

Appendix 1

**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 OSM Holdings Limited

(insert name(s) of applicant)

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 71 Brushfield Street			
Post town	London	Postcode	E1 6AA

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£77,500

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | 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 in Wales 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 (by ticking yes to one box below):

- 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		
Date of birth		I am 18 years old or over		<input type="checkbox"/>	Please tick yes
Nationality					
Current residential 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		
Date of birth		I am 18 years old or over		<input type="checkbox"/>	Please tick yes
Nationality					
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 OSM Holdings Limited
Address SOVEREIGN HOUSE, 14-16 NELSON STREET, DOUGLAS, IM1 2AL, Isle of Man
Registered number (where applicable) 008905V
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited by shares
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note 1)

The application is made by the landlord to reinstate the lapsed premises licence 17309, following the insolvency of the licence holder, on terms that reproduce the effect of the expired licence.

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 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			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 (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Wed					
Thur			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 (please read guidance note 6)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			
Fri			<u>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</u> (please read guidance note 6)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Wed					
Thur			<u>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</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur					
Fri			<u>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</u> (please read guidance note 6)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur								
Fri						<u>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</u> (please read guidance note 6)		
Sat								
Sun								

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Tue					
			<u>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</u> (please read guidance note 6)		
Wed					
Thur					
Fri					
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p>Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p>Please give further details here (please read guidance note 4)</p>		
Wed					
Thur			<p>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)</p>		
Fri					
Sat			<p>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 (please read guidance note 6)</p>		
Sun					

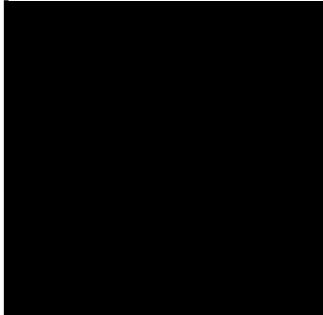

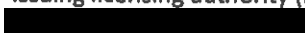
I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Wed					
Thur			<u>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</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	0700	2200			
Tue	0700	2200			
Wed	0700	2200			
Thur	0700	2200	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	0700	2200			
Sat	0700	2200			
Sun	0700	2200			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Paul Toby Brown

Personal licence number (if known) 
Issuing licensing authority (if known) 

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).
None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	0700	2230	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 (please read guidance note 6)
Tue	0700	2230	
Wed	0700	2230	
Thur	0700	2230	
Fri	0700	2230	
Sat	0700	2230	
Sun	0700	2230	

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

Please refer to the attached schedule of conditions which replicate those attached to lapsed premises licence 17309 for the promotion of all four licensing objectives.

b) The prevention of crime and disorder

Please refer to box a) above.

c) Public safety

Please refer to box a) above.

d) The prevention of public nuisance

Please refer to box a) above.

e) The protection of children from harm

Please refer to box a) above.

Checklist:

Please tick to indicate agreement

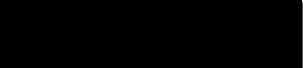
- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable. **Electronic Submission - LA to serve RA's**
- I have enclosed the consent form completed by the individual 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.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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

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.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	10/08/2017
Capacity	Thomas & Thomas Partners LLP as solicitors on behalf of the applicant

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). 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 14) ref: TOM/AC/OLD.2.2 Thomas & Thomas Partners LLP 38a Monmouth Street			
Post town	London	Postcode	WC2H 9EP
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. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:

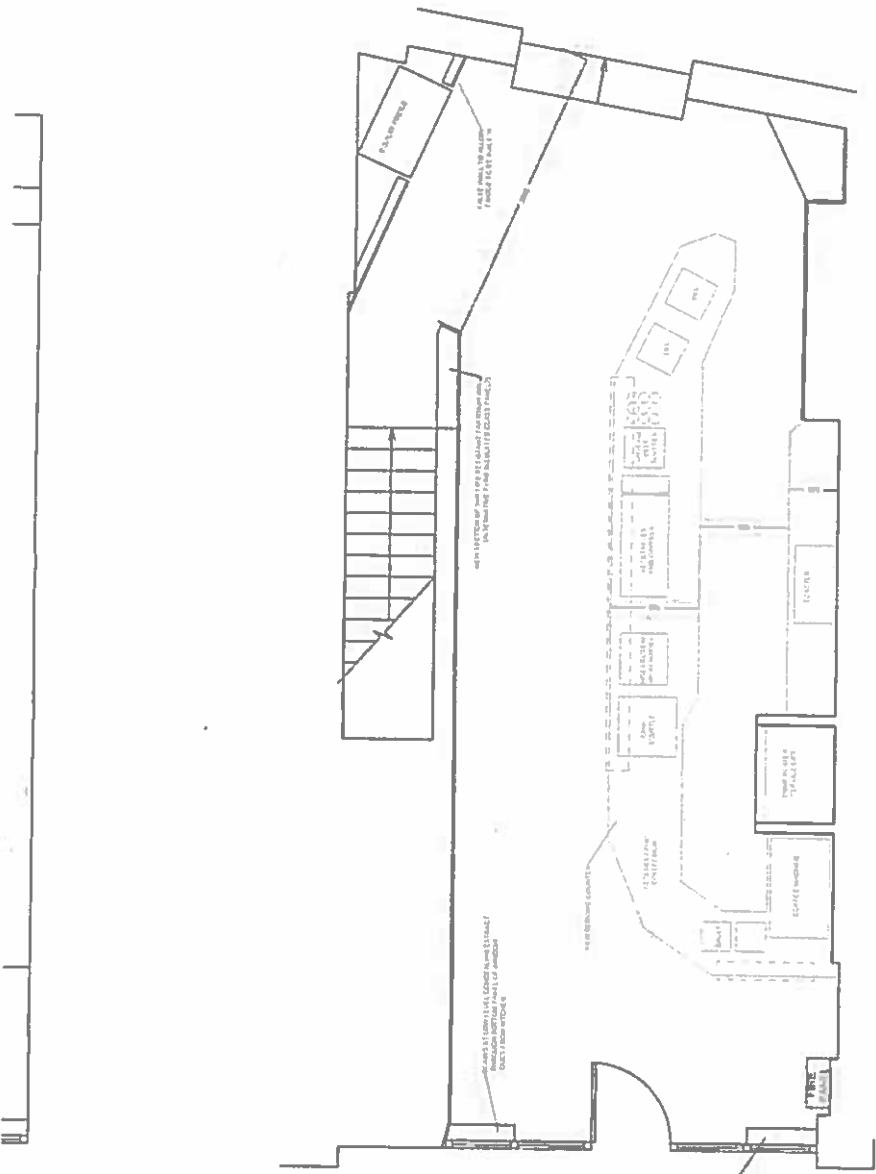
New Premises Licence

71 Brushfield Street

Conditions (as per lapsed licence 17309)

1. At least one personal licence holder shall be present whilst the premises is open for business.
2. CCTV with date and time recording facilities shall be installed and maintained at the premises in accordance with the advice of a Metropolitan Police Crime Prevention Officer. Recording media to be retained for at least 30 days and to be readily available for inspection by Police or other statutory authority.
3. The Designated Premises Supervisor (DPS) will maintain an incident book and ensure that staff are trained in its use. The incident book will be properly maintained and it shall be produced to the Police and Licensing Authority on request.
4. The final hours shall be a winding down period in which drinks will stop being served and sold.
5. The DPS will ensure that the immediate vicinity of the premises is kept free of any litter and debris associated with the premises and that the appropriate procedures for refuse are followed.
6. The DPS will maintain details of public and private transport links to ensure that patrons are properly directed to their forward destination.
7. The DPS will ensure that signage displayed in a prominent area will remind patrons to leave the premises in a good orderly manner.
8. The premises will operate a recognised proof of age scheme as advised by the Police and Licensing Authority.

Appendix 2



SCALE
metres
1 2 3 4 5

BSI
TRADING STANDARDS
- 2 FEB 1999
BRUNNEN

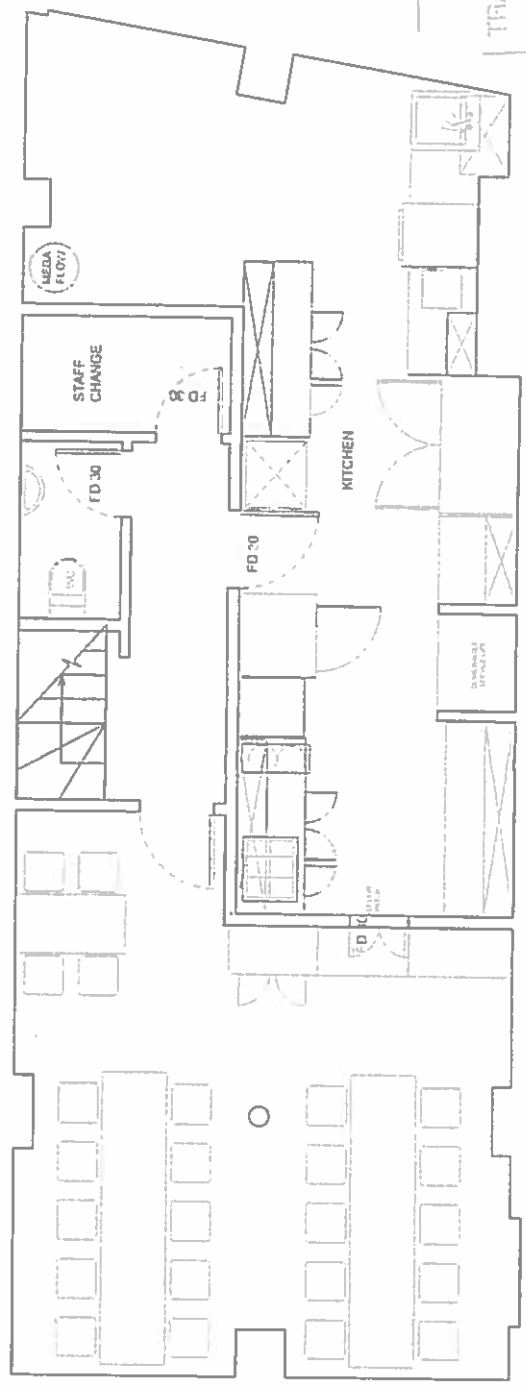
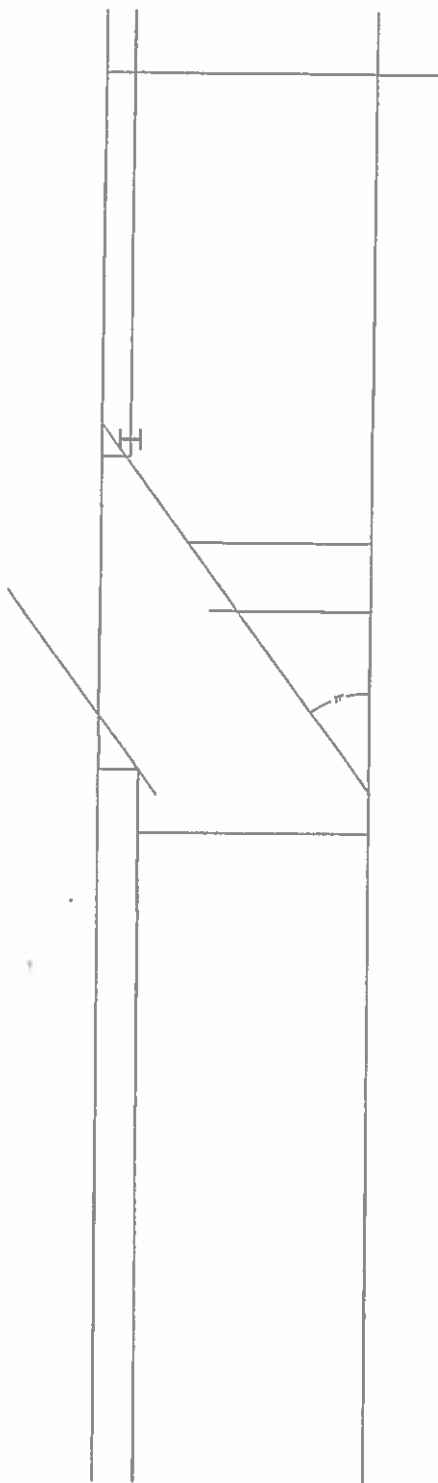
DRAWING No 1420/1 revA
DATE 30/10/14 SCALE @ A3:1.50

DRAWING TITLE PROPOSED GROUND FLOOR LAYOUT
CLIENT 'O' FOOD
SITE ADDRESS 71, BRUSHFIELD STREET, SPITALFIELDS, LONDON

FOR INFORMATION PURPOSES ONLY: ALL DIMENSIONS TO BE CHECKED ON SITE AND NOT TO BE USED TO SCALE. THESE DIMENSIONS ARE FOR INFORMATION PURPOSES ONLY. ALL DIMENSIONS TO BE CHECKED ON SITE AND NOT TO BE USED TO SCALE. THESE DIMENSIONS ARE FOR INFORMATION PURPOSES ONLY.

www.ofood.co.uk
T: 0203 203481

LBTH
 TRADING STANDARDS
 - 2 FEB 2015
LICENSING



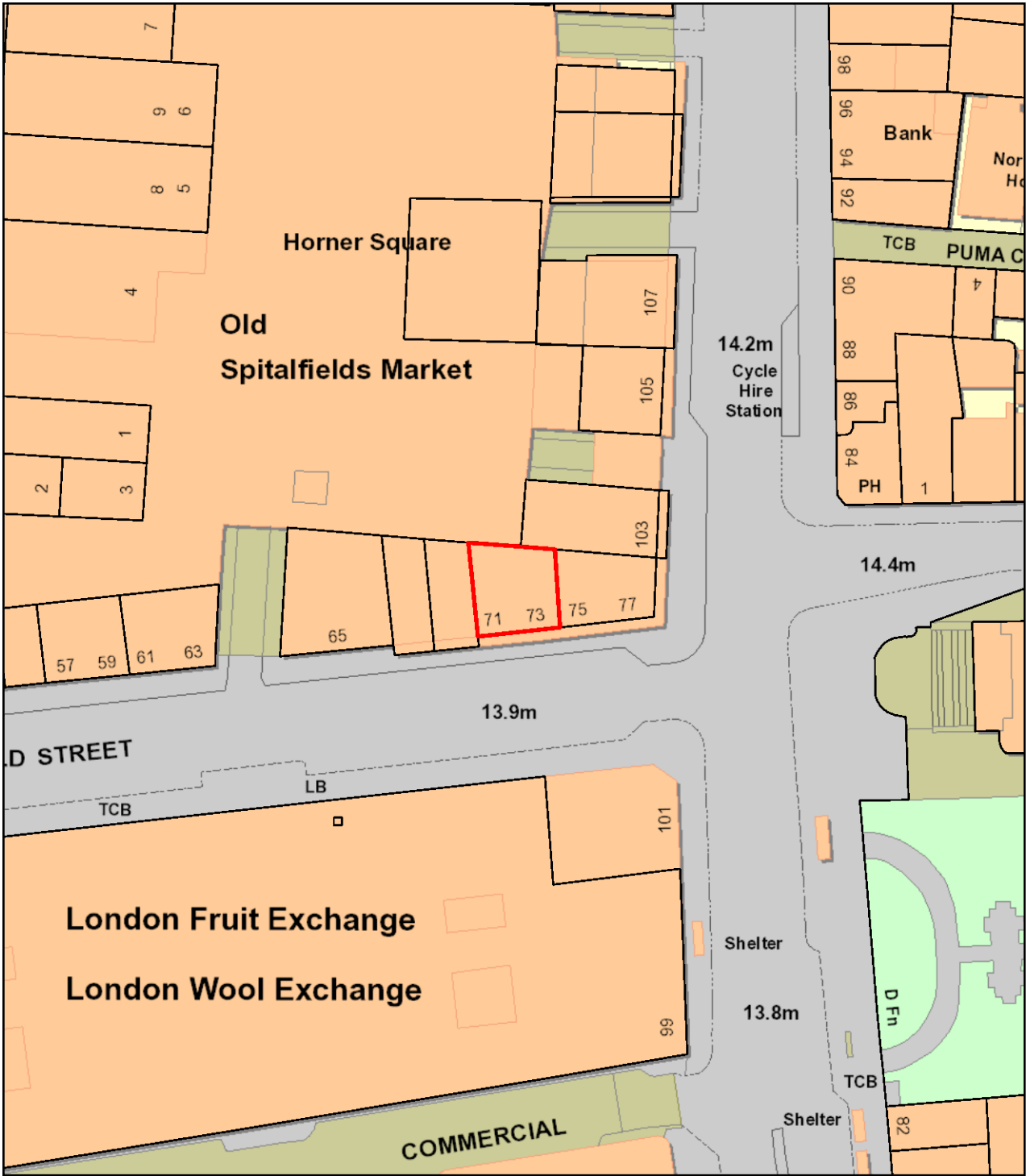
FOR IDENTIFICATION PURPOSES ONLY. ALL DIMENSIONS TO BE CHECKED ON SITE AND USED IN PREFERENCE TO THOSE GIVEN ON SCALE DRAWINGS. THE DRAWINGS AND MUST BE BROUGHT TO THE ATTENTION OF THE DESIGNER. COPYRIGHT © ANB11/2014/01/01/01



DRAWING No 1430/2revG
 DATE: 8/9/14 SCALE @ A3: 50

ALTERNATIVE BASEMENT LAYOUT
 CLIENT: 'O' FOOD
 SITE ADDRESS: 71, BRUSHFIELD STREET, SPITALFIELDS, LONDON

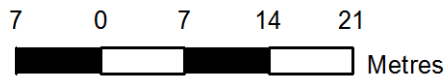
Appendix 3



71 Brushfield Street



Scale 1:769





71 Brushfield Street



Scale 1:3074

25 0 25 50 75



Metres



Appendix 4

Application for a Premises Licence for (O-Food), 71 Brushfield Street, London E1 6AA

Name and address	Licensable activities and hours	Opening hours
<p>(Vagabond Wines) 67 Brushfield Street London E1 6AA</p>	<p>The sale by retail of alcohol (both on and off premises)</p> <ul style="list-style-type: none"> • Monday to Saturday from 10:00hrs to 23:00hrs • Sunday from 10:00hrs to 22:00hrs <p>The provision of late night refreshment (both indoors and outdoors)</p> <ul style="list-style-type: none"> • Monday to Saturday from 23:00hrs to 23:30hrs 	<ul style="list-style-type: none"> • Monday to Saturday from 08:00hrs to 23:30hrs • Sunday from 08:00hrs to 22:30hrs
<p>(Rapha Racing Cycle Club, Cafe & Store) Spitalfields Market 61-63 Brushfield Street London E1 6AA</p>	<p>Sale by retail of alcohol (On sales only)</p> <ul style="list-style-type: none"> • Monday to Sunday, from 11:00 hours to 21:00 hours <p>The provision of regulated entertainment – Indoors <u>Films</u></p> <ul style="list-style-type: none"> • Monday to Sunday, from 08:00 hours to 21:00 hours 	<ul style="list-style-type: none"> • Monday to Sunday, from 08:00 hours to 21:30 hours
<p>(The Gun) 54 Brushfield Street London E1 6AG</p>	<p>The on and off sale of alcohol, Monday to Thursday, 11.00am to 23.00pm.</p> <p>Friday and Saturday, 11.00am to 23.30pm. Sunday, 12noon to 22.30pm.</p>	<p>Monday to Thursday, 11.00am to 23.30pm. Friday and Saturday, 11.00am to midnight. Sunday, 12noon to 23.00pm.</p>
<p>(Market Coffee House) 50-52 Brushfield Street London E1 6AG</p>	<p><u>Sale of alcohol (On sales only)</u> Monday to Saturday 08:00 hours – 22:30 hours Sunday 10:00 hours – 18:30 hours</p> <p><u>Regulated entertainment</u> Live music: Monday to Sunday 15:00 hours – 22:00 hours</p> <p>Recorded music: Monday to Sunday 08:00 hours – 22:30 hours</p>	<p>Monday to Saturday 08:00 hours – 23:00 hours Sunday 09:00 hours – 19:00 hours</p>
<p>(Barber Barber) 51 Brushfield Street Spitalfields London E1 6AA</p>	<p>Sale by retail of alcohol (on sales only)</p> <ul style="list-style-type: none"> • Monday to Saturday, from 09:00 hours to 21:00 hours • Sunday, from 09:00 hours to 19:00 hours 	<p>Monday to Saturday, from 09:00 hours to 21:30 hours Sunday, from 09:00 hours to 19:30 hours</p>
<p>(Blixen) 65a Brushfield Street London E1 6AA</p>	<p>Alcohol shall not be sold or supplied except during permitted hours. In this condition, permitted hours means:</p> <ol style="list-style-type: none"> a. On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00hrs to 23:00hrs b. On Sundays, other than Christmas Day or New Year's Eve, 12:00hrs to 22:30hrs c. On Good Friday, 12:00hrs to 22:30hrs. d. On Christmas Day, 12:00hrs to 15:00hrs and 19:00hrs to 22:30hrs e. On New Year's Eve, except on a Sunday, 	<p>There are no restrictions on the hours during which this premises is open to the public</p>

Application for a Premises Licence for (O-Food), 71 Brushfield Street, London E1 6AA

	<p>11:00hrs to 23:00hrs f. On New Year's Eve on a Sunday, 12:00hrs to 22:30hrs g. On New Year's Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, 00:00hrs (midnight) on 31st December).</p> <p>Supper Hours Certificate Alcohol may be sold or supplied (for one hour following the hours set out above and) to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply. In addition on Christmas Day for the purposes set out under Supper Hours Certificate the permitted hours shall extend between the first and second parts of the general licensing hours</p> <p>Late Night Refreshment Hot drinks and hot food can be served up to 30minutes after the last permitted sale of alcohol. Thus Monday to Saturday until 00:30hrs (the following day) Sunday 00:00hrs (midnight)</p> <p>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 23:00hrs on New Years Eve and 11:00hrs on New Years Day.</p>	
<p>(A.Gold) 42 Brushfield Street London E1 6AG</p>	<p>Alcohol shall not be sold or supplied except during permitted hours. (Off sales only) In this condition, permitted hours means: a. On weekdays, other than Christmas Day, 8 a.m. to 11 p.m. b. On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m. c. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m. d. On Good Friday, 8 a.m. to 10.30 p.m.</p>	<p>There are no restrictions on the hours during which this premises is open to the public</p>
<p>(Pho) 48 Brushfield Street London E1 6AG</p>	<p>The sale by retail of alcohol Monday to Saturday – 10:00 to 00:00 (midnight) Sunday 12:00 – 23:30</p> <p>The provision of late night refreshment Monday to Saturday – 23:00 – 00:30 the following day Sunday 23:00 – 00:00 (midnight)</p>	<p>Monday to Saturday – 23:00 – 01:00 the following day Sunday 23:00 – 00:30 the following day</p> <p>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion</p>

Application for a Premises Licence for (O-Food), 71 Brushfield Street, London E1 6AA

	<p>The provision of regulated entertainment (in the form of recorded music) Monday to Saturday – 10:00 to 00:00 (midnight) Sunday 12:00 – 23:30</p> <p>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.</p> <ul style="list-style-type: none"> • 	<p>Licensing) Order 2002. Which means that while that order is in effect the premises may remain open from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.</p>
<p>98 Commercial Street London E1 6LZ</p>	<p>Sale of Alcohol (on sales only)</p> <ul style="list-style-type: none"> • Monday to Sunday from 11:00hrs to 23:00hrs <p>The Provision of Late Night Refreshment</p> <ul style="list-style-type: none"> • Monday to Sunday from 23:00hrs to 23:30hrs <p>The Provision of Regulated Entertainment (in the form of Films and Recorded Music)</p> <ul style="list-style-type: none"> • Monday to Sunday from 11:00hrs to 23:30hrs 	<p>Monday to Sunday from 08:00hrs to 23:30hrs</p>
<p>(Blessings) 76 Commercial Street London E1 6LY</p>	<p><u>Regulated entertainment.</u> (Live music and recorded music only). Sunday to Thursday 11:00 hours – 23:40 hours Friday & Saturday 11:00 hours – 00:40 hours the following day.</p> <p><u>Sale of alcohol by retail. (On and off sales)</u> Sunday to Thursday 11:00 hours – 23:40 hours Friday & Saturday 11:00 hours – 00:40 hours the following day.</p>	<p>Sunday to Thursday 11:00 hours - midnight Friday & Saturday 11:00 hours – 01:00 hours</p>
<p>(Ten Bells) 84 Commercial St London E1 6LY</p>	<p><u>Sale of Alcohol by retail. (On and off sales)</u> Sunday to Wednesday 06.00 hours – midnight. Thursday to Saturday 06.00 until 01.00 hours the next day.</p> <p>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.</p> <p><u>Late Night Refreshment</u> Sunday to Wednesday 23.00 hours until midnight. Thursday to Saturday 23.00 until 01.00 hours the next day.</p> <p><u>Regulated Entertainment</u> Sunday to Wednesday 06.00 hours - midnight next day. Thursday to Saturday 06:00 hours – 01:00 hours the</p>	<p>Sunday to Wednesday 06.00 hours – midnight. Thursday to Saturday 06.00 until 01.00 hours the next day.</p>

Application for a Premises Licence for (O-Food), 71 Brushfield Street, London E1 6AA

	following day.	
<p>(PizzaExpress) 88-90 Commercial Street London E1 6LY</p>	<p>The sale by retail of alcohol (On and off sales)</p> <ul style="list-style-type: none"> ▪ Monday to Saturday 10 00 hrs to midnight ▪ Sunday 10 00 hrs to 23 30 hrs <p>The provision of regulated entertainment</p> <ul style="list-style-type: none"> ▪ Monday to Saturday 10 00 hrs to midnight ▪ Sunday 10 00 hrs to 23 30 hrs <p>The provision of late night refreshment</p> <ul style="list-style-type: none"> ▪ Monday to Saturday until midnight ▪ Sunday 10 00 hrs until 23 30 hrs <p>Non-standard times</p> <ul style="list-style-type: none"> ▪ New Years Eve/Day open from normal closure on New Years Eve to normal opening on New Years Day 	<ul style="list-style-type: none"> ▪ Monday to Saturday 10 00 hrs to 00 30 hrs ▪ Sunday 10 00 hrs to 00. 00 hrs <p>Non-standard times</p> <ul style="list-style-type: none"> • New Years Eve/Day open from normal closure on New Years Eve to normal opening on New Years Day
<p>80 Commercial Street London E1 6LY</p>	<p>Monday to Saturday from 10:00 hours to 23:00 hours Sunday from 12:00 (noon) to 23:00 hours</p>	<p>Monday to Sunday from 07:00 hours to 23:00 hours</p>
<p>(St John Bread & Wine) 94-96 Commercial Street London E1 6LZ</p>	<p>Alcohol shall not be sold or supplied except during permitted hours. (On and off sales) In this condition, permitted hours means:</p> <ol style="list-style-type: none"> a. On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10 a.m. to 11 p.m. b. On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30 p.m. c. On Good Friday, 12 noon to 10.30 p.m. d. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m. e. On New Year's Eve, except on a Sunday, 11 a.m. to 11 p.m. f. On New Year's Eve on a Sunday, 12 noon to 10.30 p.m. g. On New Year's Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December). <p>For conditions re. "drinking up time" see Annex 1 Mandatory Conditions</p> <p>Alcohol may be sold or supplied for one hour following the hours set out above to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.</p>	<p>There are no restrictions on the hours during which this premises is open to the public</p>

Application for a Premises Licence for (O-Food), 71 Brushfield Street, London E1 6AA

	Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.	
(Square Pie) 105c Commercial Street London E1 6BG	<u>The sale by retail of alcohol (on sales only)</u> <ul style="list-style-type: none"> Monday to Sunday from 11:00hrs to 21:00hrs 	<ul style="list-style-type: none"> Monday to Sunday from 10:00hrs to 22:00hrs
100 Commercial Street London E1 6LZ	<p>Sale of Alcohol (On sales only)</p> <ul style="list-style-type: none"> Monday to Sunday from 11:00 hours to 23:00 hours <p>The Provision of Late Night Refreshment:</p> <ul style="list-style-type: none"> Monday to Sunday from 23:00 hours to 23:30 hours <p>The Provision of Regulated Entertainment in the form of Films and Recorded Music:</p> <ul style="list-style-type: none"> Monday to Sunday from 11:00 hours to 23:30 hours 	<ul style="list-style-type: none"> Monday to Sunday from 08:00hrs to 23:30hrs
(The Stables Gallery) Lower Ground Floor 106 Commercial Street London E1 6LZ	<p><u>Sale of Alcohol (On sales)</u> Monday to Sunday from 11:00hrs to 22:00hrs</p> <p><u>Regulated entertainment (Films):</u> Monday to Sunday from 11:00hrs to 23:00hrs</p> <p><u>Regulated entertainment (Plays):</u> Monday to Sunday from 11:00hrs to 22:30hrs</p> <p><u>Regulated entertainment (Indoor Sport):</u> Monday to Sunday from 11:00hrs to 22:00hrs</p> <p><u>Regulated entertainment (Recorded Music):</u> Monday to Sunday from 11:00hrs to 23:00hrs</p> <p><u>Regulated entertainment (Dance):</u> Monday to Sunday from 11:00hrs to 22:30hrs</p>	Monday to Sunday 10:00hrs to 23:30hrs
(Ely & Sidney) Part Ground and Part First Floor 106 Commercial Street London E1 6LZ	<p>Sale of Alcohol (On sales only)</p> <ul style="list-style-type: none"> Monday to Sunday from 11:00 hours to 21:30 hours <p>The Provision of Regulated Entertainment (Films)</p> <ul style="list-style-type: none"> Monday to Sunday from 11:00 hours to 22:00 hours 	<ul style="list-style-type: none"> Monday to Sunday from 08:00 hours to 22:30 hours

Application for a Premises Licence for (O-Food), 71 Brushfield Street, London E1 6AA

<p>(Taberna do Mercado) 107b Commercial Street London E1 6BG</p>	<p>On and off sales (On and off sales) Monday to Saturday 10:00 hours – 23:00 hours Sunday 10:00 hours – 21:00 hours</p>	<p>Monday to Saturday 08:00 hours – 23:00 hours Sunday 08:00 hours – 21:00 hours</p>
<p>(Smiths of Smithfield) 109 Commercial Street Old Spitalfields Market London E1 6BG</p>	<p><u>BASEMENT FLOOR ONLY</u></p> <p><u>Sale of alcohol (On and off sales)</u></p> <ul style="list-style-type: none"> • Monday to Saturday, from 07:00 hours to 01:00 hours the following day • Sunday, from 09:00 hours to 23:00 hours <p><u>Provision of regulated entertainment – live music, recorded music, performances of dance (and anything of a similar description), provision of facilities for making music and provision of facilities for dancing (and anything of a similar description)</u></p> <ul style="list-style-type: none"> • Monday to Saturday, from 07:00 hours to 01:00 hours the following day • Sunday, from 09:00 hours to 23:00 hours <p><u>Provision of late night refreshment</u></p> <ul style="list-style-type: none"> • Monday to Saturday, from 23:00 hours to 01:00 hours the following day <p><u>GROUND, FIRST AND MEZZANINE FLOORS</u></p> <p><u>Sale of alcohol</u></p> <ul style="list-style-type: none"> • Monday to Saturday, from 07:00 hours to midnight • Sunday, from 09:00 hours to 23:00 hours <p><u>Provision of regulated entertainment - recorded music, performances of dance (and anything of a similar description), provision of facilities for making music and provision of facilities for dancing (and anything of a similar description)</u></p> <ul style="list-style-type: none"> • Monday to Saturday, from 07:00 hours to midnight • Sunday, from 09:00 hours to 23:00 hours <p><u>Provision of late night refreshment</u></p> <ul style="list-style-type: none"> • Monday to Saturday, from 23:00 hours to midnight <p><u>Non-standard timings</u> Occasional permission for sale of alcohol, provision of live music, recorded music, performances of</p>	<ul style="list-style-type: none"> • Monday to Sunday, from 00:00 hours to 00:00 hours (24 hours)

Application for a Premises Licence for (O-Food), 71 Brushfield Street, London E1 6AA

	<p>dance (and anything of a similar description), provision of facilities for making music and provision of facilities for dancing (and anything of a similar description) and late night refreshment outside regular hours up to a maximum of 16 additional times per annum, providing the Police and Local Authority are given at least 48 hours notice.</p> <p><u>Seasonal variations</u> New Year's Eve – licensable activities from the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day and late night refreshment from 23:00 hours to 05:00 hours the following day</p>	
<p>(The Golden Heart) 110 Commercial Street London E1 6LZ</p>	<p>Sale by retail of alcohol (On and off sales):</p> <ul style="list-style-type: none"> • Sunday to Thursday, from 06:00 hrs to 08:40 hrs and 11:00 hrs to 00:00 hrs • Friday and Saturday, from 06:00 hrs to 08:40 hrs and 11:00 hrs to 00:30 hrs <p>Provision of regulated entertainment: <u>Recorded Music</u></p> <ul style="list-style-type: none"> • Monday to Sunday, from 11:00 hours to 00:00 hours <p><u>Anything of a similar description to recorded music</u></p> <ul style="list-style-type: none"> • Monday to Sunday, from 06:00 hrs to 08:40 hrs & 11:00 hrs to 00:30 hrs <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> • New Years Eve until 02:00 hrs the following day 	<ul style="list-style-type: none"> • Sunday to Thursday, from 06:00 hrs to 09:00 hrs & 11:00 hrs to 00:30 hrs • Friday and Saturday, from 06:00 hrs to 09:00 hrs & 11:00 hrs to 01:00 hrs <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> • New Years Eve until 02:00 hrs the following day
<p>(Christchurch Community Vision) Christchurch Spitalfields Commercial Street London E1 6LY</p>	<p>The sale of alcohol (On and off sales) Monday to Sunday from 16:00 hours to midnight</p>	<p>Monday to Sunday from 10:00 hours to 00:30 hours.</p>

Appendix 5

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 6

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

6 September 2017

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

Dear Mr Tolley

**Re your ref CLC/EHTS/LIC/102591. Licensing Act 2003
Premises: OSM Holdings Ltd, 71 Brushfield Street, Old Spitalfields Market, London E1**

I write in opposition to the above application for a premises license, "which can include the sale of alcohol; regulated entertainment or late night refreshment (this means the supply of hot food after 11.00pm)".

I do not appear to have received a copy of your notification dated 11th August and have only just today been shown a copy by a neighbour. Presumably neither of the other 2 flats at [REDACTED] received one either.

I strongly object to the application for a premises license at 71 Brushfield Street, as we already have a saturation of eateries and drinking venues in very close proximity. The other venues nearby tend to extend their premises from inside the shops themselves into the open market space and the accumulative noise from these venues, along with cooking smells are an aggravating nuisance to the residents.

The noise of people talking, eating and drinking, disturbs our peace and quiet of an evening and can disrupt our sleep. This is a particular issue for children sleeping where the windows face into the market.

An accumulation of venues with premises licences means that more people will be standing outside in the street smoking and with noisy talking and laughter as the evening progresses and blocking the pavements.

One of the previous retailers at 71 Brushfield street was a Scandinavian fish food outlet and the smell emanating from those premises was extremely unpleasant for neighbours, and the extract fans of this and other nearby restaurants causes discomfort to people living above or nearby.

It is highly likely that if a premises license was granted at no 71, that this corner of the market would become a hive of social activity of an evening with the noise of people's voices reaching a crescendo as the evening wears on, coupled with the noise that we currently have from Vagabond wine bar two doors down.

We really do not need to have another premises license granted in this listed building.

Yours sincerely,
Pamela Mossman

Appendix 7

Mohshin Ali

From: Damian Doherty
Sent: 07 September 2017 09:53
To: Mohshin Ali
Subject: FW: Premises License Application CLC/EHTS/LIC/102591

Another rep for 71 Brushfield st (OSM)

From: Jack Shadwell [REDACTED]
Sent: 06 September 2017 18:24
To: Licensing
Subject: Premises License Application CLC/EHTS/LIC/102591

Jack Shadwell and Rachel Singer

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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

[REDACTED]

6th September, 2017

Dear Sir,

Your Ref: CLC/EHTS/LIC/102591

Licensing Act 2003

PREMISES: OSM Holdings Ltd, 71 Brushfield Street, London

Re: opposition to the application for a premises licence at No 71 Brushfield Street (reference stated above).

We are writing to object to the above application for premises license at no. 71 Brushfield street. The reasons for our objection are outlined below:

1. There are already a high number of licensed food and drink premises in Spitalfields market, which contribute to noise disturbance for the residents from increased numbers and late night drinkers.
2. Residents have been further disturbed by food smells in their properties due to insufficient extraction.
3. Due to the, already high number, of licensed premises there is concern that this area will become more attractive to rowdy groups of drinkers which may then increase crime and disorder in this residential area.

I trust that you will consider the concern of the residents of Spitalfields when making your decision on this matter.

Sincerely,

Jack Shadwell and Rachel Singer

████████████████████

Appendix 8

Mohshin Ali

From: Damian Doherty
Sent: 07 September 2017 09:55
To: Mohshin Ali
Subject: FW: Your Ref: CLC/EHTS/LIC/102591- PREMISES: OSM Holdings Ltd, 71 Brushfield Street, London

Rep for 71 Brushfield st (OSM)

From: Sophie Stebbins [REDACTED]
Sent: 06 September 2017 20:17
To: Licensing
Subject: Your Ref: CLC/EHTS/LIC/102591- PREMISES: OSM Holdings Ltd, 71 Brushfield Street, London

Sophie Stebbins

[REDACTED]
[REDACTED]
[REDACTED]

Email: [REDACTED]
Tel: [REDACTED]

TOWER HAMLETS
Mr David Tolley
Head of Environmental Health & Trading Standards

Ms Kathy Driver
Principal Licensing Officer

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

[REDACTED]

London, Wenesday 6th September 2017

Your Ref: CLC/EHTS/LIC/102591
Licensing Act 2003
PREMISES: OSM Holdings Ltd, 71 Brushfield Street, London

Dear Sir/Madam,

Re: opposition to the application for a premises licence at No 71 Brushfield Street (reference stated above).

OSM wish to reclaim a licence they lost and this should not be allowed as we have already within 20 meters of No. 71 three restaurants serving food and alcohol. OSM also find it difficult to enforce the leases once their tenants are in place and this has given way to abusive behaviour.

Why should they be granted something that they cannot manage and to which sole purpose for having is to increase of the rents they charge, as opposed to more constructively adding to the ambiance of the market building specifically and the Spitalfields area in general.

Upon my return abroad few days ago I found a notice for a premises licence requested by OSM Holdings. I contacted the residents in the Old Spitalfields Market who live nearby No. 71 Brushfield St. (within the 40 meters distance from the premises as the rule stands) and of the 13 flats (located at No. 105, 103 Commercial St and Nos. 75, 73, 71, 69 and 67 Brushfield St.) only 2 persons including myself out of 13 received the letter from Tower Hamlets.

The notice place in the window of the Chanel shop located at No 71 doesn't even mention that the application is for a premises licence.

Spitalfields' geographical location is a blessing and a curse. Over the years, our neighbourhood has become the target of uncaring developers. Too fast and without consideration for the local residents and our "listed" heritage.

OSM who runs the Old Spitalfields Market has unfortunately rarely taken into account that dozens of persons, families with children live above the shop premises.

They have had a habit for many years to rent the shops to food outlets turning the market into a drinking/eating destination. OSM has increased the turning of totally inappropriate spaces into restaurants where alcohol is served.

As many residents in Spitalfields Market, we have been able to witness lease holders of OSM premises go beyond what their lease obliges them to observe and totally bypass their rights.

We have notified OSM on many occasions that cooking is done when no proper kitchen has been fitted out resulting in awful cooking smells of all sort starting as early at 10 am all through the day.

These food outlets do not have adequate fume extractors and smoke is seeing floating inside the market with nowhere to escape. We can't open our windows and rest on our balconies without the smell of cooking invading our private spaces.

The previous shop at No. 71 was a food outlet selling fish. The smell went directly above as no extractors were in place and this effected the residents of 8 flats situated directly above and on either side of the premises.

My bedroom window is facing the market and I have to bare the noises even when my window is shut of customers intoxicated eating downstairs. In order to double the capacity of people, OSM allow the lease holders to have terraces inside the market literally below all the residents' windows which makes our evenings anything but quite.

The prospect of having more disruption to our lives caused by another food/drink outlet is simply not acceptable.

Yours sincerely.

Sophie Stebbins

Appendix 9

Mohshin Ali

From: Damian Doherty
Sent: 07 September 2017 09:55
To: Mohshin Ali
Subject: FW: Your Ref: CLC/EHTS/LIC/102591-PREMISES: OSM Holdings Ltd, 71 Brushfield Street, London

Rep for 71 Brushfield st (OSM)

From: JoSteb [REDACTED]
Sent: 06 September 2017 20:51
To: Licensing
Subject: Your Ref: CLC/EHTS/LIC/102591-PREMISES: OSM Holdings Ltd, 71 Brushfield Street, London

[REDACTED]

**The Spitalfields Market
Residents Association**

[REDACTED]

[REDACTED]

[REDACTED]

TOWER HAMLETS
Mr David Tolley
Head of Environmental Health & Trading Standards

Ms Kathy Driver
Principal Licencing Officer

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

[REDACTED]

London, Wednesday

6th September 2017

Your Ref: CLC/EHTS/LIC/**102591**
Licensing Act 2003
PREMISES: OSM Holdings Ltd, 71 Brushfield Street, London

Dear Sir/Madam,

Re: opposition to the application for a premises licence at No 71 Brushfield Street (reference stated above).

On behalf of the Spitalfields Markets Residents Association (SMRA) we wish to object to the above referenced Licencing application.

Firstly, when we contacted the residents in the Old Spitalfields Market who live nearby No. 71 Brushfield St. (*within the 40 meters distance from the premises as the rule stands*). Of the 13 flats (*located at No. 105, 103 Commercial St and Nos. 75, 73, 71, 69 and 67 Brushfield St.*) only 2 persons out of 13 received the letter from Tower Hamlets. Therefore, we would like to request a time extension to give all the neighbours concerned by this premises licences a chance to express their views.

Our objections cover concerns around the Prevention of crime and disorder, Public Safety, Prevention of public nuisance the Protection of children from harm, and are based on the following:

Already within the Old Spitalfields Market there is a saturation of licence premises which operate in very close proximity. In this particular instance there are already 3 large establishments serving food and alcohol, both inside and outside within meters from each other:

- Vagabond at No. 67 Brushfield St,
- Blixen 65 Brushfield St,
- Taberna Do Mercado 107 Commercial St (*OSM has yet to enforce after a year of complaints adequate extractor fumes from their BBQ outside which directly all neighbouring flats*)

In any one evening there several hundred customers at these establishments.

Also directly across the street at the old Fruit & Wool Exchange building there will be more bars and restaurants opening in 2018. Which will further saturate the area.

OSM provides licenced premises use of the space inside the market adjacent to their premises. This is directly below the residential flats, the noise from the drinkers and smells of food and alcohol flows directly into the flats.

Already in the neighbourhood there is an excess of premises serving alcohol. Consequently, and well documented from other licencing applications including TimeOut at 106 Commercial St., on Thursday to Saturday nights there numerous instances of urinating on doorways and vomiting in the streets.

Increase in people in around the residential accommodation until late in the night. Any other shop without a licence closes earlier. There are five families with children who live within 40 meters of No.71. Invariably at some stage clients will be leaving the premises intoxicated. Many of the rooms that overlook the inside of the market where the restaurants terraces are located are bedrooms of children as this is often the quietest room in the flat.

For years our main disagreements with the development of the market has been the impact of alcohol, food and noise. Allowing OSM to obtain another licence premises will further contribute to the detriment of the residents' livelihood.

Thank you for your consideration.

Michael Myer, President
Rose Sheldon, Secretary
Jonathan Stebbins, Treasurer

Appendix 10

Mr David Tolley
Head of Environment Health and Trading Standards
Licensing Section
John Onslow House
1 Ewart Place
London
E3 5EQ

[REDACTED]

Thursday 7th September 2017

Your Ref: CLC/EHTS/LIC/102591
Licensing Act 200
Premises: OSM Holdings Ltd, 71 Brushfield Street, London

Dear Sir/Madam,

Re: Opposition for the application for a premises licence at 71 Brushfield Street

I wish to object to the above licensing application at 71 Brushfield Street for the following reasons:

- The noise created by establishments in the market already cause great concern and another licenced premises, underneath my kitchen window, shall just exasperate this. This noise starts as chitter chatter although as the evening progresses this often turns into drunken behaviour and the noise flows directly into the flats that surround the market.
- Following on from the point above, drunken people cause a public nuisance in the area due to antisocial behaviour which lasts well into the night. With premises licences already been submitted for 106 Commercial Street as well as the opening of the old Fruit and Wool Exchange in 2018 this will lead to an saturation of the area.
- With an accumulation of venues with premises licences in the area means an influx of noisy chatter and laughter as people smoke on the outskirts of the market, often leaving their cigarette buds on the ground and blocking the pavement and doorways for pedestrians and residents alike.
- The potential food smell from these premises shall come straight into my property. A previous tenant to 71 Brushfield Street was a Scandinavian fish outlet in which the smell was horrendous and extremely unpleasant for all in the vicinity.

Further to the points raised above, I strongly object to yet another licenced premises in this listed building.

Thank you for your consideration.

Yours sincerely,

Deborah Guise
[REDACTED]
[REDACTED]

Appendix 11

Mohshin Ali

From: MARK.J.Perry [REDACTED]
Sent: 23 August 2017 14:12
To: Licensing
Subject: Premises License App 71 Brushfield St

Follow Up Flag: Follow up
Flag Status: Completed

Deal all,

Please condition agreed with applicant.

Regards

Mark

PC Mark Perry
Police Licensing Officer
Toby Club
Vawdry Close
E1 4UA

From: Amy Catlin [REDACTED]
Sent: 18 August 2017 15:57
To: Perry MARK J - HT
Cc: Thomas O'Maoileoin; Licensing
Subject: RE: 71 Brushfield St

Hi Mark,

I can confirm this is agreed and your contact details have been passed on.

Kind regards,

Amy

From: [MARK.J.Perry](#) [REDACTED]
Sent: 18 August 2017 14:35
To: Amy Catlin <[REDACTED]>
Subject: 71 Brushfield St

Hi,

Good to speak to you today. Following our conversation please can you ask your client to accept the following CCTV condition:

1) A CCTV system to be put in place, the cameras are to be of sufficient quality so that peoples faces are clearly identifiable from the footage. The cameras are to be placed in such a way as they cover areas of the

pub specified by the Police.

The system is to record the footage and to keep it for a minimum of 30 days and a copy off CCTV footage is to be made available to Police or the Local Authority upon request and supplied within 24 hours.

While the premises are open to the public a member of staff must be on duty who can operate the CCTV system

Please let me know if the following condition is acceptable, and if you could pass on my contact details to the new tenant and ask them to contact me once they have secured the premises that would be much appreciated.

Regards

Mark

PC Mark Perry
Police Licensing Officer
Toby Club
Vawdry Close
E1 4UA

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

Consider our environment - please do not print this email unless absolutely necessary.

NOTICE - This email and any attachments may be confidential, subject to copyright and/or legal privilege and are intended solely for the use of the intended recipient. If you have received this email in error, please notify the sender and delete it from your system. To avoid incurring legal liabilities, you must not distribute or copy the information in this email without the permission of the sender. MPS communication systems are monitored to the extent permitted by law. Consequently, any email and/or attachments may be read by monitoring staff. Only specified personnel are authorised to conclude any binding agreement on behalf of the MPS by email. The MPS accepts no responsibility for unauthorised agreements reached with other employees or agents. The security of this email and any attachments cannot be guaranteed. Email messages are routinely scanned but malicious software infection and corruption of content can still occur during transmission over the Internet. Any views or opinions expressed in this communication are solely those of the author and do not necessarily represent those of the Metropolitan Police Service (MPS).

Find us at:

Facebook: [Facebook.com/metpoliceuk](https://www.facebook.com/metpoliceuk)

Twitter: [@metpoliceuk](https://twitter.com/metpoliceuk)

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

Consider our environment - please do not print this email unless absolutely necessary.

Appendix 12

Mohshin Ali

From: Amy Catlin <[REDACTED]>
Sent: 11 September 2017 17:25
To: Kevin Maple
Cc: Licensing
Subject: RE: Premises Licence Application - 71 Brushfield Street

Dear Kevin,

I can confirm that we are able to agree that a Challenge 25 Policy will be adopted and that the proposed condition 8 can be amended to read:

the premises will operate a Challenge 25 proof of age scheme as advised by the Police and Licensing Authority

Kind regards,

Amy

From: Kevin Maple [REDACTED]
Sent: 07 September 2017 17:29
To: Amy Catlin [REDACTED]>
Cc: Licensing [REDACTED]>
Subject: Premises Licence Application - 71 Brushfield Street
Importance: High

Dear Ms Catlin,

As part of the consultation process, I have received a copy of your Client's application for a premises licence under the Licensing Act 2003.

Trading Standards is one of the "responsible authorities" and as such we can make representations to the licensing authority in relation to your Client's application.

Should we make representations it must be about the likely effect of granting the application on the promotion of the licensing objectives. One of the licensing objectives concerns the '*the protection of children from harm*' including preventing the sale and supply of alcohol to children. Trading Standards has responsibility for enforcing legislation in relation to this.

I have therefore considered section M of your Client's application in which you describe the additional steps you will take to take promote the Licensing objectives. Your comments in relation to the 'protection of children from harm' which direct me to the licensing conditions for the lapsed premises conditions for premises license 17309. I note that condition no.8 states that **'the premises will operate a recognised proof of age scheme as advised by the Police and Licensing Authority'**.

In relation to this I **would like request that your Client adopts a 'Challenge 25' policy** so that they have a robust procedure in place to prevent underage sales. Please find further details of 'Challenge 25' attached.

I would be grateful if you could confirm that your client is willing to adopt this policy.

We are able to supply support materials to assist your client in adopting 'Challenge 25' – please refer to the attached leaflet for further details.

I look forward to hearing from you.

Yours sincerely,

Kevin Maple
Consumer Services Officer
Tower Hamlets Trading Standards



POSTAL ADDRESS | Environmental Health & Trading Standards | John Onslow House | 1 Ewart Place | London | E3 5EQ
ACTUAL LOCATION (Delivery, collection & visiting address) | Toby Club | Vawdrey Close (off Cleveland Way) | London | E1 4UA

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

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

Appendix 13

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 14

Access and Egress Problems

Such as:

Disturbance from patrons arriving/leaving the premises on foot

Disturbance from patrons arriving/leaving the premises by car

Lack of adequate car parking facilities

Close proximity to residential properties

Comment

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

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

General Advice

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

The hours of operation also need to be considered.

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

Licensing Policy

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

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

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

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

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

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

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

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 15

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 - 2.6).

The Guidance recognises working with Home Office Immigration Enforcement in the prevention of immigration crime. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check are retained at the licensed premises.

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 16

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 8 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 (2.15 – 2.21).

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 (2.18/2.21).

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 (14.13).

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 17

Planning

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

Appendix 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

Licensing Policy

8 Special Cumulative Impact Policy for the Brick Lane Area

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

Figure One

The Cumulative Impact Zone in the Brick Lane area

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



Cumulative Impact Zone

