

# Appendix 1

**(Agah Turkish Restaurant)**

43 Commercial Street  
London  
E1 6BD

**Licensable Activities authorised by the licence**

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

**See the attached licence for the licence conditions**

**Signed by**

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

**Date: 30<sup>th</sup> August 2016**

- 30<sup>th</sup> May 2017, licence amended by full variation



**Part A - Format of premises licence**

Premises licence number

21966

**Part 1 - Premises details**

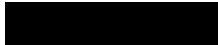
**Postal address of premises, or if none, ordnance survey map reference or description**

**(Agah Turkish Restaurant)**  
43 Commercial Street

**Post town**  
London

**Post code**  
E1 6BD

**Telephone number**



**Where the licence is time limited the dates**

Not applicable

**Licensable activities authorised by the licence**

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

**The times the licence authorises the carrying out of licensable activities**

**The sale by retail of alcohol (on sales only)**

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

**The Provision of Late Night Refreshment - indoors**

- (Monday to Thursday – None)
- Friday and Saturday from 23:00hrs to 00:30hrs the following day
- (Sunday – None)

**The Provision of Regulated Entertainment - Indoors**

(in the form of Recorded Music )

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

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

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

**The opening hours of the premises**

- Monday to Thursday from 07:00hrs to 23:30hrs
- Friday and Saturday from 07:00hrs to 01:00hrs the following day
- Sunday from 07:00hrs to 23:30hrs

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

On sales only

## **Part 2**

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

Lop Lop Limited  
43 Commercial Street  
London  
E1 6BD

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

Registered Company Number: 09374933

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

Ritesh Viswanatha Panicker

[REDACTED]  
[REDACTED]  
[REDACTED]

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

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

## Annex 1 - Mandatory conditions

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

- a) at a time where there is no designated premises supervisor in respect of the premises licence, or
- b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended

1.

- (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises;
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability)

- 2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3.
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy
  - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
    - (a) a holographic mark, or
    - (b) an ultraviolet feature.
  
4. The responsible person must ensure that—
  - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
  
5.
  1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
  
  2. For the purposes of the condition set out in paragraph 1—
    - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
  
    - (b) “permitted price” is the price found by applying the formula —
 
$$\mathbf{P = D + (D \times V)}$$
 where —
      - (i) **P** is the permitted price
      - (ii) **D** is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

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

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

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



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

## **Annex 2 - Conditions consistent with the operating Schedule**

None

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

Conditions attached following the Licensing subcommittee hearing of 30<sup>th</sup> May 2017

1. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal
2. No drinks must be allowed to be taken outside the premises under any circumstances
3. Two SIA staff to be employed from 8pm until closing Friday and Saturday
4. 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. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained.
  - b. The system will comply with other essential legislation and all signs as required will be clearly displayed.
  - c. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.
  - d. 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
  - e. A camera to be placed outside the entrance and on entry
5. An incident book will be kept at the premises which will record all refusals of the sale of alcohol, all disorder and crimes that occur either in the premises or involve the premises' customers or any other incident of note. The book shall be available for inspection at the premises by the police or an

authorised officer of the licensing authority at all times whilst the premises are open.

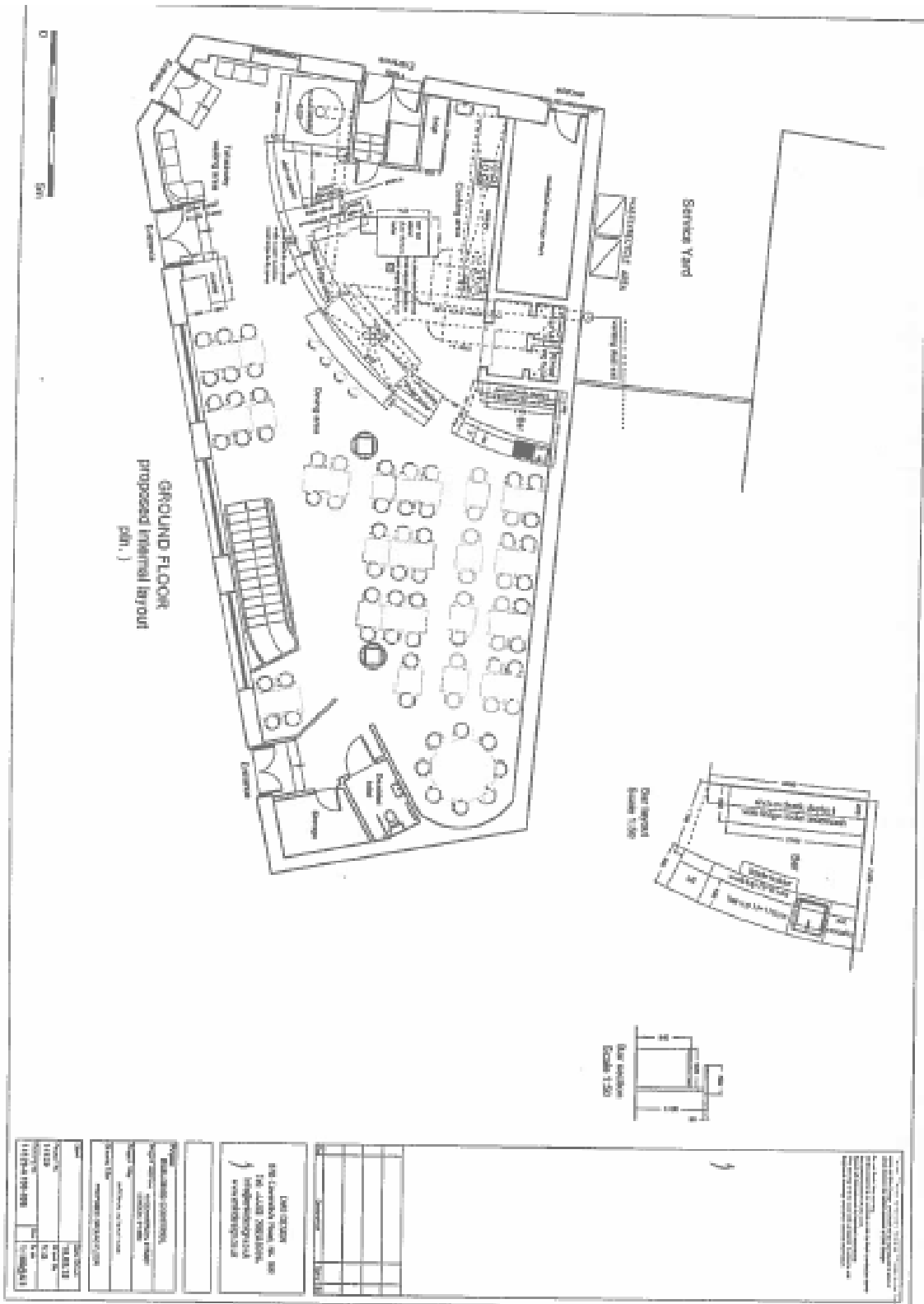
6. The premises will operate a Challenge 21 policy and all those who look under 21 years of age will be asked for proof of age. There will be Challenge 21 signs at the bar
7. The premises will clearly display operational hours
8. Staff will be trained on Licensing and Health and Safety legislation. Training will be an ongoing part of staff development and will be fully documented
9. The premises will have a clear evacuation procedure in case of a fire
10. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly. Patrons will be moved on from outside of the premises
11. The premises will clear bins only during permitted hours and no waste or recyclable materials, including bottles, shall be moved, removed from, or placed in outside areas between 23:00 hours and 08:00 hours the following day, so as not to disturb the neighbourhood
12. The premises shall not cause any noise pollution so as not to disturb the neighbourhood
13. Adult supervision at all times for young children.

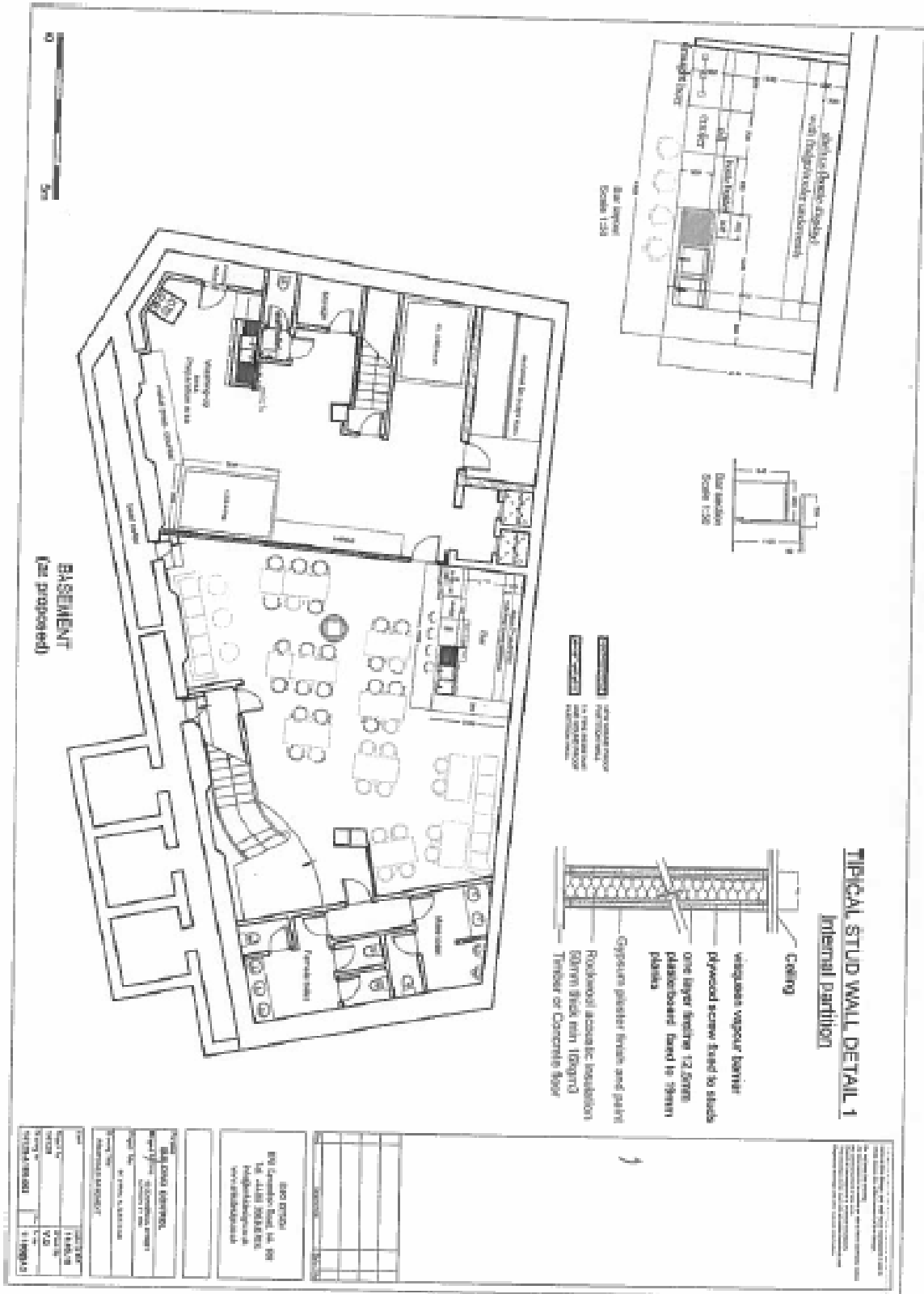
#### **Annex 4 - Plans**

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

16<sup>th</sup> February 2017:

- Ground Floor (*Plan no 14129 - A100 - 095, dated 18.05.15*)
- Basement (*Plan no 14129 - A100 - 002, dated 18.05.15*)







**Part B - Premises licence summary**

**Premises licence number**

21966

**Premises details**

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

**(Agah Turkish Restaurant)**  
43 Commercial Street

**Post town**

London

**Post code**

E1 6BD

**Telephone number**

██████████

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

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

The times the licence authorises the carrying out of licensable activities

**The sale by retail of alcohol (on sales only)**

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

**The Provision of Late Night Refreshment - indoors**

- (Monday to Thursday – None)
- Friday and Saturday from 23:00hrs to 00:30hrs
- (Sunday – None)

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

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

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

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

The opening hours of the premises

- Monday to Thursday from 07:00hrs to 23:30hrs
- Friday and Saturday from 07:00hrs to 01:00hrs
- Sunday from 07:00hrs to 23:30hrs

Name, (registered) address of holder of premises licence

Lop Lop Limited  
43 Commercial Street  
London  
E1 6BD

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

On sales only

Registered company number

09374933

Name of designated premises supervisor

Ritesh Viswanatha Panicker

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

Adult supervision at all times for young children

# Appendix 2



\* required information

Section 1 of 18

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

Zahid vary

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

Lop

\* Family name

Lop Ltd

\* 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.

Applicant Business

Is the applicant's business registered in the UK with Companies House?

Yes  No

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

Registration number

09374933

Business name

Lop Lop Ltd

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

VAT number

- None

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

Legal status

Private Limited Company



Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

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

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

**Your Address**

Address official correspondence should be sent to.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

Continued from previous page...

**Section 2 of 18**

**APPLICATION DETAILS**

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

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

\* Premises Licence Number

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

Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Premises Contact Details**

Telephone number

Non-domestic rateable value of premises (£)

**Section 3 of 18**

**VARIATION**

Do you want the proposed variation to have effect as soon as possible?     Yes     No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?  
 Yes     No

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

Continued from previous page...

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

#### Describe Briefly The Nature Of The Proposed Variation

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

The premises trades as a restaurant on two floor, ground floor and lower ground floor. Alcohol is served to customers taking a table meal, or waiting for a table, (for a table meal). The entertainment applied for will take place on the lower ground floor. The application also includes the facility for outside tables and chairs to allow customers to enjoy food and drink outside weather permitting, and has been applied for on two sides of the premises. This is the reason that off sales have been added to the application, to allow drinks to be consumed off the premises from the original licensable area. The outside seating on Commercial Street will measure the length of the premises to the front door, and likewise on Wentworth Street, from the front door to the end of the premises on Wentworth Street. The seating will protrude by 3 metres from the premises onto the highway.

#### Section 4 of 18

##### PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

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

- Yes  No

#### Section 5 of 18

##### PROVISION OF FILMS

[See guidance on regulated entertainment](#)

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

- Yes  No

#### Section 6 of 18

##### PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

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

- Yes  No

#### Section 7 of 18

##### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

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

Section 8 of 18

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

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

Yes  No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

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 select as appropriate. Indoors may include a tent.

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

The permission is to allow the performance of traditional music on occasion, as required. This may be both acoustic and amplified

Continued from previous page...

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.

n/a

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

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

n/a

**Section 9 of 18**

**PROVISION OF RECORDED MUSIC**

[See guidance on regulated entertainment](#)

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

Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start 12:00

End 01:00

Start

End

SATURDAY

Start 12:00

End 01:00

Start

End

SUNDAY

Start 12:00

End 01:00

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 select as appropriate. Indoors may include a tent.

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

In the main this will be background music, but maybe via DJ in the lower ground floor area should the lower floor be hired out for private events.

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.

n/a

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

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

n/a

## Section 10 of 18

### PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

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

Yes  No

### Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

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

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

Indoors       Outdoors       Both

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

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

This is to permit the premises to host traditional dancing performances on request for organised functions

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.

n/a

Continued from previous page...

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

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

n/a

### Section 11 of 18

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

[See guidance on regulated entertainment](#)

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

Yes  No

#### Standard Days And Timings

##### MONDAY

Start

End

Start

End

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

##### TUESDAY

Start

End

Start

End

##### WEDNESDAY

Start

End

Start

End

##### THURSDAY

Start

End

Start

End

##### FRIDAY

Start

End

Start

End

##### SATURDAY

Start

End

Start

End



Continued from previous page...

SUNDAY

Start

End

Start

End

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

To cater for any similar entertainment not already covered by the licence.

Will this entertainment take place indoors or outdoors or both?

Indoors       Outdoors       Both

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

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

This activity currently exists on the licence. It is purely to extend the hours in keeping with the other hours extensions.

State any seasonal variations for entertainment.

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

n/a

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

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

n/a

## Section 12 of 18

### PROVISION OF LATE NIGHT REFRESHMENT

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

Yes       No

### Standard Days And Timings

Continued from previous page...

MONDAY

Start 23:00

End 02:00

Start

End

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

TUESDAY

Start 23:00

End 02:00

Start

End

WEDNESDAY

Start 23:00

End 02:00

Start

End

THURSDAY

Start 23:00

End 02:00

Start

End

FRIDAY

Start 23:00

End 02:00

Start

End

SATURDAY

Start 23:00

End 02:00

Start

End

SUNDAY

Start 23:00

End 02:00

Start

End

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

Indoors       Outdoors       Both

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

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

To allow the premises to continue to serve table meals to the extended hour applied for.

State any seasonal variations.

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

n/a

Continued from previous page...

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

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

n/a

**Section 13 of 18**

**SUPPLY OF ALCOHOL**

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

- Yes                       No

**Standard Days And Timings**

MONDAY

Start   
Start

End   
End

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

TUESDAY

Start   
Start

End   
End

WEDNESDAY

Start   
Start

End   
End

THURSDAY

Start   
Start

End   
End

FRIDAY

Start   
Start

End   
End

SATURDAY

Start   
Start

End   
End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption?

- On the premises     Off the premises     Both

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

State any seasonal variations.

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

n/a

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

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

n/a

**Section 14 of 18**

**ADULT ENTERTAINMENT**

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

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

N/A

**Section 15 of 18**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

Continued from previous page...

TUESDAY

Start 12:00

End 02:30

Start

End

WEDNESDAY

Start 12:00

End 02:30

Start

End

THURSDAY

Start 12:00

End 02:30

Start

End

FRIDAY

Start 12:00

End 02:30

Start

End

SATURDAY

Start 12:00

End 02:30

Start

End

SUNDAY

Start 12:00

End 02:30

Start

End

State any seasonal variations.

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

N/A

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

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

N/A

*Continued from previous page...*

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

Condition 2. remove the condition that states no drinks may be taken outside the premises under any circumstance.  
Condition 6. remove the condition stating a challenge 21 policy will be operated, and replace this with a challenge 25 policy.

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

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

## Section 16 of 18

### 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.

All current conditions to remain on the licence except condition 2, and the alteration to condition 6.  
All staff will be fully trained in their responsibilities with regard to the sale of alcohol, and will be retrained every six months, with recorded training records kept for inspection.

b) The prevention of crime and disorder

CCTV is in use at the premises, it shall be to an appropriate standard as agreed with the Licensing Authority in consultation with the Police.

The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place and for a period of two hours afterwards.

The premises licence holder shall ensure images from the CCTV are retained for a period of 31 days. This image retention period may be reviewed as appropriate by the Licensing Authority

The correct time and date will be generated onto both the recording and the real time image screen.

If the CCTV equipment (including any mobile units in use at the premises) breaks down the Premises Licence Holder shall ensure the designated premises supervisor, or in his/her absence other responsible person, verbally informs the Licensing Authority and the Police as soon as is reasonably practicable. This information shall be contemporaneously recorded in the incident report register and shall include the time, date and means this was done and to whom the information was reported. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. The Licensing Authority and the Police shall be informed when faults are rectified.

The premises Licence holder shall ensure that there are trained members of staff available during licensable hours to be able to reproduce and download CCTV images into a removable format at the request of an authorised officer of the Licensing Authority or a constable.

There shall be clear signage indicating that CCTV equipment is in use and recording at the premises during all trading hours.

All alcohol will only be available to purchase whilst seated at the tables provided, to those customers waiting for a table. The DPS will keep an up to date DPS Authorisation sheet which will show the list of staff members who have been given the authority to sell alcohol on the premises.

*Continued from previous page...*

c) Public safety

Current conditions apply

d) The prevention of public nuisance

Current conditions apply

e) The protection of children from harm

Only photographic ID is accepted (passport, driving licence, proof of age card with PASS hologram). Anyone who appears to be under the age of 25 is challenged to provide ID. If the customer is unable to provide identification then no sale is made. No ID no sale. Challenge 25 POS will be on display in the store. Any staff member who may be under the age of 18 must call a senior staff member to take over the sale and complete the transaction. If it is known that a customer intends to purchase alcohol to provide to minors then that sale will be refused. All refused sales will be recorded in a refusals book, which will be made available for inspection by Police or Licensing Officers of the council on request.

**Section 17 of 18**

**NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

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:
  - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
  - o 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.
  - o 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.
  - o 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.
  - o 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:
  - o any playing of recorded 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.
  - o any playing of recorded 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.
  - o any playing of recorded 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 proprietor or (iii) the health care provider for the hospital.



Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

## Section 18 of 18

### PAYMENT DETAILS

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

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

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00\*

Band E - £125001 and over £635.00\*

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

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

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

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

\* Fee amount (£)

450.00

### DECLARATION

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

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?"

Continued from previous page...

* Full name	<input type="text" value="Stewart Gibson"/>
* Capacity	<input type="text" value="Licence Agent"/>
* Date	<input type="text" value="27"/> / <input type="text" value="07"/> / <input type="text" value="2017"/> dd mm yyyy

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

1. Save this form to your computer by clicking file/save as...
  2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/tower-hamlets/change-1> to upload this file and continue with your application.
- Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE, 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.**

**OFFICE USE ONLY**

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

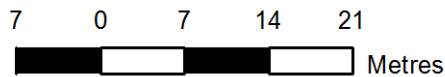
# Appendix 3



# 43 Commercial Street



Scale 1:769

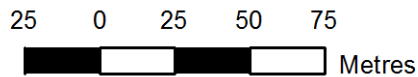




# 43 Commercial Street



Scale 1:3074



# Appendix 4

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

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

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

	<ul style="list-style-type: none"> <li>▪ Sunday, from 23:00hrs to 23:30hrs</li> </ul> <p><b><u>Non-standard timings</u></b></p> <p><b>Supply of Alcohol and Regulated Entertainment (plays, films, indoor sporting events, recorded music, performance of dance, provision of facilities for making music and provision of facilities for dancing)</b></p> <ul style="list-style-type: none"> <li>▪ Sundays immediately preceding a bank holiday, from 07:00hrs to 03:00hrs</li> <li>▪ Bank Holiday Mondays, from 07:00hrs to 01:00hrs</li> <li>▪ St. Valentines Day, St. Patrick's Day, St. Georges Day, Halloween, Christmas Eve and Boxing Day, from 07:00hrs to 03:00hrs</li> <li>▪ New Year's Eve, from 07:00hrs to 03:00hrs 2<sup>nd</sup> January</li> </ul> <p><b>Late Night Refreshment</b></p> <ul style="list-style-type: none"> <li>▪ Sundays immediately preceding a bank holiday, from 23:00hrs to 04:00hrs</li> <li>▪ Bank Holiday Mondays, from 23:00hrs to 01:30hrs</li> <li>▪ St. Valentines Day, St. Patrick's Day, St. Georges Day, Halloween, Christmas Eve and Boxing Day, from 23:00hrs to 04:00hrs</li> <li>▪ New Year's Eve, from 23:00hrs to 04:00hrs 2<sup>nd</sup> January</li> </ul>	<p>07:00hrs to 03:00hrs 2<sup>nd</sup> January</p>
<p><b>(Toto's Pasta and Pizzeria)</b> Ground Floor and Basement Storage Area 65 Commercial Street London E1 6BD</p>	<p><i>Supply of Alcohol (On sales)</i></p> <ul style="list-style-type: none"> <li>• Monday to Sunday, from 11:00 hours to 22:30 hours</li> </ul>	<ul style="list-style-type: none"> <li>• Monday to Sunday, from 11:00 hours to 23:00 hours</li> </ul>
<p><b>(Crisis)</b> <b>64 Commercial Street</b> <b>London</b> <b>E1 6LT</b></p>	<p><u>The Supply of Alcohol (on sales only)</u></p> <ul style="list-style-type: none"> <li>• Monday to Thursday from 16:00hrs to 23:00hrs</li> <li>• Friday from 16:00hrs to 23:30hrs</li> <li>• Saturday from 10:00hrs to 23:30hrs</li> <li>• Sunday from 10:00hrs to 22:00hrs</li> </ul> <p><u>The Provision of Late Night Refreshment (indoors)</u></p> <ul style="list-style-type: none"> <li>• Friday and Saturday from 23:00hrs to 23:30hrs</li> </ul>	<ul style="list-style-type: none"> <li>• Monday to Thursday from 08:00hrs to 23:30hrs</li> <li>• Friday from 08:00hrs to 00:00hrs (midnight)</li> <li>• Saturday from 10:00hrs to 00:00hrs (midnight)</li> <li>• Sunday from 10:00hrs to 22:30hrs</li> </ul>
<p><b>(Hotbox)</b> 46 - 48 Commercial Street London <b>E1 6LT</b></p>	<p><b>Sale by retail of alcohol (On sales only)</b></p> <ul style="list-style-type: none"> <li>• Monday to Wednesday, from 11:00 hours to 23:30 hours</li> <li>• Thursday to Saturday, from 11:00 hours to 00:30 hours</li> <li>• Sunday, from 11:00 hours to 22:30 hours</li> </ul>	<ul style="list-style-type: none"> <li>• Monday to Wednesday, from 11:00 hours to 00:00 hours</li> <li>• Thursday to Saturday, from 11:00 hours to 01:00 hours</li> <li>• Sunday, from 11:00 hours</li> </ul>



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

	<p><b>The provision of late night refreshment - Indoors</b></p> <ul style="list-style-type: none"> <li>Monday to Wednesday, from 23:00 hours to 23:30 hours</li> <li>Thursday to Saturday, from 23:00 hours to 00:30 hours</li> </ul> <p><b>The provision of regulated entertainment - Indoors</b></p> <p><u>(Live Music)</u></p> <ul style="list-style-type: none"> <li>Monday to Wednesday, from 23:00 hours to 23:30 hours</li> <li>Thursday to Saturday, from 23:00 hours to 00:30 hours</li> </ul> <p><u>(Recorded Music)</u></p> <ul style="list-style-type: none"> <li>Monday to Wednesday, from 11:00 hours to 23:30 hours</li> <li>Thursday to Saturday, from 11:00 hours to 00:30 hours</li> <li>Sunday, from 11:00 hours to 22:30 hours</li> </ul> <p><u>Provision of anything of a similar description to Live Music, Recorded Music or Performance of Dance</u></p> <ul style="list-style-type: none"> <li>Monday to Wednesday, from 11:00 hours to 23:30 hours</li> <li>Thursday to Saturday, from 11:00 hours to 00:30 hours</li> <li>Sunday, from 11:00 hours to 22:30 hours</li> </ul> <p><b><u>Non-standard timings</u></b></p> <ul style="list-style-type: none"> <li>To extend the times for all the licensable activities from the end of the permitted hours on New Years' Eve to 03:00 hours on New Year's Day.</li> </ul>	<p>to 23:00 hours</p> <p><b><u>Non-standard timings</u></b></p> <ul style="list-style-type: none"> <li>To extend the times for all the licensable activities from the end of the permitted hours on New Years' Eve to 03:30 hours on New Year's Day.</li> </ul>										
<p><b>(Absurd Bird)</b> 54 Commercial Street London E1 6LT</p>	<p><u>The sale by retail of alcohol (on sales only):</u></p> <ul style="list-style-type: none"> <li>Sunday to Wednesday from 11:00hrs to 23:00hrs</li> <li>Thursday to Saturday from 11:00hrs to 00:00hrs (midnight)</li> </ul> <p><u>The provision of late night refreshment (both indoors and outdoors):</u></p> <ul style="list-style-type: none"> <li>Thursday to Saturday from 23:00hrs to 00:00hrs (midnight)</li> </ul>	<ul style="list-style-type: none"> <li>Sunday to Wednesday from 09:00hrs to 23:30hrs</li> <li>Thursday to Saturday from 09:00hrs to 00:30hrs (the following day)</li> </ul>										
<p><b>(Poppy Hana)</b> 57 Commercial Street, London E1 6BD</p>	<p>Sale of alcohol (On and off sales) Monday to Sunday 11:00 hours to 23:00 hours</p>	<p>Monday to Sunday 11:00 hours to 23:30 hours</p>										
<p><b>(YUU Kitchen Ltd)</b> 31-35 Commercial Street London E1 6DH</p>	<p>The supply by retail of alcohol (The supply by retail of alcohol)</p> <ul style="list-style-type: none"> <li>Monday – Thursday 12:00 – 23:00</li> <li>Friday – Saturday 12:00 – 23:30</li> <li>Sunday 12:00 - 22:30</li> </ul> <p>The provision of late night refreshment (indoors)</p> <ul style="list-style-type: none"> <li>Friday – Saturday 23:00 -23:30</li> </ul>	<table border="0"> <tr> <td>Monday – Thursday</td> <td>12:00 – 23:30</td> </tr> <tr> <td>Friday - -Saturday</td> <td>12:00 – 00:00</td> </tr> <tr> <td>Sunday</td> <td>12:00 - 23:00</td> </tr> <tr> <td>Christmas Eve</td> <td>12:00 – 01:00</td> </tr> <tr> <td>New Year's Eve</td> <td>12:00 - 02:00</td> </tr> </table>	Monday – Thursday	12:00 – 23:30	Friday - -Saturday	12:00 – 00:00	Sunday	12:00 - 23:00	Christmas Eve	12:00 – 01:00	New Year's Eve	12:00 - 02:00
Monday – Thursday	12:00 – 23:30											
Friday - -Saturday	12:00 – 00:00											
Sunday	12:00 - 23:00											
Christmas Eve	12:00 – 01:00											
New Year's Eve	12:00 - 02:00											

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

	<p>On Christmas Eve supply by retail of alcohol and provision of late night refreshment to 00:30</p> <p>On New Year's Eve supply by retail of alcohol and provision of late night refreshment to 01:30)</p> <p>Monday – Thursday      12:00 – 23:00          Friday – Saturday      12:00 – 23:30          Sunday                      12:00 - 22:30</p> <p>The provision of late night refreshment (indoors)          Friday – Saturday      23:00 -23:30</p> <p>On Christmas Eve supply by retail of alcohol and provision of late night refreshment to 00:30</p> <p>On New Year's Eve supply by retail of alcohol and provision of late night refreshment to 01:30</p>	
<p><b>(Spitalfields Superstore)</b>          59 Commercial Street          London          E1 6BD</p>	<p><u>The sale by retail of alcohol (Off sales only)</u></p> <ul style="list-style-type: none"> <li>• Sunday to Thursday, from 08:00 hours to 23:30 hours</li> <li>• Friday and Saturday, from 08:00 hours to midnight</li> </ul>	<ul style="list-style-type: none"> <li>• Monday to Sunday, from 08:00 hours to midnight</li> </ul>
<p><b>(Lupita)</b>          Ground Floor and Basement          60 - 62          Commercial Street          London          E1 6LT</p>	<p align="center"><b><u>Ground Floor and Basement Floor</u></b></p> <p><b>The sale by retail of alcohol</b></p> <ul style="list-style-type: none"> <li>• Monday to Thursday, from 10:00 hours to 23:30 hours</li> <li>• Friday and Saturday, from 10:00 hours to midnight</li> <li>• Sunday, from 12:00 hours to 23:30 hours</li> </ul> <p><b>The provision of late night refreshment</b></p> <ul style="list-style-type: none"> <li>• Sunday to Thursday, from 23:00 hours to 23:30 hours</li> <li>• Friday and Saturday, from 23:00 hours to midnight</li> </ul> <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> <li>• Bank Holidays until midnight</li> </ul> <p align="center"><b><u>Extension of hours for Basement only</u></b></p> <p><b>The sale by retail of alcohol</b></p> <ul style="list-style-type: none"> <li>• Thursday to Saturday, from 10:00 hours to 01:00 hours the following days</li> </ul> <p><b>The provision of late night refreshment</b>          Thursday to Saturday, from 23:00 hours to 01:00 hours the following days</p>	<p align="center"><b><u>Ground Floor and Basement Floor</u></b></p> <ul style="list-style-type: none"> <li>• Monday to Thursday, from 08:00 hours to midnight</li> <li>• Friday and Saturday, from 08:00 hours to 00:30 hours</li> <li>• Sunday, from 12:00 hours to midnight.</li> </ul> <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> <li>• Bank Holidays until midnight</li> </ul> <p align="center"><b><u>Extension of hours for Basement only</u></b></p> <ul style="list-style-type: none"> <li>• Thursday to Saturday, from 10:00 hours to 01:00 hours the following days</li> </ul>
<p><b>71 Commercial Street</b>  <b>London</b>  <b>E1 6BD</b></p>	<p><b>Late Night Refreshment (starts at 23:00 hrs)</b>          Thursday: 23:00 hours until midnight          Friday and Saturday: 23:00 hours until 01:00 hours the following day</p>	<p>Thursday: 09:00 hours until midnight          Friday and Saturday: 09:00 hours until 01:00 hours the following day</p>

# Appendix 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



**METROPOLITAN  
POLICE**

**TOTAL POLICING**

Territorial Policing

Tom Lewis  
LBTH Licensing  
Toby Club  
Vawdrey Close  
E1 4UA

HT - Tower Hamlets Borough  
HH - Limehouse Police Station  
Licensing Office  
Toby Club Sno  
Vawdrey Close  
E1 4UA

Telephone: [REDACTED]

Facsimile:

Email:

[REDACTED]  
[www.met.police.uk](http://www.met.police.uk)

Your ref:

Our ref:

4th September 2017

Dear Mr Lewis

**Application to vary a premises licence  
Agah, 43 Commercial St, E1 68D**

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

**The prevention of crime and disorder  
The prevention of public nuisance**

It would like to remind the committee that the applicant applied to amend his license to have later hours at the end of May beginning of June this year, less than 3 months ago. At that hearing the licensing committee correctly in the Police's opinion decided not to grant the variation as requested. At the meeting the applicant was advised to operate with the premises current hours so that the relevant authorities could judge how the premises was being run. A year is a

suitable amount of time to see if there were any incidents of crime and disorder and to make sure the licensing objectives were being upheld.

Applying for extended hours after only a couple of months does not give the Police and other relevant authorities sufficient time to make a reasoned decision with regards to his premises. Therefore we say that this application is premature, that the arguments used for the last application still stand, and therefore we object to this application.

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

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

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

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

This will be one of the longest opening hours in the area and will be a destination for many people, many of whom will clearly be under the influence of alcohol. By



requesting such late hours it will result in people staying longer within the CIZ, with the potential for ASB and violence.

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

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

Licensing Guidance Paragraph 8.34 states “applicants are in particular expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives”.....including “any risk posed to the local area by the applicants’ proposed licensable activities” . I don’t believe the applicant has taken into consideration the local community and the impact such late hours will have on the neighbourhood.

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

I would ask the committee to reject the application, if however the committee were minded to extend the hours I would ask that the following condition is added to the license:

- 1) Sale of alcohol is only for customers who are ordering / or who have ordered a substantial hot meal.

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

Pc Mark Perry 748HT  
Police Licensing Officer

# Appendix 7

**Place Directorate  
Public Realm**

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

Head of Service **David Tolley**

John Onslow House  
1 Ewart Place  
London E3 5EQ

Date: 4<sup>th</sup> September 2017

Enquiries: Nicola Cadzow

Tel: [REDACTED]

Fax: [REDACTED]

Our Ref: **M/102447**

Dear Licensing,

Having considered the application for Agah Turkish Restaurant 43 Commercial Street for a Variation of Premises License and the potential impact of public nuisance and measures to prevent noise generated from within the premises or outside it which could cause disturbance to people in the vicinity, the proposed hours are well beyond the Council's framework hours, and consideration has to be given to the fact the Premise is in the Cumulative Impact Zone.

It must be noted that the Council's framework hours (i.e. when premises are open) are:

- **Monday to Thursday 0600 hours to 2330 hours; and**
- **Friday & Saturday 0600 hours to midnight**
- **Sunday 0600 hours to 2230 hours.**

The applicant's exist hours are as follows:

- **Monday to Thursday: Sale of Alcohol (on sales only), Regulated Entertainment (Recorded Music) 1200 hours to 2300 hours; and**
- **Friday & Saturday: Sale of Alcohol (on sales only) 1200 hours to 00:30 hours, Regulated Entertainment (Recorded Music) 1200 hours until 23:30 hours**
- **Sunday: Sale by Retail of Alcohol 12:00 hours to 23:00, Regulated Entertainment (Recorded Music ) 1200 hours to 22:00 hours.**

The applicant is proposing the hours as follows:

**Regulated Entertainment:**

- To include provision of Live Music until 0100 hours 7 days a week
- Increase the Provision of Recorded Music Until 0100 hours seven days a week thus increasing the hours Monday to Thursday by two hours, and Sundays by three hours.
- Include the Provision of Performance of Dance until 0100 hours 7 days a week
- Including Anything of Similar Description until 0100 hours seven days a week, therefore including Monday to Thursday and increasing the hours for Friday to Sunday by three hours.

**Supply of Alcohol (on and off sales)**

- Including Off Sales seven days a week until 0200 hours
- On Sales seven days a week until 0200 hours, thus increasing the hours on Monday to Thursday by 3 hours, Friday and Saturday by 1 and a half hours and Sunday by 3 hours.

**Late Night refreshment:**

- Increase hours until 0200 hours seven days a week, thereby including Sunday to Thursday and increasing the hours for Friday and Saturday by one and a half hours.

**The Applicant is proposing premise opening times until 02:30 hours seven days a week, thereby increasing the opening times as follows:**

- Monday to Thursday by three hours
- Friday and Saturday by an hour and a half
- Sunday by three hours

**Noise Sensitive premises:** residential and commercial premises in close proximity to 43 Commercial Street London E1 6BD

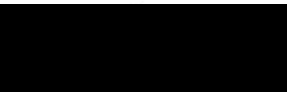
In my view the application, as it stands fails, to comply with the objective of the Licensing Act 2003 relating to "public nuisance" for the following reasons:-

- Noise breakout from the venue affecting neighbouring residents.
- Access & egress to and from the venue, of patrons, especially due to patrons likely to be in high spirits; and
- The hours of operation (inclusive of proposals)

**CONCLUSION**

Environmental Protection does not support the application for Agah Turkish Restaurant 43 Commercial Street, as there is great likelihood of disturbance to residential premises at the noise sensitive hours sought.

Yours faithfully,



N J Cadzow

Environmental Health Technical Officer, Pollution Team

# Appendix 8

**Place Directorate  
Public Realm**

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

Tower Hamlets Licensing

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

04/09/17

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

My reference: P/LIC/102447

[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)

Dear Sir / Madam,

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

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

This application is to extend the licensing hours to:

**Sale of Alcohol: (on and to add off sales)**

Sunday - Thursday 23.00 – 02.00 hours

Friday – Saturday 00.30 – 02.00 hours

**Provision of Late Night Refreshment**

Sunday – Thursday 23.00 – 02.00 hours

Friday – Saturday 00.30 – 0200 hours

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

Monday – Sunday 12.00 – 01.00 hours

**Opening Hours:**

Sunday to Thursday 23.30 – 02.30 hours

Friday – Saturday 01.00 – 2.30 hours

These premises previously applied for a variation to their Premises Licence for extended licensable hours in February 2017. This was heard

by the licensing sub committee on 30<sup>th</sup> May 2017 after representations were received by the Police, Environmental Protection, The Licensing Authority and a resident association. The hours granted at this sub committee were the following:

***Opening Hours***

*Monday to Thursday from 07:00 to 23:30*

*Friday to Saturday from 07.00 to 01.00*

*Sunday from 07.00 to 23.30*

***Sale of alcohol (on sales only and ancillary to sit down meal)***

*Monday to Thursday from 12:00 to 23:00 (no change)*

*Friday to Saturday from 12.00 to 12.30am*

*Sunday from 12.00 to 23.00*

***Late night refreshment (indoors)***

*Friday to Saturday from 23.00 to 12.30am*

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

*Monday to Thursday from 12:00 to 23:00*

*Friday and Saturday from 12:00 to 23:30*

*Sunday from 12:00 to 22:00*

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

*Friday to Sunday from 12.00 noon to 22.00*

Although there have been no complaints made to the Licensing Authority since the extension in licensing hours on 30<sup>th</sup> May 2017 the Licensing Authority feel that a three month period is insufficient time to determine if there will be an impact on the licensing objectives. This premise is also in the Cumulative Impact Zone.

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

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

The Licensing Authority recognises that there is a wide diversity of premises requiring a licence and will have full regard to the differing impact these will have on the local community. It therefore also



recognises that, within this Policy, it may be able to approve licences that are unlikely to add significantly to the saturation, and will consider the circumstances of each individual application.

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

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

If the applicant is unable to prove to the Licensing Sub Committee, through the implementation of appropriate conditions within the Operating Schedule, that the granting of the application will not affect the cumulative impact of the area, then I ask the Committee to reject any increase in hours beyond their current licence.

The Local Authority does not object to the off sales of alcohol for the outside seating area thereby removing condition 2 from the premises Licence. The following condition should be added:

*Off sales are permitted only for customers seated in the outside seating area partaking in a substantial table meal. No other off sales allowed.*

The Licensing Authority also does not have any objection to the changing of condition 6 from Challenge 21 to Challenge 25 and bringing the regulated entertainment permitted hours into line with the hours granted for other licensable activities.

Yours sincerely,



**Corinne Holland**  
**Licensing Officer**

# Appendix 9

## Mohshin Ali

---

**From:** Jon Shapiro [REDACTED] >  
**Sent:** 04 September 2017 15:42  
**To:** Licensing  
**Cc:** Mark Perry; Selina Mifsud  
**Subject:** Licensing Application by "Agah Turkish & Anatolian Restaurant", 43 Commercial Street, E1 6BD

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Sir or Madam,

I would like to request that this Licence Application should be wholly refused on the grounds of:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance

as the premises is within the Brick Lane "Cumulative Impact Zone" (CIZ) and they are asking to add "Off-Sales" to their existing on-sales Restaurant Licence. Adding "Off-Sales" is totally unnecessary for their existing restaurant operation and would merely "fuel" local alcohol drinkers and potentially lead to an increase in the level of ASB in the area.

This area has always been stated by our Borough Police Commanders to be the "number one policing problem in Tower Hamlets". Until and unless this area ceases to be such a policing problem I believe that no such "Off-Sales" licence should be granted to 43 Commercial Street.

The Brick Lane area is plagued by ASB and hospital admissions to A&E, and I believe that the Licensing Committee should be assisting the Police and other authorities in reducing any and all encouragement to provide "Off-Sales" to drinkers in this area which is within the CIZ.

Given that the LBTH Town Centre Strategy for Brick Lane is to make Brick Lane "more family friendly", and for all the reasons quoted above I strongly request that this Licensing Application should **be wholly rejected**.

Yours faithfully,  
Jon Shapiro.

Resident at:

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

# Appendix 10

## 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 11

## 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 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 - 2.6).

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 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 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 14

## **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 15

## **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 16

## Licensing Policy

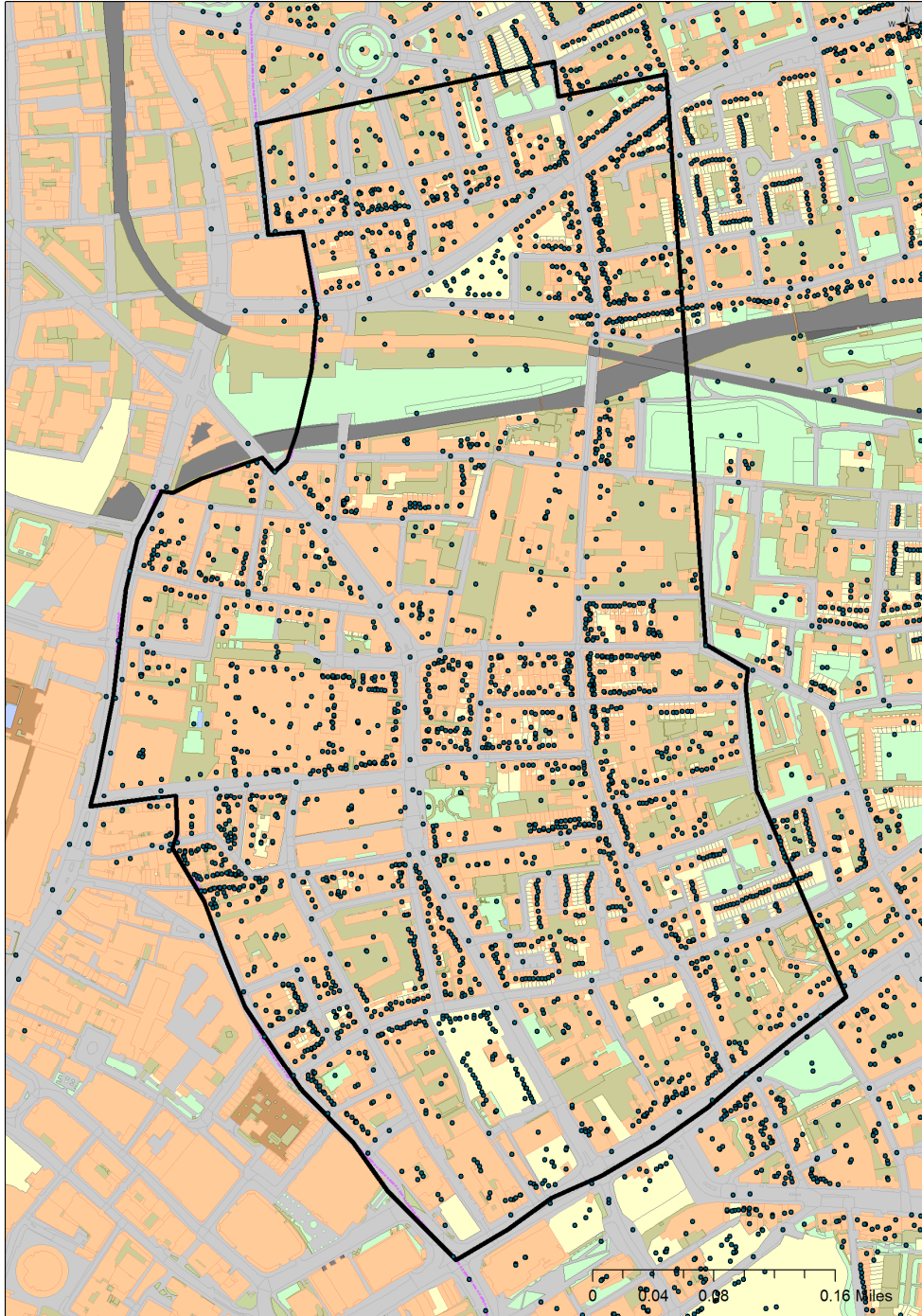
### **8 Special Cumulative Impact Policy for the Brick Lane Area**

- 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

