- peoples standing outside smoking and shouting until 2-3am
- drug use taking place in our car park before people go back into the bars
- People urinating in our car park after closing.

This is a residential area and always has been, it is a total disgrace to even consider offering a bar late licence when they are directly opposite hundreds of people's homes.

I know everyone in our block feels the same about this and I will be speaking to them all tonight,

In my opinion there should be nothing allowed in these premises late than normal pub hours of 11pm, and certainly no music or gathering of people on the pavement smoking outside.

I would be happy to contest this in every way possible,

Please contact me on
[REDACTED]

Jon marson



Appendix 9

Corinne Holland

From: Corinne Holland on behalf of Licensing
Sent: 05 July 2017 13:28
To: Corinne Holland
Subject: FW: Redon 289 railway arches E2 9HA

From: Lorna May Wadsworth [REDACTED]
Sent: 05 July 2017 12:53
To: Licensing
Cc: [REDACTED]
Subject: Redon 289 railway arches E2 9HA

Dear Sirs,

I am a resident of [REDACTED], and my bedroom looks on to the premises applying for a license.

I am writing to state in the strongest possible terms my objection to your granting the above license. This is a residential area. The neighbouring establishments to whom you have already granted a license have made my summer a misery and are greatly impacting on my peace of mind and ability to live comfortably in my home. I urge you, in fact I implore you not to grant this, or any other further late night drinking/entertainment licenses in this area, which is and has been residential for many years.

I have had to make numerous complaints about the neighbouring license at 299 railway arches. All the terms of the licence were flouted on many occasions. Likewise the establishment Cafe Chantant at no. 294 makes my life a misery every Thursday evening with completely unacceptable levels of music. I have tried to contact noise control at the council several times but can never get through, and have had to call them repeatedly and go round myself to beg them to keep the noise at a level where I am not terrorised.

Please. No more. I simply cannot take it. Previously I have been told my objections were too late and the license had already been granted. Not this time. Please. Do not grant this license and please do not take the existing licenses granted as a set precedent and reason to green light this one. Those you have already granted are causing great consternation and misery amongst local residents. Many in my block are very, very unhappy with the current state of things. I am CCing in several of them into this email.

Yours sincerely,

Lorna May Wadsworth

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

[REDACTED]

Appendix 10



12th July 2017

**289 Railway Arches
Cambridge Heath Road
London E2 9HA**

Dear local resident,

I am writing to introduce myself, and hopefully you to my new business. I have recently taken on the lease for Arch 289 Cambridge Heath Road, and I'm wanting to reopen it as a music and arts venue called Redon, with a food and alcohol provision.

I wanted to reach out to local residents who have raised concerns in respect of this application to address any issues or concerns you may have regarding this project.

I have no connection to the previous tenant, back when the space was called The Arch Gallery.

To be very clear, as opposed to the previous tenants, we are not in the business of putting on late night DJ lead club nights. Our programming objective for the venue is this: we are passionate about providing a high calibre platform for live music, theatre and comedy performance and events.

We are excited and confident that we will be able to offer a valuable cultural addition to the local area, accessible to a diverse audience.

However, I am aware that in the past The Arch Gallery had issues with anti-social behaviour from patrons arriving and leaving the premises. I can assure you we will be taking immediate steps to prevent this happening when we open.

For background information the premises location which I have taken over previously until as recently as April 2017 had a licence for the same hours and activities for which we have applied. The owners through an administrative mistake allowed this licence to lapse.

We have re-applied for a new licence for the same hours as this licence but have also offered up a set of robust operating plans and procedures as part of the application, to enable us to run a successful business and not impact the amenity of local residents.

I have copied the 26 legally enforceable licence conditions offered a part of the application for your information at the end of this letter.

Our experienced security team will be instructed to monitor the local streets and alleyways, to make sure patrons arrive and leave in an orderly fashion.

We adopt a zero tolerance policy to all anti-social behaviour, and when necessary we will refuse entry, issue lifetime bans or notify the police.

Our CCTV system covers not only the premises, but also the surrounding streets and alleyways, and we will work closely with the police and local authorities to identify and prosecute trouble makers.

In addition to implementing an effective new security plan, we have taken further steps to make sure we don't cause any disturbance to local residents.

During the renovation process we have extensively soundproofed the premises, so that with the music turned up to our operating level, you can't hear it on the street. This will eliminate noise pollution at the front and back of the venue.

We are putting a small smoking area on Cambridge Heath Road, but we have limited the number of smokers outside after 9pm to 10 people.

In addition, smokers will not be able to take any drinks outside and will be instructed to keep noise to a minimum.

Upon leaving the venue at the end of the evening, patrons will be ushered away from the immediate vicinity by our experienced security team.

We will ensure that our patrons behaviour in a respectful manner so that any previous issues you made experienced are not repeated.

I'd like to invite you and the other concerned residents to Redon to see the changes we've made and discuss any issues or concerns you have in person. I'll be hosting a residents meeting at 7pm on Tuesday 18th July and I would like the opportunity to show you the venue I'll be here with the management team, and we look forward to meeting you then.

If you can't make it on the 18th July, I'd be happy to meet you individually on another occasion. Please email me at [REDACTED] to arrange this.

Finally I have read all the residential concerns especially those in respect of the previous owners and existing premises in the location.

I would therefore also be more than happy to set up a regular resident's licensee forum with the other business to ensure that any issues you have been experiencing are addressed permanently going forward.

Thank you for giving me this opportunity to contact you, I have asked the licence officer to forward you this letter I will didn't want to be intrusive and e-mail you directly until you had contacted me personally.

Regards

Paddy.

The suggested conditions offered as part of our application are copied below.

1 All instances of crime and disorder shall be reported to the police. An incident book shall be used to record all instances of public disorder and incidents at the premises.

2 The holder of the premises licence shall subscribe to and participate fully in the

local pub watch scheme. When deemed necessary by way of event based risk assessment that SIA registered door supervisors will be employed until 30 past closing time at the rate of one door supervisor for every one hundred customers. CCTV shall be installed, operated and maintained in agreement with the Police.

3 The CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum of 31 days. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity. There must also be someone on the premises, who can download the images and present them on request by a police officer or other responsible authority. One camera shall be placed o/s the entrance and on entry.

4 The Log-book shall be made available for inspection by authorised officers.

5 All exit routes shall be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly identified. All exits doors shall be maintained easily operable without the use of a key, card, code or similar means.

6 Exit doors shall be regularly checked to ensure that they function satisfactorily and a record of the check shall be kept. Adequate and appropriate supply of first aid equipment and materials must be available on the premises at all times.

7 In the event of complaints of noise being received and substantiated by the council's noise officers, the licensee shall cease the activity of live music and appoint a noise consultant registered with the Institute of Acoustics or Association of Noise Consultants to prepare a scheme of further sound insulation and noise control measures, which may include the recalibration of the noise limiting device, to prevent persons in the neighbourhood from being unreasonably disturbed by noise of music, including live music, and amplified or raised voices coming from the from the premises.

8 The scheme shall be submitted for approval by the Council, and the approved scheme fully implemented to the satisfaction of the Council and the licensee notified in writing accordingly, before live music and dancing can resume at the premises.

9 Where a noise limiting device is installed, the system must be set by the appointed noise consultant to maximum music noise levels approved by, and in conjunction with, the Council's Pollution Team. No drinking shall be permitted outside.

10 After 9pm the numbers of persons permitted to smoke outside shall be limited to 10 persons.

11 A policy shall be devised in respect of loading and unloading on equipment in and out of the premises to minimise disturbance to local residents.

12 Doors and windows to the premises will be kept closed, so far as practicable, at all times when noise generating regulated entertainment is taking place i.e. live and recorded music.

13 No Music or Amplified Sound shall be generated on the premises to give rise to a

nuisance to neighbouring residents.

14 Loudspeakers shall not be located in the entrance lobby or outside the premise building.

15 All windows and external doors shall be kept closed after 22:00 hours, or at any time when regulated entertainment takes place, except for the immediate access & egress of persons.

16 A dedicated licensed taxi/mini cab service shall be available with the premises for customers, where customers are using as mobile operator, sign shall excited and door staff will be pro active to encourage customers to remain in the premises until the taxi has arrived.

17 Bottling out from the premises is prohibited between 23:00 hours and 08:00 hours.

18 Refuse such as bottles must be placed into receptacles outside the premises at times that will minimise the disturbance to nearby properties.

19 The contact telephone number for the premises duty manager shall be displayed inside the premises or immediately outside the premises such that it is clearly visible from outside without the need to enter the premises.

20 The licensee shall devise a dispersal plan for evening events to be made available on request to reasonable authorities.

21 The licensee shall ensure that all staff, including Door Supervisors if required, shall be trained to carry out these tasks and to facilitate effective crowd dispersal at the end of any given evening, and ensure that they have signed a staff record form to verify that they have been trained in these process.

22 The licensee shall put arrangements in place to ensure that before serving alcohol to young persons, staff ask to see accredited proof of age cards e.g. Citizencard, a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.

23 Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.

24 The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The licensee shall keep records of training and instruction given to staff. The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor.

25 All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request.

26 The licensee should regularly monitor staff to check how they are dealing with young people who ask for alcohol and other age restricted products.

27. On Friday and Saturday evenings there shall a minimum of two SIA registered door supervisors from 9pm until 30 minutes after closing, or all customers have dispersed the location.

Appendix 11

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

Relevant, vexatious and frivolous representations

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

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

Appendix 12

Anti-Social Behaviour on the Premises

Licensing Policy

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

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

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

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

Police Powers

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

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

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

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

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

Guidance Issued by the Office of Fair Trading

This relates to attempts to control minimum prices.

Other Legislation

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

Appendix 13

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 14

Noise while the premise is in use

General Advice

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

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

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

Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. (**See Sections 10.1 of the Licensing Policy**). While all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. (**See Section 15.10**).

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

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

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

Police Powers

Part 8 of the Licensing Act 2003 enables a senior police officer to close down a premises for up to 24 hrs where public nuisance is being caused by noise coming from the premises and the closure of the premises is necessary to prevent that nuisance.

Guidance Issued under Section 182 of the Licensing Act 2003

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

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

Licence conditions should not duplicate other legislation (1.16).

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

Other Legislation

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

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

Appendix 15

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

Updated April 2017

Public nuisance

- 2.15 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.
- 2.16 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.
- 2.17 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 16). 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.
- 2.18 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.

- 2.19 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.
- 2.20 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.
- 2.21 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 16

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 17

Access and Egress Problems

Such as:

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

Comment

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

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

General Advice

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

The hours of operation also need to be considered.

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

Licensing Policy

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

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

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

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

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

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

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

Licence conditions should not duplicate other legislation (1.16).

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

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

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

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

Appendix 18

Licensing Policy Relating to Hours of Trading

All applications have to be considered on their own merits.

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

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

(see 15.8 of the Licensing Policy)

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

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

(See 15.9 of the licensing policy)

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

- Theatres
- Cinemas
- Premises with club premises certificates

Appendix 19

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 or 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.

