

# Appendix 1

FLARE NO. 106697



LICENSING ACT 2003

FOR OFFICE USE			
Receipt No: 259396	FEE REQUIRED:	Date:	Initials:
On-Line Payment Ref:	£315	15/02/18	SH

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) YUUCHAA RETAIL LTD

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	
YUUCHAA 137 BRICK LANE LONDON	LBTH TRADING STANDARDS 15 FEB 2018  LICENSING
Post town <u>LONDON</u>	Post code <u>E1 6SB</u>

Telephone number at premises (if any)

N/A.

Non-domestic rateable value of premises

£ 39,750

## 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)

<b>Surname</b>	<input type="text"/>	<b>First names</b>	<input type="text"/>
<b>Date of Birth</b>	<input type="text"/>	<b>I am 18 years old or over</b>	Please tick yes <input type="checkbox"/>
<b>Nationality</b>	<input type="text"/>		
<b>Current residential address if different from premises address</b>	<input type="text"/>		
<b>Post Town</b>	<input type="text"/>	<b>Postcode</b>	<input type="text"/>
<b>Daytime contact telephone number</b>	<input type="text"/>		
<b>E-mail address (optional)</b>	<input type="text"/>		

**SECOND INDIVIDUAL APPLICANT** (If applicable)

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

<b>Surname</b>	<input type="text"/>	<b>First names</b>	<input type="text"/>
<b>Date of Birth</b>	<input type="text"/>	<b>I am 18 years old or over</b>	Please tick yes <input type="checkbox"/>
<b>Nationality</b>	<input type="text"/>		
<b>Current residential address if different from premises address</b>	<input type="text"/>		
<b>Post Town</b>	<input type="text"/>	<b>Postcode</b>	<input type="text"/>
<b>Daytime contact telephone number</b>	<input type="text"/>		

**E-mail address  
(optional)**

**B) OTHER APPLICANTS**

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

Name	YUNCHAA RETAIL LTD
Address	FINSCLATE 5-7 CRAWWOOD STREET LONDON EC1V 9EE
Registered number (where applicable)	08909669
Description of applicant (for example partnership, company, unincorporated association etc)	LIMITED COMPANY
Telephone number, if any	[REDACTED]
E-mail (optional)	[REDACTED]

**Part 3 Operating Schedule**

When do you want the premises licence to start?

Day	Month	Year
1	9	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.

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

YUNCHAA IS A PREMIUM TEA BUSINESS APPROX CAPACITY 60 HIGH STREET FACING. AT PRESENT WE HAVE 7 SITES THROUGHOUT LONDON AS WELL AS SUCCESSFUL ONLINE CONSUMER & WHOLESALE BUSINESS. WE HAVE SEEN AN INCREASED MIX OF ALCOHOL MIXED TEA BLENDS WHICH HAVE BEEN POPULAR IN COFFEE FOR SOME TIME. WE HAVE SEEN AN INCREASE IN SALES OF COCKTAIL BASED TEA PRODUCT ONLINE AND A TREND IN BUSINESS FOR THE THE INCLUSION OF ALCOHOL MIXED AND IS TO EXPLORE AUXILIARY ALCOHOL SALES AGAINST CORE BUSINESS TO COMPLEMENT MASTERCLASSES & TASTE SESSIONS. WITH MANY SIMILAR SPACES WE WOULD LIKE TO OFFER A PREMIUM ALCOHOL RANGE ALONGSIDE OUR ALREADY SUCCESSFUL CORE BUSINESS.

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**

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

**B**

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



**C**

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

**D**

Boxing or wrestling entertainment Standard days and timings (please read guidance note 7)			Will the Boxing or wrestling entertainment 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)		
Tue			N/A		
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur			N/A		
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat			N/A		
Sun					

**E**

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

**F**

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

**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	Indoors
Day	Start	Finish		Outdoors
Mon			Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Both
Tue				Please give further details here (please read guidance note 4)  N/A
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)  N/A	
Thur				
Fri			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)  N/A	
Sat				
Sun				

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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)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
Mon	23.00 PM	00.00 AM	Please give further details here (please read guidance note 4) SUPPLY OF HOT DRINKS & FOOD BETWEEN THE HOURS SPECIFIED - CLOSING PREMISES AT MIDNIGHT.	Both	
Tue	23.00 PM	00.00 AM			
Wed	23.00 PM	00.00 AM	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)  N/A		
Thur	23.00 PM	00.00 AM			
Fri	23.00 PM	00.00 AM	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)  N/A		
Sat	23.00 PM	00.00 AM			
Sun	23.00 PM	00.00 AM			

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)	On the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	
Mon	12.00 PM	03.00 AM	State any seasonal variations for the supply of alcohol (please read guidance note 5)  N/A	Both	
Tue	12.00 PM	03.00 AM			
Wed	12.00 PM	03.00 AM	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)  N/A		
Thur	12.00 PM	03.00 AM			
Fri	12.00 PM	03.00 AM			
Sat	12.00 PM	03.00 AM			
Sun	12.00 PM	03.00 AM			

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

Name

SCOTT PRIESTNALL

Date of Birth

Address

Postcode

Personal Licence number (if known)

issuing licensing authority (if known)

K

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

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	
Mon	08.00AM	00.00AM	N/A
Tue	08.00AM	00.00AM	
Wed	08.00AM	00.00AM	
Thur	08.00AM	00.00AM	
Fri	08.00AM	00.00AM	
Sat	08.00AM	00.00AM	
Sun	08.00AM	00.00AM	

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)

• CCTV TO BE INSTALLED AT THE PREMISES. THE SCOPE OF THE COVERAGE TO BE AGREED BY THE POLICE. THE SYSTEM WILL BE KEPT IN GOOD WORKING ORDER AND RECORDINGS KEPT FOR A MINIMUM 31 DAYS. WITH A TRAINED MEMBER OF STAFF ON DUTY WHILE PREMISES OPEN.

• WRITTEN OPERATING POLICY INCLUDING DRUG POLICY / INCIDENT REPORTING / REFUSAL LOG & TRANSPORT AND DISPERSAL.

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

- OPERATIONAL CCTV SYSTEM
- DRUG & ALCOHOL POLICY - STAFF TRAINING
- INCIDENT REPORT DIARY LOG / REFUSAL LOG
- SECURITY STRATEGY / SIA TO BE AGREED BY POLICE & REVIEWED PERIODICALLY WITH POLICE & MANAGEMENT
- ATTENDANCE OF LOCAL PUBWATCH GROUP OR EQUIVALENT.

**c) Public safety**

- OPERATIONAL SIA LICENSED SECURITY ON KEY NIGHTS IN CONJUNCTION WITH POLICE GUIDANCE
- OPERATIONAL CCTV

**d) The prevention of public nuisance**

- DOORS & WINDOWS TO BE KEPT CLOSED DURING OPERATIONAL HOURS POST 10.00PM.
- SIGNAGE REQUESTING PREMISES PATRONS TO LEAVE QUIETLY
- MANAGEMENT OF REFUSE DISPOSAL COMPLETED EACH MORNING REFRAINING FROM NIGHT DISTURBANCE.



e) The protection of children from harm

<ul style="list-style-type: none"><li>• DRUGS &amp; ALCOHOL POLICY IN PLACE</li><li>• CHALLENGE 2'S SCHEME ALIGNED WITH STAFF TRAINING &amp; REFUSAL LOG.</li></ul>
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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)

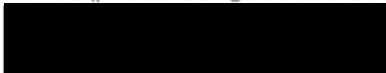
Signature of applicant or applicant's solicitor or other duly authorised agent. (See guidance note 12) If signing on behalf of the applicant please state in what capacity.



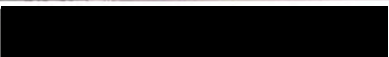
Declaration	<ul style="list-style-type: none"><li>[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am 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).</li><li>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)</li></ul>
Signature	
Date	13.02.2018
Capacity	AGENT REPRESENTATIVE

For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent. (please read guidance note 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)



Post town		Post code	
Telephone number (if any)			

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

[REDACTED]







# Appendix 2

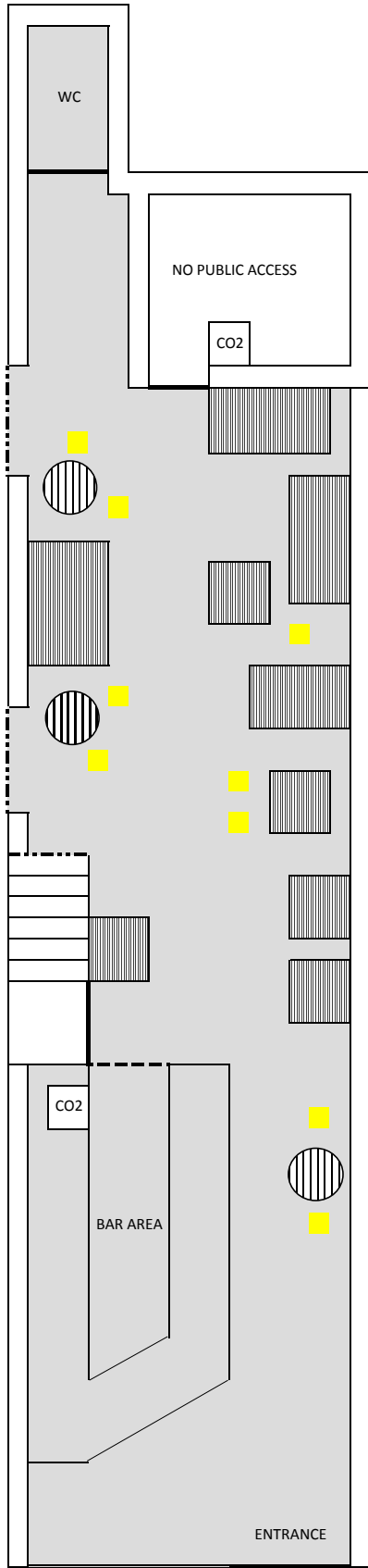
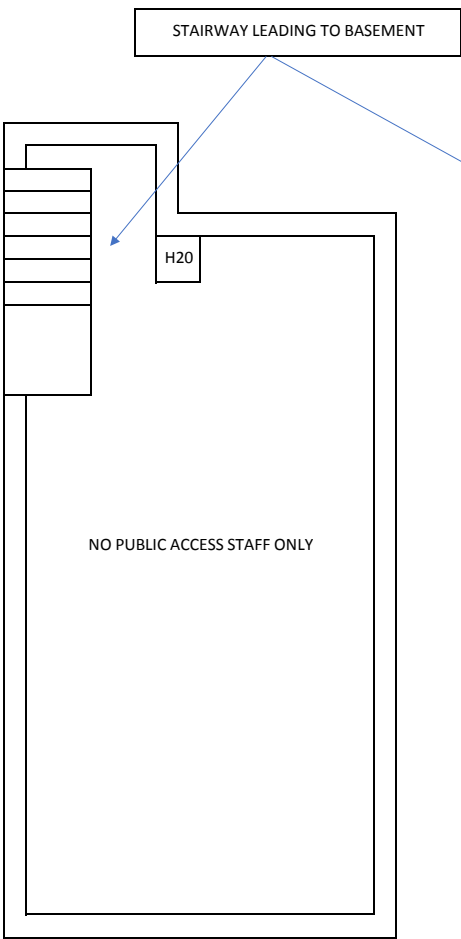
BASEMENT LEVEL PLAN

GROUND LEVEL PLAN

SCALE : 2:100

Key

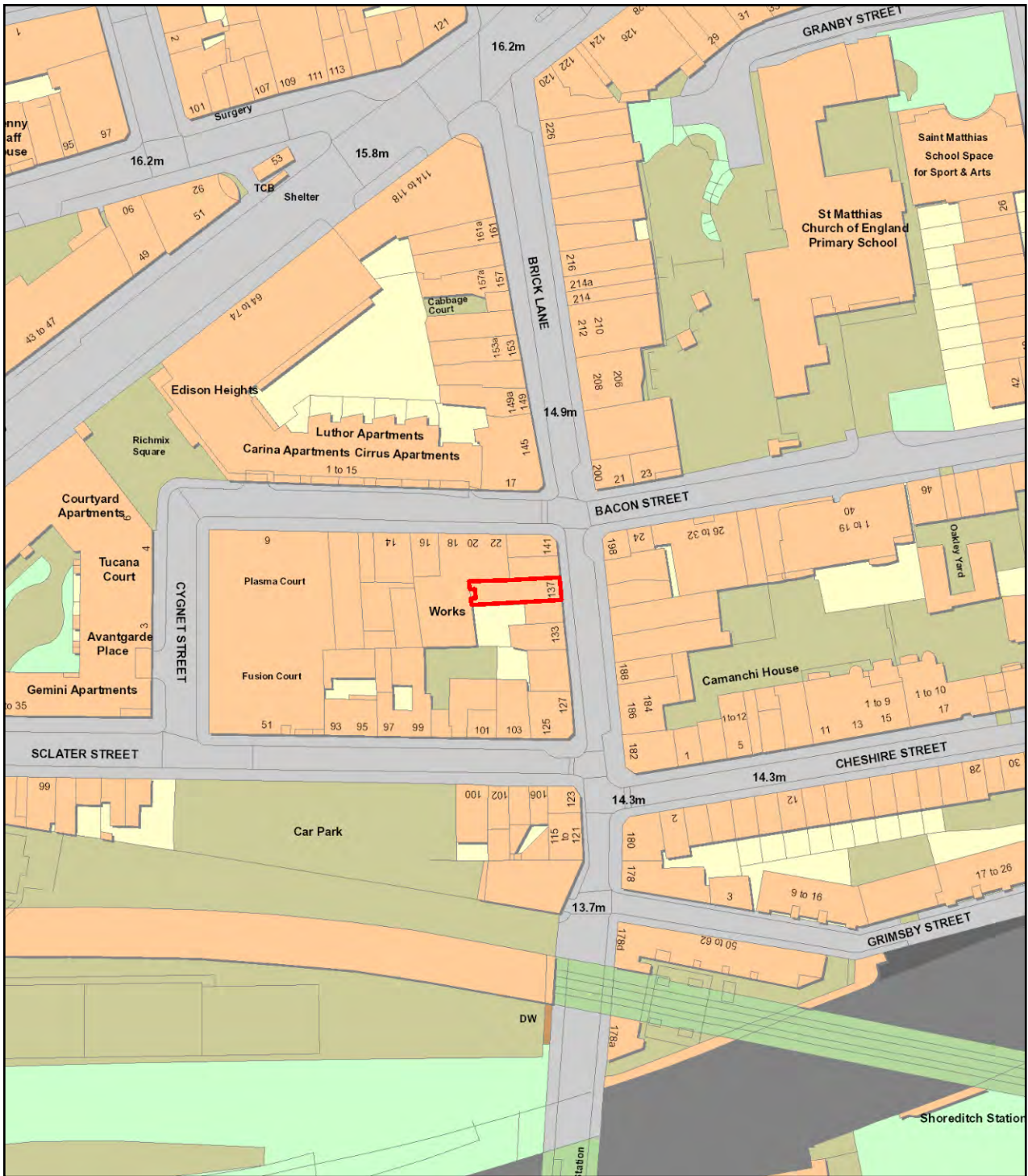
-  FURNITURE
-  CARBON DIOXIDE EXTINGUISHER
-  WATER EXTINGUISHER
-  ENTRANCE / DOORWAY
-  SEALED DOORWAY
-  WINDOW



BRICK LANE (HIGH STREET)

BRICK LANE (HIGH STREET)

# Appendix 3



# 137 Brick Lane



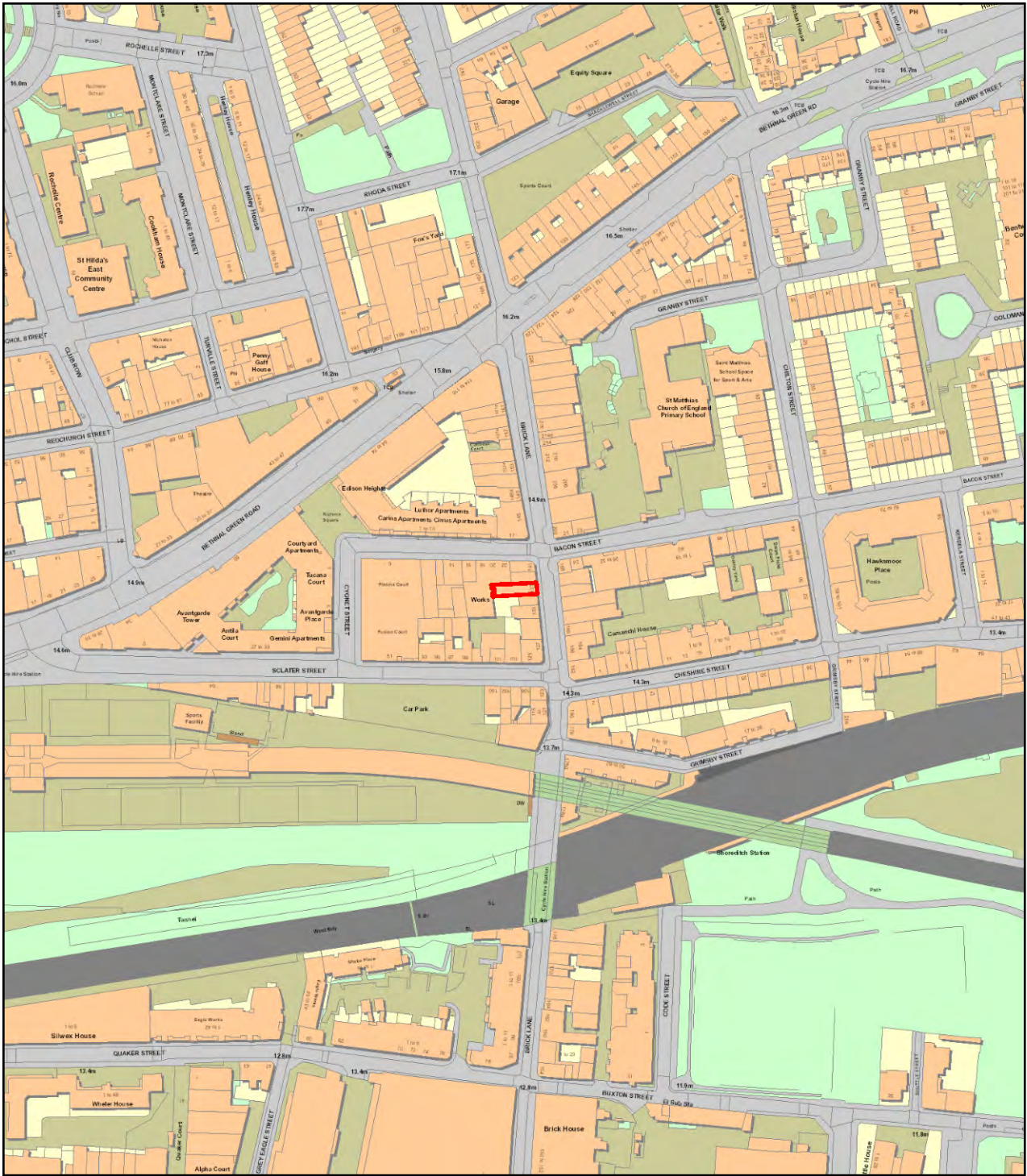
Scale 1:1274

10 0 10 20 30



Metres





# 137 Brick Lane



Scale 1:2547

20 0 20 40 60



Metres



**TOWER HAMLETS**



# Appendix 4

## Application for (Yumchaa) 137 Brick Lane

Name and address	Licensable activities and hours	Opening hours
<p><b>(Hookah Lounge)</b>  <b>133 Brick Lane</b>  <b>London</b>  <b>E1 6SB</b></p>	<p><b>Alcohol (On sales)</b></p> <ul style="list-style-type: none"> <li>• Monday to Thursday, 11:00 hrs to 12 midnight</li> <li>• Friday and Saturday, 11:00 hrs to 01:40 hrs</li> <li>• Sunday, 11:00 hrs to midnight</li> </ul> <p><b>Late Night Refreshment</b></p> <ul style="list-style-type: none"> <li>• Monday to Thursday, 23:00 hrs to 12 midnight</li> <li>• Friday and Saturday, 23:00 hrs to 01:40 hrs</li> <li>• Sunday, 23:00 hrs to midnight</li> </ul> <p><u>Non-standard times</u>            New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.</p>	<ul style="list-style-type: none"> <li>• Monday to Thursday, 11:00 hrs to 12 midnight</li> <li>• Friday and Saturday, 11:00 hrs to 02:00 hrs</li> <li>• Sunday, 11:00 hrs to midnight</li> </ul> <p><u>Non-standard times</u>            New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.</p>
<p><b>Montys</b>  <b>149 Brick Lane</b>  <b>London</b>  <b>E1 6SB</b></p>	<p><b>Supply of Alcohol (On sales only)</b></p> <ul style="list-style-type: none"> <li>• Sunday to Thursday 11:00 to 23:30 hrs</li> <li>• Friday and Saturday 11:00 to 02:00 hrs</li> </ul>	<ul style="list-style-type: none"> <li>• Sunday to Thursday 11:00 to Midnight</li> <li>• Friday and Saturday 11:00 to 02:30</li> </ul>
<p><b>161 Brick Lane</b>  <b>London</b>  <b>E1 6SB</b></p>	<p>The sale by retail of alcohol (On sales only)</p> <p><b>Monday, Tuesday, Wednesday:</b>            09:30 hours until 01:30 hours the following day</p> <p><b>Thursday, Friday and Saturday :</b>            09:30 hours until 02:00 hours the following day</p> <p><b>Sunday:</b> 09:30 hours until midnight</p> <p><b>New Years Eve, 30<sup>th</sup> April, 31<sup>st</sup> October, 12<sup>th</sup> &amp; 13<sup>th</sup> December, Christmas Eve and Christmas Day:</b> 09:30 hours until 03:30 hours the following day:</p>	<p><b>Monday, Tuesday, Wednesday:</b></p> <ul style="list-style-type: none"> <li>• 09:30 hours until 01:30 hours the following day</li> </ul> <p><b>Thursday, Friday and Saturday :</b></p> <ul style="list-style-type: none"> <li>• 09:30 hours until 02:00 hours the following day</li> </ul> <p><b>Sunday:</b> 09:30 hours until midnight</p> <p><b>New Years Eve, 30<sup>th</sup> April, 31<sup>st</sup> October, 12<sup>th</sup> &amp; 13<sup>th</sup> December, Christmas Eve and Christmas Day:</b> 09:30 hours until 03:30 hours the following day:</p>
<p><b>Hopscotch</b>  <b>202 Brick Lane</b>  <b>London</b>  <b>E1 6SA</b></p>	<p><b>The sale of alcohol (On and off sales)</b></p> <ul style="list-style-type: none"> <li>▪ Sunday to Thursday, from 11:00 hours to 23:00 hrs</li> <li>▪ Friday and Saturday, from 11:00 hours to 00:30 hrs</li> </ul> <p><b>Provision of late night refreshment:</b></p> <ul style="list-style-type: none"> <li>▪ Sunday to Thursday, from 23:00 hours to 23:30 hrs</li> <li>▪ Friday and Saturday, from 23:00 hours to 01:00 hrs</li> </ul>	<ul style="list-style-type: none"> <li>▪ Sunday to Thursday, from 10:00 hours to 23:30 hrs</li> <li>▪ Friday and Saturday, from 10:00 hours to 01:00 hrs</li> </ul>

## Application for (Yumchaa) 137 Brick Lane

<p><b>(Blanchette)</b>  <b>204 Brick Lane</b>  <b>London</b>  <b>E1 6SA</b></p>	<p>Alcohol may be sold or supplied: (On sales only)</p> <p>(1) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 10am to midnight.</p> <p>(2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12 noon to 11:30pm</p> <p>(3) On Christmas Day: 12 noon to 11:30pm;</p> <p>(4) On New Year's Eve, except on a Sunday, 11 a.m. to midnight;</p> <p>(5) On New Year's Eve on a Sunday, 12 noon to 11.30 p.m.</p> <p>(6) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).</p>	<p>There are no restrictions on the hours during which this premises is open to the public</p>
<p>210 Brick Lane          London          E1 6SA</p>	<p><b>Alcohol (Off sales)</b></p> <ul style="list-style-type: none"> <li>• Monday to Thursday, from 06:00 hours to 01:30 hours</li> <li>• Friday and Saturday, from 06:00 hours to 02:00 hours</li> <li>• Sunday, from 06:00 hours to 01:00 hours</li> </ul>	<ul style="list-style-type: none"> <li>• Monday to Sunday, from 00:00 hours to 23:59 hours (24 hours)</li> </ul>
<p><b>(Subway)</b>  <b>222 Brick Lane</b>  <b>London</b>  <b>E1 6SA</b></p>	<p>The provision of late night refreshment,</p> <ul style="list-style-type: none"> <li>• Friday &amp; Saturday, 23.00pm to 04.00am the following day.</li> </ul>	<ul style="list-style-type: none"> <li>• Monday to Thursday, 07.00am to 23.00pm.</li> <li>• Friday, 07.00am to 04.00am the following day.</li> <li>• Saturday, 09.00am to 04.00am the following day.</li> <li>• Sunday, 09.00am to 22.00pm.</li> </ul>
<p><b>(UN-LONE)</b>          224 Brick Lane          London          E1 6SA</p>	<p><b>Alcohol (On and off supplies)</b></p> <ul style="list-style-type: none"> <li>• Sunday to Thursday, from 12:00 hours to 23:00</li> <li>• Friday and Saturday, from 12:00 hours to 12midnight</li> </ul> <p><b>Late Night Refreshment</b></p> <ul style="list-style-type: none"> <li>• Sunday to Thursday, from 23:00 hours to 12midnight</li> <li>• Friday and Saturday, from 23:00 hours to 01:00 hours the following day</li> </ul>	<ul style="list-style-type: none"> <li>• Sunday to Thursday, from 09:00 hours to 12midnight</li> <li>• Friday and Saturday, from 09:00 hours to 01:00 hours the following day</li> </ul>
<p><b>(Close-Up Cinema)</b>          97-99 Sclater Street          London          E1 6HR</p>	<p><b>Sale of Alcohol (On sales only )</b></p> <ul style="list-style-type: none"> <li>• Monday to Sunday from 10:00 hours to 23:30 hours</li> </ul> <p><b>The Provision of Regulated Entertainment – indoors <u>Films</u></b></p> <ul style="list-style-type: none"> <li>• Monday to Sunday from 10:00 hours to 23:30 hours</li> </ul> <p><b>The Provision for Late Night Refreshments</b></p> <ul style="list-style-type: none"> <li>• Monday to Sunday from 23:00 hours to 23:30 hours</li> </ul>	<ul style="list-style-type: none"> <li>• Monday to Sunday from 08:00 hours to 00:00 hours (midnight)</li> </ul>

## Application for (Yumchaa) 137 Brick Lane

<p><b>(AK Mini-Store)</b> 104 Sclater Street London E1 6HR</p>	<p><u>The sale by retail of alcohol (Off sales only)</u></p> <ul style="list-style-type: none"> <li>Monday to Saturday, from 10:00 hours to Midnight</li> <li>Sunday, from 10:00 hours to 23:00 hours</li> </ul>	<ul style="list-style-type: none"> <li>Monday to Saturday, from 09:00 hours to Midnight</li> <li>Sunday, from 09:00 hours to 23:00 hours</li> </ul>
<p><b>(The Vintage Emporium)</b> Ground Floor 14 Bacon Street London E1 6LF</p>	<p><b>Sale by retail of alcohol</b></p> <ul style="list-style-type: none"> <li>Monday to Thursday, from 12:00 hours to 19:00 hours</li> <li>Friday to Sunday, from 12:00 hours to 22:00 hours</li> </ul> <p><b>The provision of regulated entertainment – Indoors</b></p> <p><u>Recorded Music</u></p> <ul style="list-style-type: none"> <li>Monday to Thursday, from 12:00 hours to 19:00 hours</li> <li>Friday to Sunday, from 12:00 hours to 22:00 hours</li> </ul>	<ul style="list-style-type: none"> <li>Monday to Thursday, from 12:00 hours to 20:00 hours</li> <li>Friday to Sunday, from 12:00 hours to 22:30 hours</li> </ul>
<p><b>(The Book Shop)</b> 3 Cheshire Street London E2 6ED</p>	<p><b>Sale by retail of alcohol (On and off sales)</b></p> <ul style="list-style-type: none"> <li>Monday to Sunday, from 12:00 hours to 23:00 hours</li> </ul> <p><b>The provision of regulated entertainment – Indoors</b></p> <p><u>Films</u></p> <ul style="list-style-type: none"> <li>Monday to Sunday, from 10:00 hours to 23:00 hours</li> </ul>	<ul style="list-style-type: none"> <li>Monday to Sunday, from 07:00 hours to 23:30 hours</li> </ul>
<p><b>(Vintage Bean Café)</b> 8 Cheshire Street London E2 6EH</p>	<p><u>Sale of Alcohol (on sales only)</u></p> <ul style="list-style-type: none"> <li>Sunday to Thursday from 11:00hrs – 22:30hrs</li> <li>Friday &amp; Saturday from 11:00hrs – 23:30hrs</li> </ul>	<ul style="list-style-type: none"> <li>Sunday to Thursday from 07:00hrs – 23:00hrs</li> <li>Friday &amp; Saturday from 07:00hrs – 00:00hrs (midnight)</li> </ul>

# 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



## Mohshin Ali

---

**From:** Alison Leahy [REDACTED]  
**Sent:** 05 March 2018 19:53  
**To:** Licensing  
**Subject:** Representation about CLC/EHTS/LIC/106697 - resubmission

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

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

5th March 2018

Dear Tower Hamlets Licensing

**Yumchaa Tea, 137 Brick Lane, London, E1 6SB**

I understand that the application is being resubmitted and the hours changed from midnight to 11.30pm however my original objections still stand so I am resubmitting them, herewith.

I am writing to make a representation about the CLC/EHTS/LIC/106697 application for a Premises License, I understand that the application is to serve alcohol from Monday to Sunday from midday to midnight.

My requests below are based on my experience of living near to Kahaila Cafe at 135 Brick Lane E1 6SB which is next door to Yumchaa. Kahaila Cafe has, in the past, hosted evening/night events some with amplified music. Because the air conditioning of Kahaila cafe is not adequate to cool the air when the venue is being used the proprietors have opened the roof light at the rear of the premises to get cooler air inside. My bedroom and those of many other neighbours in our block and adjacent flats face towards the roof light and, on occasion, we have had to complain to the council about the high volume of the late night noise emanating from the venue through the roof light.

Yumchaa tea is next door to Kahaila Cafe and has a back door that opens out in the direction of all our bedrooms. Please can the department ensure that:

- a) there is sufficient air conditioning so that the door doesn't have to be left open;
- b) there is no outside space in the back of the building that evening and night patrons could use for socialising and drinking or eating;
- c) the back door is not left open; and
- d) the premises has sufficient sound insulation so that any amplified music played cannot be heard through the walls?

**Please don't hesitate to contact me if you have any queries about this email.**

**Kind regards  
Alison Leahy**

# Appendix 7

## Mohshin Ali

---

**From:** Jago Rackham [REDACTED]  
**Sent:** 01 March 2018 10:00  
**To:** Licensing  
**Subject:** Licensing Representation for Yumcha Café - ref CLC.EHTS/LIC/106697

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

To whom it may concern,

We (Jago Rackham & Lowena Hearn), the tenants of [REDACTED], are writing to lodge an objection to the potential licensing of Yumcha Tea, 137 Brick Lane London E1 6SB (reference CLC/EHTS/LIC/106697).

We are **objecting** to the potential licensing because it would have a serious negative effect on our lives. We can already hear the music from the Yumcha café during the day and if the café were to become licensed, serving alcohol and staying open later, this noise pollution would continue (and, most probably, increase) later into the night. This would prevent sleep and the peace and quiet one expects at home.

Thank you,

Jago Rackham – [REDACTED]

Lowena Hearn [REDACTED]

[REDACTED]

[REDACTED]

Reference CLC/EHTS/LIC/106697

# Appendix 8

Jill Szuscikiewicz

[REDACTED]

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

Your ref: CLC/EHTS/LIC/106697

28 February 2018

Dear Mr Tolley,

**Licensing Act 2003**  
**Yumchaa Tea, 137 Brick Lane London E1 6SB**

Thank you for your letter of 16<sup>th</sup> February about the application for a premises licence at the above address.

I wish to object. As next-door-neighbour (owner-occupier) I am against it because of the risk of increased noise and anti-social behaviour.

If there is drinking on the premises there will undoubtedly be smoking outside: and happy tipsy people will raise their voices. This would badly affect our ability to quietly enjoy our living room or to sleep in the bedroom at the front of our flat. I am also concerned about sound travelling inside the building. One can easily imagine tea-and-alcohol as a fairly decorous scene: however, hot alcohol is absorbed faster into the bloodstream and given the that surrounding area has quite a reputation now as a *drinking spot*, I think it would be a mistake to assume that this will be the case. Yumchaa cannot control the aims or mood of their customers in coming there and in granting a license one hopes that the worst case scenario is thoroughly explored.

I am also concerned about possible anti-social behaviour from drunken people outside the premises: and with alcohol there is always a question of public safety, particularly where there is such a high density of licensed premises already in operation (Hookah Lounge, Cereal Killer Café, Monty's Bar, Alcotraz, etc).

Following the introduction of the Cumulative Impact Zone in Brick Lane in 2012, these problems have decreased overall. There was a time when as a lone woman it was frightening to walk to my front door in the late evening (I was living in a flat at no [REDACTED] then): things have definitely improved, and I am grateful for this. However, I have no wish to live next door to a licensed premises again as a certain level of nuisance is inevitable.

As a long-term resident of Brick Lane I am naturally aware of the local night-time economy and the benefits it has brought. However, it seems to me that we are now at the level where the number of licenses and their improved management (by licensees and Council) is about right. It seems foolish to jeopardise things by adding a new premises license where one has not existed for many years. I note that the Council proposes to retain the CIZ in the 2018 review (which I strongly support) and even add an additional area to it. It seems counter to this intention to grant this new license and I therefore object both because of this and for the reasons I have given above.

Yours sincerely,

[REDACTED]

Jill Szuscikiewicz

# Appendix 9

## Mohshin Ali

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**From:** Corinne Holland on behalf of Licensing  
**Sent:** 12 March 2018 12:04  
**To:** Mohshin Ali  
**Subject:** FW: Yumcha premises licence application

**From:** Michael Kill [REDACTED]  
**Sent:** 12 March 2018 11:24  
**To:** [REDACTED]@met.pnn.police.uk  
**Cc:** [REDACTED]; HT-Licensingoffice@met.police.uk; Licensing  
**Subject:** Re: Yumcha premises licence application

Tom

We are happy to accept everything you have proposed within your email.

Kind Regards

Mike Kill

Michael Kill  
Mobile : [REDACTED]  
[REDACTED]

On 7 March 2018 at 11:53, [REDACTED]@met.pnn.police.uk> wrote:  
Dear Sir,

In relation to the above submitted Premises Licence Application may I refer you to section M in upholding the Licensing Objectives and ask that the following amendments/additions are included and agreed:

1. **CCTV** is made available to Police or other Licensing Authority on request.
2. **Refusals** and **Incident Log** are made available to Police or other Licensing Authority on request.

If you are in agreement could you please reply to [HT-Licensingoffice@met.police.uk](mailto:HT-Licensingoffice@met.police.uk) and [Licensing@towerhamlets.gov.uk](mailto:Licensing@towerhamlets.gov.uk)

Many thanks

**PC Thomas Ratican 235HT** | Licensing Unit | Tower Hamlets Borough | Metropolitan Police Service |

[REDACTED]

[REDACTED]

📍 **Address** Bethnal Green Police Station, [12 Victoria Park Square, E2 9NZ](https://www.google.com/maps/place/12+Victoria+Park+Square,+E2+9NZ)

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

# Appendix 10



## Mohshin Ali

---

**From:** Corinne Holland on behalf of Licensing  
**Sent:** 05 March 2018 11:37  
**To:** Mohshin Ali  
**Subject:** FW: New Premise License Application for Yumchaa 137 Brick Lane London E1 6SB - ref M/106697

---

**From:** Nicola Cadzow  
**Sent:** 05 March 2018 10:41  
**To:** Licensing  
**Cc:** [REDACTED]@met.pnn.police.uk'; [michael.c.kill@met.pnn.police.uk](mailto:michael.c.kill@met.pnn.police.uk)  
**Subject:** FW: New Premise License Application for Yumchaa 137 Brick Lane London E1 6SB - ref M/106697

Dear Licensing,

Further to the amendment to the proposed hours as agreed by the Applicant as follows (see also email below):

Licensable Activities (Late Night Refreshment & Supply of Alcohol) until 23:30 hours (not Midnight as per original application), with 30 minute drink up time with premises closing at Midnight, seven days a week,

I have no objections to the New Premise License Application for Yumchaa 137 Brick Lane London E1 6SB - ref M/106697.

Kind regards

Nicola Cadzow  
Environmental Health Technical Officer  
Place Directorate  
Public Realm – Environmental Health & trading Standards  
London Borough of Tower Hamlets, John Onslow House, 1 Ewart Place London E3 5EQ

---

**From:** Michael Kill [REDACTED]  
**Sent:** 05 March 2018 10:11  
**To:** Nicola Cadzow  
**Cc:** [REDACTED] [met.pnn.police.uk](mailto:met.pnn.police.uk)  
**Subject:** Re: New Premise License Application for Yumchaa 137 Brick Lane London E1 6SB - ref M/106697

Hi Nicola

Yes au can confirm we are happy with proposed hours below:

Licensable Activities (Late Night Refreshment & Supply of Alcohol) until 23:30 hours (not Midnight as per original application), with 30 minute drink up time with premises closing at Midnight, seven days a week.

Regards

Mike Kill

Sent from my iPhone

On 5 Mar 2018, at 09:47, Nicola Cadzow [REDACTED] wrote:

Dear Michael,

Further to my email below (19/2/18), please could you confirm by return email your agreement to:-

Licensable Activities (Late Night Refreshment & Supply of Alcohol) until 23:30 hours (not Midnight as per original application), with 30 minute drink up time with premises closing at Midnight, seven days a week.

Kind regards

Nicola Cadzow  
Environmental Health Technical Officer  
Place Directorate  
Public Realm – Environmental Health & trading Standards  
London Borough of Tower Hamlets, John Onslow House, 1 Ewart Place London E3 5EQ

---

**From:** Nicola Cadzow  
**Sent:** 19 February 2018 15:42  
**To:** 'michael.c.[REDACTED]'  
**Cc:** [REDACTED] [met.pnn.police.uk](mailto:met.pnn.police.uk)  
**Subject:** New Premise License Application for Yumchaa 137 Brick Lane London E1 6SB - ref M/106697

Dear Michael,

Further to our telephone conversation, please could you confirm that:

Licensable Activities (Late Night Refreshment & Supply of Alcohol) until 23:30 hours (not Midnight as per original application), with 30 minute drink up time with premises closing at Midnight, seven days a week

Please be advised that the local paper for the advertisement is the East End Advertiser (formerly East End Life).

Kind regards

Nicola Cadzow  
Environmental Health Technical Officer  
Place Directorate  
Public Realm – Environmental Health & trading Standards  
London Borough of Tower Hamlets, John Onslow House, 1 Ewart Place London E3 5EQ

# Appendix 11

## Mohshin Ali

---

**From:** Michael Kill [REDACTED]  
**Sent:** 27 March 2018 15:57  
**To:** Corinne Holland  
**Subject:** Re: Yumchaa Premises Licence application M/106697

Yes that's fine

Mike

Sent from my iPhone

On 27 Mar 2018, at 15:15, Corinne Holland <[REDACTED]> wrote:

Dear Mike

Thank you for this.

Having considered condition 2 could I just change the wording slightly and add it all into one condition.

'The consumption of alcohol can only be by persons seated within the premises except when operating a pre booked private function, where the general public have no access to the premises'.

Does this sound acceptable.

Kind regards

*Corinne Holland - Licensing Officer*

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

[REDACTED]  
[REDACTED]

---

**From:** Michael Kill [REDACTED]  
**Sent:** 27 March 2018 14:26  
**To:** Corinne Holland  
**Subject:** Re: Yumchaa Premises Licence application M/106697

Hi Corinne

Yes we can agree to this

Regards

Mike

Sent from my iPhone

On 27 Mar 2018, at 13:58, Corinne Holland [REDACTED] wrote:

# Appendix 12

## 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 13



## 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 14

## 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 15

## **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 16

## **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 17

## **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 18

## 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

