

Appendix 1



* required information

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

Yes No

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.

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

Legal status

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

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

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

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.

Legal status

Continued from previous page...

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 (£)

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

Details

Registered number (where applicable)

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

Continued from previous page...

Company

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](#)

Section 5 of 21

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.

Hairdressers salon with bar

Continued from previous page...

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

Section 7 of 21

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

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Continued from previous page...

Section 13 of 21

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

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

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

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

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

State any seasonal variations

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

Non-standard timings. Where the premises will be used for the supply of alcohol 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.

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

Name

First name

Family name

Date of birth / /

Continued from previous page...

Enter the contact's address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text" value="Leicestershire"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text"/>
Issuing licensing authority (if known)	<input type="text"/>

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'.

Section 16 of 21

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.

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

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.

Continued from previous page...

TUESDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="20:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="20:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="20:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="20:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="20:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="18:00"/>
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.

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.

Section 18 of 21

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)

Continued from previous page...

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

1. Alcohol may only be sold to and consumed by patrons attending the premises for and ancillary to, haircuts and hairstyling.
2. There shall be no self-service of alcohol by patrons.
3. No off sales of alcohol.
4. Licensable activities authorised by this premises licence can only be carried out by Blooming Beautiful Limited.

b) The prevention of crime and disorder

See a) above.

c) Public safety

See a) above.

d) The prevention of public nuisance

See a) above.

e) The protection of children from harm

See a) above.

Section 19 of 21

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 in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

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 birth or adoption certificate issued 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 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.

Continued from previous page...

- 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.
- 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 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, 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.

Continued from previous page...

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.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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

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

Continued from previous page...

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

Section 21 of 21

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

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 (£)

315.00

DECLARATION

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

[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).

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

Lisa Gilligan, Freeths LLP

* Capacity

Solicitors for the Applicant

* Date

27 / 08 / 2019
dd mm yyyy

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.

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

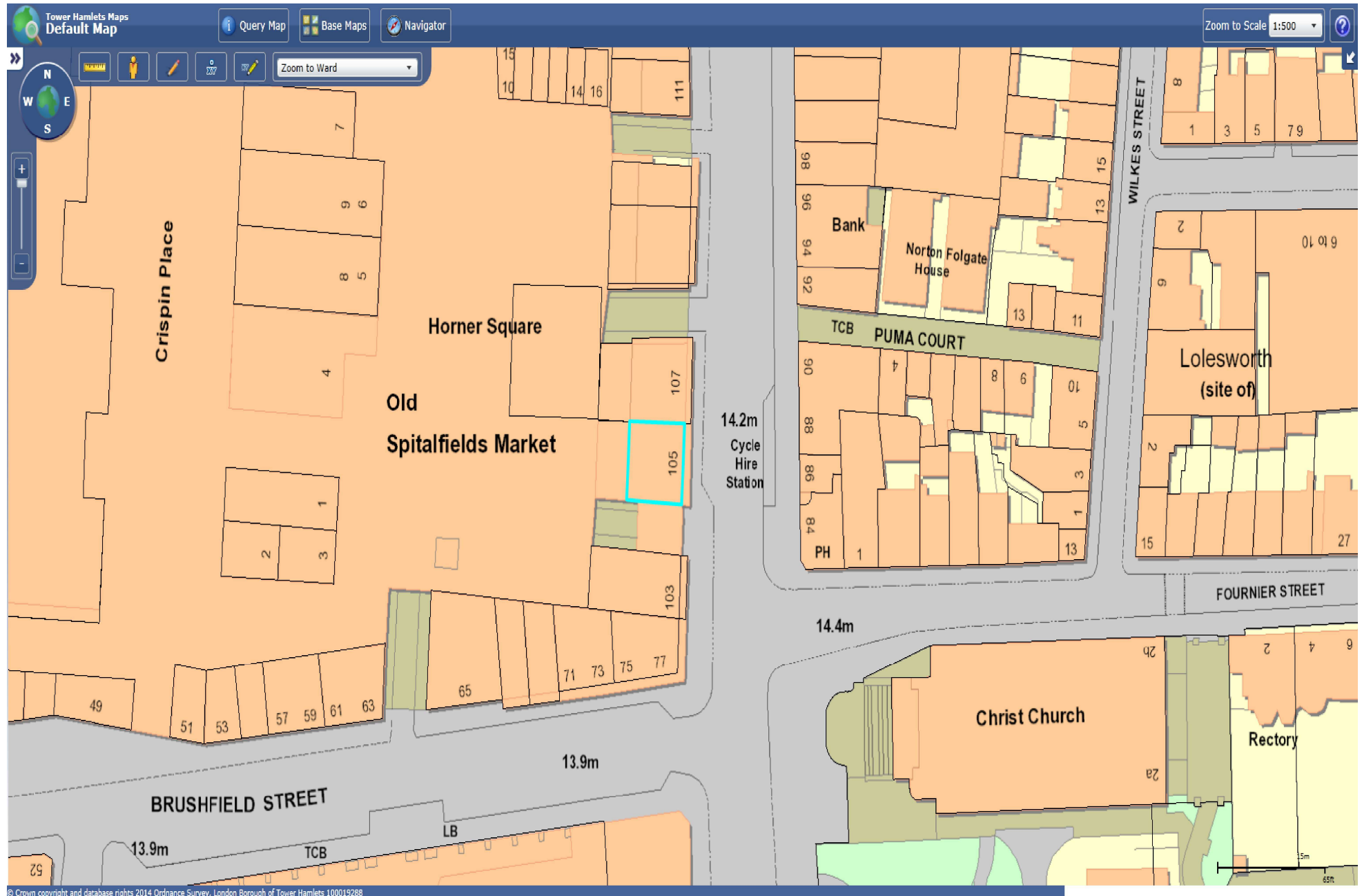
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT 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

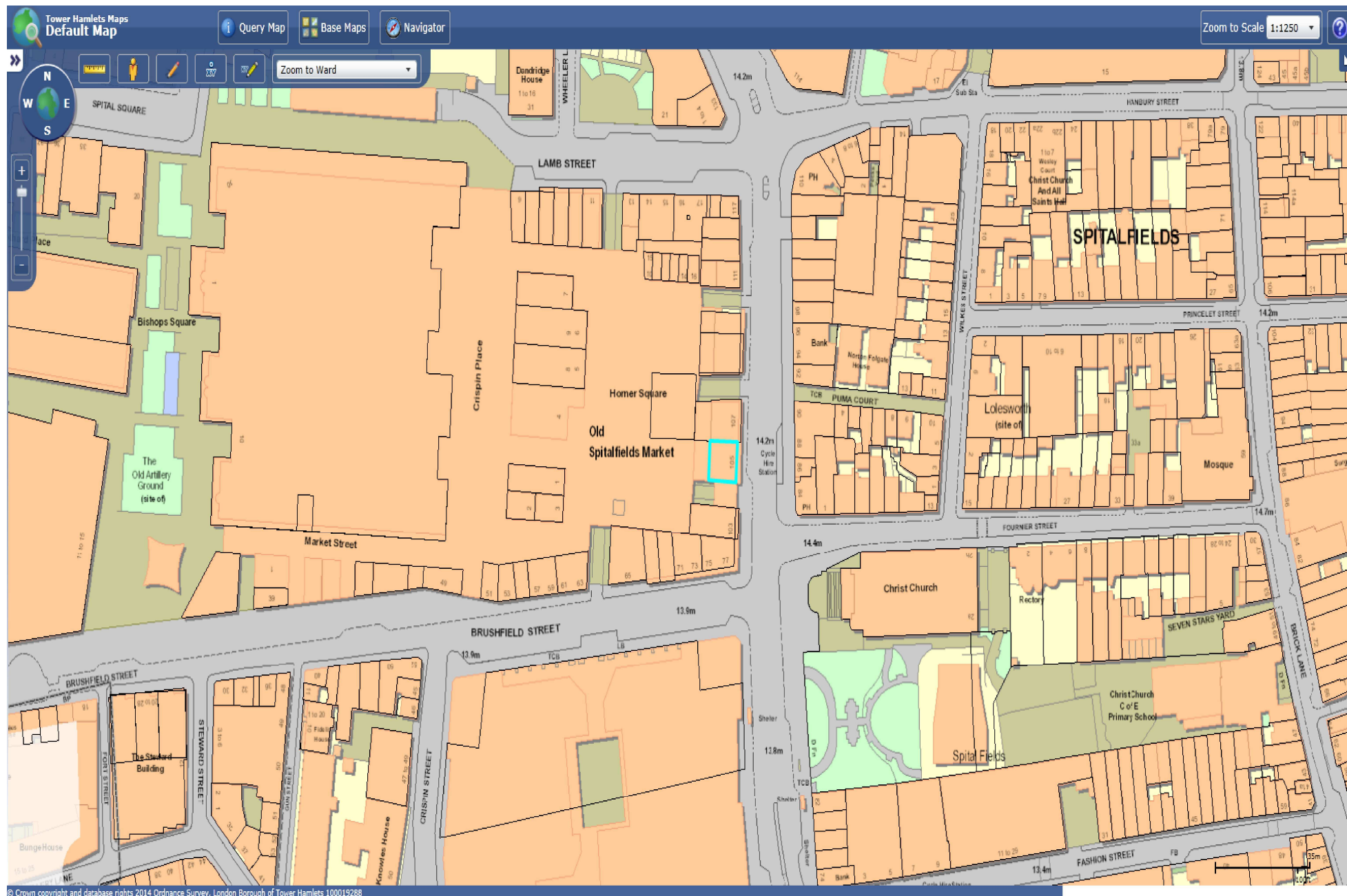
OFFICE USE ONLY

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

Appendix 2

Appendix 3





Appendix 4

Nearest licences: Duck & Dry, 105c Commercial Street

Name and address	Licensable activities and hours	Opening hours
<p>(Smiths of Smithfield) 109 Commercial Street Old Spitalfields Market London E1 6BG</p>	<p><u>BASEMENT FLOOR ONLY</u> <u>Sale of alcohol</u> (On and off sales) Monday to Saturday, from 07:00 hours to 01:00 hours the following day Sunday, from 09:00 hours to 23:00 hours</p> <p><u>Provision of regulated entertainment – live music, recorded music, performances of dance (and anything of a similar description), provision of facilities for making music and provision of facilities for dancing (and anything of a similar description)</u> Monday to Saturday, from 07:00 hours to 01:00 hours the following day Sunday, from 09:00 hours to 23:00 hours</p> <p><u>Provision of late night refreshment</u> Monday to Saturday, from 23:00 hours to 01:00 hours the following day</p> <p><u>GROUND, FIRST AND MEZZANINE FLOORS</u> <u>Sale of alcohol</u> (On and off sales) Monday to Saturday, from 07:00 hours to midnight Sunday, from 09:00 hours to 23:00 hours</p> <p><u>Provision of regulated entertainment - recorded music, performances of dance (and anything of a similar description), provision of facilities for making music and provision of facilities for dancing (and anything of a similar description)</u> Monday to Saturday, from 07:00 hours to midnight Sunday, from 09:00 hours to 23:00 hours</p> <p><u>Provision of late night refreshment</u></p> <ul style="list-style-type: none"> • Monday to Saturday, from 23:00 hours to midnight <p><u>Non-standard timings</u> Occasional permission for sale of alcohol, provision of live music, recorded music, performances of dance (and anything of a similar description), provision of facilities for making music and provision of facilities for dancing (and anything of a similar description) and late night refreshment outside regular hours up to a maximum of 16 additional times per annum, providing the Police and Local Authority are given at least 48 hours notice</p>	<p>Monday to Sunday, from 00:00 hours to 00:00 hours (24 hours)</p>

Nearest licences: Duck & Dry, 105c Commercial Street

<p>(Ten Bells) 84 Commercial St London E1 6LY</p>	<p><u>Sale of Alcohol by retail (On and off sales)</u> Sunday to Wednesday 06.00 hours – midnight. Thursday to Saturday 06.00 until 01.00 hours the next day.</p> <p><u>Late Night Refreshment</u> Sunday to Wednesday 23.00 hours until midnight. Thursday to Saturday 23.00 until 01.00 hours the next day.</p> <p><u>Regulated Entertainment</u> Sunday to Wednesday 06.00 hours - midnight next day. Thursday to Saturday 06:00 hours – 01:00 hours the following day.</p>	<p>Sunday to Wednesday 06.00 hours – midnight. Thursday to Saturday 06.00 until 01.00 hours the next day.</p> <p>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day</p>
<p>(Flat Iron) 88-90 Commercial Street London E1 6LY</p>	<p>The sale by retail of alcohol (On and off sales) Monday to Saturday 10 00 hrs to midnight Sunday 10 00 hrs to 23 30 hrs</p> <p><i>The provision of regulated entertainment</i> Monday to Saturday 10 00 hrs to midnight Sunday 10 00 hrs to 23 30 hrs</p> <p><i>The provision of late night refreshment</i> Monday to Saturday until midnight Sunday 10 00 hrs until 23 30 hrs</p> <p>Non-standard times New Years Eve/Day open from normal closure on New Years Eve to normal opening on New Years Day</p>	<p>Monday to Saturday 10 00 hrs to 00 30 hrs</p> <p>Sunday 10 00 hrs to 00. 00 hrs</p> <p>Non-standard times New Years Eve/Day open from normal closure on New Years Eve to normal opening on New Years Day</p>
<p>100 Commercial Street London E1 6LZ</p>	<p>Sale of Alcohol (On sales only)</p> <ul style="list-style-type: none"> Monday to Sunday from 11:00 hours to 23:00 hours <p>The Provision of Late Night Refreshment:</p> <ul style="list-style-type: none"> Monday to Sunday from 23:00 hours to 23:30 hours <p>The Provision of Regulated Entertainment in the form of Films and Recorded Music:</p> <ul style="list-style-type: none"> Monday to Sunday from 11:00 hours to 23:30 hours 	<p>Monday to Sunday from 08:00hrs to 23:30hrs</p>

Nearest licences: Duck & Dry, 105c Commercial Street

<p>(St John Bread & Wine) 94-96 Commercial Street London E1 6LZ</p>	<p>Alcohol shall not be sold or supplied except during permitted hours. (On and off sales) In this condition, permitted hours means: a. On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10 a.m. to 11 p.m. b. On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30 p.m. c. On Good Friday, 12 noon to 10.30 p.m. d. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m. e. On New Year's Eve, except on a Sunday, 11 a.m. to 11 p.m. f. On New Year's Eve on a Sunday, 12 noon to 10.30 p.m. g. On New Year's Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).</p> <p>Alcohol may be sold or supplied for one hour following the hours set out above to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.</p>	<p>There are no restrictions on the hours during which this premises is open to the public</p> <p>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day</p>
<p>98 Commercial Street London E1 6LZ</p>	<p>Sale of Alcohol (on sales only) Monday to Sunday from 11:00hrs to 23:00hrs</p> <p>The Provision of Late Night Refreshment Monday to Sunday from 23:00hrs to 23:30hrs</p> <p>The Provision of Regulated Entertainment (in the form of Films and Recorded Music) Monday to Sunday from 11:00hrs to 23:30hrs</p>	<p>Monday to Sunday from 08:00hrs to 23:30hrs</p>
<p>(Ely & Sidney) Part Ground and Part First Floor 106 Commercial Street London E1 6LZ</p>	<p>Sale of Alcohol</p> <ul style="list-style-type: none"> • Monday to Sunday from 11:00 hours to 21:30 hours <p>The Provision of Regulated Entertainment (Films)</p> <ul style="list-style-type: none"> • Monday to Sunday from 11:00 hours to 22:00 hours 	<ul style="list-style-type: none"> • Monday to Sunday from 08:00 hours to 22:30 hours

Nearest licences: Duck & Dry, 105c Commercial Street

<p>(The Golden Heart) 110 Commercial Street London E1 6LZ</p>	<p>Sale by retail of alcohol: (On and off sales)</p> <ul style="list-style-type: none"> • Sunday to Thursday, from 06:00 hrs to 08:40 hrs and 11:00 hrs to 00:00 hrs • Friday and Saturday, from 06:00 hrs to 08:40 hrs and 11:00 hrs to 00:30 hrs <p>Provision of regulated entertainment: <u>Recorded Music</u></p> <ul style="list-style-type: none"> • Monday to Sunday, from 11:00 hours to 00:00 hours <p><u>Anything of a similar description to recorded music</u></p> <ul style="list-style-type: none"> • Monday to Sunday, from 06:00 hrs to 08:40 hrs & 11:00 hrs to 00:30 hrs <p><u>Non-standard timings</u> New Years Eve until 02:00 hrs the following day</p>	<ul style="list-style-type: none"> • Sunday to Thursday, from 06:00 hrs to 09:00 hrs & 11:00 hrs to 00:30 hrs • Friday and Saturday, from 06:00 hrs to 09:00 hrs & 11:00 hrs to 01:00 hrs <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> • New Years Eve until 02:00 hrs the following day
<p>Public Open Spaces Within the Spitalfields Mixed Development Crispin Place, Market Street and Bishops Square London E1 6AA</p>	<p><u>Regulated Entertainment (Plays, Films, Indoor Sporting Events, Live Music, Recorded Music and Performance of Dance)</u></p> <ul style="list-style-type: none"> ▪ Monday to Friday 12 noon until 20.00 hours ▪ Sunday 12 noon until 16.00 hours 	<ul style="list-style-type: none"> ▪ Monday to Friday 12 noon until 20.00 hours ▪ Sunday 12 noon until 16.00 hours
<p>(Open Market Space) Old Spitalfields Market London E1</p>	<p>The sale by retail of alcohol: (On sales only) Monday to Friday from 09:00 hrs to 19:00 hrs</p> <p>Regulated entertainment consisting of: Plays, Films, Indoor sports, boxing or wrestling, live music, recorded music, performance of dance. Provision of facilities for making music and facilities for dancing. Monday to Friday from 09:00 hrs to 19:00 hrs</p>	<p>Monday to Friday from 09:00 hrs to 19:00 hrs</p>
<p>(Taberna do Mercado) 107b Commercial Street London E1 6BG</p>	<p>The sale by retail of alcohol (On and off sales) Monday to Saturday 10:00 hours – 23:00 hours Sunday, 10:00 hours – 21:00 hours</p>	<p>Monday to Saturday 08:00 hours – 23:00 hours</p> <p>Sunday 08:00 hours – 21:00 hours</p>

Nearest licences: Duck & Dry, 105c Commercial Street

<p>(Crepe Affaire) Unit SP2C 3 Horner Square Commercial Street Old Spitalfields Market London E1 6BG</p>	<p><u>Sale of alcohol</u></p> <ul style="list-style-type: none"> Monday to Saturday, from 08:00 hours to 22:30 hours Sunday, from 08:00 hours to 19:30 hours <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years day 	<ul style="list-style-type: none"> Monday to Saturday, from 08:00 hours to 23:00 hours Sunday, from 08:00 hours to 20:00 hours <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years day
<p>(The Diner) 4 Horner Square Old Spitalfields Market London E1 6EW</p>	<p>The sale by retail of alcohol: (Inside and outside the premises) Monday to Saturday from 10 00 hrs until 23 00 hrs Sunday from 10 00 hrs to 22 hrs From 10 00 hrs on New Years Eve to the end of New Years Day</p> <p>Regulated Entertainment: Consisting of live music; recorded music; performance of dance; provision of facilities for making music; and provision of facilities for dancing.</p> <p>Monday to Saturday 10:00 hrs – 21:30 hrs Sunday 10:00 hrs – 20:00 hrs.</p> <p>New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day</p>	<p>Inside and outside the premises: Monday to Saturday from 10:00 hrs to 23:30 hrs Sunday from 10:00 hrs to 22:30 hrs</p> <p>From 10 00 hrs on New Years Eve to the end of New Years Day</p>
<p>Gourmet Burger Kitchen 5 Horner Square Old Spitalfields Market London E1 6EW</p>	<p>The sale by retail of alcohol (On and off sales) Monday to Saturday 10 00 hrs to 22 30 hrs</p> <p>Sunday 10 00 hrs to 19 30 hrs</p>	<p>Monday to Saturday 10 00 hrs to 23 00 hrs</p> <p>Sunday 10.00 hrs to 20 00 hrs</p>
<p>(The Real Greek) 6 Horner Square Old Spitalfields Market London E1 6EW</p>	<p>Monday to Saturday - 10 00 hrs to 22 30 hrs</p> <p>Sunday - 10 00 hrs to 19 30 hrs</p>	<p>Monday to Saturday - 10 00 hrs to 23 00 hrs</p> <p>Sunday - 10.00 hrs to 20 00 hrs</p>

Appendix 5

Section 182 Advice by the Home Office Updated on April 2018

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: Ben Williams [REDACTED]
Sent: 22 September 2019 18:32
To: Licensing
Subject: Duck and Dry, 105c Commercial Street, London E1 6BG – Licence Application Ref. 121361

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir/ Madam

Duck and Dry, 105c Commercial Street, London E1 6BG – Licence Application Ref. 121361

I am writing to oppose the application for an on sales alcohol license for Duck and Dry.

Having read the application, I see no attempt to address the licensing objectives other than a repetition of 'see a) above' in the application. This gets to the heart of one of my objections. As a resident living in Old Spitalfield's Market, it seems that in the ward of Spitalfields and Banglatown new alcohol licenses are being applied for by just about any business that has retail intent. Hairdressers, nail bars, food shops, butchers, etc. The CIZ is already awash with countless venues selling alcohol. This application further undermines the intent of the CIZ.

Visitors to Spitalfields and Banglatown, might be forgiven for thinking that 'drinking whilst shopping' is now the norm. Many residents in this ward are teetotal for a variety of reasons and yet alcohol sales points are seemingly ever increasing.

The applicant states:

'Alcohol may only be sold to and consumed by patrons attending the premises for and ancillary to, haircuts and hairstyling.'

However, a bar-like area has been constructed (with some 'display' bottles of prosecco evident when I last looked). It appears the intent is to offer wine by the glass and by the bottle. Whilst getting a hair cut, is a bottle of processco 'ancillary to haircuts and hairstyling' or is this a primary sales focus? This suggests Duck and Dry is a hairdresser wishing to become a hairdresser and a bar combined into one. Does one patron have a hair cut and drink a whole bottle of wine or does this become a place where friends drink a bottle of wine whilst waiting for someone to have a haircut. Either way, let us not pretend this not an application for yet another bar in the CIZ.

Their promotional material certainly suggests - or rather explicitly **states** - that this is the case:

*“Whatever your hair type and length is, you can be sure we only charge one price. Flick through our signature Blow Dries and Updos to pick your favourite look. And while you're at it, why not relax at our prosecco bar and check out our selection of drinks for the full Duck & Dry experience. We are so much MORE than just a **blow dry bar!**”*

In this regard, I am objecting on the grounds:

Protection of Children:

There are 32 flats within the Horner building. In flats directly above and to the immediate left and right of Duck and Dry there 5 families with children in their teenage or pre-teen years. These children should be able to walk out of their homes and through the market without yet another retail outlet that sells alcohol. Spitalfields Market is a mixed commercial and residential space. The rights of the residents are being constantly eroded by the commercial imperative of those active in the market.

Public Health and Safety:

There are no public toilets in the immediate vicinity. The only ones available are on the other side of the market, which on a busy day is not an obvious, straight forward or quick route. It is somewhat curious that hair salon that normally uses sharp objects such as scissors and powerful dyes, will want to do this in conjunction with alcohol. Intoxicated customers can cause self-harm.

Prevention of Crime and Nuisance:

Cumulative – While one small Salon will not promote the wholesale nuisance, the whole point of the CIZ is that it all adds up.

The implementation of the CIZ has certainly had an positive impact, but while it is in forced it needs to be enforced.

Finally, were this application to be approved, a decision I feel would be completely incompatible with the CIZ, then there must be a stipulation that nobody consumes alcohol outside the front door of the premises. No exterior seating can be arranged.

Kind regards,

Ben Williams

████████████████████
██████████
██████████

Appendix 7

Mohshin Ali

From: Carla Williams [REDACTED] >
Sent: 21 September 2019 09:26
To: Licensing
Subject: Duck and Dry, 105c Commercial Street, London E1 6BG – Licence Application Ref. 121361

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir/ Madam

Duck and Dry, 105c Commercial Street, London E1 6BG – Licence Application Ref. 121361

I am writing to oppose the application for an on sales alcohol license for Duck and Dry.

Having read the application, I see no attempt to address the licensing objectives other than a repetition of 'see a) above' in the application. This gets to the heart of one of my objections. As a resident living in Old Spitalfield's Market, it seems that in the ward of Spitalfields and Banglatown new alcohol licenses are being applied for by just about any business that has retail intent. Hairdressers, nail bars, food shops, butchers, etc. The CIZ is already awash with countless venues selling alcohol. This application further undermines the intent of the CIZ.

Visitors to Spitalfields and Banglatown, might be forgiven for thinking that 'drinking whilst shopping' is now the norm. Many residents in this ward are teetotal for a variety of reasons and yet alcohol sales points are seemingly ever increasing.

The applicant states:

'Alcohol may only be sold to and consumed by patrons attending the premises for and ancillary to, haircuts and hairstyling.'

However, a bar-like area has been constructed (with some 'display' bottles of prosecco evident when I last looked). It appears the intent is to offer wine by the glass and by the bottle. Whilst getting a hair cut, is a bottle of processco 'ancillary to haircuts and hairstyling' or is this a primary sales focus? This suggests Duck and Dry is a hairdresser wishing to become a hairdresser and a bar combined into one. Does one patron have a hair cut and drink a whole bottle of wine or does this become a place where friends drink a bottle of wine whilst waiting for someone to have a haircut. Either way, let us not pretend this not an application for yet another bar in the CIZ.

Their promotional material certainly suggests - or rather explicitly **states** - that this is the case:

“Whatever your hair type and length is, you can be sure we only charge one price. Flick through our signature Blow Dries and Updos to pick your favourite look. And while

you're at it, why not relax at our prosecco bar and check out our selection of drinks for the full Duck & Dry experience.

*We are so much MORE than just a **blow dry bar!**''*

In this regard, I am objecting on the grounds:

Protection of Children:

There are 32 flats within the Horner building. In flats directly above and to the immediate left and right of Duck and Dry there 5 families with children in their teenage or pre-teen years. These children should be able to walk out of their homes and through the market without yet another retail outlet that sells alcohol. Spitalfields Market is a mixed commercial and residential space. The rights of the residents are being constantly eroded by the commercial imperative of those active in the market.

Public Health and Safety:

There are no public toilets in the immediate vicinity. The only ones available are on the other side of the market, which on a busy day is not an obvious, straight forward or quick route. It is somewhat curious that hair salon that normally uses sharp objects such as scissors and powerful dyes, will want to do this in conjunction with alcohol. Intoxicated customers can cause self-harm.

Prevention of Crime and Nuisance:

Cumulative – While one small Salon will not promote the wholesale nuisance, the whole point of the CIZ is that it all adds up.

The implementation of the CIZ has certainly had an positive impact, but while it is in forced it needs to be enforced.

Finally, were this application to be approved, a decision I feel would be completely incompatible with the CIZ, then there must be a stipulation that nobody consumes alcohol outside the front door of the premises. No exterior seating can be arranged.

Kind regards

Carla Corsini

████████████████████
████████████████████

Appendix 8

Mohshin Ali

From: Mohshin Ali on behalf of Licensing
Sent: 20 September 2019 15:16
To: Mohshin Ali
Subject: FW: Duck and Dry, 105c Commercial Street, London E1 6BG – Licence Application Ref. 121361

From: Daron Pike [REDACTED]
Sent: 20 September 2019 14:06
To: Licensing
Subject: Duck and Dry, 105c Commercial Street, London E1 6BG – Licence Application Ref. 121361

Dear LBTH Licencing Committee,

Duck and Dry, 105c Commercial Street, London E1 6BG – Licence Application Ref. 121361

I am a resident of [REDACTED] where we suffer greatly the impact of the saturation of bars and alcohol vendors in the area of Spitalfields & Banglatown.

I note from the application and general points:

1. It is in the CIZ where there is an abundance of alcohol vendors and associated ant-social behaviour, there are no need for more licences to exacerbate the problem.
2. Hair salons do not require alcohol to conduct their main business and as such in the very large majority they do not offer alcohol to clients.
3. The applicant does not refer to any understanding of the responsibilities in being a licensee.
4. In this application, there seems to be no quantity limit that the customer may buy and indeed the shop is stylised to make the alcohol of direct appeal to the client.
5. The licence does not appear to be 'ancillary to salon' and give way to abuse of this premises licence in case of future ownership.

I therefore object for the following reasons:

- A. Protection of Residents/Children - The Horner Building and Spitalfields Market is residential and cannot suffer further detriment by more licenced premises. Many children are known to live in the immediate locality and they should have the right to enjoy a neighbourhood not saturated with more bars/alcohol.
- B. Public Health & Safety – There are no public toilets and the area suffers with ASB in the form of street urination
- C. Public Health & Safety – In pubs and bars clients do not have reach of sharp objects and scissors as they would in the hair salon
- D. Prevention of Crime and Nuisance – Alcohol licences are proven to add to this already serious issue in this neighbourhood.

I hope very much the council will uphold standards and not capitulate to this entirely superfluous licence application.

Regards,

Daron Pike
[REDACTED]
[REDACTED]
[REDACTED]

Appendix 9

Mohshin Ali

From: Jon Shapiro [REDACTED] >
Sent: 23 September 2019 16:46
To: Licensing
Subject: Licensing Application by "The Duck and Dry" at 105c Commercial Street, E1 6BG.

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir or Madam,

I live in Spital Square – within the Brick Lane area CIZ – and would like to request that this Licence Application, if granted, should be strictly controlled by conditions.

Indeed since by definition the CIZ is based on the area already being over-supplied with alcohol, one could argue that no new licenses should be granted unless they replace existing licences. In particular the apparent fashion for any retail establishment, whether selling haircuts, meat, cheese, bicycles or whatever, to apply for an alcohol licence makes a mockery of the licensing laws even were such establishments not within a CIZ!

The CIZ was introduced 6+ years ago because of the influence alcohol was causing in fuelling cases of ASB and violence in the area. As was the case then, I believe that there are still far too many premises selling alcohol within the CIZ (which is precisely why the recent licensing review retained the Brick Lane area CIZ). Any increase in their number must inevitably risk increasing the incidence of ASB and violence.

However, I am told by the applicant's lawyers that the applicant for the premises as above has proposed the following conditions to be included in any licence granted:

1. Alcohol may only be sold to and consumed by patrons attending the premises for and ancillary to, haircuts and hairstyling.
2. There shall be no self-service of alcohol by patrons
3. There shall be no off sales of Alcohol
4. Licensable Activities authorised by this premises licence can only be carried out by Blooming Beautiful Limited"

and as long as all four of these conditions are included I do not on this occasion object to a licence being granted.

I make this request on the grounds of:

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

Yours faithfully,
Jon Shapiro.

Resident at:

35 Beaumont House
27 Spital Square
Spitalfields
London, E1 6DX

[REDACTED]

Appendix 10

[REDACTED]

13 September 2019

Kathy Driver Principal Licensing Officer
Tower Hamlets
Licensing Section
John Onslow House
1 Eward Place
London E3 5EQ

Dear Madam

re Your Ref: CLC/EHTS/LIC/121361

Duck and Dry (Blooming Beautiful) 105c Commercial Street, E1 6BG

I wish to object to the above application for a licence to sell alcohol on the premises. These premises are directly below my apartment and the outside terrace. I have an air vent (put in with my permission) into the Duck and Dry shop below to allow them to have some fresh air into their shop. From this, and from the glass which forms part of their ceiling up to my terrace, it is possible to hear sound/noises (including music) from below. With the sale of alcohol and the encouragement of group bookings, I can imagine that the noise will get louder.

Whereas other hairdressers in the area may hold a licence, this is very discrete, but with Duck and Dry, they have erected a bar (not a nail bar) just inside the premises clearly visible from the shop front. (Presumably for the purpose of selling alcohol, namely Prosecco).

This does not seem to me that the sole purpose of the shop is to have a blow dry, and paint nails.

There are plenty of other places in the Market that are licensed to sell alcohol and if Duck and Dry should move from these premises in future, then the licence potentially remains with the premises and future tenants.

Duck and Dry say in their application that they are reducing the amount of hours that were in the Square Pie application, but this reduction only amounts to an 3 hour reduction, on a Sunday from from 9pm down to 6pm.

Duck and Dry have said (in a letter to me) that their main clientele will be business executives and that the “limited hours and restrictive conditions will deter loud party groups”. However their website promotes groups and party bookings, and we have all probably been to airports and seen hen parties in action.

Finally, CIZ has been put in place in our neighborhood to prevent the number of licensed premises in an attempt to reduce alcohol related antisocial behaviour which as you know has escalated over the years. Do we really need another licensed premises creating more noise and disturbances in our area?

There are a number of children and older people living in the immediate area whose day to day lives could be affected by the noise and behaviour attributed to the sale of alcohol.

Yours faithfully

Pamela Mossman

Appendix 11

Mohshin Ali

From: Rose <[REDACTED]>
Sent: 22 September 2019 10:11
To: Licensing
Cc: Jonathan Stebbins
Subject: License Application Ref: 121361

Follow Up Flag: Follow up
Flag Status: Completed

To the Licensing Department,

Re: Duck and Dry, 105c Commercial Street, London E1 6BG – Licence Application Ref. 121361

As a resident living in the Horner Buildings I am familiar with the pros and cons of living above retail premises in Spitalfields Market.

In general we have good relations with our commercial neighbours but any problems we have experienced have all involved those businesses selling food and alcohol so I am very concerned about this application for yet another license to supply alcohol.

Public Nuisance: Consumption of alcohol, especially when not part of a meal, will inevitably result in rapid inebriation which leads to increased volume in conversational levels and often shouting and other noisy behaviour too. The level of background music is commonly increased to compensate resulting in unacceptable noise. Our homes are sound porous both through the ceiling/floor divide and through the walls via old chimney cavities so the transfer of sound can be very disturbing.

Protection of Children from harm: Our Spitalfields residents community includes families with young children and I know that several live in the vicinity of 105 Commercial St. I think that the noise and disturbance from premises serving alcohol will affect both their well being (both sleep and concentration). In addition, it seems very odd that they should grow up thinking that consumption of alcohol is a natural accompaniment to every activity - even having a haircut - and I think that this is harmful to the young and impressionable.

Apart from these concerns, 105c Commercial Street lies within the CIZ which was put in place because of the worries that local residents voiced about the high numbers of establishments serving alcohol.

I feel that granting this license will just add to the problem so I trust that you will reject the application made by Duck & Dry.

Yours sincerely,

Rose Sheldon

Rose Sheldon

Appendix 12

Mohshin Ali

From: Susan Kay [REDACTED]
Sent: 22 September 2019 14:18
To: Licensing
Subject: Objection to Duck & Dry, 105c, Commercial St, London E1 6BG Licence Application No: 121361

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir, Madam,

Duck & Dry, 105c, Commercial St, London E1 6BG - Licence Application Ref: 121361

My name is Susan Kay and I am a local resident. I have been living on the St George Estate next to the Old Spitalfields Market for the past 20 years, firstly at [REDACTED] and for the past 3 years at [REDACTED]

During those 20 years the area has changed dramatically and the OSM has become a magnet for overseas and local visitors. It is definitely, as is Shoreditch and Hackney a "Go to" area for young people to visit, day and night.

The proliferation of bars, pubs and other premises that now offer on and off licences, throughout the day and night and even some, into the early hours of the morning, has caused much distress to local residential communities, who have had to put up with so much anti-social behaviour on a daily basis. It is for these reasons the Spitalfields area was declared a CIZ zone. This has certainly helped on many levels to control problems with over-inebriated visitors who came to drink in the area.

However, residents have noticed that over a period of time, many retail outlets, especially those associated within Old Spitalfields Market itself, are now trying to obtain licenses in conjunction with their retail or service offer. The problem for local residents lies in the fact that these licences can be transferred to OSM on completion or break from the tenants contract with OSM. This then allows OSM to pass on the licence to any future tenant. This has happened to the Cheese Shop and Butcher's along Lamb Street, E1 6ED on the outer edge of the Market. New tenants can then ask for changes to be implemented to the licence they have inherited. These changes are often allowed to be added to the original licence and new tenants are using this loophole to bypass the CIZ rulings.

We, residents, are seriously concerned, that if the retail units in this area are allowed to serve alcohol, firstly as a daily adjunct to their business, it will eventually turn the Market units into one huge drinking den!

It is for these reasons that I OBJECT most vehemently to a licence being allocated to the Hairdresser, Duck & Dry, at the above address, which at the moment is hoping to be able to SELL alcohol to their clients, whilst they are having their hair done!!

Yours sincerely

Susan Kay

Appendix 13

Mohshin Ali

From: Mohshin Ali on behalf of Licensing
Sent: 20 September 2019 15:10
To: Mohshin Ali
Subject: FW: This is a letter to object to the Licence application for Duck and Dry located at 105c Commercial Street, London E1 6BG (ref. 121361)

Follow Up Flag: Follow up
Flag Status: Completed

From: Sophie Stebbins [REDACTED]
Sent: 19 September 2019 20:27
To: Licensing
Subject: This is a letter to object to the Licence application for Duck and Dry located at 105c Commercial Street, London E1 6BG (ref. 121361)

Sophie Stebbins
[REDACTED]
[REDACTED]

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

licensing@towerHamlets.gov.uk

London September 19th, 2019

This is a letter to object to the Licence application for Duck and Dry located at 105c Commercial Street, London E1 6BG (ref. 121361)

Ms Lisa Gilligan, the owner neglected to mention on her application who would be responsible for the sale of alcohol. Which member of her staff will be trained and by whom to serve alcohol to. Who is to supervise the staff, is there a manager on site, security in situation that would be needed for an inhibited and troublesome customer?

Ms Gilligan's aim is to obtain a licence without much thought for the process that has to be put in place with such request. Further, there seems to be no mention of or understanding about adherence to licensing objectives.

Additionally, there are some certain common sense questions:

- Is serving alcohol in a business which deals with scissors & various sharp instruments, as well as powerful dyes and chemicals compatible?

- If the intention is for alcohol to be ancillary to hairdressing, what is the limit of drinks being served per customer considering that on the business's website, Prosecco is proposed for £ 5 a glass or £30 for a bottle?
- How would the staff react if a client insists for more when they are observably intoxicated.

It's not a healthy practice to offer alcohol to customers of any service. It is precisely this level of normalisation that has led CIZ to come into existence.

Licenses for any type of business insure that alcohol becomes omnipresence through our daily lives.

Many of the retails units that form the perimeter of the inside of the Old Spitalfields Market are licenced so is the market. CIZ has been put in place in our neighbourhood to prevent the increase of licensed premises as alcohol related antisocial behaviour has escalated over the years. Allowing a beauty shop to obtain a licence would goes against CIZ's objectives.

There are 32 flats, homes to dozens of families, including elderlies and children, located directly above the retail outlets. The Market has always been a mixed-used premise and therefore an appropriate harmony is important for the respect of everyone living and working under its roof. The more alcohol is provided the more it effects the residents' livelihood and would unbalance to great extent the equilibrium that has existed for years.

Having to object with every corner shops, take away, café, hair dresser, beauty parlour, bike shops who wish to offer or sells alcohol in such a confined area is challenging enough for residents; therefore, I request the understanding of the Licensing authority to ensure CIZ be respected and refuse Duck and Dry their Licence application.

Best regards.

Sophie Stebbins

Sent from [Mail](#) for Windows 10

Appendix 14

Mohshin Ali

From: Mohshin Ali on behalf of Licensing
Sent: 20 September 2019 15:11
To: Mohshin Ali
Subject: FW: Objection to: Duck and Dry, 105c Commercial Street, London E1 6BG – Licence Application Ref. 121361. Resending with SMRA address.

Follow Up Flag: Follow up
Flag Status: Completed

From: Jonathan Stebbins [REDACTED]
Sent: 19 September 2019 21:35
To: Licensing
Subject: Objection to: Duck and Dry, 105c Commercial Street, London E1 6BG – Licence Application Ref. 121361. Resending with SMRA address.

Spitalfields Markets Residents Association

[REDACTED]
[REDACTED] [REDACTED]

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

licensing@towerHamlets.gov.uk

September 19th, 2019

Dear Sir, Madam

Duck and Dry, 105c Commercial Street, London E1 6BG – Licence Application Ref. 121361

SMRA representing residents of the Horner Buildings, objects to the grant of this licence application.

Link between alcohol retail services in the CIZ:

It is worrisome when living in a CIZ zone to see the increasing link between alcohol and everyday retail services. The casual link Duck and Dry is advertising in their business model should be of concern to the Licensing authorities as it treats alcohol consumption like an everyday item and therefore simply institutionalise that drinking has become part of various daily activities.

Alcohol provision not being ancillary to, but rather an integral part of the business model:

Further, while Duck and Dry are seeking a licence to be ancillary to Salon business, their advertising suggests that the serving of alcohol is an integral part of the business model.

“Whatever your hair type and length is, you can be sure we only charge one price. Flick through our signature Blow Dries and Updos to pick your favourite look. And while you're at it, why not relax at our prosecco bar and check out our selection of drinks for the full Duck & Dry experience.

We are so much MORE than just a blow dry bar!”

No limit makes it appear to be a bar:

By offering Prosecco by the glass - £5 or by the bottle £30, there appears to be no limit to what a customer may reasonably order.

Salon layout emphasises alcohol component:

Indeed the layout of the salon, it is clear that the bar / alcohol element is being excessively promoted / emphasised compared to the salon business.

Consequently, by seeking a licence under the guise of ‘ancillary to Salon’, it is relatively clear that the scope is left open for the Bar / alcohol component to dominate in future.

Little or no understanding of Licencing Objectives:

The application makes no mention of adhering to licensing objectives, no information about staff being trained etc.

Given the above we wish to Object to the Licence on the following grounds.

Spitalfields market / the Horner building is in the CIZ:

Protection of Children:

There are 32 flats within the Horner building. In flats directly above and to the immediate left and right of Duck and Dry there are 5 families with children in their teenage or pre-teen years.

These children should be able to walk out of their homes and through the market without yet another retail outlet that sells alcohol.

Spitalfields Market / the Horner Building is a mixed commercial and residential space. The rights of the residents are being constantly eroded by the commercial imperative of those active in the market.

Public Health and Safety:

There are no public toilets in the immediate vicinity. The only ones available are on the other side of the market, which on a busy day is not an obvious, straight forward or quick route.

It is somewhat curious that hair salon that invariably uses sharp objects such as scissors, will want to do this in conjunction with clients consuming alcohol.

Prevention of Crime and Nuisance:

Cumulative – While one small Salon will not promote the wholesale nuisance, the whole point of the CIZ is that it all adds up.

The implementation of the CIZ has certainly had an positive impact, but while it is in forced it needs to be enforced.

Jonathan Stebbins
President
Spitalfields Market Residents Association

Sent from [Mail](#) for Windows 10

Appendix 15

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 9.1 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 14.10**).

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 9.2 of the Licensing Policy**).

The Licensing Authority will consider attaching conditions to prevent nuisance. 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 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 16

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 17

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 18

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 19

Safety Problems

General Advice

Members need to bear in mind the substantial amount of primary legislation in this area, and to only impose conditions where they are both proportionate to identified problems and not adequately covered by primary legislation.

The larger and more complex a premises before Members, the more likely it is that specific conditions will be proportionate and necessary.

Licensing Policy

Premises should be constructed so as to minimise public safety risks. (See 7.1).

The Licensing Authority expects applicants to seek advice from both the relevant Health and Safety body and also the Fire and Emergency Planning Authority. (See 7.2). The applicant should identify where existing legislation is not adequate. (See 7.3).

The Licensing Authority will consider attaching conditions to ensure public safety and these may include Conditions drawn from the Model Pool of Conditions relating to public safety. (See Appendix 2 Annex E, F and J of the Licensing Policy). In particular Members may wish to consider the following headings: (this list is not exhaustive):

Annex E

- Adequate arrangements for people with disabilities, inc. their awareness of them.
- Escape routes
- Safety checks
- Curtains, hangings, decorations, upholstery etc.
- Accommodation limits
- Fire action notices
- Emergency procedures
- Water
- Emergency vehicle access
- First aid
- Lighting
- Temporary electrical installations
- Alterations to the premises
- Special effects

Annex F

This concerns Theatres and Cinemas

Annex J

The safe clubbing checklist

Guidance Issued under Section 182 of the Licensing Act 2003

The public safety objective “Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using a relevant premises rather than public health, which is addressed in other legislation” (2.6). For example, conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.

2.7, A number of matters should be considered in relation to public safety.

These may include:

- Fire safety;
- Ensuring appropriate access for emergency services such as ambulances;
- Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4 above);
- Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;
- Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);
- Ensuring appropriate and frequent waste disposal, particularly of glass bottles;
- Ensuring appropriate limits on the maximum capacity of the premises (see paragraphs 2.11-2.12, and Chapter 10; and
- Considering the use of CCTV in and around the premises (as noted in paragraph 2.3 above, this may also assist with promoting the crime and disorder objective).

Safe capacities “should only be imposed where necessary for the promotion of public safety or the prevention of disorder.” (2.11). Therefore, conditions of a fire certificate must not be reproduced.

Other Legislation

- The Health and Safety at Work Act 1974, and various Regs.
- The Regulatory Reform Order (Fire Safety) 2005.

Other Guidance

- Model National and Standard Conditions for Places of Public Entertainment and Assoc. Guidance
- The Event Safety Guide
- Managing Crowds Safely
- 5 Steps to Risk Assessment
- Safer Clubbing
- Safety Guidance for Street Art etc.
- Various BS and ISO standards

Appendix 20

Underage Drinking or Other Harm to Minors

General Advice

If Members hear evidence that gives them cause for concern in relation to the licensing objective of protecting children from harm, and provided it is proportionate they should consider a licence condition that all under 18 year olds are excluded, and that a registered door supervisor is employed to check the age of all customers. This should be done where the activities to be carried on, previous history or lack of effective management justifies it.

There are also other licensing conditions that may be appropriate, as explained below. This may be appropriate where the premises may have children present and it is not primarily a place for consuming alcohol. For example a restaurant or a Cinema.

Of course, it is not necessary to restate the existing law in relation to any licensing conditions.

Licensing Policy

The policy recognises that children need to be protected (**See Section 9 of the Licensing Policy**).

The Licensing Policy expects applicants to have sought appropriate advice from the Area Child Protection Agency. (**See 9.3**).

The following are examples of premises that will raise concern:

- Where there have been convictions for serving alcohol to minors or with a reputation for underage drinking
 - With a known association with drug taking or dealing
 - Where there is a strong element of gambling on the premises
 - Where entertainment of an adult or sexual nature is provided
 - Where irresponsible drinking is encouraged or permitted
- (**See 9.4**).

The Licensing Authority expects all applicants who are supplying alcohol to have addressed the issues relating to the protection of children from harm, and to have robust measures in place to protect children. (**See Section 9.9**)

The policy expects all licence holders to comply with the Portman Group Code of Practice, and in particular the Retailer Alert Bulletin. (**See Section 9.8**).

The Licensing Authority will consider attaching conditions to protect children and these may include Conditions drawn from the Model Pool of Conditions relating to Protecting Children from Harm. (**See Appendix 2 Annex H of the Licensing Policy**). In particular Members may wish to consider the following: (this list is not exhaustive):

- Restricting access to premises where heavy or binge or underage drinking is a problem
- Restricting access where significant gambling, or adult entertainment is an issue
- There is a general presumption that where the public are allowed on a premises after 11pm children under 12 will not be allowed unaccompanied by an adult (for example a supermarket)-the applicant can however rebut this
- Restrictions may be applied at particular times, for example when adult entertainment takes place or “happy hours”
- Age restrictions that apply to cinema performances
- Age restrictions for theatres where the entertainment is “adult”
- Conditions relating to the safety of children at performances, or as performers-such as venue, fire safety, special effects and dangerous equipment
- The Portman Code relating to the naming, packaging and promotion of alcoholic drinks

Licensing Act 2003 (Part 7)

The Licensing Act 2003 only permits under 16 years olds onto premises exclusively or primarily used for the supply of alcohol when accompanied by adults.

Children under 16 years old must be accompanied by an adult to be present between midnight and 5am on all premises supplying alcohol.

Restaurants may serve wine, beer or cider for consumption to 16-18 year olds with a meal-this is the only significant exception to the prohibition of selling alcohol to minors, and the purchase itself must be by an adult.

The Licensing Act 2003 makes it a criminal offence to serve alcohol to minors (there is however a defence of due diligence). Applicants are always free to exclude minors if they wish to do so.

Other Legislation

The Children (Performances) Regulations 1968 sets out the requirements for protecting child performers

Appendix 21

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 22

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 14.8 of the Licensing Policy)

In considering the applicability of framework 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 14.9 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 23

Special Cumulative Impact Policy for the Brick Lane and Bethnal Green Area

- 19.1 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 for the Brick Lane area was adopted on 18th September 2013 by the Council and came into effect on the 1st November 2013.
- 19.2 After consultation the Council recognised that because of the number and density of licensed premises selling alcohol, on and off the premises and the provision of late night refreshment (sale of hot food after 11pm) within the Brick Lane Area 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.
- 19.3 The Council Cumulative Impact Zone (CIZ) was reviewed alongside this Statement of Licensing Policy by the Licensing Committee on 14th December 2017. Following this review and consultation in early 2018 the Council has decided to keep the Cumulative Impact Zone (CIZ). Local crime mapping showed that although there had been a reduction in crime and disorder linked to licensed premises within the CIZ since January 2015, the same crime mapping showed that the area of the CIZ is still higher than average in regards to crimes and disorder linked to licensed premises compared to the rest of the borough.

Further to the CIZ in the Brick Lane Area shown in Figure One below, data from 999/101 calls to Police in 2016/17 showed a large number of incidents linked to licensed premises within the area shown in Figure Two below (Bethnal Green Area). In light of this evidence and following consultation mentioned above the Council has decided to adopt a second CIZ in the Bethnal Green Area.

- 19.4 The Licensing Authority is 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 Figures One and Two is having a cumulative impact on the licensing objectives and has therefore declared a cumulative impact zone within these areas. The Brick Lane and Bethnal Green CIZ aims to manage the negative cumulative impact of the concentration of licensed premises in these areas and the stresses that the saturation of licensed premises has had on local amenity, environmental degradation and emergency and regulatory services in managing this impact.
- 19.5 The effect of this Special Cumulative Impact Policy will affect applications in respect of the sale or supply of alcohol on or off the premises and/or late Night Refreshment for the following:

- New Premises Licences applications,
- New Club Premises Certificates applications
- Provisional Statements,
- Variation of Premises Licences and Club Premises Certificate applications (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity).

The Licensing Authority expects such applications to have regard for and make reference to the CIZ.

19.6 The Special Cumulative Impact policy creates a rebuttable presumption that where relevant representations are received by one or more of the responsible authorities and/or other persons against applications within the CIZ zones the application will be refused.

19.7 Where representations have been received in respect to applications within the CIZ zones the onus is on applicants to adequately rebut the presumption. Applicants will need to demonstrate in their applications why the granting of their application will not negatively add to the cumulative already experience within the CIZ Zones. Applicants may wish to address the following in their applications:

- Genuinely exceptional circumstances,
- Relevant good practices they employ (for example, this could include details of membership of local Pubwatch/other trade groups,
- Accreditation of Award Schemes (as applicable), and any participation in Police/Council initiatives),
- Other good operational/practice arrangements in respect of any outside drinking and smoking to control potential impact in the area,
- Measures used to promote the licensing objectives (for example, any relevant conditions to control noise, dispersal, litter and other anti-social issues).

19.8 This Policy will be strictly applied and where relevant representations are received it is the view of the Council that the application will be refused. Applicants will need to demonstrate that there are exceptional circumstances and that granting their application will not negatively add to the cumulative effect on the Licensing Objectives within the Brick Lane and Bethnal Green CIZ if they wish to rebut this presumption.

Examples of factors the Licensing Authority may consider as exceptional may include, though are not limited to:

- small premises with a capacity of fifty persons or less who only intend to operate during Framework Hours,
- premises which are not alcohol led and operate only within Framework Hours, such as coffee shops,

- instances where the applicant has recently surrendered a licence for another premises of a similar size and providing similar licensable activities in the same Special Policy Area.

Examples of factors the Licensing Authority will **not** consider as exceptional include:

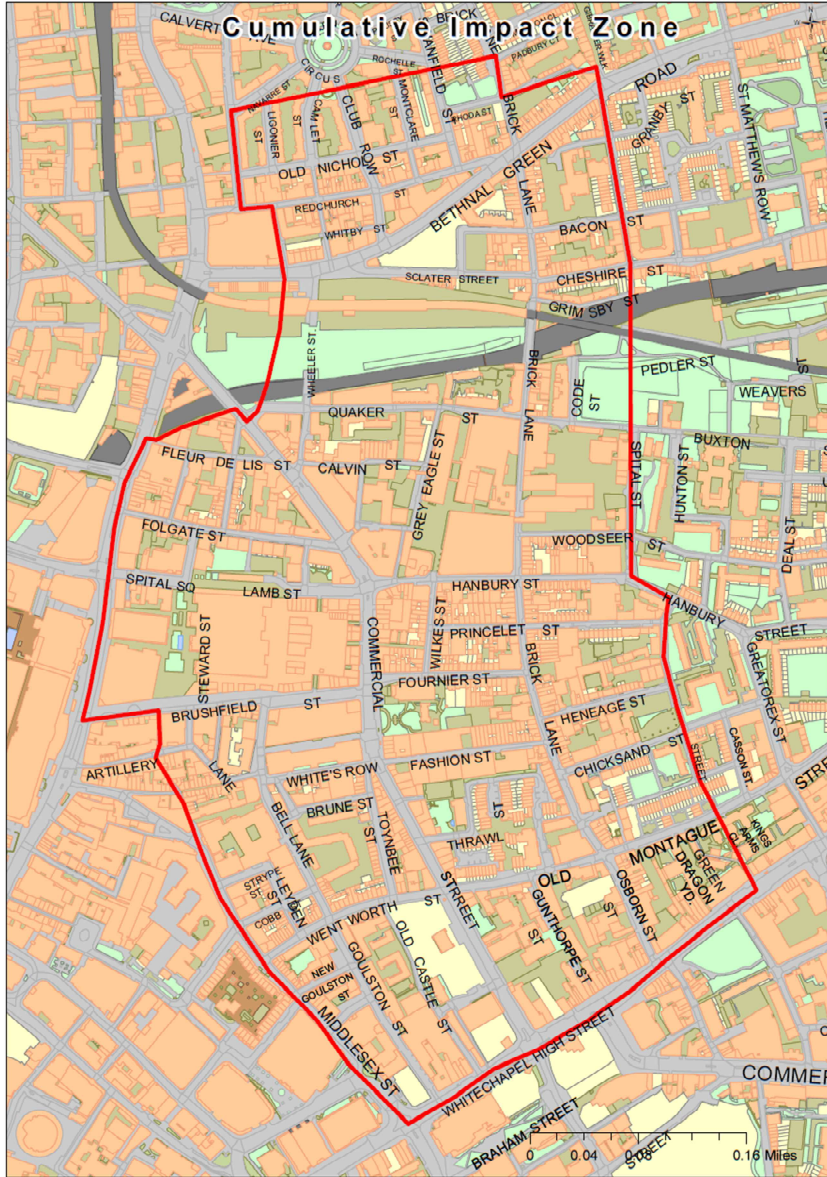
- that the premises will be well managed and run,
- that the premises will be constructed to a high standard,
- that the applicant operates similar premises elsewhere without complaint.

19.9 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.

The Cumulative Impact Zones:

Figure One

Brick Lane area:



Reproduction of the CIE map by permission of the City of London Corporation. Copyright 2011.