

# Appendix 1



\* required information

**Form errors**

Some data entered into this form is invalid. Please resolve before continuing.

**Section 1 of 21**

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

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

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

Are you an agent acting on behalf of the applicant?

- Yes  No

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

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

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

Is the applicant:

- Applying as a business or organisation, including as a sole trader  
 Applying as an individual

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

**Applicant Business**

Is the applicant's business registered in the UK with Companies House?  Yes  No

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

Registration number

Business name

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

**Continued from previous page...**

VAT number

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

Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

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

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

**Agent Business**

Is your business registered in the UK with Companies House?  Yes  No

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

*Continued from previous page...*

Legal status

Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 21**

**PREMISES DETAILS**

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

**Premises Address**

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

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

18,000

### Section 3 of 21

#### APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

#### Confirm The Following

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

### Section 4 of 21

#### NON INDIVIDUAL APPLICANTS

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

#### Non Individual Applicant's Name

Name

OLIUL KOBIR

#### Details

**Continued from previous page...**

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

\* Date of birth  /  /   
dd mm yyyy

\* Nationality

[Documents that demonstrate entitlement to work in the UK](#)

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**OPERATING SCHEDULE**

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

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

Provide a general description of the premises

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

**Continued from previous page...**

The premises is a A1 retail unit serving hot and cold sandwiches and drinks located in at the western end of Mile End Road, a place extremely popular with visitors and promoted by the Tower Hamlets LDF Core Strategy as a location for evening and night time economy. The unit consists of only a ground floor unit and license is only sought for the entirety of the ground floor area.

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

**Section 6 of 21**

**PROVISION OF PLAYS**

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes  No

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**PROVISION OF FILMS**

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes  No

**Section 8 of 21**

**PROVISION OF INDOOR SPORTING EVENTS**

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 21**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 21**

**PROVISION OF LIVE MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes  No

**Section 11 of 21**

**PROVISION OF RECORDED MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes  No

Continued from previous page...

### Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

- Indoors       Outdoors       Both

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

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

None

State any seasonal variations for playing recorded music

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

None



Continued from previous page...

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

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

None

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes                       No

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

[See guidance on regulated entertainment](#)

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

- Yes                       No

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

- Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

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

*Continued from previous page...*

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

- Indoors       Outdoors       Both

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

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

None

State any seasonal variations

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

None

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

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

None

*Continued from previous page...*

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

- Yes                       No

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

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

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

Reference number for consent form (if known)

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

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**ADULT ENTERTAINMENT**

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

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

None

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**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start   
Start

End   
End

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

TUESDAY

Start   
Start

End   
End

WEDNESDAY

Start   
Start

End   
End

THURSDAY

Start   
Start

End   
End

**Continued from previous page...**

FRIDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

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

None

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

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

None

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**LICENSING OBJECTIVES**

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

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

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

1. Work with the Police and Local Authority to improve upon delivering the objectives.
2. Regularly review policies and procedures.
3. Work in partnership with local businesses and residents to minimise crime and and improve public safety.
4. Undertake checks on all mechanical and electrical equipment.
5. Ensure staff are familiar with the licensing objectives and adhere to them at all times.

b) The prevention of crime and disorder

1. Clear and legible notice will be placed outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.

***Continued from previous page...***

2. Clear and conspicuous notices warning of potential criminal activity, such as theft, that may target customers will be displayed.
3. Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises.
4. All CCTV cameras will be maintained in good working order and will continually record and the tapes will be securely retained for a minimum of 14 days
5. Drinks will only be served in plastic bottle and paper cups.
6. Persons appearing drunk or under the influence of illegal substances will not be permitted into the premises.
7. Install registers away from customer access and upon closing, remove all money and leave the drawer open.
8. Maintain an incident log of any criminal activity or attempted criminal activity within or within the immediate vicinity of the premises.

**c) Public safety**

1. Adequate access is provided for emergency vehicles and personnel.
2. All parts of the premises and all fittings and apparatus including door fastenings and notices and the seating, lighting, heating, electrical, ventilation, sanitary accommodation, washing facilities and other installations, will be maintained at all times in good order and in a safe condition.
3. A log book or recording system will be kept in the premises for recording inspections made including those required by legislation, and information compiled to comply with any public safety condition attached to the premises license. The logbook shall be kept available and produced for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.
4. Adequate access is provided for emergency vehicles and personnels.
5. Regular gas and electricity check will be undertaken by a suitably qualified person.
6. Exits will be kept unobstructed, free of trip hazards and clearly identified.
7. All safety certificates and inspection reports will be kept on site and made available for inspection by officers of relevant statutory bodies.
8. All exit doors are easily accessible without the use of a key, card, code or similar means.
9. The premises should comply with all statutory fire safety controls.

**d) The prevention of public nuisance**

1. Prominent, clear and legible notices will be displayed at exits requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.
2. Deliveries to the premises will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.
3. Staff who arrive early morning or depart late at night when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents.
4. Customers will be asked not to stand around talking in the street outside the premises; and asked to leave the vicinity quickly and quietly.

*Continued from previous page...*

5. The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises.
6. Noise or vibration will not emanate from the premises such as to cause unreasonably disturbance to neighbours.
7. The placing of refuse, such as bottles, into receptacles outside the premises takes place at times that will prevent disturbance to nearby properties.
8. Customer will be asked not to stand around talking in the street outside the premises; and asked to leave the vicinity quickly and quietly.
9. Provision of mechanical ventilation and air conditioning system will not allow noise breakout from the premises or cause a nuisance by its operation.
10. Regular maintenance will be carried out on all plant and machinery to ensure that noise disturbance from such sources is kept to a minimum.
11. All the rubbish produced by the premises will be stored securely in a designated area or in a bin with a tight fitting lid. This will help prevent litter being blown around.

e) The protection of children from harm

1. In the interests of protecting children from harm, children below the age of 16 will be excluded from the premises between the hours of 23:00 to 04:00.

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**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

*Continued from previous page...*

**Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

**Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

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- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

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**NOTES ON REGULATED ENTERTAINMENT**



**Continued from previous page...**

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

**Continued from previous page...**

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

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**PAYMENT DETAILS**

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

Premises Licence Fees are determined by the non domestic rateable value of the premises.

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

Band A - No RV to £4,300 = £100.00

Band B - £4,301 to £33,000 = £190.00

Band C - £33,001 to £8700 = 315.00

Band D - £87001 to £12500 = £450.00\*

Band E - £125001 and over = 635.00\*

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

Band D - £7001 to £12500 = £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment only where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 = £1,000.00

Capacity 10000 -14999 = £2,000.00

Capacity 15000-19999 = £4,000.00

Capacity 20000-29999 = £8,000.00

Capacity 30000-39000 = £16,000.00

Capacity 40000-49999 = £24,000.00

Capacity 50000-59999 = £32,000.00

Capacity 60000-69999 = £40,000.00

Capacity 70000-79999 = £48,000.00

Capacity 80000-89999 = £56,000.00

Capacity 90000 and over = £64,000.00

NOTE: From 1st January 2018 Licences if you are granted a Licence to permit the sale/supply of alcohol between midnight and 6am (00:00 and 06:00 hours) on any day you will be liable to pay the Late Night Levy charge. The charge must be paid 14 days after the grant of your Licence, unless you fall within one of the exemption categories. Non-payment of the levy can result in suspension of your licence, as per sections 55A and 92A of the Licensing Act 2003, as amended and section 229(6) of the Police and Social Responsibility Act 2011. For more information below visit <https://www.towerhamlets.gov.uk/latenightlevy>

*Continued from previous page...*

\* Fee amount (£)

190.00

## ATTACHMENTS

## AUTHORITY POSTAL ADDRESS

### Address

Building number or name

TOWER HAMLETS COUNCIL, TOWN HALL, MULBERRY PLACE

Street

5 CLOVE CRESCENT

District

City or town

LONDON

County or administrative area

Postcode

E14 2BG

Country

United Kingdom

## DECLARATION

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

### You must check the box for this declaration

[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).

### You must check the box for this declaration

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

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

\* Full name

Mifta Ahmed

\* Capacity

Agent

Date (dd/mm/yyyy)

24/04/2018

Add another signatory

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

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

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

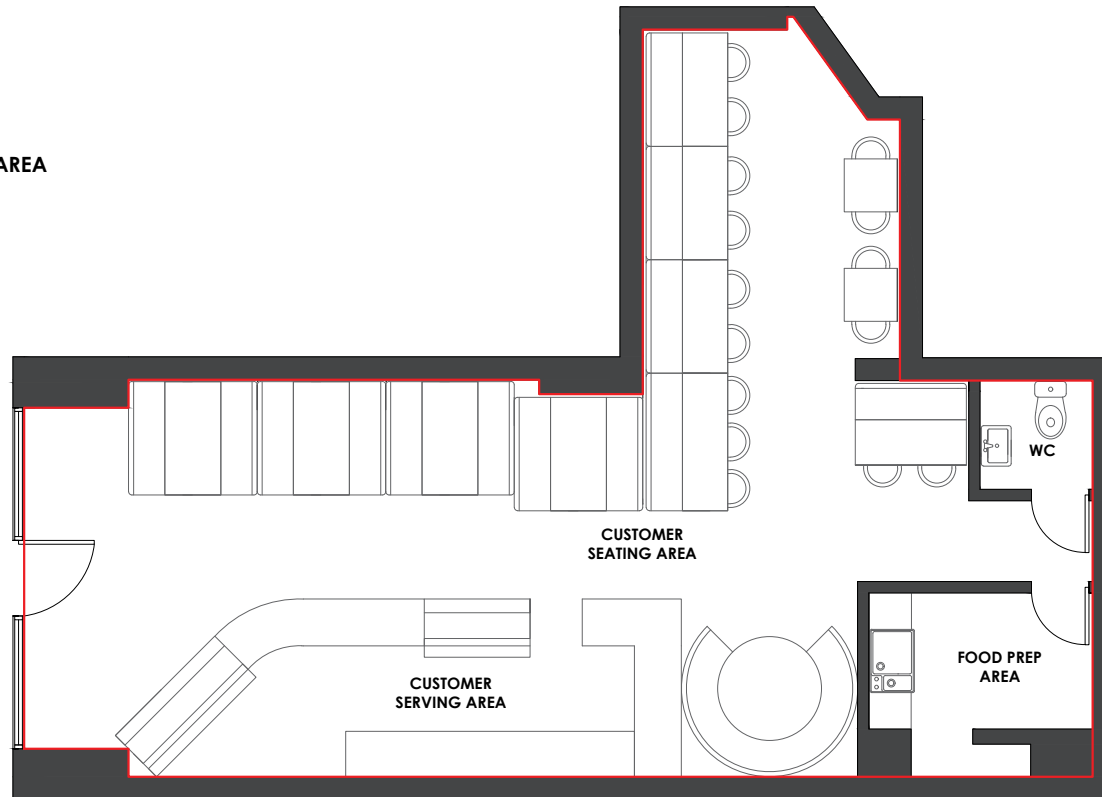
*Continued from previous page...*

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

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

# Appendix 2

 PREMISES LICENCE AREA



NO LIABILITY IS ACCEPTED TO ANY THIRD PARTY RELYING ON INFORMATION CONTAINED IN THIS DRAWING.

CONTRACTORS MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING ANY WORK OR SHOP DRAWINGS.

# FLOOR PLAN

1:100 @ A4

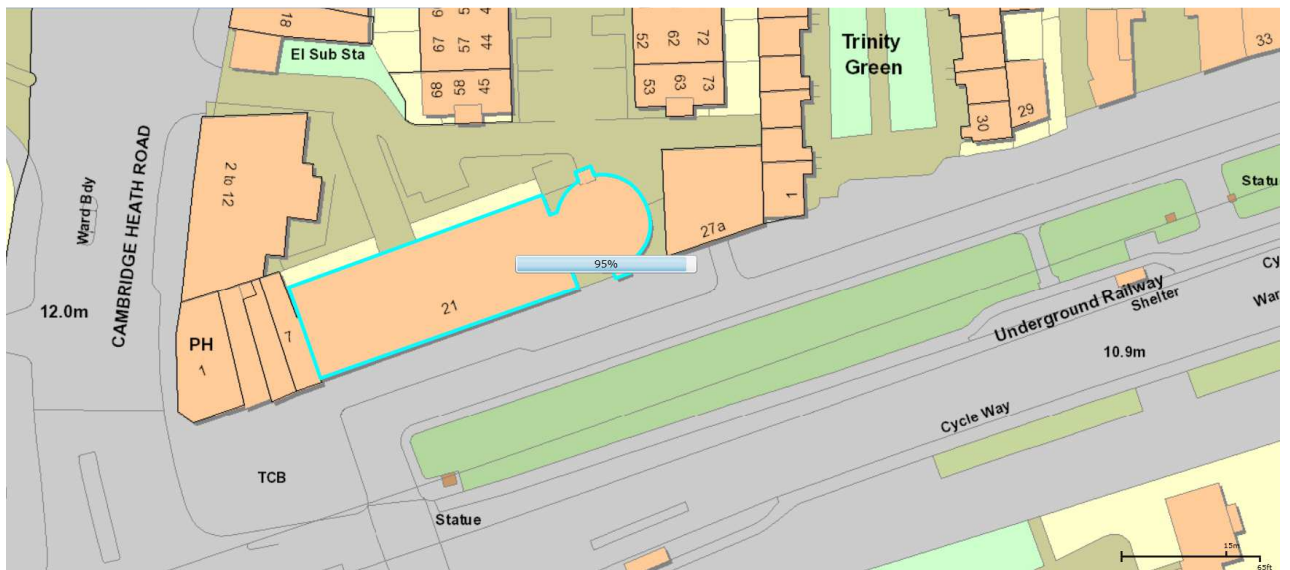
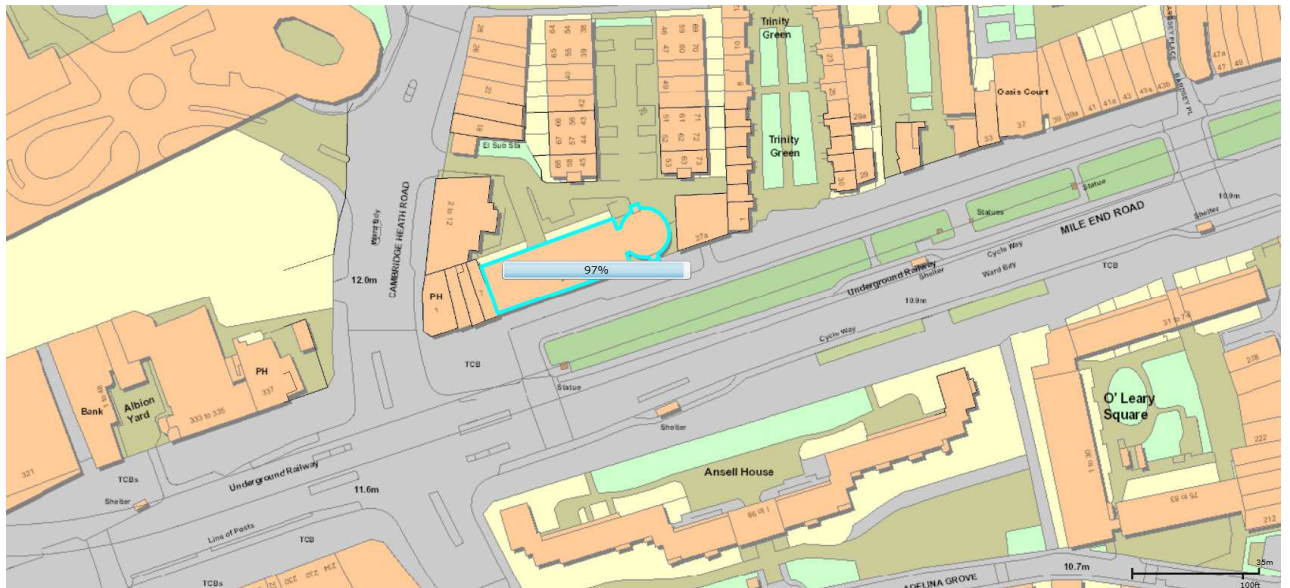
## 5 THE CHRONOS BUILDING TOWER HAMLETS

DRAWN: MA PA/1991/001

CHECKED: SB 29 MAR 2018

# Appendix 3

# The Chronos Building, 9-25 Mile End Road, London, E1 4TW





# Appendix 4

**The Chronos Building, 9-25 Mile End Road**

<b>Name and address</b>	<b>Licensable activities and hours</b>	<b>Opening hours</b>
<p><b>(Nando's Chickenland Limited)</b>  <b>9-27 Mile End Road</b>  <b>London</b>  <b>E1 4TW</b></p>	<p>The sale by retail of alcohol</p> <p>On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 10am to 12pm.            (2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12 noon to 11:30pm            (3) On Christmas Day: 12 noon to 11:30pm;            (4) On New Year's Eve, except on a Sunday, 11 a.m. to midnight;            (5) On New Year's Eve on a Sunday, 12 noon to 11.30 p.m.            (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><b>(White Hart)</b>            1-3 Mile End Road            London            E1 4TP</p>	<p><b>Alcohol and Regulated Entertainment (live music, recorded music, provision of facilities for dancing)</b></p> <ul style="list-style-type: none"> <li>• Monday to Wednesday, 11:00 hrs to 01:00 hrs the following day</li> <li>• Thursday, 11:00 hrs to 02:30 hrs the following day</li> <li>• Friday and Saturday, 11:00 hrs to 03:00 hrs the following day</li> <li>• Sunday, 11:00 hrs to 12midnight</li> </ul> <p><b>Late Night Refreshment</b></p> <ul style="list-style-type: none"> <li>• Monday to Wednesday, 23:00 hrs to 01:00 hrs the following day</li> <li>• Thursday, 23:00 hrs to 02:30 hrs the following day</li> <li>• Friday and Saturday, 23:00 hrs to 03:00 hrs the following day</li> <li>• Sunday, 23:00 hrs to 12midnight</li> </ul>	<p>Mon -Wed, 11:00 hrs to 01:30 hrs the following day</p> <p>Thursday, 11:00 hrs to 03:00 hrs the following day</p> <p>Fri - Sat 11:00 to 03:30 hrs the following day</p> <p>Sunday, 11:00 hrs to 00:30 hrs the following day</p>
<p><b>(The Blind Beggar Public House)</b>  <b>337 - 341 Whitechapel Road</b>  <b>London</b>  <b>E1 1BU</b></p>	<p><b>Alcohol:</b>            Monday, Friday and Saturday, 11:00 hrs to 01:00 hrs            Tuesday to Thursday, 11:00 hrs to 23:00 hrs            Sunday, 12:00 hrs to 22:30 hrs</p> <p><b>Regulated Entertainment consisting of Recorded Music, performance of dance, provision of facilities for dancing:</b>            Monday, Friday and Saturday, 11:00 hrs to 01:00 hrs            Tuesday to Thursday, 11:00 hrs to 23:00 hrs            Sunday, 12:00 hrs to 22:30 hrs</p> <p><b>Live music</b>            Monday, Friday and Saturday, 20:00 hrs to 01:00 hrs</p>	<p>Mon-Sat 10:30 to 01:30 hrs</p> <p>Tues -Thurs, 10:30 to 23:30 hrs</p> <p>Sunday, 11:30 to 23:00 hrs</p>



# Appendix 5

## Corinne Holland

---

**From:** Barry Callaghan <[REDACTED]>  
**Sent:** 25 May 2018 16:23  
**To:** Planning & Building LBTH; Licensing  
**Cc:** Sirajul Islam  
**Subject:** Ref: CLC/EHTS/LIC/108195 -Objection to application for a premises license  
**Attachments:** ref CLC EHTS LIC 108195.docx; IMG\_1849.JPG; IMG\_1851.MOV; IMG\_1844.MOV;  
View From [REDACTED]

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

To: Licensing Section  
John Onslow House  
1 Ewart Place  
London, E3 SEQ  
[licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)

Ref: CLC/EHTS/LIC/108195

Petition to Tower Hamlets Council

RE: Objection to application for a premises license made by Cookies and Cream, Unit 5, The Chronos Building 9-25 Mile End Road London E1 4TW

I'm totally against Cookies & Cream license and the other licenses that have been granted in the past to other restaurants on the grounds of the building use. It was never designed and built to have more than one restaurant.

*"The project supports a mixed development of 59 apartments, six town houses, six retail units and a restaurant."*

As a result, we now have a big health and safety problem with more rats and mice running around the site every year. Dirty communal areas with slippery oily floors, food waste and a massive amount of rubbish produced by their units. The site can't cope with those many restaurants on a place that hasn't been designed for them.

We have industrial air units installed on our walls and under our bedrooms, wooden extensions to keep oil and pans (see pictures attached) and workers who have no space inside the units to rest wandering around smoking, sitting on the stairs eating during their breaks.

1. Throughout the day and into the evenings, the staff of the retail units will share one another's facilities, be it for freezing food, washing machines, or just to meet up and chat. They will sometimes even shout across from unit to unit, and even though our windows are closed, the cigarette smoke still drifts into the rooms through the vents in the brickwork.

2. An example is; unit 4 and 5, seem to have keys to Unit 2, which has a steel gate and an alarm

that rings out each time the door is open.

3. I have asked the unit Managers/Supervisors to keep the noise down, but the same answer comes back "sorry it's a new member of staff"

4. If these retail units have their opening hours extended, it will eat into our sleeping hours until 2 am in the morning, as they need time to clean up after their business has closed.

I would ask you to view the attached Pictures of how Health and safety is ignored on a daily basis by these Retail units.

I would be more than will to share with you videos we have taken to back up these pictures.

In view of the above, I would urge the Licensing Authority to refuse the application.

Barry Callaghan

[Redacted signature block]







# Appendix 6

## Corinne Holland

---

**From:** chloe seddon <[REDACTED]>  
**Sent:** 24 May 2018 11:53  
**To:** Licensing  
**Subject:** Petition to Tower Hamlets Council, Ref: CLC/EHTS/LIC/108195

22 May 2018

To: Licensing Section

John Onslow House

1 Ewart Place

London, E3 5EQ

[licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)

Ref: CLC/EHTS/LIC/108195

### **Petition to Tower Hamlets Council**

**RE: Objection to application for a premises licence made by Cookies and Cream, Unit 5, The Chronos Building 9-25 Mile End Road London E1 4TW**

Dear Sir/Madam,

As a resident of The Chronos Building, Mile End Road, London, I am writing to strongly object to the granting of a premises license to Cookies and Cream, Unit 5, The Chronos Building, 9-25 Mile End Road London E1 4TW. The reason for this objection is that granting a licence for these premises will not promote the licensing objectives in the area, particularly the prevention of public nuisance and the prevention of crime and disorder and the protection of children from harm.

Unit 5, The Chronos Building, 9-25 Mile End Road London E1 4TW is part of a block which is more than three quarters residential (with 29 flats above the commercial unit). There is already considerable noise from the commercial establishments late into the night – both from customers coming and going, as well as staff members who utilise the communal space behind the units for break times (smoking, talking loudly etc). Increasing the licensing hours even later would mean further disturbance of sleep for many individuals (including families with young children) even later into the night.

This disturbance would most likely be worst on the weekends – as customers are more likely to be out in large groups having consumed alcohol. As someone who works on weekends this would be extremely damaging to my quality of sleep and negatively impact my working ability. Combined with the existence of two pubs within 30 meters of the site, it is inevitable that adding another late night eatery would likely lead to additional alcohol fuelled confrontations along the main road and further disturbance.

Additional food waste from the extra opening hours would also contribute to the ongoing rodent infestation issues we have suffered due to large amounts of improperly disposed of food waste from the existing eateries in the units – affecting all residents, including families with young children.

In view of the above, I would urge the Licensing Authority to refuse the application.

Yours sincerely,

Chloe Seddon

[REDACTED]

# Appendix 7

## Corinne Holland

---

**From:** freddie cinus [REDACTED]  
**Sent:** 12 May 2018 13:31  
**To:** Licensing  
**Subject:** Ref: CLC/EHTS/108195

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

Hi Tower Hamlets,

Ref: CLC/EHTS/108195

I have received a letter requesting that the commercial units below my property wish to extend their opening hours and serve alcohol.

I would like to contest this application based on the following:

1) the air conditioning would extend much later into the night and the noise travels straight into the bedrooms of the apartments making it impossible to sleep.

2) it would mean staff making noise later into the night. They already talk and smoke outside the bedroom windows late into the night and this would mean that they would do it even later.

I work really hard and I need to be able to sleep in the evening. The commercial units don't care about the noise they make or the rubbish they leave at the back of the flats.

Please don't make this any more challenging than it already is.

Kindest regards,

Freddie

[REDACTED]  
[REDACTED]  
[REDACTED]

Get [Outlook for iOS](#)

# Appendix 8

**Kathy Driver**

---

**From:** Frances Kung [REDACTED] >  
**Sent:** 20 May 2018 22:59  
**To:** Licensing  
**Subject:** Objection to CLC/EHTS/LIC/108195

Dear Licensing Officer,

In response to the application for a premises licence by Cookies and Cream, Unit 5, The Chronos Building 9-25 Mile End Road London E1 4TW, I hereby submit my objection and reasons below.

My husband and I are the leaseholders of [REDACTED] which is residence for us and our 2 year old son (born December 2015).

### **Health risk to young children**

The back entrances of the row of shops on 21 Mile End Road face into our residential compound. There has been rats and mice infestation because of improper rubbish disposal by the restaurants and eateries, which we and our neighbours have repeatedly complained to Tower Hamlets about. The installation of refrigerator vents by Subway have created a warm breeding ground, which resulted in rodents running rampant in our compound. Just in the past week, Subway have piled up their rubbish bags in the hall way on top of their commercial rubbish bins, leaving the bags exposed for at least three days. Nando's used to have food waste loosely packed in thin recycling bags, left out in open rubbish bins, which frequently resulted in food scrap littered all over the residential compound's walkway.

We had to deal with mice coming into our flat, which caused high level of mental stress as we are concerned about significant health risk to my young child.

In addition, the improper waste disposal from these eateries also resulted in broken glass littering the walkways. It poses a significant health risk to both adults and young children.

### **Smoking and unsightly appearance of back entrances to eateries**

Currently, Cookies and Cream leave their multiple brooms, mops and buckets lying loose or leaning against the wall outside their premises throughout the day. Together with the rubbish disposal issues, loose chairs the staff leave out to sit on or to smoke during breaks, the area outside the restaurants' back entrances creates an unsightly appearance of the residential compound.

### **Concern of noise issue and unruly behaviour**

The eateries are already generating a significant level of noise during their closing times. When residents of our compound intervened, they were always met with the excuse of new staff needing training. As resident of the Chronos Building, I have no confidence of Cookies and Cream and their neighbouring eateries to maintain a quiet environment if their opening hours extended.

And if alcohol were served in the premises, there is further concern of littering of broken glass bottles, which causes significant risk of injury to young persons.

Taking the above into consideration, I sincerely urge you to reject the concerned application in favour of public health and safety.

Yours faithfully,

Kwun Yi KUNG



# Appendix 9



## Kathy Driver

---

**From:** Simon Epstein <[REDACTED]>  
**Sent:** 19 May 2018 10:33  
**To:** Licensing  
**Subject:** Licensing Application ref CLC/EHTS/LIC/108195

Hello there,

My name is Simon Epstein and I am the leaseholder of [REDACTED]

I am writing to object to the above application, Cookies and Cream restaurant / Ice cream parlour -- on two major grounds.

Firstly, there is a rodent infestation in these buildings, rats downstairs and mice in the residential properties above - due to the commercial facilities' lack of proper waste disposal and frankly complete lack of consideration to the above residents. This is well documented and Tower Hamlets Environmental Health department is well aware of the issue. Food waste is simply chucked on the ground, bins are overflowing, hence the ensuing health hazard. Obviously their proposal would mean more food waste, with nowhere to put it, let alone the will / consideration to do so properly anyway. On these grounds alone, their proposal simply cannot be approved.

Secondly (and again, numerous complaints have been made to Environmental Health and official warnings subsequently issued) the staff of this particular business shout at very high levels to one another at night time, outside, right underneath our bedroom windows - keeping residents awake late into the night and violating our right to live in relative quiet. This will only worsen were their operations to expand, as I'm sure you will agree.

Quite simply, a business who have raised so many Environmental Health complaints cannot be allowed to do this, in the interest of the wellbeing of their neighbours. Again, I'm sure you will agree.

Do feel free to contact me either via email, or on [REDACTED] if you need to discuss anything further.

In the meantime, I thank you for your time and understanding

All the best,  
Simon Epstein

# Appendix 10

21 May 2018

To: Licensing Section  
John Onslow House  
1 Ewart Place  
London, E3 SEQ  
licensing@towerhamlets.gov.uk

Ref: CLC/EHTS/LIC/108195

## **Petition to Tower Hamlets Council**

**RE: Objection to application for a premises licence made by Cookies and Cream, Unit 5, The Chronos Building 9-25 Mile End Road London E1 4TW**

Dear Sir/Madam

We, the residents of The Chronos Building, Mile End Road, London, strongly object to the granting of premises license to Cookies and Cream, Unit 5, The Chronos Building, 9-25 Mile End Road London E1 4TW. The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of public nuisance and the prevention of crime and disorder.

### **Prevention of Public Nuisance & Prevention of Crime and Disorder**

Unit 5, The Chronos Building, 9-25 Mile End Road London E1 4TW is part of a block which is more than 75% residential, with 29 flats above the commercial unit. The increase in noise nuisance after the proposed closing times would greatly impact those living above. Residents already suffer from issues with noise generated by the kitchens of the cafes and restaurants as well as from those leaving the commercial premises during current opening hours. The staff are often noisy late into the night especially after closing time as they chat and clean up (eg on Wed 16/05 close to midnight a member of staff was loudly scrubbing a metallic object outside disturbing those sleeping above). They regularly use our communal space behind the commercial units to smoke which drifts into residential flats through vents in the brickwork.

The proposed later closing times will have an adverse impact on our sleep and our quality of life particularly on Friday and Saturday nights where more customers, who likely will have been consuming alcohol, would potentially linger and loiter below our homes. Recently the gates to the residential compound were open and we suffered fly tipping into our communal bins. There are two pubs within 30 metres of the residential compound and the addition of a late night eatery in our block will increase the risk of alcohol related violence and crime.

Residents of the Chronos buildings also suffer major health and safety issues which have grown exponentially worse over the past few years. We currently have a large rat infestation - these rodents nest under the commercial premises and feed off the food waste that is disposed of at the back. We have on multiple occasions had to hire private pest controllers at the development. Furthermore we continue to pay yearly pest control related charges for this ongoing issue. We feel strongly that later opening hours would only increase the food waste and the rodent infestation.

### **Protection of Children from harm**

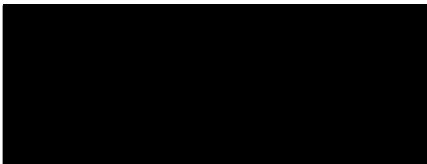
There are families with young children living in the buildings above these commercial units and on the ground floors nearby and the overflowing waste, improper disposal of litter and dirty communal areas are ideal breeding grounds for vermin. These pests have inevitably found their way into the homes of many flats, particularly on the lower floors of the block. This award winning development was never meant to house more than one restaurant and the residential part of the development simply cannot cope with the added number of restaurants.

Residents in this area already suffer noise nuisance and antisocial behaviour at all hours of the day and night. They have endured this inconvenience since 2003 when the licensing legislation was first amended, and it is totally unacceptable to expect them to continue to do so.

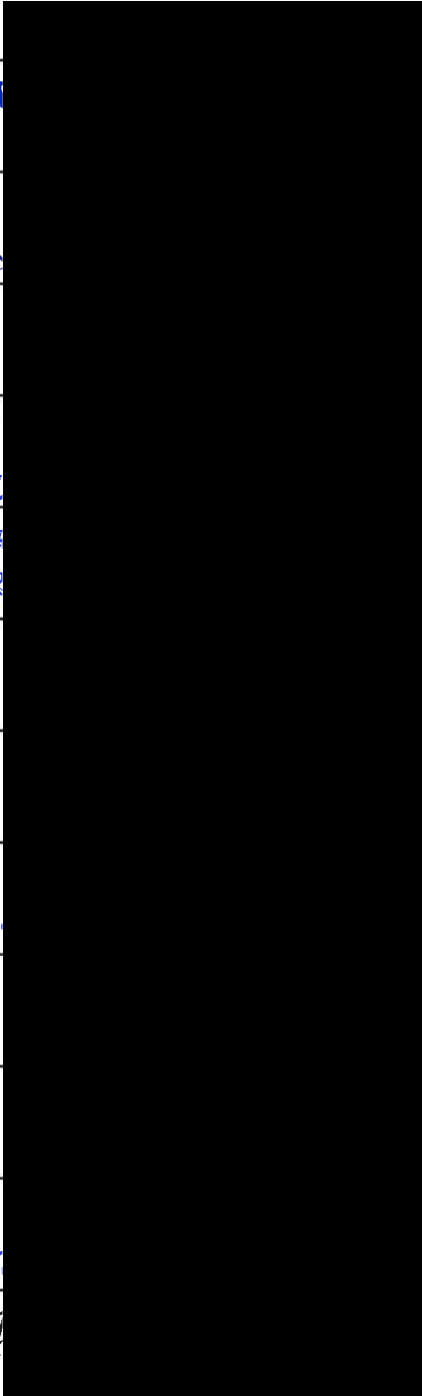
In view of the above, I would urge the Licensing Authority to refuse the application.

The details of the petition organiser:

Karen Chiu





We the undersigned object to the granting of premises license to Cookies and Cream, Unit 5, The Chronos Building, 9-25 Mile End Road London E1 4TW on the grounds of the prevention of public nuisance, prevention of crime and disorder and protection of children from harm.

FULL NAME	ADDRESS INC. POSTCODE	SIGNATURE
SARAH ANDERSON		SA Anderson
SIMON EPSTEIN		S. Epstein
Freda Leschynski		F. Leschynski
MICHAEL JALEH		M. Jaleh
Ivan Gladstone		I. Gladstone
ROHINI BHASKAR		Rohini Bhaskar
LI UHAN		Li Uhan
PETER STREDDER		P J Stredder
NICHOLAS MAHAIR		N. Mahair
KWUN YI KUNG		K. Y. Kung
Federica Cinos		F. Cinos
BARRY CALAGHAN		B. Calaghan
William Blake		W. Blake

We the undersigned object to the granting of premises license to Cookies and Cream, Unit 5, The Chronos Building, 9-25 Mile End Road London E1 4TW on the grounds of the prevention of public nuisance, prevention of crime and disorder and protection of children from harm.

FULL NAME	ADDRESS INC. POSTCODE	SIGNATURE
James Stringfellow	[REDACTED]	James Stringfellow
NIGINA MIRBABAYEVA		[Signature]
AMINA KADYRZHANVA		[Signature]
LEO CREMONESI		[Signature]
YOGNA RAVALIA		[Signature]
CHLOE SEDOON		[Signature]

We the undersigned object to the granting of premises license to Cookies and Cream, Unit 5, The Chronos Building, 9-25 Mile End Road London E1 4TW on the grounds of the prevention of public nuisance, prevention of crime and disorder and protection of children from harm.

FULL NAME	ADDRESS INC. POSTCODE	SIGNATURE
David Boleas [REDACTED]	[REDACTED]	
Jeremy Spencer [REDACTED]		
Sajjad Ahmed [REDACTED]		Sajjad Ahmed

# Appendix 11



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

### Relevant, vexatious and frivolous representations

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

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

# Appendix 12

## **Anti-Social Behaviour 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 13

## Noise while the premise is in use

### General Advice

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

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

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

### Licensing Policy

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

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

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

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



## Police Powers

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

### Guidance Issued under Section 182 of the Licensing Act 2003

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

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

Licence conditions should not duplicate other legislation (1.16).

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

## Other Legislation

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

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

# Appendix 14

## **Acting as a Magnet Attracting the Young who then engage in Anti-Social Behaviour**

### General Advice

Members will need to consider whether any of the problems alleged to be associated with young people are the responsibility of the premises. Are they encouraging gangs in any way? If not, there may not be any proportionate conditions that can be applied? Are these patrons of the premises?

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. However, hours may be an important issue.

### Licensing Policy

The policy recognises that other legislation or measures may be more appropriate (in relation to the behaviour of patrons who have left the premises) 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 4.10 and 4.11 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 5.2 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 2 Annex D of the Licensing Policy).** In particular Members may wish to consider (this list is not exhaustive):

- 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 6 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

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

### 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.

#### Anti-Social Behaviour Act 2003

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 15

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

Updated April 2017

## Public nuisance

- 2.15 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.
- 2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.
- 2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.
- 2.18 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.

- 2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.
- 2.20 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.
- 2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

# Appendix 16



## **Prevention of Nuisance** – Licensing Policy, updated March 2015

- 10.1 Licensed premises, especially those operating late at night and in the early hours of the morning, can cause a range of nuisances impacting on people living, working or sleeping in the vicinity of the premises.
- 10.2 The concerns mainly relate to noise nuisance both from the premises and customer egress, light pollution, noxious smells and disruption from parked vehicles and due regard will be taken of the impact these may have in considering a licence. The Licensing Authority will expect Operating Schedules to satisfactorily address these issues. Applicants are advised to seek advice from the Council's Environmental Health Officers before preparing their plans and Schedules.
- 10.3 The Licensing Authority, where its discretion is engaged, will consider, where appropriate, attaching conditions to licences and permissions to prevent the problems identified in 8.2, and these may include conditions drawn from the Model Pool of Conditions in Appendix 2.

# Appendix 17

## **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

## **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.