

Appendix 1



LICENSING ACT 2003

FOR OFFICE USE

RECEIPT / INVOICE NO.	FEE REQUIRED:	Date:	Initials:
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This form should be completed and forwarded to: Licensing Section, Mulberry Place (AH), PO BOX 55739, 5 Clove Crescent, London E14 1BY with a cheque for the correct fee, made payable to the London Borough of Tower Hamlets.

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I/We (Insert name(s) of applicant) **Bengal Bites Ltd t/a Black Stone**

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

Part 1 – Premises details

Ground Floor and Basement,
159 Commercial Street
London

LBTH
LOADING STANDARDS
- 3 NOV 2010
LICENSING

Post town London	Post code E1 6BJ
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Telephone number at premises (if any)

None Currently

Non-domestic rateable value of premises

£62,000.00

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick byes

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

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

Surname

First names

I am 18 years old or over

Please tick b yes

☐

**Current postal
address if different
from premises
address**

Post Town

Postcode

Daytime contact telephone number

**E-mail address
(optional)**

SECOND INDIVIDUAL APPLICANT (if applicable)

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

Surname

First names

I am 18 years old or over

Please tick b yes

☐

**Current postal
address if different
from premises
address**

Post Town

Postcode

Daytime contact telephone number

**E-mail address
(optional)**

B) OTHER APPLICANTS

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

Name Bengal Bites Ltd t/a Black Stone
Address Unit 5, 20 High Street, E15 2PP
Registered number (where applicable) 06878389
Description of applicant (for example partnership, company, unincorporated association etc) Limited Company
Telephone number, if any Use agent's number 0207 739 2800
E-mail (optional) Use agent's office@spaceprojects.co.uk

Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year			
1	7	1	2	2	0	1	0

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

Day		Month		Year			

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

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

The premises is located on the ground floor and basement of 159 Commercial Street E1 6BJ. The premises currently has planning consent for A3 use (reference PA/09/00669) Consented opening hours are 11:00 – 23:00 Mon – Thurs, 11:00 – 00.00 Fri and Sat, 11:00 – 22:00 Sun and bank holidays.
The restaurant will be known as Black Stone, serving an Asian fusion cuisine.

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

Provision of regulated entertainment

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

Provision of entertainment facilities for:

- | | |
|--|--------------------------|
| i) making music (if ticking yes, fill in box I) | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j)
(if ticking yes, fill in box K) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box L) ☐ ✓

Supply of alcohol (if ticking yes, fill in box M) ☐ ✓

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both - please tick (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue			State any seasonal variations for performing plays (please read guidance note 4)		
Wed			Non standard timings. Where you intend to use the premises for performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of a film take place indoors or outdoors or both - please tick (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue			State any seasonal variations for exhibition of films (please read guidance note 4)		
Wed			Non standard timings. Where you intend to use the premises for exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<p><u>Please give further details here</u> (please read guidance note 3)</p> <p><u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)</p> <p><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			<p><u>Will the Boxing or wrestling entertainment take place indoors or outdoors or both - please tick</u> (please read guidance note 2)</p>	Indoors	
Day	Start	Finish		Outdoors	
Mon			<p><u>Please give further details here</u> (please read guidance note 3)</p>	Both	
Tue			<p><u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)</p>		
Wed					
Thur			<p><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance)		
Tue			State any seasonal variations for the performance of live music (please read guidance note 4)		
Wed			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	✓
Day	Start	Finish		Outdoors	
				Both	
Mon	11:00	23:00	Please give further details here (please read guidance note 3) Recorded music will be played in the restaurant areas as a background to create suitable ambience. It will be tape / digital loop type of arrangement, played at an ambient level to be non intrusive to conversation. It will not be DJ performance type.		
Tue	11:00	23:00	State any seasonal variations for playing recorded music (please read guidance note 4) New Year's Eve / New Year's Day		
Wed	11:00	23:00	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) None		
Thur	11:00	23:00			
Fri	11:00	23:59			
Sat	11:00	23:59			
Sun	11:00	22:00			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place Indoors or outdoors or both – please tick (Y) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5) 5)		
Sat					
Sun					

H

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

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing <u>Will the facilities for making music be indoors or outdoors or both – please tick (Y) (please read guidance note 2)</u>		Indoor	
					Outdoor	
					Both	
Day	Start	Finish	Please give further details here (please read guidance note 5)			
Mon						
Tue						
Wed						
Thur						
Fri						
Sat						
Sun						
			State any seasonal variations for the facilities for making music (please read guidance note 4)			
			Non standard timings. Where you intend to use the premises for the facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)			

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Please give a description of the facilities for dancing you will be providing		
			Will the facilities for dancing be indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoor	
				Outdoor	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 4) State any seasonal variations for the facilities for dancing (please read guidance note 4) Non standard timings. Where you intend to use the premises for the facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing		
			Will the entertainment facility be indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoor	
				Outdoor	
				Both	
Day	Start	Finish	Please give further details here (please read guidance		
Mon					
Tue			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or K (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 4) The restaurant facility will be serving a menu of Asian fusion dishes. This may include Thai, Japanese and Chinese cuisine.		
Mon	11:00	22:30			
Tue	11:00	22:30	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) It is intended to stay open from midday on new years eve through to 4:00am on new years day.		
Wed	11:00	22:30			
Thur	11:00	22:30	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list (please read guidance note 5) It is intended to stay open from midday on new years eve through to 4:00am on new years day.		
Fri	11:00	23:30			
Sat	11:00	23:30			
Sun	11:00	21:30			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick [Y] (please read guidance note 7)	On the premises	✓
				Off the premises	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 4) Alcohol will only be served to diners partaking of food		
Mon	11:00	22:30			
Tue	11:00	22:30	State any seasonal variations for the supply of alcohol (please read guidance note 4) It is intended to stay open from midday on new years eve through to 4:00am on new years day.		
Wed	11:00	22:30			
Thur	11:00	22:30	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) It is intended to stay open from midday on new years eve through to 4:00am on new years day.		
Fri	11:00	23:30			
Sat	11:00	23:30			
Sun	11:00	21:30			

Box M continues on the next page...

Box M continued

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

Name

Alom Hussain

Address

Postcode

Personal Licence number(if known)

Issuing licensing authority (if known)

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

None

O

Hours premises are open to the public Standard timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4) It is intended to stay open from midday on new years eve through to 4:00am on new years day.
Day	Start	Finish	
Mon	11:00	23:00	Non standard timings. Where you intend to the premises to be open at different times to those listed in the column on the left, please list (please read guidance note 5) It is intended to stay open from midday on new years eve through to 4:00am on new years day.
Tue	11:00	23:00	
Wed	11:00	23:00	
Thur	11:00	23:00	
Fri	11:00	23:59	
Sat	11:00	23:59	
Sun	11:00	22:00	

P

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

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

There will be a clearly displayed notice legible from the outside of the premises showing the permitted licensed opening hours. This notice will also indicate restriction in terms of admission of children.

Maximum Occupancy – Strict controls will be in place at the door during busy periods to ensure that the maximum occupancy of 270 people including staff is not exceeded.

Numbers of patrons will be readily identified through the booking system and number of tables occupied. Once maximum occupancy is being reached the designated head of staff for the evening will be alerted. The doors will then be closed to incoming public. These members of the public will politely be refused entry with an explanation. During these times this member of staff will be SIA accredited.

Staff will be clearly identifiable by the use of armbands / uniforms / T shirts.

There will be a register of all staff on duty.

No member of staff will be under 16 years of age.

Staff members are trained to prevent the sale of alcohol to persons under the age of 18, and will ask for an accepted proof of age document when in doubt.

No member of the public will be permitted to leave the premises with a bottle or a glass that belongs to the premises.

Regular glass and bottle collections will be made throughout opening hours.

All glasses will be stamped with in accordance with weights and measures legislation.

b) The prevention of crime and disorder

CCTV will be provided at the entrance overlooking the street and internally to enhance the safety of public and staff. CCTV is recorded onto a hard disk. Recordings will be kept for a minimum of 30 days and made available to the Police or other responsible authorities on request.

When SIA doormen are required, they will be employed at the ratio of 1:100.

The premises will operate a strict anti illegal drugs policy with an objective of securing as far as reasonably practicable, the safety of patrons and staff.

c) Public safety

Numbers of occupants will be strictly controlled in order to ensure adequate means of escape are maintained.

A log-book will be kept on the premises to record all inspections made by statute and information compiled to comply with any public safety condition attached to the premises license.

All parts of the premises and installations will be kept clean and maintained in good safe working order.

All staff will have regular training to cover procedures following an emergency and general safety precautions.

The premises will be adequately lit and there will be an emergency lighting installation designed in accordance with relevant codes of practice.

d) The prevention of public nuisance

Suitable notices will be provided at the exit to request the co-operation of patrons, in particular to make as little noise as possible when leaving the premises.

Patrons will be asked to disperse quickly when leaving late at night and not linger in the streets outside talking.

The movement of bins and rubbish and bottles to outside the premises will not be permitted between 23:00 and 07:00 hours.

Bins are housed in a dedicated enclosed area to prevent litter being blown around.

Regular maintenance will be carried out on all plant and machinery to ensure that operating noise levels are kept within manufacturer's levels.

Deliveries will be made between the hours of 08:00 and 20:00 hours

Smells from cooking will be filtered through air handling equipment prior to being discharged.

The premises is fully mechanically ventilated, this will prevent noise break out from open windows.

Entrances onto the street are lobbied to prevent noise break-out.

There is a dedicated waiting area inside the restaurant for patrons waiting for taxis or incoming patrons waiting for a table to be prepared. This is to prevent the need for patrons to wait outside and potentially cause nuisance through loud conversation / obstructing the pavement.

Waiting customers will be offered a sugar free sweet and complimentary coffee this will discourage talking.

There will be a suggested taxi service that will be briefed on where to collect patrons from and not to use the car horn to attract attention.

3 Staff will be SIA trained for door control at extremely busy times of year.

The pavement outside the restaurant frontage will be regularly inspected and cleaned.

There will be no live music or live entertainment of any kind.

The music played will be ambient looped type played as background only. The sound system will be fitted with a suitable approved noise limiting device. Maximum music noise levels will be set and agreed beforehand with the Environmental Protection Division.

There will be no touting on the street or the use of A boards and suchlike that can cause obstructions to pedestrian traffic.

The premises is undergoing an acoustic test to identify what if any measures need to be implemented to ensure the premises will comply with Tower Hamlets noise pollution directives.

e) The protection of children from harm

Staff members are trained to prevent the sale of alcohol to persons under the age of 18, and will ask for an accepted proof of age document when in doubt.

No member of staff will be under 16 years of age.

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

CHECKLIST:

- | | Please tick b yes |
|--|-------------------------------------|
| ▪ I have made or enclosed payment of the fee | <input checked="" type="checkbox"/> |
| ▪ I have enclosed the plan of the premises | <input checked="" type="checkbox"/> |
| ▪ I have sent copies of this application and the plan to responsible authorities and others where applicable | <input checked="" type="checkbox"/> |
| ▪ I have enclosed the consent form completed by the individual I wish to be Premises Supervisor, if applicable | <input checked="" type="checkbox"/> |
| ▪ I understand that I must now advertise my application | <input checked="" type="checkbox"/> |
| ▪ I understand that if I do not comply with the above requirements my application will be rejected | <input checked="" type="checkbox"/> |

Part 4 – Signatures (please read guidance note 10)

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

Signature of applicant or applicant's solicitor or other duly authorised agent. (See guidance note 11) If signing on behalf of the applicant please state in what capacity.

Signature



Date

03-11-2010

Capacity Agent for Bengal Bites t/a Black Stone

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12) If signing on behalf of the applicant please state in what capacity.

Signature

Date

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Martin Howells
Space Project Ltd
57 Charlotte Road

Post town
London

Post code
EC2A 3QT

Telephone number (if any)
0207 739 2800

If you would prefer us to correspond with you by e-mail your e-mail address (optional)
office@spaceprojects.co.uk

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day, e.g. Christmas Eve.
6. Please 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.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please 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, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Appendix 2

Mr Moshin Ali,
Senior Licensing Officer
London Borough of Tower Hamlets
Licensing Section
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent,
London E14 1BY

3rd November 2010

email

Dear Mr Ali,

RE; - 159 COMMERCIAL STREET, LONDON E1 6BJ – Black Stone Restaurant

Further to our conversations, please find attached revised premises licence application for the above.

Following a large number of public representations against partial change of use from A3 to A4, my client has decided to solely pursue the consented restaurant side of the business from the above address. This application reflects that and the requested licensed opening hours have been brought in line with the consented opening hours for the existing A3 use.

It became apparent during discussions for the previous licence application with Alan Cruickshank and Derrick Harrington that there was a nervousness in regard to occupancy figures. The occupancy figures contained within this application have decreased by some 367 to 270 People. The revised plans also reflect solutions to concerns raised in that meeting. The entrances from Commercial St have been lobbied to prevent noise breakout, there is a dedicated holding / waiting area for patrons waiting to be collected by taxi, the high density bar areas have been replaced with lower density restaurant seating. We would still welcome further debate on these matters and any other concerns that the responsible authorities may have.

Please don't hesitate to contact me should anything require further clarification.

Kind regards,

Martin Howells

Cc

Derrick Harrington	LBTH
Alan Cruickshank	Met
Trading Standards	
LFB	
Beth Elite	LBTH
Thomas Doyle	LBTH
Andy Bower	LBTH
Jane Cooke	LBTH
David Tolley	LBTH

FAO Mohshin Ali
Tower Hamlets
Licensing Section
Mulberry Place
PO Box 55739
5 Clove Crescent
London E14 1BY

11th November 2010

Your Ref: TSS/LIC/043778/MA

Dear Sir,

RE: 159 Commercial Street, E1 6BJ. Premises License Application

Following a constructive meeting on site with Derrick Harrington and Alan Cruickshank yesterday, please find attached our client's amended operating schedule and hours of service.

Please don't hesitate to call me with any queries,

Kind regards

Martin Howells

C.c.

Derrick Harrington	LBTH
Alan Cruickshank	The Met
Thomas Doyle	LBTH
Andy Bower	LBTH
Jane Cooke	LBTH
David Tolley	LBTH
Paul Stewart	LFB
Trading Standards	LBTH

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance) The restaurant facility will be serving a menu of Asian fusion dishes. This may include Thai, Japanese and Chinese cuisine.		
Mon	11:00	22:30			
Tue	11:00	22:30	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) It is intended to stay open from midday on new years eve through to 4:00am on new years day.		
Wed	11:00	22:30			
Thur	11:00	22:30	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list (please read guidance note 5) It is intended to stay open from midday on new years eve through to 4:00am on new years day.		
Fri	11:00	23:30			
Sat	11:00	23:30			
Sun	11:00	21:30			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick [Y] (please read guidance note 7)	On the premises	✓
				Off the premises	
				Both	
Day	Start	Finish	Please give further details here (please read guidance) Alcohol will only be served to diners partaking of food		
Mon	11:00	22:30			
Tue	11:00	22:30	State any seasonal variations for the supply of alcohol (please read guidance note 4) It is intended to stay open from midday on new years eve through to 4:00am on new years day.		
Wed	11:00	22:30			
Thur	11:00	22:30	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) It is intended to stay open from midday on new years eve through to 4:00am on new years day.		
Fri	11:00	23:30			
Sat	11:00	23:30			
Sun	11:00	21:30			

Box M continues on the next page...

Box M continued

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

Name

Address

Personal Licence number(if known)

Issuing licensing authority (if known)

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

None

O

Hours premises are open to the public Standard timings (please read guidance note 6)			<u>State any seasonal variation</u> (please read guidance note 4) It is intended to stay open from midday on new years eve through to 4:00am on new years day.
Day	Start	Finish	<u>Non standard timings. Where you intend to the premises to be open at different times to those listed in the column on the left, please list</u> (please read guidance note 5) It is intended to stay open from midday on new years eve through to 4:00am on new years day.
Mon	11:00	23:00	
Tue	11:00	23:00	
Wed	11:00	23:00	
Thur	11:00	23:00	
Fri	11:00	23:59	
Sat	11:00	23:59	
Sun	11:00	22:00	

P

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

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

There will be a clearly displayed notice legible from the outside of the premises showing the permitted licensed opening hours. This notice will also indicate restriction in terms of admission of children.

Maximum Occupancy – Strict controls will be in place at the door during busy periods to ensure that the maximum occupancy of 270 people including staff is not exceeded.

Numbers of patrons will be readily identified through the booking system and number of tables occupied. Once maximum occupancy is being reached the designated head of staff for the evening will be alerted. The doors will then be closed to incoming public. These members of the public will politely be refused entry with an explanation. During these times this member of staff will be SIA accredited.

Staff will be clearly identifiable by the use of armbands / uniforms / T shirts.

There will be a register of all staff on duty.

No member of staff will be under 16 years of age.

Staff members are trained to prevent the sale of alcohol to persons under the age of 18, and will ask for an accepted proof of age document when in doubt.

No member of the public will be permitted to leave the premises with a bottle or a glass that belongs to the premises.

Regular glass and bottle collections will be made throughout opening hours.

All glasses will be stamped with in accordance with weights and measures legislation.

b) The prevention of crime and disorder

CCTV will be provided at the entrance overlooking the street and internally to enhance the safety of public and staff. CCTV is recorded onto a hard disk. Recordings will be kept for a minimum of 30 days and made available to the Police or other responsible authorities on request.

When SIA doormen are required, they will be employed at the ratio of 1:100.

The premises will operate a strict anti illegal drugs policy with an objective of securing as far as reasonably practicable, the safety of patrons and staff.

c) Public safety

Numbers of occupants will be strictly controlled in order to ensure adequate means of escape are maintained.

A log-book will be kept on the premises to record all inspections made by statute and information compiled to comply with any public safety condition attached to the premises license.

All parts of the premises and installations will be kept clean and maintained in good safe working order.

All staff will have regular training to cover procedures following an emergency and general safety precautions.

The premises will be adequately lit and there will be an emergency lighting installation designed in accordance with relevant codes of practice.

d) The prevention of public nuisance

Suitable notices will be provided at the exit to request the co-operation of patrons, in particular to make as little noise as possible when leaving the premises.

Patrons will be asked to disperse quickly when leaving late at night and not linger in the streets outside talking.

The movement of bins and rubbish and bottles to outside the premises will not be permitted between 23:00 and 07:00 hours.

Bins are housed in a dedicated enclosed area to prevent litter being blown around.

Regular maintenance will be carried out on all plant and machinery to ensure that operating noise levels are kept within manufacturer's levels.

Deliveries will be made between the hours of 08:00 and 20:00 hours

Smells from cooking will be filtered through air handling equipment prior to being discharged.

The premises is fully mechanically ventilated, this will prevent noise break out from open windows.

Entrances onto the street are lobbied to prevent noise break-out.

There is a dedicated waiting area inside the restaurant for patrons waiting for taxis or incoming patrons waiting for a table to be prepared. This is to prevent the need for patrons to wait outside and potentially cause nuisance through loud conversation / obstructing the pavement.

Waiting customers will be offered a sugar free sweet and complimentary coffee this will discourage talking.

There will be a suggested taxi service that will be briefed on where to collect patrons from and not to use the car horn to attract attention.

3 Staff will be SIA trained for door control at extremely busy times of year.

The pavement outside the restaurant frontage will be regularly inspected and cleaned.

There will be no live music or live entertainment of any kind.

The music played will be ambient looped type played as background only. The sound system will be fitted with a suitable approved noise limiting device. Maximum music noise levels will be set and agreed beforehand with the Environmental Protection Division.

There will be no touting on the street or the use of A boards and suchlike that can cause obstructions to pedestrian traffic.

The premises is undergoing an acoustic test to identify what if any measures need to be implemented to ensure the premises will comply with Tower Hamlets noise pollution directives.

e) The protection of children from harm

Staff members are trained to prevent the sale of alcohol to persons under the age of 18, and will ask for an accepted proof of age document when in doubt.

No member of staff will be under 16 years of age.

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

CHECKLIST:

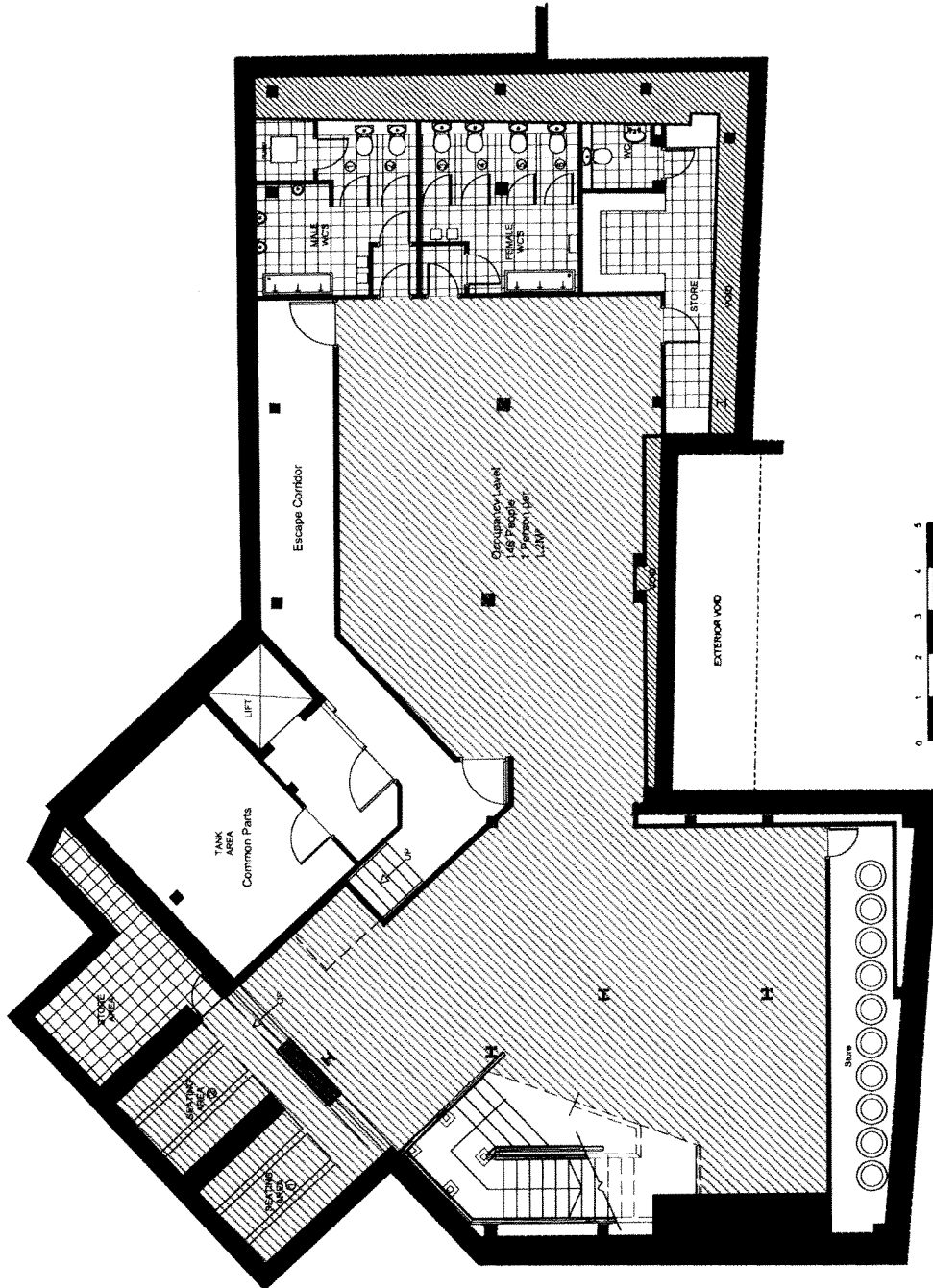
Please tick b yes

- I have made or enclosed payment of the fee ☒
- I have enclosed the plan of the premises ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable ☒
- I have enclosed the consent form completed by the individual I wish to be Premises Supervisor, if applicable ☒
- I understand that I must now advertise my application ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒



Project	BLACK STONE
Client	BLACK STONE Restaurant
Address	180 COMMERCIAL STREET LOS ANGELES, CA 90012
Architect	BDS
Scale	1/8" = 1'-0"
Sheet	1001
Date	JUL 10 1998
Drawn by	DA
Checked by	DA
Approved by	DA

Notes:
 1. See Section 1002 for details of the building structure.
 2. See Section 1003 for details of the building structure.

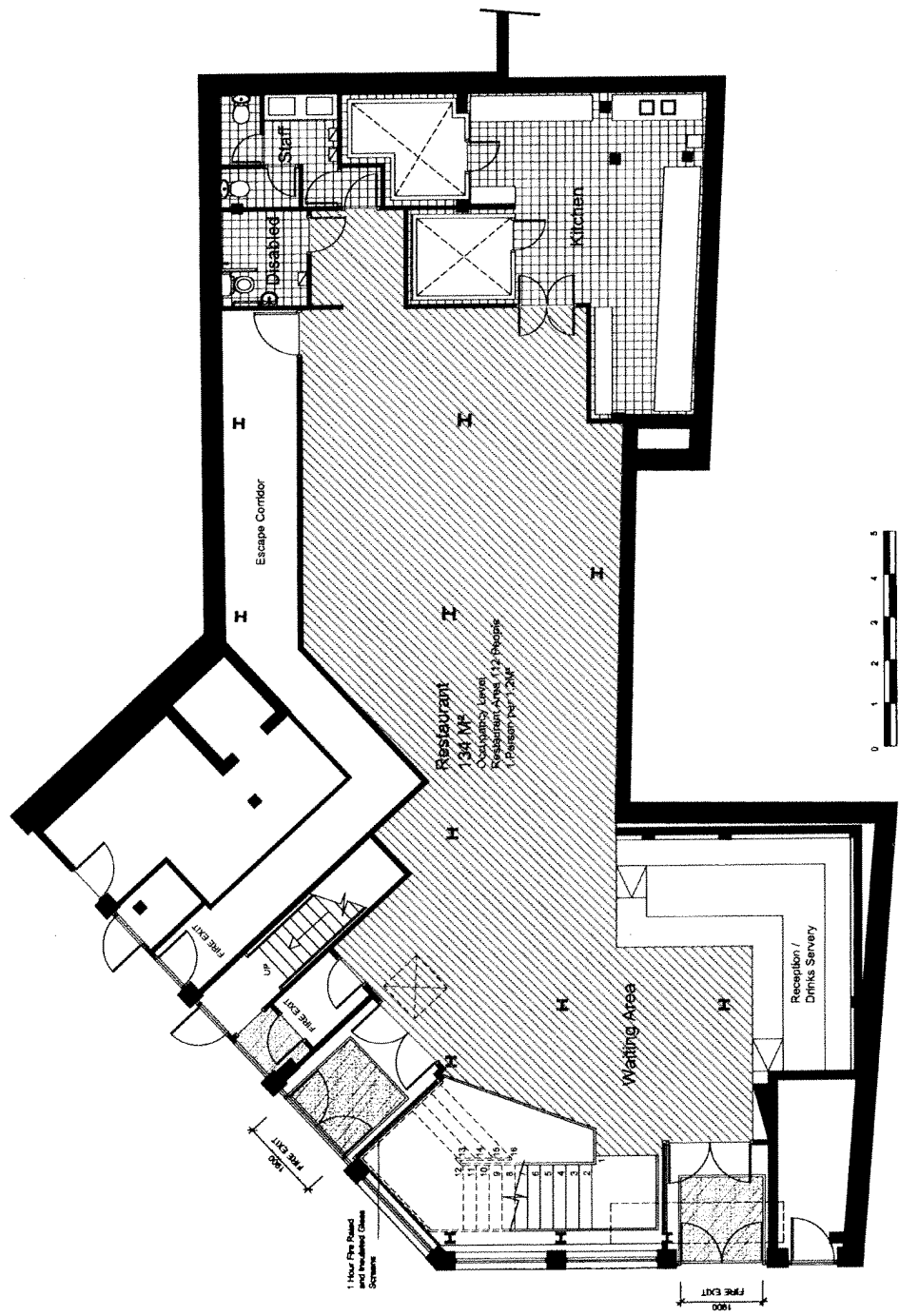


1. All drawings are the property of the Architect and shall remain his property. 2. No part of this drawing may be reproduced without the written consent of the Architect. 3. This drawing is to be used for the purpose of the contract only and is not to be used for any other purpose.

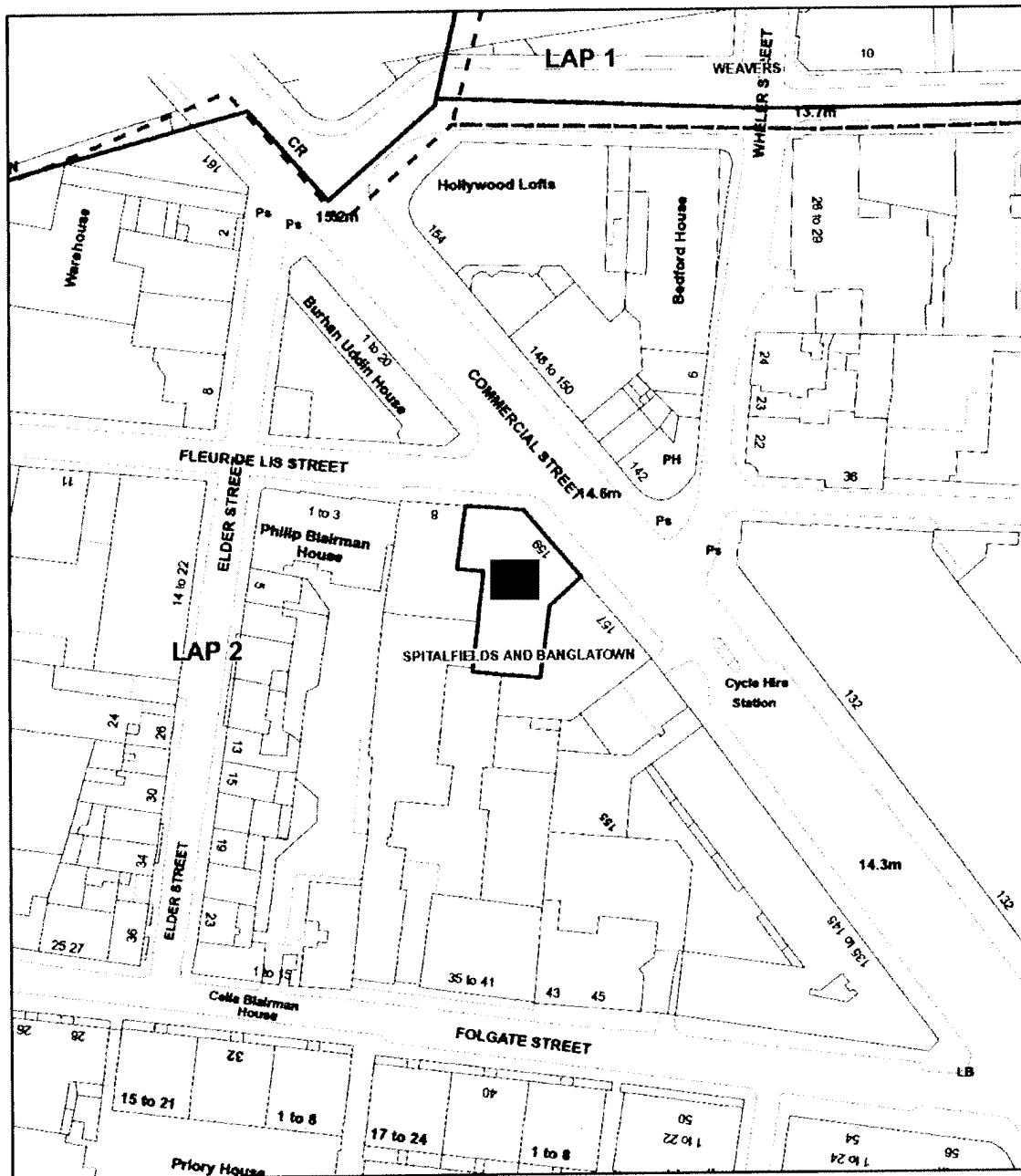


Client	BLACK STONE
Project	BLACK STONE RESTAURANT
Address	100, COMMERCE STREET LONDON E1 1NA
Room	GROUND FLOOR
Scale	1:500
Author	J.M.
Checker	J.M.
Date	10.1.2011

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Appendix 3



Blackstone


159 Commercial Street

N




Scale 1:999

10 0 10 20 30

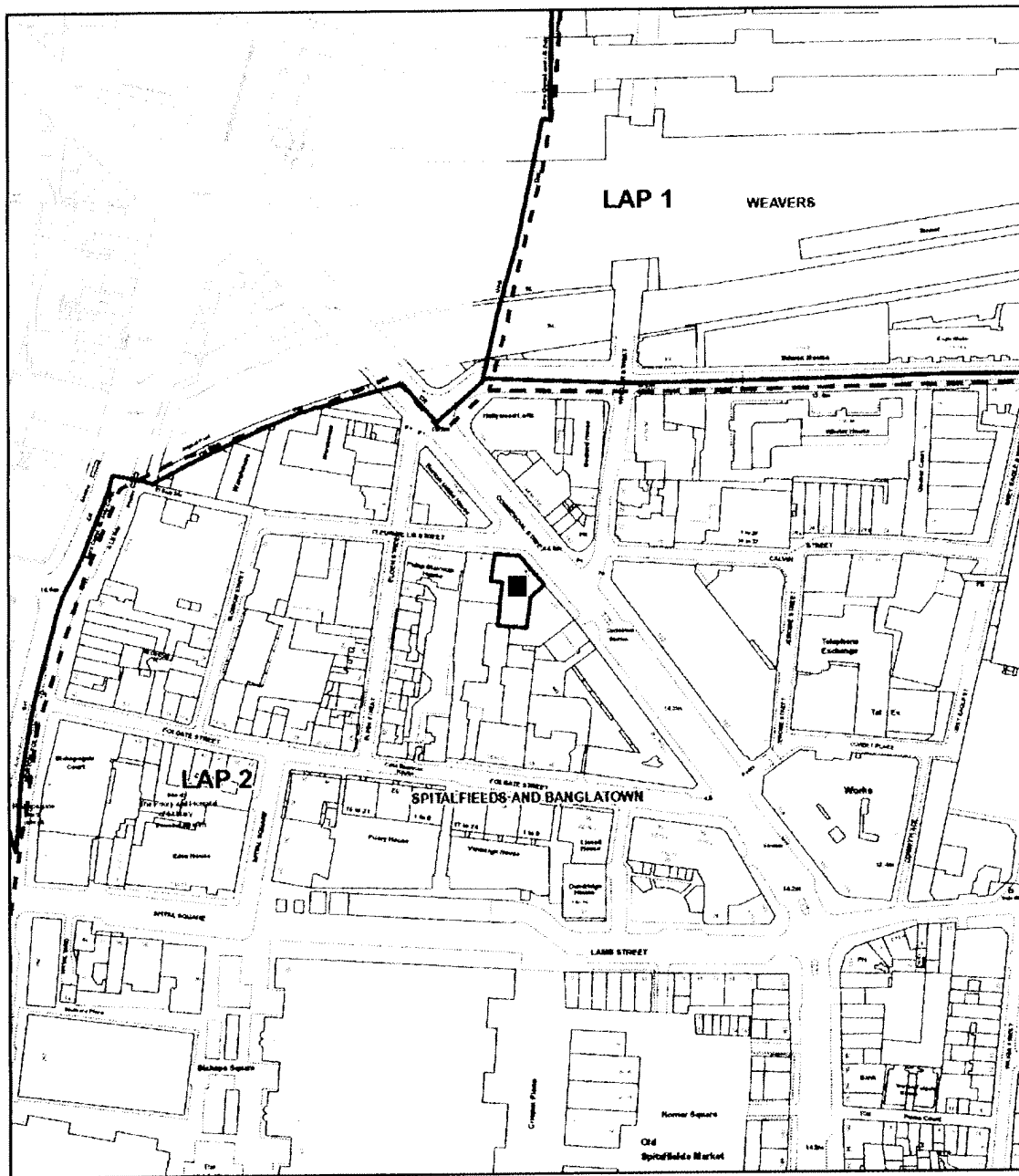


Metres



TOWER HAMLETS

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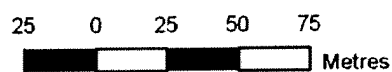


Blackstone

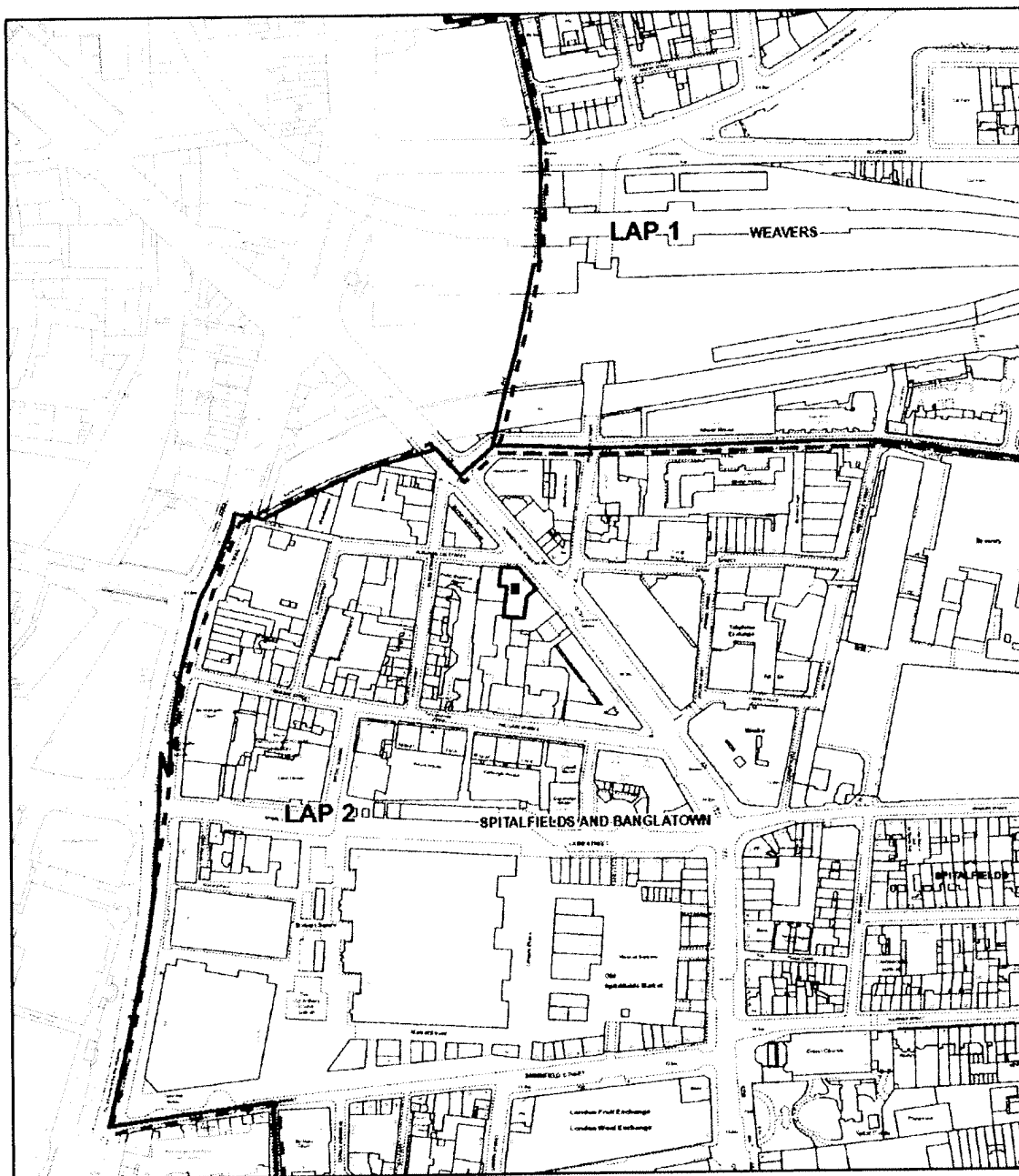
159 Commercial Street



Scale 1:2321



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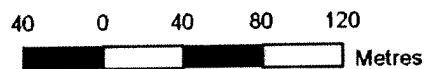


Blackstone

159 Commercial Street



Scale 1:3331



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Appendix 4

Section 182 Advice by the Home Office

Updated October 2010

Relevant, vexatious and frivolous representations

- 9.8 A representation would only be “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 businessman which argued that his business would be commercially damaged by a new licensed premises would not be relevant. On the other hand, a representation that nuisance caused by the new premises would deter customers from entering the local area and the steps proposed by the applicant to control that nuisance were inadequate would be relevant. There is no requirement for an interested party or responsible authority to produce a recorded history of problems at a premises to support their representations, and in fact this would not be possible for new premises. Further information for interested parties about the process for making representations is available in “Guidance for interested parties: Making representations” which can be found on the Home Office website.
- 9.9 The “cumulative impact” on the licensing objectives of a concentration of multiple licensed premises may also give rise to a relevant representation when an application for the grant or variation of a premises licence is being considered, but not in relation to an application for review which must relate to an individual premises.
- 9.10 It is for the licensing authority to determine whether any representation by an interested party is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. Vexation may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Frivolous representations would be essentially categorised by a lack of seriousness. An interested party who is aggrieved by a rejection of their representations on these grounds may challenge the authority's decision by way of judicial review.

- 9.11 Licensing authorities should not take decisions on whether representations are relevant on the basis of any political judgement. This may be difficult for ward councillors receiving 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 subcommittee before any decision is taken that necessitates a hearing. Any ward councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.
- 9.12 The Home Secretary recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it. If it then emerged, for example, that the representation should not be supported, the licensing authority could decide not to take any action in respect of the application.
- 9.13 Licensing authorities should consider providing advice on their websites about how any interested party can make representations to them.

Appendix 5

List of representations: Blackstone, 159 Commercial Street, London E1 6BJ

Name	Address 1	Address 2	Address 3	Address 4	Appendix
Clancey Shlockenhorror					6
Philip Kenyon					7
Mr A and Mrs Gill Orbell					8
Mrs H and Mr E Bagshaw					9
D Nanson and K Savides					10
Andy Bridger					11
Tessa Abineri					12
Lucinda de Jasay					13
Katrina Bradley					14
E-Sinn Soong					15
Chetun Patel					16
Foquerul Amin Noor					17
Eriko Miyazaki-Ross					18
Lynn Richardson					19
Donna Dewick					20
Jack Spiegler on behalf of M. Burgess					21
Mr S M Brewer					22
Alexandra Davidson					23
Carlo Maria Ciaroni					24
Sally Barrow and Sian O'Flaherty					25
Allison Burns					26
Kenneth Theron					27
Jenny Maslin					28
Nora Heard					29
David & Lynda Snowdon					30
Frank Pickard					31
Martin Pepperell					32
Claire & Ian Melia					33
Andrew Collingwood					34
Matthew Hayhurst					35

Appendix 6

Mohshin Ali

From: Clancey Clancey [REDACTED]
Sent: 02 December 2010 18:13
To: Kathy Driver
Cc: Clancey Clancey
Subject: 159 Commercial Street changing use and opening hours and alcohol licence

Dear Ms Driver,

I believe I have already voiced objections, on behalf of myself, and the residents that I represent, but just in case, here is a second email from me.

I live next door to this large venue and have already experienced issues with the building and the people who use this building. Previously, when wedding parties were held here, the noise from the customers, turning up, parking, smoking outside and leaving, was beyond belief. And this was when it didn't even have an alcohol licence! Also, with the excavation and work on the basement, I have already experienced vibrations coming through to my home and not only have cracks appeared in my walls and two large pictures fallen and smashed, but now, in the room next to this venue, I can no longer close any doors, as the movement has meant that doorframes have come away from the walls. If you think this is pure fantasy, I will ask for a copy of the surveyors report to be sent to you.

In this building, in Fleur de Lis Street/Elder Street, we have elderly residents, residents who are not well, children and people who need to get up at a reasonable time in the morning to go to work; all have a right to peace and quiet in their homes and the right to a good nights sleep. We already experience some noise from customers leaving local establishments, but having such a large alcohol selling establishment immediately next door, would prevent us from being able to enjoy the comfort of our homes. What on earth is someone doing building such a large alcohol selling venue right next door to residential properties and in a conservation area?

Where are the customers going to park? Where will they smoke? Where will they hang out when they go outside to drink their cheap alcohol and take their drugs? Outside where I and other people live! Unfortunately, none of these claims are exaggerations, as we have already experienced all of these things and this venue being turned into a bar and having a late licence will only add to any existing issues.

I, and other residents, spent many hours, over several years, dealing with issues raised by other venues in the area and we don't want to return to the bad old days. Already prostitutes have started to congregate outside this venue in an effort to establish their pitches before this place is up and running. This is not acceptable for a residential area.

We have Christmas and New Year on their way and I and others would like to enjoy our Christmas time, not be kept awake all through the night because the building next door wants to sell alcohol to the wee small hours.

So to summarise, I and the residents, object to music being played until it can be proven

08/12/2010

that the vibrations and noise from the venue, both ground and basement level cannot be heard, or felt, in our properties. We also object to the change of venue from restaurant to bar, as we believe this will cause too many problems for local residents and will be a drain on council/government funds in an effort to control customers with, or without, police. We also object to granting of any late licences. We're not happy with such a large venue having any alcohol licence, but to grant it that and to grant it later opening hours is seen by many who live here, as the beginning of the end for this area to be considered residential, as it will no longer be a place that decent people can live in.

Yours sincerely,

Clancey Schlockenhorror
Secretary of Newlon Housing Association's Residents' Association



Appendix 7

Mohshin Ali

From: Jacqueline Randall on behalf of licensing
Sent: 02 December 2010 11:37
To: Mohshin Ali
Subject: FW: Licence application, 159 Commerical St

Jackie Randall
Acting Licensing Services Manager

London Borough of Tower Hamlets
Licensing Section
Mulberry Place (AH)
PO Box 55739
2 Clove Crescent
London E14 1BY

Tele: 0207 364 5109/5008
Fax: 0207 364 0863

From: Philip Kenyon [mailto:]
Sent: 01 December 2010 23:10
To: licensing
Subject: Licence application, 159 Commerical St

Dear Sir/Madam,

I am writing to object to the above licence application. The entire area is saturated with licensed premises which has resulted in crime and anti-social behaviour on an extraordinary scale, particularly at weekends. Shouting, fighting, vomiting and public urinating are the standard fare from many of the visitors to these premises when they fall out into the streets afterwards, sometimes so drunk they can hardly stand up. This is completely unacceptable for the growing number of residents and businesses in the area, many of whom have young families.

Enough is enough! I respectfully request that this licence be refused.

Kind regards,

Philip Kenyon
[Redacted Signature]

02/12/2010

Appendix 8

Mohshin Ali

From: [REDACTED]
Sent: 01 December 2010 23:28
To: Mohshin Ali
Subject: PLANNING APPLICATION 159 COMMERCIAL STREET E1
Attachments: 159 Commercial Street Planning refusal request.doc

I attach my request for refusal of the above application for Premises Licence for Ground Floor & Basement of 159 Commercial Street London E1.

Gill Orbell

02/12/2010

**Re Planning Application ref 043778
159 Commercial Street E1**

We wish to raise objections against the Premises Licence Application for sale of alcohol
Midnight Sun-Weds & 2.00 am Fri & Sat.

As owners of Flat [REDACTED] Commercial we are very alarmed, as yet another
establishment with application directly affects our property and those around.

We object on several points and ask for absolute refusal due to :

1. Increased noise due to expansion and later operating restaurant.
2. Music and crowd noise transference to flats directly above the restaurant.
3. Noisy customers leaving after 02.30 (2.00am plus 30 mins "winding down time"
calling/whistling for taxis etc.
4. Refuse disposal, including wheelie bins and stacking of bottles etc well after closing
time of 2.30am will be very noisy and disturb our sleep!
5. Smelly, overflowing eyesore, vermin magnet refuse bins obstructing our
pavements.
6. The massive capacity of this building will cause double or treble the noise and
nuisance of other close establishments of similar business.

The quality of living in these flats with this type of business being part of the building, will be
most detrimental due to increased noise and smell pollution, as well as encouraging more late
night drinking hours and people loitering in the street outside in the early hours of the morning.
We already have Hawksmoor, is directly under this residential block and surrounded by 100's
more homes and Boho Mexico

The Cloisters is listed by Tower Hamlets Environmental Health and Planning as a 'vulnerable
building (Grade II Victorian), not really equipped to house another late night music playing
venue.

I hope you will consider these points. Are there not grounds at night for people to sleep in
peace a reasonable amount of hours ?

Mr A and Mrs G Orbell

[REDACTED]

TEL [REDACTED]

Appendix 9

Mohshin Ali

From: CRA [REDACTED]
Sent: 30 November 2010 18:30
To: Jacqueline Randall; Kathy Driver
Cc: Mohshin Ali
Subject: 159 COMMERCIAL STREET, LONDON, E1. Licence APPLICATION
Importance: High
Follow Up Flag: Follow up
Due By: 01 December 2010 00:00
Flag Status: Red

Dear Licensing Team

RE: Application for a Premises Licence for Bengal Bites T/A Blackstone Ground Floor & Basement, 159 Commercial Street, London E1 6BJ

**To allow: Recorded Music; Late Night Refreshment & the Supply of Alcohol: -
11am – 23.00hrs Mon – Thurs; 11am – 23.59hrs Fri & Sat; 11am – 22.00hrs Sun & Bank Holidays;
With New Years Eve – Midday to 04.00hrs New Year's Day.**

We note the recent changes to this application – which now appears to seek to work within the constraints remaining; following Planning's welcome refusal of majority bar use & very late hours of operation. Whilst this Licence application is more restrained than it was; we still write in objection for the following reasons: -

159 Commercial Street remains a massive 2 floor venue; situated right at the centre of a largely residential community; so both capacity & position have the potential to cause substantial Public Nuisance. It's directly underneath 4 floors of residential flats; adjoining residential blocks each side (with flats at ground level in Fleur-de-Lis St); opposite & adjacent to hundreds more homes including our block; housing families with children & people who hold down demanding jobs in all walks of life. Due to capacity, even the sought hours of operation will impact on locals' lives; sleep & right to peaceful enjoyment of their homes due to the expected high numbers of customers coming & going during operation – unless reasonable Conditions are imposed to help reduce negative impact on our residential amenity.

159 has so far been an unsuccessful, unlicensed A3 restaurant but even on the few occasions it hosted weddings; having so many guests arriving, departing & milling about managed to cause on-street disturbance through-out operation but especially upon departure; when raised voices & car doors slamming were highly audible around the locale. Operating with any license, this will be even more problematic, as the large numbers will be more rowdy – people can't help but get louder after a few drinks; there's no public transport out of the area post midnight when it seeks to close at week-ends which will lead to an increase in noisy foot-traffic passing homes on surrounding streets; it's also on a Red Route; has no outside parking save in bays outside residential properties & side streets - so the noise of frequently arriving/departing customers & their vehicles will be right under our windows. Additionally pavements outside are narrow, offering no suitable access or egress for large crowds; which will also see significant numbers of smokers gathering under residential windows or in their doorways during operation.

01/12/2010

We & this entire area suffered years of well documented on-street Public Nuisance; Crime & Disorder due to the notorious former Edge (at 157) & its customers. It was also a 2 floor venue with a hidden basement that started its slide into lawlessness via such a normal licence. Despite the more restrained hours 159 now seeks; the residents of this area; know all too well from bitter experience; that any large venue with a basement – hidden from public scrutiny + large numbers of customers + alcohol = a Public Nuisance in the making. There is real concern that – like Edge - this basement will also be where customers retreat at close & we; the police & Council do not need a repeat of that particular lesson!

We also object to the hours sought on New Year's Eve. People will not be looking to eat on such a night to this hour but they will certainly be looking to drink – copiously & the prospect of having high numbers of rowdy customers spilling out under our windows at gone 4.00am is not a welcome prospect for anyone – let alone those who have an early start New Year's Day! This includes the high number of local residents (several of whom live in our block) who are due on duty early the same morning; such as doctors; nurses & other key workers plus many with children (we have an 18 month old living on our front facade). None of them will be looking to party until the early hours & they have a right to a decent night's sleep which they will be denied should 159 be allowed to operate so late.

Therefore, we ask the Licensing Committee to seriously consider all our concerns when deciding this matter. Our concerns are not speculation; Public Nuisance is a fact when a venue with a hidden basement sells alcohol; as proven to us all by Edge.

So to protect our residential amenity – please – if you grant this license only do so with suitable restrictions. To that end we'd like to suggest the following Conditions for the Committee's consideration: -

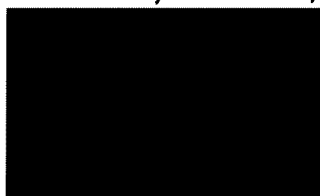
- That the basement should close to the public 30 minutes before the ground floor; to ensure drinkers do not retreat downstairs out of sight & to allow the large area to be cleared by close (The Hawksmoor Restaurant; now where Edge was at 157 – due to the vast history of noise problems – has to close its basement earlier than it does the ground floor)
- Sale of alcohol should finish half an hour before close to the public; to deter customers from lingering to finish-up
- New Year's Eve; sale of alcohol should finish at 12.30pm, with close to the public no later than 1.00am
- Service of food should finish an hour before close to the public; so that customers have time to complete a meal & noisy kitchen flues are switched off
- Playing of recorded music should cease at least 15 minutes before close to the public; to denote closing & further deter lingering
- No drinks should be taken outside by anyone; including smokers; to discourage noisy loitering under residents' windows
- A bin should be provided at the door for the safe & tidy disposal of cigarette butts
- Smokers should be deterred from sheltering in nearby residential doorways or from blocking the narrow pavement
- All windows & doors should remain closed during operation – even in summer
- No tables or chairs should be placed outside on the pavement
- No outside speakers should be employed to play recorded music
- Bottles should be disposed of quietly & well before 11pm if any bins are outside
- Notices should be displayed inside reminding customers that this is a residential

neighbourhood & that door staff should repeat the request as necessary.

In closing we sincerely hope that the Licensing Committee will see fit to impose such restrictions to protect us from this or any future operator of this licence & ensure we get a venue that will fit in considerably, to be a benefit, not a blight on our area.

Thank you for considering all these points in your deliberation.

Yours Truly – Mrs Hilary & Mr Eric Bagshaw



Appendix 10

Mohshin Ali

From: Jacqueline Randall
Sent: 29 November 2010 14:34
To: Mohshin Ali
Subject: FW: Application for Liquor licence Ref 043778
Follow Up Flag: Follow up
Due By: 01 December 2010 00:00
Flag Status: Red

Jackie Randall
Acting Licensing Services Manager

London Borough of Tower Hamlets
Licensing Section
Mulberry Place (AH)
PO Box 55739
2 Clove Crescent
London E14 1BY

Tele: 0207 364 5109/5008
Fax: 0207 364 0863

From: Dolores Rebello Savvides [mailto: [REDACTED]]
Sent: 29 November 2010 04:15
To: Jacqueline Randall
Subject: FW: Application for Liquor licence Ref 043778

From: Dolores Rebello Savvides [mailto: [REDACTED]]
Sent: 28 November 2010 06:50
To: 'kathy.driver@towerhamlets.gov.uk'; 'jacqueline.randall@tpwerhamlets.gov.uk'
Subject: FW: Application for Liquor licence Ref 043778

Dear Sir/Madam

*Amended Licence Application Details:

Application for a Premises Licence for Bengal Bites T/A Blackstone Ground Floor & Basement, 159 Commercial Street, London E1 6BJ

To allow: Recorded Music; Late Night Refreshment & the Supply of Alcohol with Close to the Public: -

11am – 23.00hrs Mon – Thurs; 11am – 23.59hrs Fri & Sat; 11am – 22.00hrs Sun &

01/12/2010

Bank Holidays; With New Years Eve – Midday to 04.00hrs New Year's Day.

We refer to the amended application above.

We object to the amended application:

1. The venue is still a massive one and unless its activities are restricted, it will create a nuisance in our neighbourhood.
2. The supply of alcohol should be terminated at least 30 minutes before closing time to prevent customers throwing back drinks at the last minute or are tempted to take them away.
3. Late night refreshment should also end earlier so that kitchen flues are offline and cannot linger.
4. The 4 am close on New Year's Day is excessive to residents who need their sleep for work whatever day it is

Please see our previous objection below

We trust our views will be considered

Yours faithfully

Dolores A Nanson and Katerina R. Savvides

[REDACTED]

From: Dolores Rebello Savvides [mailto:[REDACTED]]
Sent: 12 October 2010 07:34
To: 'Moshin.ali@towerhamlets.gov.uk'
Subject: Application for Liquor licence Ref 043778

Attn Mr Moshin Ali Licence Ref 043778

Application For a Premises Licence: Bengal Bites t/a Black Stone; Ground Floor & Basement 159 Commercial Street London E1 6BJ

**To Sell Alcohol; Play Recorded Music; Serve Food & Stay Open to The Public;
Sunday to Wednesday Midday to Midnight; Thursday to Saturday Midday to 2.00am
with 24hours Midday New Year's Eve to Midday New Year's Day.**

Dear Sir

As owners of [REDACTED] and [REDACTED]
[REDACTED], we strongly object to the granting of this Application for an Alcohol Licence on the grounds that if granted it will give rise to a Public Nuisance and Crime and Disorder in our area, thus destroying our wellbeing, safety and the enjoyment of the residential use of our properties.

The granting of the licence to premises with such a large number of potential customers will

01/12/2010

inevitably cause excessive noise, drunkenness, vandalism, rubbish etc. The previous business – Lahori Masala was an unlicensed A3 restaurant. Although generally empty it still managed to cause nuisance on a couple of occasions when hosting large weddings! Now we are facing the possibility of this site becoming a huge & late operating bar serving alcohol. We know all the problems that will bring as we experienced the problems in the area when Edge (previous tenants at 155 Commercial Street now Hawksmoor) were operating.

With the closing of Edge we had hoped that the nightmare of noisy people spilling into the street together with the confusion of taxis/mini-cabs /dustbins /bottles into the early hours of the morning had ended for good. In addition regarding our property at 157 Commercial Street, the small entrance to this property is inset off the pavement and will inevitably be prone to abuse by revellers in the form of smoking, drinking, vomiting, graffiti and urinating; we have just incurred considerable expense in redecoration of the entrance and the main door and already persons have vomited on our doorstep!

Apart from the reduction in value to our property, residents also need to earn a living and sleep is vital. We were under the impression that the immediate areas adjacent to both flats were primarily residential and we would very much like to keep it that way. We are also concerned for our security.

However well intentioned the applicants may be, they would not have jurisdiction over their customers once they had left the building and this concentration of well eaten and well drunken people would almost certainly become the focus of the same trouble we had with 'Edge' and we simply don't want that to happen.

We sincerely hope that you will take our comments into account in considering this ill considered application, which if successful, will significantly reduce our quality of life and the value of our properties.

Yours faithfully
Dolores A Nanson and Katerina R. Savvides



Appendix 11

Kathy Driver

From: Andy Bridger [REDACTED]
Sent: 19 November 2010 14:26
To: Mohshin Ali
Subject: Licensing Ref: 043778

Dear Mohshin Ali,

I am writing to you regarding licence request ref 043778 (application for a Premises Licence: Bengal Bites t/a Black Stone; Ground Floor & Basement 159 Commercial Street London E1 6BJ).

I understand the license request is to operate a bar with the operating hours of Sunday to Wednesday Midday to Midnight; Thursday to Saturday Midday to 2.00am with 24hours Midday New Year's Eve to Midday New Year's Day.

I would like to formally register my objection to this license request.

The vicinity of this property includes multiple, long existing residential properties, including my own [REDACTED]

My concern regarding this license request, to remain open after 11pm, is the public nuisance caused by the excessive additional noise pollution for the surrounding environment. From experience, for a period of at least 30 mins after closing there is noise from such any such establishment as the patrons leave (shouting, car horns etc). Especially on a week night, it is very unfair on the local residents (particularly children) if their sleep is disrupted past midnight.

Additionally, there is a risk that late night licenses can lead to an increase of low level crime and disorder, of which I have seen personal evidence when in the past, there was a late night bar operating in the area (which was ultimately shut down for a number of reasons). For example, it wasn't unusual to be awoken after 2am by exiting revellers fighting in the street (or police sirens as they arrived to calm the situation). Clearly the community are keen to prevent such disorder issues returning on a regular basis.

Spitalfields has become a mixed residential / socialising area; the residents would appreciate some balance when license requests are considered to help ensure neither party adversely impact one another.

Regards,
Andy Bridger

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25/11/2010

Appendix 12

Mohshin Ali

From: Jacqueline Randall
Sent: 29 November 2010 14:38
To: Mohshin Ali
Subject: FW: 159 Commercial Street - Licensing Ref: 043778

Jackie Randall
Acting Licensing Services Manager

London Borough of Tower Hamlets
Licensing Section
Mulberry Place (AH)
PO Box 55739
2 Clove Crescent
London E14 1BY

Tele: 0207 364 5109/5008
Fax: 0207 364 0863

From: Tessa Abineri [mailto:]
Sent: 27 November 2010 11:45
To: Jacqueline Randall
Cc: Mohshin Ali
Subject: 159 Commercial Street - Licensing Ref: 043778

159 Commercial Street
Licensing Ref: 043778

I am writing again, as I understand that Planning was refused for the above premises to change its use to "Bar", which is excellent news. However, some vital points still concern me.

The A3 Restaurant closing conditions could be satisfactory. However, with such a huge capacity involved, Licensing should be strict about other conditions to protect our residential community. For example, the supply of alcohol and late-night refreshments should finish at least 30 minutes before closing time.

Also, please do not allow particularly late opening on New Year's Eve/Day! This would be totally unacceptable for the residents who live anywhere near No. 159 – and that's a lot of people, many of whom have young families.

I live diagonally opposite this site which is in a densely populated residential area. My building has 100 residential flats. Immediately above, beside, behind and opposite

01/12/2010

159 Commercial Street are also residential areas. We have suffered enormous problems in the past, well known to the Council and to the Police, with establishments and/or opening hours which are not suitable for our area. This has resulted in the past to excessive noise, street brawling, drunkenness, extreme anti-social behaviour, traffic problems, police sirens, etc.

Once again, what I really mean is please do not let this Restaurant adversely affect our quality of life. This huge 2-floor venue has the potential to do just that. These operations in hidden basements could easily become an enormous Public Nuisance. The Council needs to have the foresight to control the Licensing appropriately to protect the many residents, as well as the Police – and the Council itself.

Thank you for your consideration of this letter.

Yours faithfully

Tessa Abineri



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Jacqueline Randall

From: Tessa Abineri [REDACTED]
Sent: 09 November 2010 12:55
To: Jacqueline Randall
Cc: Kathy Driver
Subject: FW: 159 Commercial Street - Licensing Ref: 043778

I am forwarding this to you in Mohshin Ali's absence. Kindly acknowledge receipt.

With thanks

Tessa Abineri

From: Tessa Abineri
Sent: 09 November 2010 12:49
To: 'mohshin.ali@towerhamlets.gov.uk'
Subject: 159 Commercial Street - Licensing Ref: 043778

159 Commercial Street
Licensing Ref: 043778

Dear Sir

While I am delighted to hear that planning has been refused for this site to operate as a majority A4 bar, I am writing because I am still very concerned about the application for sale of alcohol at that site until midnight from Sunday to Wednesday and until 2 a.m. on Fridays and Saturdays. I also feel strongly that no 24-hour licence should be allowed – even over New Year.

I live diagonally opposite this site which is in a densely populated residential area. My building has 100 residential flats. Immediately above, beside, behind and opposite 159 Commercial Street are also residential areas. We have suffered enormous problems in the past, well known to the Council and to the Police, with establishments and/or opening hours which are not suitable for our area. This has resulted in the past to excessive noise, street brawling, drunkenness, extreme anti-social behaviour, traffic problems, police sirens, etc.

The late sale of alcohol can only result in more problems for residents, Police and the Council. With the over-saturation of social venues in this area, we already have a great deal of late-night noise to contend with from the customers of many, many other establishments locally. It would be terrible and irresponsible to add to that problem unnecessarily. At least at the moment the establishments such as **Hawksmoor, The Commercial and Boho Mexica** are restricted to fairly reasonable hours. Please do not make an exception for No. 159.

09/11/2010

Please do whatever is necessary to prevent this restaurant affecting the quality of residents' lives, wreaking havoc for the local population (and for the Police and Council) – as history shows it could. We all deserve and require a decent night's sleep every night! Please be aware that our community needs the Council's protection from what could become a huge problem in the future for all of us. Prevention of "Public Nuisance" is surely one of your priorities.

Thank you for your consideration of this letter.

Yours faithfully

Tessa Abineri



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Appendix 13

Mohshin Ali

From: lucinda de jasay [REDACTED]
Sent: 02 November 2010 13:03
To: Mohshin Ali
Subject: Licensing Ref: 043778
Follow Up Flag: Follow up
Due By: 02 November 2010 00:00
Flag Status: Red

Dear Mr Mohshin

**Application For a Premises Licence: Bengal Bites t/a Black Stone; Ground Floor & Basement
159 Commercial Street London E1 6BJ**

**To Sell Alcohol; Play Recorded Music; Serve Food & Stay Open to The Public; Sunday to
Wednesday Midday to Midnight; Thursday to Saturday Midday to 2.00am with 24hours
Midday New Year's Eve to Midday New Year's Day.**

I am writing to object to the late hours that are being applied for this restaurant on this site for selling alcohol and playing music on grounds of noise and nuisance. This building has flats on all sides. It has been demonstrated by the nightclub next door that late hours and alcohol and music lead to an intolerable environment for those living nearby. I hope that the council will not grant this application.

Yours sincerely

Lucinda de Jasay
[REDACTED]

04/11/2010

Mohshin Ali

From: lucinda de jasay [REDACTED]
Sent: 01 December 2010 16:31
To: Kathy Driver
Cc: Jacqueline Randall
Subject: Application for a Premises Licence for Bengal Bites T/A Blackstone Ground Floor & Basement, 159 Commercial Street, London E1 6BJ

Dear Kathy Driver

Application for a Premises Licence for Bengal Bites T/A Blackstone Ground Floor & Basement, 159 Commercial Street, London E1 6BJ

To allow: Recorded Music; Late Night Refreshment & the Supply of Alcohol with Close to the Public: -

11am – 23.00hrs Mon – Thurs; 11am – 23.59hrs Fri & Sat; 11am – 22.00hrs Sun & Bank Holidays; With New Years Eve – Midday to 04.00hrs New Year's Day.

I am writing to you to object to the above application on grounds of noise and nuisance to neighbours who live in close proximity to this building on all sides. By granting a late night licence and allowing recorded music it is just asking for the same sort of problems that people in the area have had to endure with the night club next door and we do not wish that to happen in this building which has a huge capacity for people and an underground basement area. I hope that you will take my views into consideration.

Yours sincerely

Lucinda de Jasay
[REDACTED]

02/12/2010

Appendix 14

Mohshin Ali

From: Katrina [REDACTED]
Sent: 28 October 2010 22:12
To: Mohshin Ali
Subject: Licensing Ref: 043778
Importance: High
Follow Up Flag: Follow up
Due By: 01 November 2010 00:00
Flag Status: Red

Dear Sir,

I wish to complain about the above licensing application.

On numerous occasions my sleep has been disturbed by people leaving the local night spots clients leaving the club in the early hours of the morning, either on their way to Liverpool Street Station or Shoreditch High Street Station. People are not quiet as they come down the street, often shouting and screaming at each other.

I particularly dread the weekends, my sleep is frequently disturbed by people returning to their cars, which they frequently park, in Folgate Street, outside of my home. They are not quiet upon returning, there are often loud conversations, arguments, doors are slammed and car stereo systems on full blast. There appears to be little supervision from any of the club about policing the people leaving, and the fact that this is a residential area. If I have actually complained, I have had a torrent of abuse, cat calls and rude gestures. This is now a heavily populated residential area, and another such a club and its clients are not appropriate for the area.

In Folgate Street, we have fire gates part way down the street; these are frequently blocked by parked cars. This means that if the emergency services need to get access to the street, it will be difficult and could lead to a tragedy.

I hope this complaint will be taken into consideration by the panel, when they meet to discuss the granting of the license.

Yours faithfully

Katrina Bradley (Ms)

[REDACTED]
Tel: - [REDACTED]

Appendix 15

Mohshin Ali

From: e-sinn soong [REDACTED]
Sent: 27 October 2010 21:52
To: Mohshin Ali
Subject: 159 commercial st

Dear Mr. Ali,

Licensing Ref: 043778

Application For a Premises Licence: Bengal Bites t/a Black Stone; Ground Floor & Basement 159 Commercial Street London E1 6BJ

To Sell Alcohol; Play Recorded Music; Serve Food & Stay Open to The Public; Sunday to Wednesday Midday to Midnight; Thursday to Saturday Midday to 2.00am with 24hours Midday New Year's Eve to Midday New Year's Day.

I am writing to object to the application above, for the following reasons.

The Spitalfields area is already totally saturated with clubs, bars and restaurants. They stay open, legally - or illegally, there seems to be no effective enforcement or policing at all - all night or until very late into the night and attract very large numbers of people to the area. The anti-social behaviour of these people has a huge detrimental impact on us local residents. They shout and scream all night, they urinate and vomit against our walls, leave glasses and bottles lying around, often broken, they defecate between parked cars, take and trade drugs openly, and copulate against our doors. There is also a serious problem from the noise created by traffic, especially taxis which hoot their horns to attract trade.

If this application is not refused, this huge drinking establishment, open until 2am on most nights when we have to work or go to school the next day, will substantially exacerbate the already serious loss of amenity of local residents.

In addition, the premises does not currently have planning for these kinds of hours.

We urge you to refuse the application.

Yours sincerely,

[REDACTED]

28/10/2010

Appendix 16

Mohshin Ali

From: chetun patel [REDACTED]
Sent: 25 October 2010 10:53
To: Mohshin Ali
Subject: 159 Commercial Street - Objection to licensing application
Attachments: 159 Commercial Street - Licensing change



159 Commercial
Street - Licens...

Hello Mohshin,

I attach my objection to the proposed licensing change. Please let me know that you have received this application and nothing further is required within the application.

Regards,

● chetun

159 Commercial Street : A late licensing application

I own the property adjacent to the premises at [REDACTED]

I wish to make a representation.

The basis of my representation is determined on the following grounds:

- 159 Public Nuisance:** With enabling the premises to open later the risk of an increased noise nuisance is increased, which through this license application would go on until an acceptably late hour. There are a number of families in this built up residential area (I have a boy of three) and it would be intolerable to think of noise until the early hours disrupting the sleep of residents. With increased flow of people at these premises there is also likelihood of increased litter as a consequence of increased trade. Finally, with increased flow of people likely to be congregating outside it has been demonstrated previously that people will urinate outside the flats (as proven when Edge was open).
- 160 Crime and Disorder:** When we had the last premises, the Edge (illegally) open to late hours on 157 Commercial Street, I believe, there were a number of incidents regarding disorder which meant blood on the pavement most Saturday/Sunday mornings as well as the time demanded of the police in an already stretched area.
- 161 Public Safety:** There is no outside space on a narrow pavement with an exit out onto Fleur de Lis street. This will cause difficulty getting past smokers and people waiting to get into the premises. If this occurs on Fleur de Lis then the residents at this property will have difficulty getting into their residence coming.

Regards,

Mr Chetun Patel

Appendix 17

Mohshin Ali

From: Fokrul Amin [REDACTED]
Sent: 18 October 2010 14:07
To: Mohshin Ali
Subject: Reference Number 043778

RE: 159 Commercial Street planning permission reference number 043778

I would like to object to the above planning permission for the following reasons.

1. it will increase public disorder, e.g noise, shouting, fighting, traffic
2. it is too close to residential house (our house are not double glazed so all the noise comes in)
3. oppening times are late as a result not being able to sleep because of noise
4. resident parking will be impossible at nights as they will be taking up the spaces.
5. we had a lot of issues when the edge club was next to it, noise, traffic, roads closed because of fights.
6. we had difficulty walking on the pavement when the edge club was there, if this one opens we will have to walk on the road with my 3 months old baby.
7. prostitution will be outside my doorstep, (as it was very evident when the previous edge club was there)
8. we spent 8 years fighting to close the Edge club, we do not want to do the same for this one.
9. there is already a pub opposite side of the road and it is impossible to walk on that road because they overspil onto the road.
10. it will draw people from shorditch at late night because of late closing times.

please take into cosideration on all these reasons before you decide on this application.

Regards

Foquerul Amin Noor

[REDACTED]

[REDACTED]

19/10/2010

Appendix 18

Mohshin Ali

From: Nick Kemp
Sent: 18 October 2010 15:21
To: Mohshin Ali
Subject: FW: New premises licence application/variation of premises licence

-----Original Message-----

[REDACTED]
Sent: 15 October 2010 16:17
To: Nick Kemp
Subject: RE: New premises licence application/variation of premises licence

Dear Nick,

My full postal address is [REDACTED]

I live directly next door to the premises applying for a change in its premises licence. The entrance to my property is in fact, directly next door to the rubbish disposal area of this premises, and on a regular basis rubbish is left on the street outside my front door. I have complained about this in the past to the council but this problem is still ongoing. Given that they are unable to control the rubbish left on the street (which is a health and safety problem and generally unsightly) and the premises is not even open for business yet, I am left with no doubt in my mind, that this problem will only get worse when it opens and furthermore, they most likely will be unable to control the stream of intoxicated people entering and exiting the premises late at night as well as the noise (something that will undoubtedly disturb both myself and other residents). As a female who lives alone, I am not reassured by a late license establishment being located next to my property which will invariably lead to inebriated persons hanging around outside my home. On these grounds, I object to the proposed premises licence.

Kind Rgds,
Eriko Miyazaki-Ross

-----Original Message-----

From: Nick Kemp [mailto:Nick.Kemp@towerhamlets.gov.uk]
Sent: 15 October 2010 16:01
To: Miyazaki-Ross, Eriko: Research (LDN)
Subject: FW: New premises licence application/variation of premises licence

Dear Eriko,

To make a valid representation you need to provide some evidence of how you think the application will adversely effect you and your household.

The evidence has to be in relation to one or more of the licensing objectives; which are:

- * The prevention of crime and disorder.
- * Public Safety
- * The prevention of public nuisance
- * The protection of children from harm.

We cannot accept representations based upon a business or competition argument, or the lack of 'need' for the premises or the number of premises already in existence.

I also need your full postal address. The consultation for this application ends on 1st November, by which time we must have received your representation.

If you have any queries or if I can be of any further assistance do not hesitate to contact me.

Regards,

Nick Kemp
Nick Kemp - Licensing Officer
London Borough of Tower Hamlets | Licensing Section | Mulberry Place
(AH) | PO BOX 55739 | 5 Clove Crescent | London E14 1BY
Tel: 020 7364 7446 | Fax 2: 020 7364 0863 | E-mail ::
nick.kemp@towerhamlets.gov.uk

-----Original Message-----

From: Jacqueline Randall On Behalf Of licensing
Sent: 14 October 2010 18:59
To: Nick Kemp
Subject: FW: New premises licence application/variation of premises licence

Jackie Randall
Acting Licensing Services Manager

London Borough of Tower Hamlets
Licensing Section
Mulberry Place (AH)
PO Box 55739
2 Clove Crescent
London E14 1BY

Tele: 0207 364 5109/5008
Fax: 0207 364 0863

-----Original Message-----

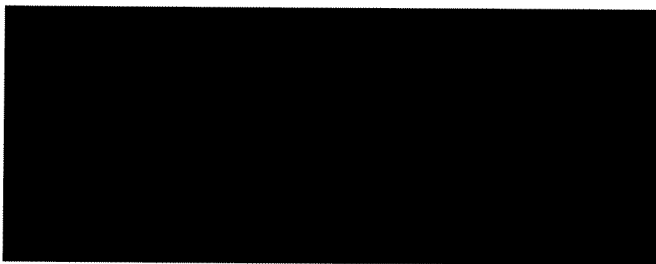
Sent: 13 October 2010 11:51
To: Jacqueline Randall; licensing
Subject: New premises licence application/variation of premises licence

Dear Jacqueline,

I recently received a letter from Tower Hamlets council regarding the application for a new/variation of a premises licence for 159 Commercial Street, E1 6BJ. I would like to object to this application and would be grateful if you could please inform me about the necessary procedures in order to do this.

Kind Regards,

Eriko Miyazaki-Ross



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Appendix 19

Mohshin Ali

From: Lynn Richardson [REDACTED]
Sent: 17 October 2010 08:55
To: Mohshin Ali
Subject: Basement 159 Commercial Street
Follow Up Flag: Follow up
Due By: 18 October 2010 00:00
Flag Status: Red

Licensing Ref 043778

As the owner of 2 flats in the Cloisters I write to object to the planning application above. I am amazed there is yet another application for a licence under this primarily residential block of flats.

I have owned one of my flats for 23 years and have seen many changes in the area for the better. The initial changes took the area from one that was dead in the evening with day time activity coming from the wholesales and the fruit and vegetable market. Gradually the area 'improved'. More residential accommodation was built/converted and mainstream shops opened up on Commercial Street.

It has now gone way over the top in terms of constant applications for late licences. This area is RESIDENTIAL - allowing a venue for over 600 people underneath a residential building and nearby many others will cause a public nuisance and a rise in crime and disorder.

This area should not be allowed to degenerate into a destination venue for late night drinkers. It is an area steeped in history with a vibrant community and this is going to be negatively impacted by huge late night drinking venues.

There is no way people can arrive and depart from such a venue without causing noise, roudiness, drunken behaviour, violence and public nuisance.

It is incumbent on the local council to protect the area as a RESIDENTIAL one. It has taken years to get it to where it is now but with bars like this it is going to become a hotbed of crime and disorder and a very unpleasant and dangerous place to live.

Yours sincerely

Lynn Richardson
[REDACTED]

18/10/2010