

Appendix 1



FOR OFFICE USE			
Receipt No:	FEE REQUIRED:	Date:	Initials:
On-Line Payment Ref:			

This form should be completed and forwarded to: Licensing Section, John Onslow House, 1 Ewart Place, London E3 5EQ with a cheque for the correct fee, made payable to the London Borough of Tower Hamlets. You can also pay by phoning 020 7364 5008 or on-line: <http://www.towerhamlets.gov.uk/pay>

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I/~~We~~ (Insert name(s) of applicant) ERDAL PINAR

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description	
UNIT 13, 71 BEN JOHNSON ROAD	
Post town	Post code
LONDON	E1 4SA

Telephone number at premises (if any)

Non-domestic rateable value of premises

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

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

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title
(for example, Rev)

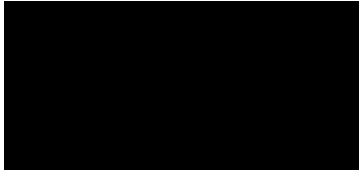
Surname

PINAR

First names

ERDAL

Date of Birth

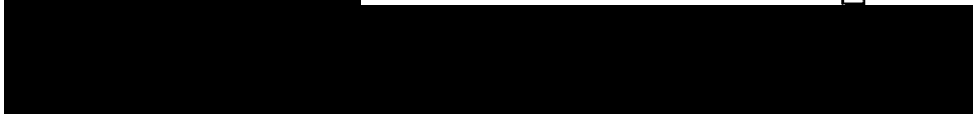


I am 18 years old or over

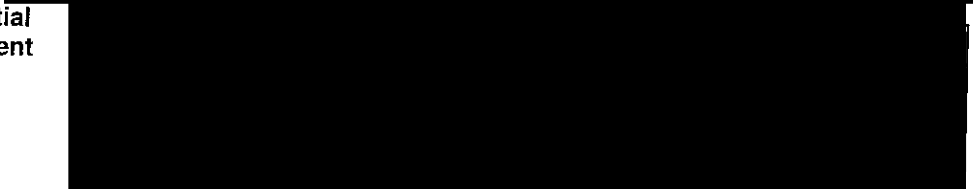
Please tick yes



Nationality



Current residential address if different from premises address



Post Town

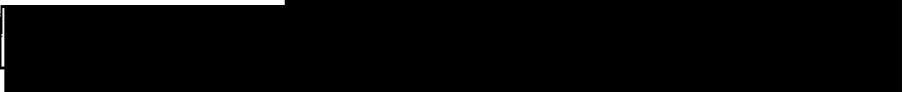
LONDON

Postcode

Daytime contact telephone number



E-mail address (optional)



SECOND INDIVIDUAL APPLICANT (if applicable)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

Date of Birth

N

I am 18 years old or over

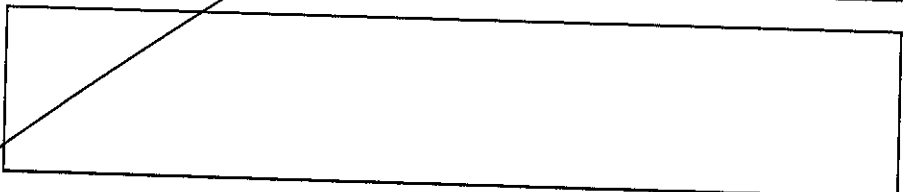
Please tick yes



Nationality

A

Current residential address if different from premises address



Post Town

Postcode

Daytime contact telephone number

E-mail address
(optional)

2
A

B) OTHER APPLICANTS

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

Name
Address
Registered number (where applicable)
Description of applicant (for example partnership, company, unincorporated association etc)
Telephone number, if any
E-mail (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
19	03	2018

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

Day	Month	Year

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

--

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

THE PREMISES LOCATED AT UNIT 13, 71 BEN JOHNSON ROAD LONDON E1 4SA.

What licensable activities do you intend to carry on from the premises?
(Please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (see guidance Note 2)

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both - please tick (please read guidance note 3)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 4)	Both		
Tue						
Wed				State any seasonal variations for performing plays (please read guidance note 5)		
Thur						
Fri						
Sat				Non standard timings. Where you intend to use the premises for performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun						

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of a film take place indoors or outdoors or both - please tick (please read guidance note 3)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 4)	Both		
Tue						
Wed				State any seasonal variations for exhibition of films (please read guidance note 5)		
Thur						
Fri						
Sat				Non standard timings. Where you intend to use the premises for exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun						

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<p><u>Please give further details here</u> (please read guidance note 4)</p> <p><u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)</p> <p><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list.</u> (please read guidance note 6)</p>
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

N
A

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 7)			<p><u>Will the Boxing or wrestling entertainment take place indoors or outdoors or both - please tick</u> (please read guidance note 3)</p>	Indoors	
Day	Start	Finish		Outdoors	
Mon			Both		
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

N
A

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick [Y] (please read guidance note 3)		Indoors	
					Outdoors	
					Both	
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon			<p>State any seasonal variations for the performance of live music (please read guidance note 5)</p> <p style="font-size: 2em; font-family: cursive;">N A</p> <p>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)</p>			
Tue						
Wed						
Thur						
Fri						
Sat						
Sun						

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick [Y] (please read guidance note 3)		Indoors	
					Outdoors	
					Both	
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon			<p>State any seasonal variations for playing recorded music (please read guidance note 5)</p> <p style="font-size: 2em; font-family: cursive;">N A</p> <p>Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)</p>			
Tue						
Wed						
Thur						
Fri						
Sat						
Sun						

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick [Y] (please read guidance note 3)	
Day	Start	Finish	Indoors	
Mon				
			Please give further details here (please read guidance note 4)	
Tue				
			State any seasonal variations for the performance of dance (please read guidance note 5)	
Wed				
Thur				
			Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)	
Fri				
Sat				
Sun				

N
A

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing	
Day	Start	Finish	Indoors	
Mon				
			Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	
Tue				
			Please give further details here (please read guidance note 4)	
Wed				
			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)	
Thur				
			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)	
Fri				
Sat				
Sun				

N
A

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick [Y] (please read guidance note 3)	
Day	Start	Finish	Indoors	Outdoors
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				

Please give further details here (please read guidance note 4)

State any seasonal variations for the provision of late night refreshment (please read guidance note 5)

N A

Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list (please read guidance note 6)

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick [Y] (please read guidance note 8)	
Day	Start	Finish	On the premises	Off the premises
Mon	07:00 AM	24:00 MIDNIGHT		<input checked="" type="checkbox"/>
Tue	07:00 AM	24:00 MIDNIGHT		
Wed	07:00 AM	24:00 MIDNIGHT		
Thur	07:00 AM	24:00 MIDNIGHT		
Fri	07:00 AM	24:00 MIDNIGHT		
Sat	07:00 AM	24:00 MIDNIGHT		
Sun	07:00 AM	24:00 MIDNIGHT		

State any seasonal variations for the supply of alcohol (please read guidance note 5)

Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)

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

Name

Date of Birth

Address

Postcode

Personal Licence number(if known)

Issuing licensing authority (if known)

ERDAL PINAR

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9)

N
A

L

Hours premises are open to the public Standard timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	Non standard timings. Where you intend to the premises to be open at different times to those listed in the column on the left, please list (please read guidance note 6)
Mon	07:00 AM	06:59 AM	
Tue	07:00 AM	06:59 AM	
Wed	07:00 AM	06:59 AM	
Thur	07:00 AM	06:59 AM	
Fri	07:00 AM	06:59 AM	
Sat	07:00 AM	06:59 AM	
Sun	07:00 AM	06:59 AM	

M

Describe the steps you intend to take to promote the four licensing objectives:
 a) **General – all four licensing objectives (b,c,d,e)** (please read guidance note 10)

THE APPLICANT WILL COOPERATE WITH ALL RELEVANT AUTHORITIES AND WILL PROMOTE AND ADOPT ANY RECOMMENDATION FROM ALL RESPONSIBLE AUTHORITIES

b) The prevention of crime and disorder

- THE APPLICANT WILL ALWAYS COOPERATE WITH THE POLICE AND ANY OTHER AUTHORITIES FOR THIS PURPOSE
- THE APPLICANT WILL ALWAYS PROMOTE AND ADOPT ANY RECOMMENDATION FROM ALL RESPONSIBLE AUTHORITIES
- STAFF TRAINING WILL ALWAYS BE IN PLACE IN CONNECTION WITH PREVENTING OF CRIME AND DISORDER
- CCTV WILL BE OPERATIONAL AT ALL TIMES WITH RECORDING FACILITY

c) Public safety

- APPROPRIATE FIRE SAFETY PROCEDURES ARE/WILL ALWAYS BE IN PLACE INCLUDING FIRE EXTINGUISHERS.
- ALL APPLIANCE WILL BE REGULARLY INSPECTED AND MAINTAINED
- ALL EMERGENCY EXIT WILL BE KEPT FREE FROM OBSTRUCTION AT ALL TIMES
- THE APPLICANT WILL PROMOTE AND ADOPT ANY RECOMMENDATIONS FROM ALL RESPONSIBLE AUTHORITIES

d) The prevention of public nuisance

- ALL CUSTOMERS WILL BE ABLED TO LEAVE ~~QUIT~~ QUIETLY
- THE APPLICANT WILL PROMOTE AND ADOPT ANY RECOMMENDATION FROM ALL RESPONSIBLE AUTHORITIES

e) The protection of children from harm

-THE APPLICANT WILL ~~NOT~~ PROMOTE AND ADOPT ANY RECOMMENDATION FROM ALL RESPONSIBLE AUTHORITIES
-STAFF TRAINING ARE/WILL ~~NOT~~ ALWAYS BE IN PLACE
-THE APPLICANT WILL ALWAYS TRAIN THE STAFF TO NOTE ANY REFUSALS TO SELL YOUNG PEOPLE IN A REFUSAL LOG.

You have completed part 3 of this form. Below is a checklist for your assistance.

CHECKLIST:

- Please tick to indicate agreement
- I have made or enclosed payment of the fee
Insert On-Line Payment reference here if applicable :
 - I have enclosed the plan of the premises
 - I have sent copies of this application and the plan (showing the area to be licensed) to responsible authorities and others where applicable
 - I have enclosed the consent form completed by the individual I wish to be Premises Supervisor, if applicable
 - I understand that I must now advertise my application
 - I understand that if I do not comply with the above requirements my application will be rejected
 - [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

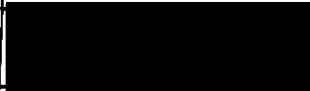
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

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

WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

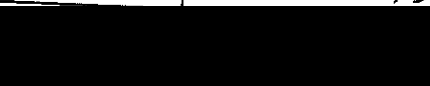
Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none">• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	25.01.2018
Capacity	THE APPLICANT

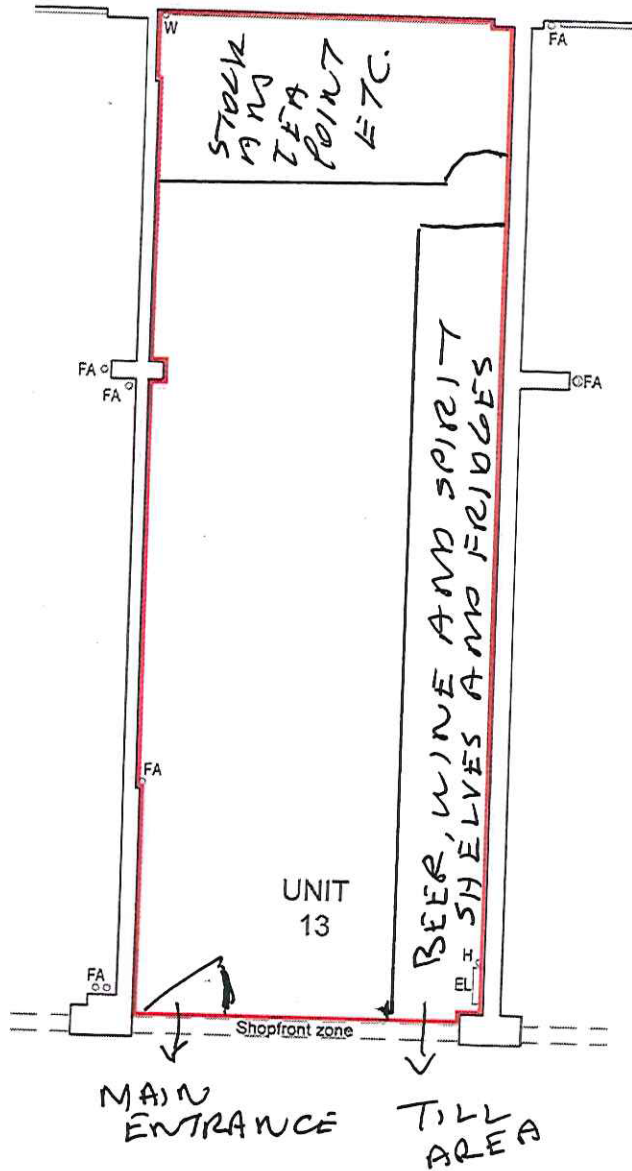
For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 13) If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)	
REF: SF - PINAR OAKFIELD SOLICITORS UNIT 4 FOUNTAYNE BUSINESS CENTRE BROAD LANE	
Post town	LONDON
Post code	N15 4AG
Telephone number (if any)	

If you would prefer us to correspond with you (optional)

Appendix 2



KEY

- C - Incoming Communication duct.
- E - Incoming Electricity supply
- EL - Electricity supply head (assumed) in cupboard.
- FA - Cast iron drainage pipe from above with access plate.
- H - Incoming water supply.
- W - Soil or waste water connection in floor.

Ben Johnson Road



Authorised Signatory
 legal services - Business Manager
 04171925
 N



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 An **APLEONA** company

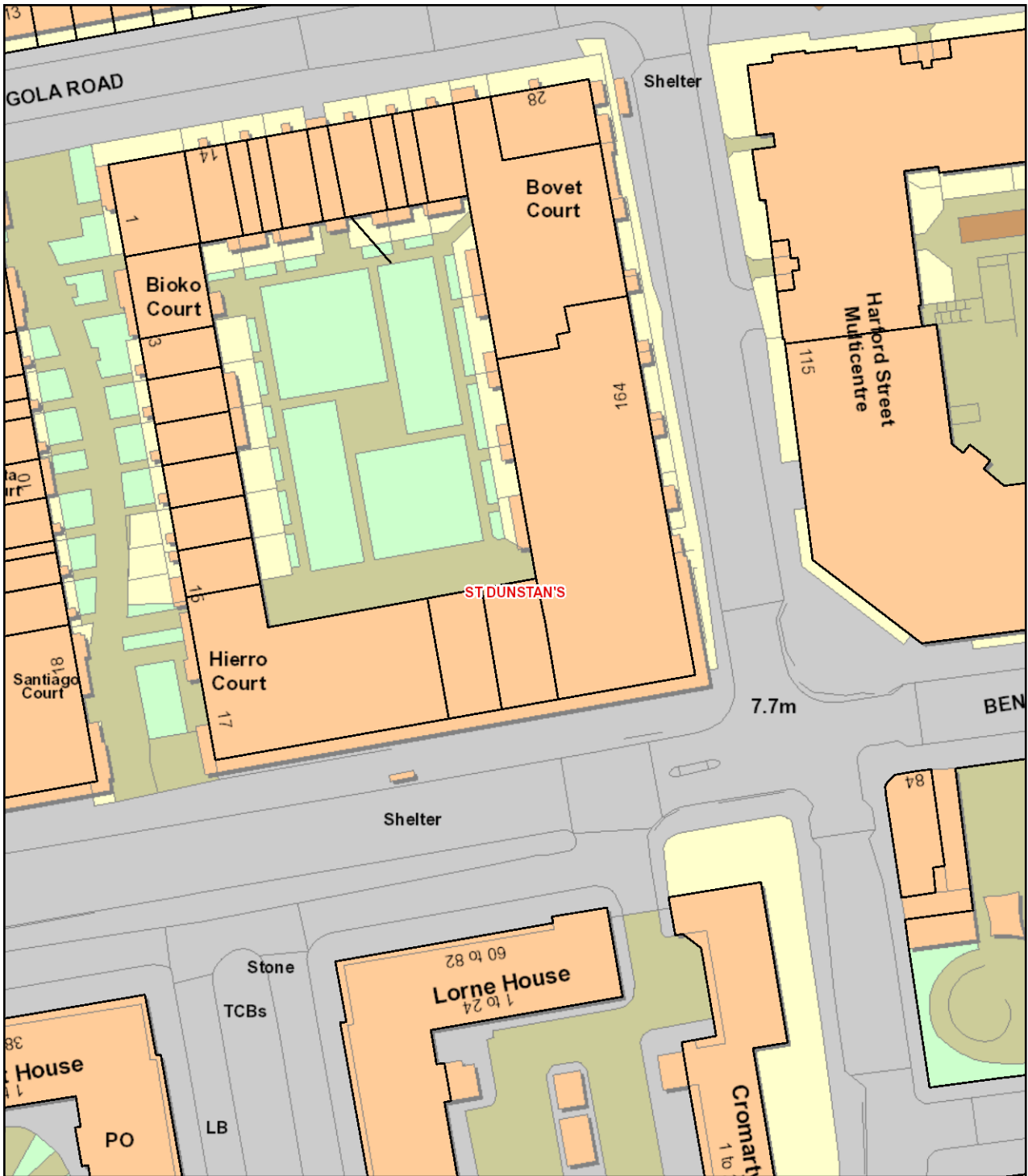
08449 02 03 04
 65 Gresham Street, London, EC2V 7NQ
 www.gva.co.uk

Project Name UNIT 13, Ben Johnson Road, London, E1 4QH	Scale 1:100	Drawn RV	Checked CC	Date 31 July 2017
Client London Borough of Tower Hamlets	Project No 028720588			
Drawing Title UNIT 13 - DEMISE PLAN	Drawing No Plan 2		Rev. A4	

Plan 2 - Unit 13 - Demise Plan

V17

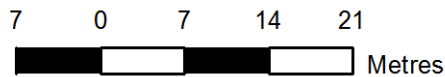
Appendix 3

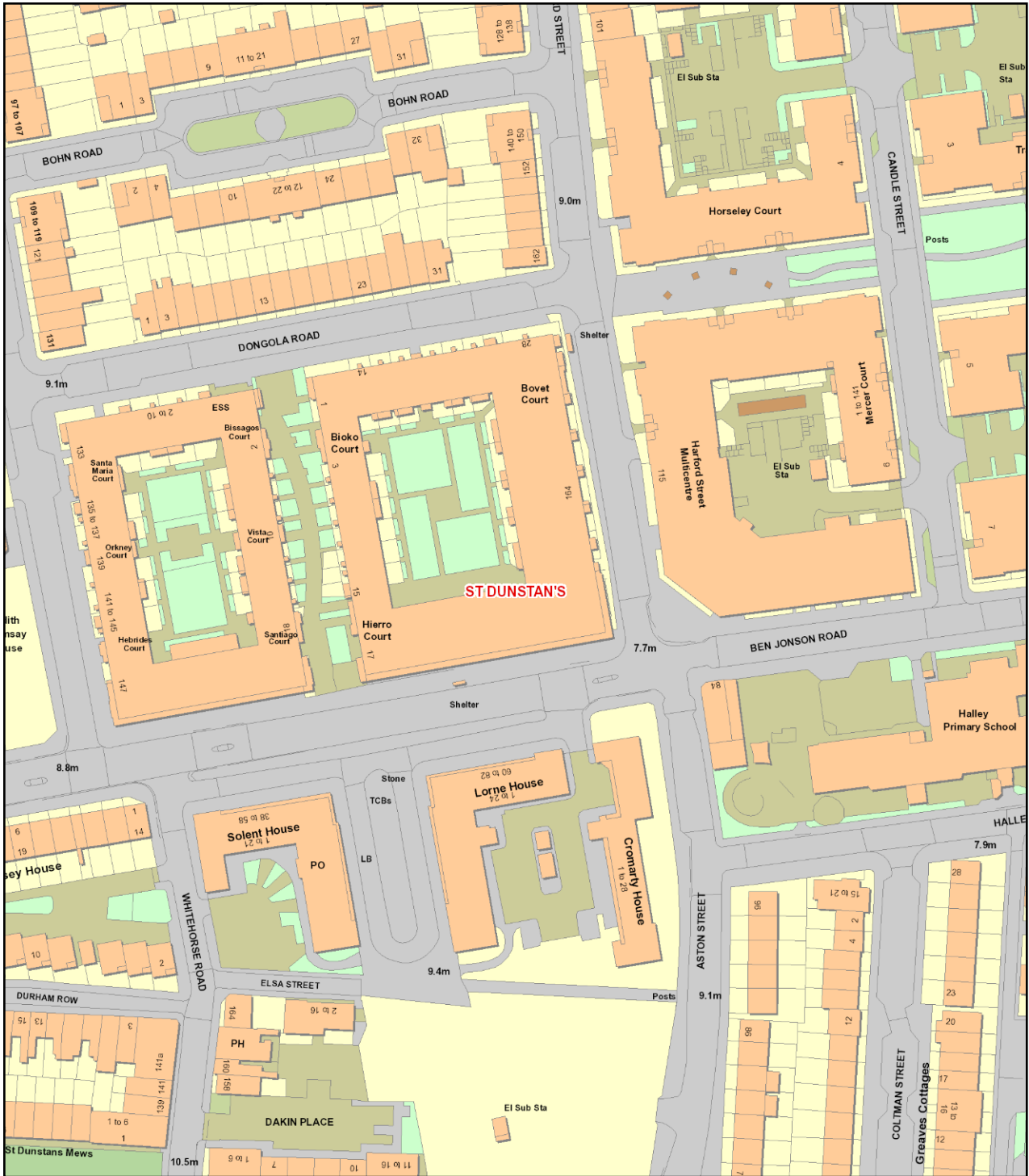


71 Ben Johnson Rd



Scale 1:769

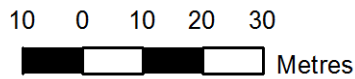


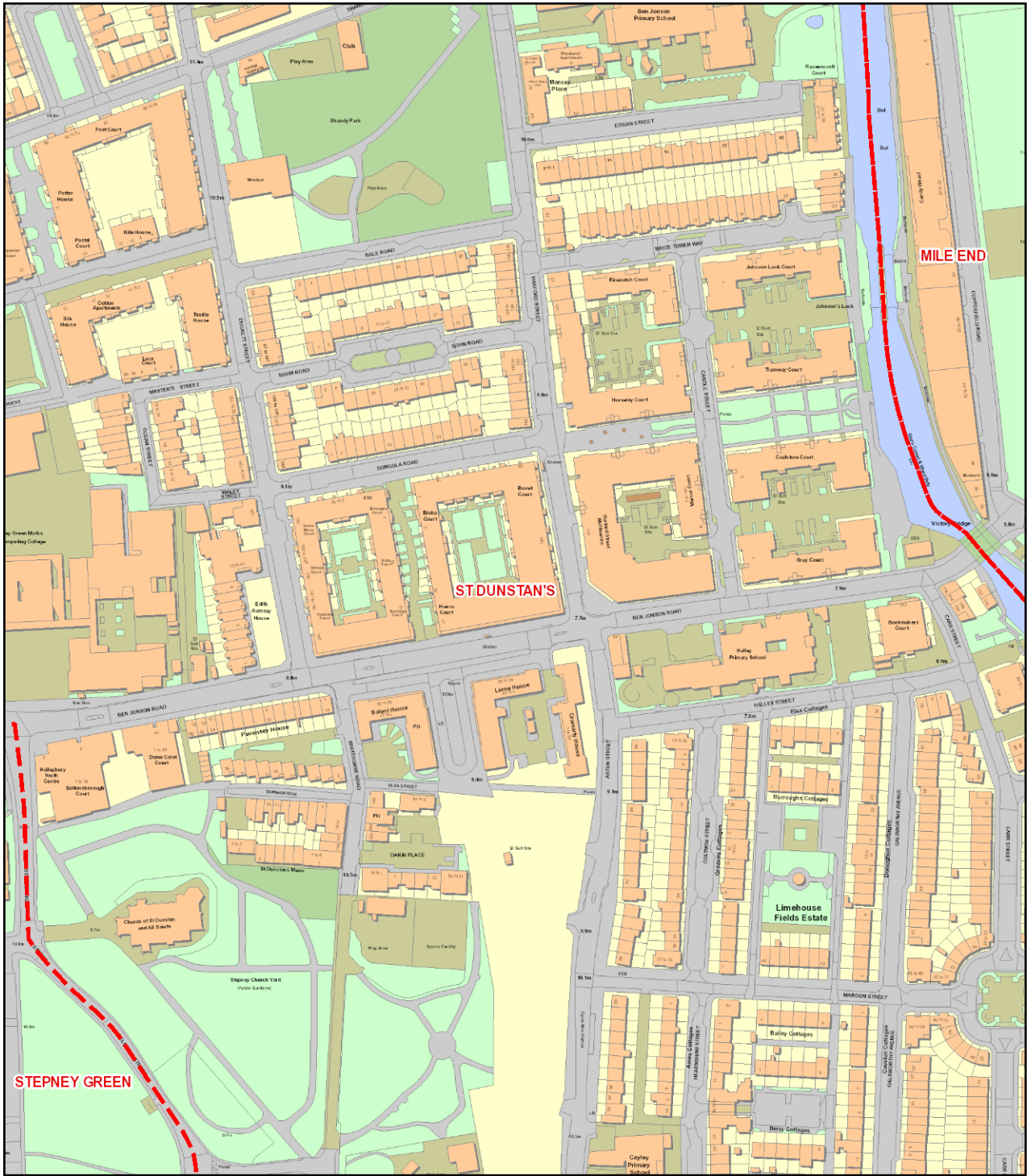


71 Ben Johnson Rd



Scale 1:1537





71 Ben Johnson Rd



Scale 1:3074

25 0 25 50 75



Metres



Appendix 4

Food & Wine Mini Market

Name and address	Licensable activities and hours	Opening hours
<p>(Co-operative Group Ltd) Co-op Welcome 193-197 Mile End Road London E1 4AA</p>	<p><u>The sale by retail of alcohol (Off sales only)</u></p> <ul style="list-style-type: none"> • Monday to Saturday 06:00 until 23:00 • Sundays 10:00 to 22:30 <p><u>Late Night Refreshment</u></p> <ul style="list-style-type: none"> • Friday and Saturday until midnight 	<p>Monday to Sunday from 00:00 hours to 23:59 hours (24 hours)</p>
<p>(Sainsbury's) 3-5 Globe Road London E1 4DT</p>	<ul style="list-style-type: none"> • The sale by retail of alcohol (Off sales only) • Monday to Sunday from 07:00hrs to 23:00hrs 	<p>There are no restrictions on the opening hours of the premises</p>
<p>(Tesco Stores Ltd) 657 Commercial Road London E14 7LW</p>	<p><u>The sale by retail of alcohol (Off sales only)</u></p> <ul style="list-style-type: none"> • Monday to Sunday from 06:00 hours to 23:00 hours 	<p>Monday Sunday from 06:00 hours to 23:00 hours</p>

Appendix 5

Section 182 Advice by the Home Office Updated on April 2017

Relevant, vexatious and frivolous representations

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

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

Appendix 6

David Kennedy
Local Resident,

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

February 20th, 2018

Kathy Driver
Principal Licensing Officer,
Licensing Section,
John Onslow House,
1 Ewart Place,
London,
E3 5EQ

Your reference: CLC/EHTS/LIC/106072

My reference: 180220_Representation regarding 71 Ben Jonson Road, E1 4SA

Dear Ms Driver,

I write regarding the letter you sent on January 26th 2018 in relation to Mr Erdal Pinar's application for a premises license for 71 Ben Jonson Road, E1 4SA

Mr Pinar has made an application to supply of alcohol in an off-premises capacity between the hours of 07:00 and 24:00 Monday to Sunday inclusive.

I wish to make a representation that these hours are too excessive and are inappropriate for the following reasons:

Precedent

There is no existing similar precedent for the hours requested nearby.

For example, the CoOp at E1 4AA is only authorised to sell alcohol until 23:00 Monday to Saturday inclusive and until 22:30 on Sundays. Sainsbury's at E1 4DT is only authorised to sell alcohol until 23:00 Monday to Sunday inclusive. Similarly Tesco at E14 7LW is only authorised to sell alcohol until 23:00 Monday to Sunday inclusive.

Prevention of Public Nuisance

Ben Jonson Road, and in particular the area surrounding the applicant's premises has a very high residential density in comparison to the Borough average. Ben Jonson Road is not a 'Neighbourhood Centre' or 'High Street' as defined in Tower Hamlets planning policy. Ben Jonson Road is a residential area, between the 'Neighbourhood Centres' of Commercial Road, Limehouse and Mile End Road, Stepney.

The precedent examples given above in fact relate to 'Neighbourhood Centres' or 'High Street' locations where the residential densities immediately adjacent to those premises are lower than those at Ben Jonson Road.

Of the existing commercial units at Ben Jonson Road, none are in-fact open past 23:00 Monday to Sunday inclusive.

Licensing hour restrictions– similar to, and possibly even less than the precedents given above would be appropriate in respect to Mr Pinar's off-license application to protect a large number of residents from the possibility and probability of public nuisance after 23:00.

Thank-you for your consideration,

Kind regards,

David Kennedy.

Appendix 7

[REDACTED]
19/2/2018

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

Dear Sirs

Re: Objection to Premises Licence for Unit 13, 71 Ben Johnson Rd

I saw a notice on the window of Unit 13 regarding the application which has been made for a premises licence for Unit 13, 71 Ben Johnson Road to sell alcohol from 7am to 12midnight.
On further investigation I notice that the person applying for a licence appears to be the same individual mentioned in a previous application in 2009 which made for very alarming reading.

I live in Grand Union Place (GUP), off Ben Johnson Road, and several years ago we had huge problems with one of the shops selling alcohol to underage youths, who also reportedly from the shop had spirits into other bottles to disguise what it was. As a result we had a lot of Anti-Social Behaviour (ASB) and crime. The police were involved and the shop eventually had its licence revoked and as a consequence the underage drinking problem on GUP diminished.

It is well documented that crime is often fuelled by alcohol and/or drugs. Given the current problems with ASB throughout the estate of GUP, which we (Grand Union Place Residents Association (GUPRA)) are working hard with the Police, Council and Housing Managers to address, we most certainly do not want to see alcohol readily available right on our doorstep to add into the mix.

There is also the problem of unacceptable noise from 7am till the early hours, not to mention the littering of alcohol bottles, as the youths would not go home to drink alcohol where it is forbidden but would find other places eg GUP or Shandy Park.

My other concern is the large Secondary schools and Sixth form colleges in close proximity which could lead to young people trying to obtain alcohol illegally.

Sainsbury's at the top of Harford Street does sell alcohol but with a large Supermarket chain they would have strict rules which are more easily enforced.

For the reasons stated above I therefore wish to raise an objection to this licence being granted.

Thankyou and I await your response.

Regards

[REDACTED]
Margaret Fisher
GUP resident and GUPRA Chair



Appendix 8

Objection to Premises Licence application for Unit 13, 71 Ben Jonson Road, London E1 4SA for extended hours of sale of alcohol for offsite consumption between 0700 to 2400

We are making a **representation** to object to the above Premises Licence application to operate for additional hours from 0700 to 1000 and 2300 to 2400 based on the following concerns:

1. The outlet is located next to and within solely residential accommodation.
2. Where alcohol is provided for such an extended period, the possibility of inappropriate and anti-social behaviour and crime is substantially increased.

My name is Zakaria Hussain, my address is [REDACTED] London, E1 [REDACTED] and myself and the undersigned are making representation for the aforementioned objection.

I am happy to be contacted and will be available to be spokesperson for the signatories of the representation. My **signature** is at the bottom of the document.

Zaynab ([REDACTED] House)

Shuhin ([REDACTED] House)

Dhruvi ([REDACTED] House)

James ([REDACTED] House)

Ripa begum ([REDACTED] House)

Samir ([REDACTED] House)

Ibrahim ([REDACTED] House)

Tahmid ([REDACTED] House)

Shafia ([REDACTED] House)

Jackie Joseph ([REDACTED] House)

Runa ([REDACTED] House)

Nurul ([REDACTED] House)

Hassan ([REDACTED] House)

Abdur Rauf ([REDACTED] House)

Nazma ([REDACTED] House)

Islam uddin ([REDACTED] House)

Mimmo ([REDACTED] House)

Teddy ([REDACTED] House)

Kadir Ahmed ([REDACTED] House)

Zahra Wasamad ([REDACTED] House)

Objection to Premises Licence application for Unit 13, 71 Ben Jonson Road, London E1 4SA for extended hours of sale of alcohol for offsite consumption between 0700 to 2400

We are making a **representation** to object to the above Premises Licence application to operate for additional hours from 0700 to 1000 and 2300 to 2400 based on the following concerns:

1. The outlet is located next to and within solely residential accommodation.
2. Where alcohol is provided for such an extended period, the possibility of inappropriate and anti-social behaviour and crime is substantially increased.

Runina Begum ([REDACTED] House)

Helal ([REDACTED] House)

Maryam ([REDACTED] House)

Dan ([REDACTED] House)

Dan Chatfield ([REDACTED] House)

David ([REDACTED] House)

Abdul Shohid ([REDACTED] House)

Poppy ([REDACTED] House)

Azizur Rahman ([REDACTED] House)

Bibi Mehzabin ([REDACTED] House)

Monjur Ahmed ([REDACTED] House)

Bibi ([REDACTED] House)

Shazna ([REDACTED] House)

Emran ([REDACTED] House)

Anwara khatun ([REDACTED] House)

Rasna ([REDACTED] House)

Paul ([REDACTED] House)

Abdur Razak ([REDACTED] House)

Jakir Ali ([REDACTED] House)

Kais ([REDACTED] House)

Benjamin Rimmer ([REDACTED] House)

Objection to Premises Licence application for Unit 13, 71 Ben Jonson Road, London E1 4SA for extended hours of sale of alcohol for offsite consumption between 0700 to 2400

We are making a **representation** to object to the above Premises Licence application to operate for additional hours from 0700 to 1000 and 2300 to 2400 based on the following concerns:

1. The outlet is located next to and within solely residential accommodation.
2. Where alcohol is provided for such an extended period, the possibility of inappropriate and anti-social behaviour and crime is substantially increased.

Zed Begum ([REDACTED] House)

Asma ([REDACTED] House)

Mahdian ([REDACTED] House)

Habbibur Rahman ([REDACTED] House)

Aysha ([REDACTED] House)

Sherina Begum ([REDACTED] House)

Irfan Ali ([REDACTED] House)

Shahanara ([REDACTED] House)

Koysur Ahmed ([REDACTED] House)

Nazir ([REDACTED] House)

Sheikh ([REDACTED] House)

Rasheda Choudhury ([REDACTED] House)

Daisy ([REDACTED] House)

Siddique Miah ([REDACTED] House)

Mohammed Abul Kalam ([REDACTED] House)

Jairaj ([REDACTED] House)

Tony ([REDACTED] House)

Amina Begum ([REDACTED] House)

Susan Siddique ([REDACTED] House)

Hayley Chilvers ([REDACTED] House)

Ben ([REDACTED] House)

Objection to Premises Licence application for Unit 13, 71 Ben Jonson Road, London E1 4SA for extended hours of sale of alcohol for offsite consumption between 0700 to 2400

We are making a **representation** to object to the above Premises Licence application to operate for additional hours from 0700 to 1000 and 2300 to 2400 based on the following concerns:

1. The outlet is located next to and within solely residential accommodation.
2. Where alcohol is provided for such an extended period, the possibility of inappropriate and anti-social behaviour and crime is substantially increased.

Shamsuna ([REDACTED] House)

Julie Din ([REDACTED] House)

Mithu Rahman ([REDACTED] House)

Anthony ([REDACTED] House)

Rumana Begum ([REDACTED] House)

Vaida Brusokaite ([REDACTED] House)

Afia Begum ([REDACTED] House)

Surya ([REDACTED] House)

Kakuli Begum ([REDACTED] House)

Rina Begum ([REDACTED] House)

Babu ([REDACTED] House)

Moyrun ([REDACTED] House)

Yuan ([REDACTED] House)

Lacki ([REDACTED] House)

Musleh Uddin ([REDACTED] House)

George Brace ([REDACTED] House)

Rupna Bibi ([REDACTED] House)

Abid ([REDACTED] House)

Nicolina ([REDACTED] House)

Theresa Brace ([REDACTED] House)

Lu ([REDACTED] House)

Objection to Premises Licence application for Unit 13, 71 Ben Jonson Road, London E1 4SA for extended hours of sale of alcohol for offsite consumption between 0700 to 2400

We are making a **representation** to object to the above Premises Licence application to operate for additional hours from 0700 to 1000 and 2300 to 2400 based on the following concerns:

1. The outlet is located next to and within solely residential accommodation.
2. Where alcohol is provided for such an extended period, the possibility of inappropriate and anti-social behaviour and crime is substantially increased.

Hussain ([REDACTED] House)

Zakir ([REDACTED] House)

Rumena ([REDACTED] House)

Tessa Paul ([REDACTED] House)

Hussain Imran ([REDACTED] House)

Mohammed Shams Uddin ([REDACTED] House)

Mrs Maureen Anderson ([REDACTED] House)

Mohammed Abdul Gafur ([REDACTED] House)

Flavio Foa ([REDACTED] House)

Abdul Rakib ([REDACTED] House)

Abdul Bashir ([REDACTED] House)

Alan ([REDACTED] House)

Reema ([REDACTED] House)

Jahedul ([REDACTED] House)

Rumi ([REDACTED] House)

Ellen ([REDACTED] House)

Dulla mama ([REDACTED] House)

Noman ([REDACTED] House)

George Rosario ([REDACTED] House)

Megan Norris ([REDACTED] House)

Adeem Zubair ([REDACTED] House)

Objection to Premises Licence application for Unit 13, 71 Ben Jonson Road, London E1 4SA for extended hours of sale of alcohol for offsite consumption between 0700 to 2400

We are making a **representation** to object to the above Premises Licence application to operate for additional hours from 0700 to 1000 and 2300 to 2400 based on the following concerns:

1. The outlet is located next to and within solely residential accommodation.
2. Where alcohol is provided for such an extended period, the possibility of inappropriate and anti-social behaviour and crime is substantially increased.

Hasnat ([REDACTED] House)

Shumel ([REDACTED] House)

Shaida ([REDACTED] House)

Paris ([REDACTED] House)

Rukshana ([REDACTED] House)

Nipa ([REDACTED] House)

Tasim ([REDACTED] House)

Parvez ([REDACTED] House)

Monzul ([REDACTED] House)

Mahmud ([REDACTED] House)

Vivien ([REDACTED] House)

Mamum Bhai ([REDACTED] House)

Elian ([REDACTED] House)

Jane Morris ([REDACTED] House)

Billie Hall ([REDACTED] House)

Pablu ([REDACTED] House)

Malcolm ([REDACTED] House)

Amena Begum ([REDACTED] House)

Helal ([REDACTED])

Asif ([REDACTED] House)

Modud ([REDACTED] House)

Objection to Premises Licence application for Unit 13, 71 Ben Jonson Road, London E1 4SA for extended hours of sale of alcohol for offsite consumption between 0700 to 2400

We are making a **representation** to object to the above Premises Licence application to operate for additional hours from 0700 to 1000 and 2300 to 2400 based on the following concerns:

1. The outlet is located next to and within solely residential accommodation.
2. Where alcohol is provided for such an extended period, the possibility of inappropriate and anti-social behaviour and crime is substantially increased.

Rajib ([REDACTED] House)

Naiara ([REDACTED] House)

Tony Benjamin ([REDACTED] House)

Ainoune ([REDACTED] House)

Lutfur ([REDACTED] House)

Nemo ([REDACTED] House)

Robert Hatt ([REDACTED] House)

Abu Miah ([REDACTED] House)

Hafsa ([REDACTED] House)

Begum ([REDACTED] House)

Shirley Clifford ([REDACTED] House)

Shofiqun Nessa Chourdhury ([REDACTED] Street)

Shahera khatun ([REDACTED] Street)

Sonu ([REDACTED] Street)

Jamie ([REDACTED] Street)

Ahmal ([REDACTED] Street)

Mohammed Salam ([REDACTED] House)

Jalal ([REDACTED] Street)

Jamila Begum ([REDACTED] Street)

Foysal ([REDACTED] Street)

Ruksana Sultana ([REDACTED] Street)

Objection to Premises Licence application for Unit 13, 71 Ben Jonson Road, London E1 4SA for extended hours of sale of alcohol for offsite consumption between 0700 to 2400

We are making a **representation** to object to the above Premises Licence application to operate for additional hours from 0700 to 1000 and 2300 to 2400 based on the following concerns:

1. The outlet is located next to and within solely residential accommodation.
2. Where alcohol is provided for such an extended period, the possibility of inappropriate and anti-social behaviour and crime is substantially increased.

Fatima ([REDACTED] Street)

Rofikun Nessa ([REDACTED] Street)

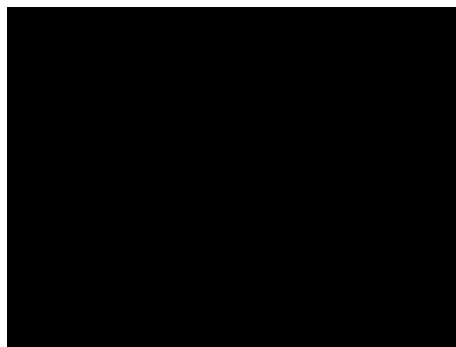
A Kearney ([REDACTED] Street)

Imran ([REDACTED] Street)

Shaena Parvin ([REDACTED] Street)

Anna Keating ([REDACTED] Street)

Abu bakr ([REDACTED] Street)



Appendix 9

Mohshin Ali

From: Kevin Maple
Sent: 20 February 2018 13:39
To: [REDACTED] oakfieldsolicitors [REDACTED]
Cc: 'erdal_pinar [REDACTED]'; Licensing
Subject: New Premises License Application for Food & Wine Mini Market Unit 13, 71 Ben Jonson Road, London - ref M/106072. Your ref: SF-PINAR
Attachments: Challenge 25.docx

Dear Sinan

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

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

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

I have therefore considered section M of your Client's application in which they describe the additional steps that they will take to promote the Licensing objectives. Their comments that relate to the 'protection of children from harm' are stated as follows:

e) The protection of children from harm

- THE APPLICANT WILL ~~ASK~~ ANY RECOMMENDATION SIBLE AUTHORITIES
- STAFF TRAINING ARE BE IN PLACE
- THE APPLICANT WILL STAFF TO NOTE ANY YOUNG PEOPLE IN A

Considering the above I would be grateful if your client would consider adopting 'Challenge 25' so that they have a robust procedure in place to prevent underage sales. Please find further details of 'Challenge 25' attached.

Please let me know if your client is willing to adopt this policy and if so are they willing for the 'Challenge 25' policy to be made a voluntary condition of their licence. The condition would be as follows:

A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

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

Should you have any query please do not hesitate in contacting me. I look forward to hearing from you.

Best regards,

Kevin Maple
Consumer Services Officer

Tower Hamlets Trading Standards



Environmental Health & Trading Standards | John Onslow House | 1 Ewart Place | London | E3 5EQ

For help or advice or to make a complaint about a trader, please call the national Citizens Advice consumer helpline on 03454 04 05 06

To report fraud, attempted fraud or cyber crime & receive a police crime reference number call Action Fraud on 0300 123 2040

Challenge 25

Guidance for those applying or varying a premises licence to sell alcohol

The licensing Act 2003 introduced mandatory conditions on every alcohol licence, including one that requires all premises to have a policy to prevent underage sales.

Although there is a minimum policy for premises to adopt, Tower Hamlets Council would like you to go further and recommends that you operate a 'Challenge 25' policy. This will ensure you have a robust procedure in place to help you & your staff avoid selling alcohol to children and under-aged persons.

What is Challenge 25?

Challenge 25 is a scheme that encourages anyone who is over 18 but looks under 25 to carry acceptable ID when they want to buy alcohol

Why Challenge 25?

Alcohol consumption during any stage of childhood can have a harmful effect on a child's development. Alcohol use during the teenage years is related to a wide range of health and social problems, and young people who begin drinking before the age of 15 are more likely to experience problems related to their alcohol use.

Remember:

- Illegal sales often result in antisocial behaviour
- Antisocial behaviour has a negative impact on the local community
- People who start drinking when young find it harder to give up and are more likely to suffer long term ill health
- The owner of a business could be prosecuted and fined if an illegal sale takes place
- You may receive a fixed penalty notice or lose your licence if you or any of your staff sell alcohol to an under-age customer.

How do you operate Challenge 25?

Challenge 25 simply requires that every person buying an age restricted product such as alcohol & tobacco and who look under the age of 25, is challenged to produce a valid ID.

In order to adopt Challenge 25, organisations are asked to consider taking the following steps:

- Introduce a 'No ID No Sale' policy for anyone who look under the age of 25
- Display posters to advertise your proof of age policy in a prominent place
- Set up a 'prompt' on your till to remind staff to ask for proof of age when selling age-restricted products e.g. EPoS or till prompt stickers
- If you or your staff refuse a sale, record this in the refusals book (**see overleaf for more information**)
- Make sure staff are fully trained and their training is monitored and record details in the training record book (**see overleaf for more information**)
- Do not sell to a child even if they say the product is for a parent or other adult
- If you sell tobacco ensure the statutory notices are prominently displayed.
- Display posters to make adults aware that they may be fined for buying restricted items for young people (**a proxy sale**). You have the right to refuse to sell to them if you are suspicious.

Posters, refusal & training record books, till prompt stickers, and statutory notices can be supplied to you free of charge - see contact details overleaf

ID for Proof of age

Be clear about what ID is acceptable. It is important to ensure that the ID card belongs to the person using it and you need to see that person's age or date of birth. We recommend that you only accept cards with a photograph and a date of birth.

Passports and driving licences are acceptable but remember that a person can have a driving licence from the age of 17.

Be aware of fake ID – The Home Office has produced [guidance](#) for retailers to help them understand how to spot fake ID. Staff should be trained about the types of ID that are acceptable and how to spot fake ID.

It is recommended to accept ID cards that include the [PASS](#) (Proof of Age Standards Scheme) holographic logo, which will also show a photograph and date of birth. The hologram is forge-proof and recognisable. Nationally recognised PASS cards are CitizenCard & VALIDATE UK.

Refusals book

When you or a staff member refuses a sale keep a record of the incident in the refusal book. This shows us that your business is serious about avoiding sales to young people.

You should monitor the refusals book to ensure that all staff are using it. If there are no entries, or very few by certain staff, this could indicate their reluctance to challenge people about their age and can help identify if extra training or support is needed.

Training and support for staff

It is important that you make sure all staff selling age-restricted products receives regular training. That means not just new starters but all staff should receive refresher training periodically.

Please make sure your staff know:

- What the age limits are for the age restricted products you sell
- What acceptable photo ID looks like
- How to check ID photographs to ensure they belong to the customer
- They operate a Challenge 25 policy – include age perception as part of training

Keep records of training and instructions given to staff. Staff should sign a record to confirm that they have understood the training.

You should also regularly monitor staff to check how they are dealing with age restricted products. Some may lack confidence in asking for proof of age.

Further information

We can supply you with **posters, refusal & training record books, statutory notices** and training materials free of charge.

Call **Trading Standards 020 7364 5008** or email tradingstandards@towerhamlets.gov.uk

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