1.0 **Summary**

Applicant: James Coward  
Name and Pier Tavern  
Address of Premises: 299 Manchester Road  
London E14 3HN

Licence sought: Licensing Act 2003 variation  
Extending the hours for the sale of alcohol  
Additional regulated entertainment

Objectors: Local Residents  
Environmental Health  
LFEPA

2.0 **Recommendations**

2.1 That the Licensing Committee considers the application and objections then adjudicate accordingly.

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**LOCAL GOVERNMENT 2000 (Section 97) LIST OF “BACKGROUND PAPERS” USED IN THE DRAFTING OF THIS REPORT**

<table>
<thead>
<tr>
<th>Brief description of “background paper”</th>
<th>Tick if copy supplied for register</th>
<th>If not supplied, name and telephone number of holder</th>
</tr>
</thead>
<tbody>
<tr>
<td>File Only</td>
<td></td>
<td>Kathy Butler 020 7364 5171</td>
</tr>
</tbody>
</table>
3.0 Background

3.1 This is an application for a variation in a premises licence for the Pier Tavern, 299 Manchester Road, London E14 3HN.

3.2 A copy of the existing licence is enclosed for information in Appendix 1.

3.3 A copy of the variation application is enclosed as Appendix 2. The applicant has described the nature of the variation as follows:

- Extend the hours for the sale of alcohol
- Extend the hours of regulated entertainment

3.4 The hours that have been applied for are as follows:

**The sale of alcohol:**
- Monday to Wednesday from 12:00 hrs to 23:00 hrs
- Thursday from 12:00 hrs to 01:00 hrs the following day
- Friday and Saturday from 12:00 hrs to 03:00 hrs the following day
- Sunday from 12:00 hrs to 22:30 hrs

*In addition:*
- New Years Eve: 12:00 to 06:00 hrs the following day
- Sundays prior to Bank Holiday Monday: 12:00 to 03:00 hrs the following day

**Live Music:**
- Saturday from 20:30 to 00:30 hrs the following day

**Recorded Music:**
- 20:30 hrs to 01:00 hrs the following day

**Similar entertainment to include Karaoke/Sing along:**
- Thursday from 20:00 hrs to midnight

**Hours premises open to the public:**
- Monday to Wednesday from 12:00 hrs to 23:30 hrs
- Thursday from 12:00 hrs to 01:00 hrs the following day
- Friday and Saturday from 12:00 hrs to 03:30 hrs the following day
- Sunday from 12:00 hrs to 23:00 hrs

3.5 A map showing the relevant premises is included as Appendix 3.

4.0 Licensing Policy and Government Advice

4.1 The Council has adopted a licensing policy and this is available from the Licensing Section, and at the hearing. The policy was adopted by the Full Council on the 8 December 2004.

4.2 Relevant Sections of the policy are brought to the attention of Members within the Licensing Officers report.
4.3 The Government Minister, the Secretary of State for Culture, Media and Sport has issued Guidance under Section 182 of the Licensing Act 2003. This is available on the Government’s website, www.culture.gov.uk. It will also be available at the hearing.

4.4 Relevant Sections of this advice are brought to Members attention within the Licensing Officers report. Members should note however, than in some areas Tower Hamlets, after a proper consideration of local circumstances, has not followed the Government’s advice, or has developed it further.

5.0 Objections

5.1 This hearing is required by the Licensing Act 2003, because relevant representations have been made by the following responsible authorities:
   Local Residents – see Appendix 4 for list and Appendix 5-15 for representations
   Environmental Health Noise Team – See Appendix 16
   London Fire and Emergency Planning Authority - See Appendix17

5.2 The Metropolitan Police have not made representation however, they have agreed conditions with the Applicant which are to be attached to any licence granted. See Appendix 18.

5.3 All of the responsible authorities have been consulted about this application. They are as follows:
   • The Metropolitan Police
   • The LFEPA (the London Fire and Emergency Planning Authority).
   • Planning
   • Health and Safety
   • Noise
   • Trading Standards
   • Child Protection

5.4 In addition the application was required to be advertised in a local newspaper and by a blue poster. Only objections that relate to the following licensing objectives are relevant:
   • the prevention of crime and disorder
   • public safety
   • the prevention of public nuisance
   • the protection of children from harm

5.5 The objections cover allegations of
   • Anti social behaviour from patrons leaving the premises
   • Acting as a magnet attracting the young who then engage in anti-social behaviour
• Drug taking
• Noise while the premise is in use
• Disturbance from patrons leaving the premises on foot
• Disturbance from patrons leaving the premises by car
• Close proximity to residential properties
• Underage drinking or other harm to minors
• Noise leakage from the premises
• Public Safety

6.0 Licensing Officer Comments

6.1 Members are advised the Council's Licensing Policy states “the Licensing Authority will generally deal with the issue of licensing hours having due regard to the individual merits of each application. However, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents.”

6.2 The Licensing Section is not a responsible authority and therefore has no ability to make any relevant representations. The following therefore is intended simply to advise Members of the relevant aspects of the Boroughs Licensing Policy, guidance from the Secretary of State, legislation and good practice (See 6.2). Members may depart from the Council’s Licensing Policy and/or Government advice, provide they consider it appropriate to do so, and have clear reasons for their decision.

6.3 Guidance issued under section 182 of the Licensing Act 2003

❖ As stated in the guidance it is “provided for licensing authorities carrying out their functions.” It is a key mechanism for promoting best practice, ensuring consistent application and promoting fairness (1.4).

❖ Also “so long as the guidance has been properly and carefully understood and considered, licensing authorities may depart from it if they have reason to do so.” When doing so licensing authorities will need to give full reasons for their actions (2.3).

❖ Also Members should note “A Licensing Authority may depart from its own policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the licensing objectives.”

❖ Conditions may not be imposed for the purpose other than the licensing objectives. “For example, conditions relating to night café and take away outlets operating from 11pm must relate to the night time operation of the premises.”(S7.1)
Necessary conditions should emerge from a risk assessment by the applicant, which should then be reflected in the operating schedule (S.7.4).

The Licensing Authority may only impose such conditions as are necessary for meeting the licensing objectives.

In dealing with disability issues Members should look for conditions that are positively worded and assume the presence of people with disabilities.

Mandatory conditions must be imposed (7.67) and censorship avoided (7.69).

Routine conditions about drink promotions are not permitted but can be imposed in an appropriate circumstances (7.79). The Office of Fair Trading’s Advice also needs to be borne in mind.

In Letter to the Chief Executive from the DCMS 30 Sept 2005. There is no presumption in the Act for longer hours over objections from local people and organisations. When there are objections and the licensing committee believes that changing the hours would undermine the statutory licensing objectives, they can reject the application or grant it with appropriate conditions and/or different hours from those requested.

6.4 In all cases the Members should make their decision on the civil burden of proof, that is “the balance of probability.”

6.5 In all cases Members should consider whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.

6.6 In Appendices 19-26 Members are given general advice, and also have explanations of the Council’s Licensing Policy, Government advice and other legislation relating to the matters identified in 5.4.

7.0 Exemptions

7.1 There are a number of statutory exemptions from the operation of the Licensing Act 2003, and Members need to bear these in mind.

7.2 Schedule 1 Part 2 of the Act states that entertainment in churches, Morris dancing (and accompanying music if live and unamplified) and incidental music are not licensable activities—that is no conditions can be set for them.

7.3 Acts of religious worship, wherever performed are not licensable.
7.4 Section 177, (1) and (2) of the Act provides that where a premises (or club) is licensed for alcohol consumption on the premises and is primarily thus used, and the permitted capacity does not exceed 200, additional conditions relating to the music should only relate to public safety or the prevention of crime (or both). That is they should not relate to any "noise nuisance."

7.5 Section 177 (4) provides that where a premises licence (or club) has a capacity of not more than 200 and the only music is unamplified live music between 08 00 hrs and midnight, no additional conditions should be set relating to the music.

7.6 Section 177 can be disapplied on a licence review if it is proportionate to do so.

8.0 Legal Comments

8.1 The Council’s legal officer will give advice at the hearing.

9.0 Finance Comments

9.1 There are no financial implications in this report.

10.0 Appendices

Appendix 1 A copy of existing premises licence.
Appendix 2 A copy of the application for variation
Appendix 3 Maps of the area
Appendix 4 List of resident representations
Appendix 5-15 Representations of Local residents
Appendix 16 Environmental Health representation
Appendix 17 LFEPA representation
Appendix 18 Conditions agreed with Applicant and Police
Appendix 19 Licensing Officer comments on Anti-Social Behaviour
From Patrons Leaving The Premises
Appendix 20 Licensing Officer comments on Acting As A Magnet
Attracting The Young Who Then Engage In Anti-Social
Behaviour
Appendix 21 Licensing Officer comments on Drug Taking
Appendix 22 Licensing Officer comments on Noise while the premises
are in use
Appendix 23 Licensing Officer comments on Egress Problems
Appendix 24 Licensing Officer comments on Underage drinking or
other harm to minors
Appendix 25 Licensing Officer comments on Noise leakage from the
premises
Appendix 26 Licensing Officer comments on Safety problems
Appendix 1
(The Pier Tavern)
299 Manchester Road
London
E14 9HN

Licensable Activities authorised by the licence
The sale by retail of alcohol

See the attached licence for the licence conditions

Signed by
John Cruse
Team Leader Licensing

Date: 03/10/05

FOR OFFICE USE

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<th>Initial</th>
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</table>
Part A - Format of premises licence

Premises licence number 10812

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description
(The Pier Tavern)
299 Manchester Road

<table>
<thead>
<tr>
<th>Post town</th>
<th>Post code</th>
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<tr>
<td>London</td>
<td>E14 9HN</td>
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</table>

<table>
<thead>
<tr>
<th>Telephone number</th>
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<tbody>
<tr>
<td>0207 515 9528</td>
</tr>
</tbody>
</table>

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities

Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

a. On weekdays, other than Christmas Day, Good Friday or New Year’s Eve, 11 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).

For conditions re. "drinking up time" see Annex 1 Mandatory Conditions

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.

The opening hours of the premises

There are no restrictions on the hours during which this premises is open to the public

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies.

On and off sales
Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence
Andrew Garratt & Neil Rice
299 Manchester Road
London
E14 9HN
0207 515 9528

Registered number of holder, for example company number, charity number (where applicable)
N/A

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol
James Coward
(The Pier Tavern)
299 Manchester Road
London
E14 9HN

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal Licence No: 10799
Issuing Authority: London Borough of Tower Hamlets

Annex 1 - Mandatory conditions

No supply of alcohol may be made under the premises licence-

a) at a time where there is no designated premises supervisor in respect of the premises licence, or

b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence
On Sales
Alcohol shall not be sold or supplied except during permitted hours.
In this condition, permitted hours means:
a. On weekdays, other than Christmas Day, Good Friday or New Year’s Eve, 11 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).

Note: However, New Year’s 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 Year’s Eve and 11am on New Year’s Day.

The above restrictions do not prohibit:
(a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
(b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
(c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
(d) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
(e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
(f) the sale of alcohol to a trader or club for the purposes of the trade or club;
(g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty’s naval, military or air forces;
(h) the taking of alcohol from the premises by a person residing there; or
(i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
(j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

Hot food and hot drinks may be sold for up to thirty minutes after the end of normal permitted hours.

Off Sales
Alcohol shall not be sold in an open container or be consumed in the licensed premises.
Alcohol shall not be sold or supplied except during permitted hours.
The above restrictions do not prohibit:
(a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
(b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
(c) the sale of alcohol to a trader or club for the purposes of the trade or club;
(d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

**Children in Bars**

No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
(1) He is the child of the holder of the premises licence.
(2) He resides in the premises, but is not employed there.
(3) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
(4) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition “bar” includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

**Private Entertainment**

The premises may be used for the following purpose, that is to say, dancing, music, or other entertainment of the like kind which-

- a) is not a public entertainment but
- b) is promoted for private gain

**Public Entertainment**

Public Entertainment consisting of music and singing provided solely by the reproduction of recorded sound

**Annex 2 - Conditions consistent with the operating Schedule**

None

**Annex 3 - Conditions attached after a hearing by the licensing authority**

Not applicable

**Annex 4 - Plans**

The plans are those submitted to the licensing authority on the following date:

05 Aug 2005
**Part B - Premises licence summary**

<table>
<thead>
<tr>
<th>Premises licence number</th>
<th>10812</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Premises details</strong></td>
<td></td>
</tr>
<tr>
<td>Postal address of premises, or if none, ordnance survey map reference or description</td>
<td>(The Pier Tavern) 299 Manchester Road</td>
</tr>
<tr>
<td><strong>Post town</strong></td>
<td><strong>Post code</strong></td>
</tr>
<tr>
<td>London</td>
<td>E14 9HN</td>
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<tr>
<td><strong>Telephone number</strong></td>
<td>0207 515 9528</td>
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<tr>
<td>Where the licence is time limited the dates</td>
<td>N/a</td>
</tr>
<tr>
<td><strong>Licensable activities authorised by the licence</strong></td>
<td>The sale by retail of alcohol</td>
</tr>
<tr>
<td><strong>The times the licence authorises the carrying out of licensable activities</strong></td>
<td>These are not restricted</td>
</tr>
</tbody>
</table>
The opening hours of the premises

a. On weekdays, other than Christmas Day, Good Friday or New Year’s Eve, 11 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).

See full licence for drinking up time

Name, (registered) address of holder of premises licence

Andrew Garratt
299 Manchester Road
London
E14 9HN

Neil Rice
299 Manchester Road
London
E14 9HN

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

On and off

Registered number of holder, for example company number, charity number (where applicable)

N/A

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

James Coward

State whether access to the premises by children is restricted or prohibited

No
This form should be completed and forwarded to:
London Borough of Tower Hamlets,
Licensing Section, Mulberry Place (AH), PO Box 55739,
5 Clove Crescent, London E14 1BY.

Application to vary a premises licence 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 [NAME] (Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

<table>
<thead>
<tr>
<th>Premises licence number:</th>
<th>10812</th>
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</table>

**Part 1 – Premises Details**

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<th>Postal address of premises or, if none, ordnance survey map reference or description</th>
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<td>THE PIER TAVERN</td>
</tr>
<tr>
<td>299 MANCHESTER RD</td>
</tr>
<tr>
<td>LONDON</td>
</tr>
</tbody>
</table>

**| Post town | Post code |
<table>
<thead>
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<tbody>
<tr>
<td></td>
<td>E14 3HN</td>
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**Telephone number at premises (if any):** 02075159528

**Non-domestic rateable value of premises:** £ 17,000
Part 2 – Applicant details

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<tr>
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<tr>
<td>Current postal address if different from premises address</td>
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</table>

<table>
<thead>
<tr>
<th>Post Town</th>
<th>Postcode</th>
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</table>

Part 3 - Variation

Do you want the proposed variation to have effect as soon as possible? [ ]

If not, when do you want the variation to take effect from?

<table>
<thead>
<tr>
<th>Day</th>
<th>Month</th>
<th>Year</th>
</tr>
</thead>
</table>

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

As a popular public house and restaurant situated on a main road in a largely residential area, we aim to provide a local option for the many young professionals in the area on weekends that is safe and successful. It is a 3-storey building with beer garden, fully detached on a corner of a main road and a side road leading to a busy city farm and park.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend
Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

a) plays (if ticking yes, fill in box A)

b) films (if ticking yes, fill in box B)

c) indoor sporting events (if ticking yes, fill in box C)

d) boxing or wrestling entertainment (if ticking yes, fill in box D)

e) live music (if ticking yes, fill in box E)

f) recorded music (if ticking yes, fill in box F)

g) performances of dance (if ticking yes, fill in box G)

h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities:

i) making music (if ticking yes, fill in box I)

j) dancing (if ticking yes, fill in box J)

k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P
### Plays

**Standard days and timings (please read guidance note 6)**

<table>
<thead>
<tr>
<th>Day</th>
<th>Start</th>
<th>Finish</th>
<th>Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)</th>
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<td>Wed</td>
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<td>State any seasonal variations for performing plays (please read guidance note 4)</td>
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<tr>
<td>Thur</td>
<td></td>
<td></td>
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<td>Fri</td>
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<td></td>
<td>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)</td>
</tr>
<tr>
<td>Sat</td>
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<tr>
<td>Sun</td>
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### Films

**Standard days and timings (please read guidance note 6)**

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<th>Start</th>
<th>Finish</th>
<th>Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)</th>
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</thead>
<tbody>
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<td>Please give further details here (please read guidance note 3)</td>
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<td>Tue</td>
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<tr>
<td>Wed</td>
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<td>State any seasonal variations for the exhibition of films (please read guidance note 4)</td>
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<td>Thur</td>
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<td>Fri</td>
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<td>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)</td>
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<tr>
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</tbody>
</table>

Please give further details (please read guidance note 3)

State any seasonal variations for indoor sporting events (please read guidance note 4)

Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
<table>
<thead>
<tr>
<th>Day</th>
<th>Start</th>
<th>Finish</th>
<th>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)</th>
<th>Indoors</th>
<th>Outdoors</th>
<th>Both</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mon</td>
<td></td>
<td></td>
<td>Please give further details here (please read guidance note 3)</td>
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<td>Tue</td>
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<tr>
<td>Wed</td>
<td></td>
<td></td>
<td>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)</td>
<td></td>
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<tr>
<td>Thur</td>
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<tr>
<td>Fri</td>
<td></td>
<td></td>
<td>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</td>
<td></td>
<td></td>
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<tr>
<td>Sat</td>
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</tbody>
</table>
### Live Music

<table>
<thead>
<tr>
<th>Day</th>
<th>Start</th>
<th>Finish</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mon</td>
<td></td>
<td></td>
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<td>Tue</td>
<td></td>
<td></td>
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<tr>
<td>Sat</td>
<td>20:30</td>
<td>00:30</td>
</tr>
<tr>
<td>Sun</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Will the performance of live music take place indoors or outdoors or both – please tick

<table>
<thead>
<tr>
<th></th>
<th>Indoors</th>
<th>Outdoors</th>
<th>Both</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>✔</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Please give further details here (please read guidance note 3)

LIVE SINGERS WITH BACKING MUSIC, SOMETIMES WITH AN INSTRUMENT E.G. GUITAR, MAX. 2 SINGERS / 2-MAN BAND, AMPLIFIED

State any seasonal variations for the performance of live music (please read guidance note 4)

### Recorded Music

<table>
<thead>
<tr>
<th>Day</th>
<th>Start</th>
<th>Finish</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mon</td>
<td></td>
<td></td>
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<td>Tue</td>
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<tr>
<td>Wed</td>
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<tr>
<td>Thur</td>
<td></td>
<td></td>
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<tr>
<td>Fri</td>
<td>20:30</td>
<td>1:00</td>
</tr>
<tr>
<td>Sat</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sun</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Will the playing of recorded music take place indoors or outdoors or both – please tick

<table>
<thead>
<tr>
<th></th>
<th>Indoors</th>
<th>Outdoors</th>
<th>Both</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>✔</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Please give further details here (please read guidance note 3)

A DJ PLAYING RECORDS, AMPLIFIED

State any seasonal variations for the playing of recorded music (please read guidance note 4)

### Non-Standard Timings

Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column above, please list (please read guidance note 5)

- BANK HOLIDAY SUNDAYS
- CHRISTMAS EVE/New Year
- MARATHON DAY
<table>
<thead>
<tr>
<th>Day</th>
<th>Start</th>
<th>Finish</th>
<th>Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mon</td>
<td></td>
<td></td>
<td>Please give further details here (please read guidance note 3)</td>
</tr>
<tr>
<td>Tue</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wed</td>
<td></td>
<td></td>
<td>State any seasonal variations for the performance of dance (please read guidance note 4)</td>
</tr>
<tr>
<td>Thur</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fri</td>
<td></td>
<td></td>
<td>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)</td>
</tr>
<tr>
<td>Sat</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sun</td>
<td></td>
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</tr>
</tbody>
</table>
Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)

<table>
<thead>
<tr>
<th>Day</th>
<th>Start</th>
<th>Finish</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mon</td>
<td></td>
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<tr>
<td>Tue</td>
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<tr>
<td>Wed</td>
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<tr>
<td>Thur</td>
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<td>Fri</td>
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<tr>
<td>Sat</td>
<td></td>
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<tr>
<td>Sun</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Please give a description of the type of entertainment you will be providing

**KARAOKE SING ALONG**

Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)

<table>
<thead>
<tr>
<th></th>
<th>Indoors</th>
<th>Outdoors</th>
<th>Both</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>✔</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Please give further details here (please read guidance note 3)

**AMPLIFIED**

State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)

Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)
<table>
<thead>
<tr>
<th>Day</th>
<th>Start</th>
<th>Finish</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mon</td>
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<td>Tue</td>
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<td>Thur</td>
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<td>Fri</td>
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<td>Sat</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sun</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

Will the facilities for making music be indoors or outdoors or both – please tick
(please read guidance note 2)
- [ ] Indoors
- [ ] Outdoors
- [ ] Both

Please give further details here (please read guidance note 3)

State any seasonal variations for the provision of facilities for making music (please read guidance note 4)

Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list (please read guidance note 5)
<table>
<thead>
<tr>
<th>Day</th>
<th>Start</th>
<th>Finish</th>
<th>Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mon</td>
<td></td>
<td></td>
<td>Please give a description of the facilities for dancing you will be providing</td>
</tr>
<tr>
<td>Tue</td>
<td></td>
<td></td>
<td>Please give further details here (please read guidance note 3)</td>
</tr>
<tr>
<td>Wed</td>
<td></td>
<td></td>
<td>State any seasonal variations for providing dancing facilities (please read guidance note 4)</td>
</tr>
<tr>
<td>Thur</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fri</td>
<td></td>
<td></td>
<td>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list (please read guidance note 5)</td>
</tr>
<tr>
<td>Sat</td>
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<td></td>
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<tr>
<td>Sun</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Day</td>
<td>Start</td>
<td>Finish</td>
<td>Will the entertainment facility be indoors or outdoors or both – please tick (please read guidance note 2)</td>
</tr>
<tr>
<td>------</td>
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</tr>
<tr>
<td>Mon</td>
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<td>Tue</td>
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<td>Please give further details here (please read guidance note 3)</td>
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<td>Wed</td>
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<td>Thur</td>
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<td></td>
<td>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j (please read guidance note 4)</td>
</tr>
<tr>
<td>Fri</td>
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<tr>
<td>Sat</td>
<td></td>
<td></td>
<td>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)</td>
</tr>
<tr>
<td>Sun</td>
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</tr>
<tr>
<td>Day</td>
<td>Start</td>
<td>Finish</td>
<td>Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)</td>
</tr>
<tr>
<td>-------</td>
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<tr>
<td>Mon</td>
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<td></td>
<td>Indoors ☐</td>
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<td>Tue</td>
<td></td>
<td></td>
<td>Outdoors ☐</td>
</tr>
<tr>
<td>Wed</td>
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<td></td>
<td>Both ☐</td>
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<td>Thur</td>
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<tr>
<td>Fri</td>
<td></td>
<td></td>
<td>Please give further details here (please read guidance note 3)</td>
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<td>Sat</td>
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<td>State any seasonal variations for the provision of late night refreshment (please read guidance note 4)</td>
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<td>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)</td>
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<td>Day</td>
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<td>Mon</td>
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</tr>
<tr>
<td>Sun</td>
<td>12.00</td>
<td>22.30</td>
<td></td>
</tr>
</tbody>
</table>

**State any seasonal variations for the supply of alcohol** (Please read guidance note 4)

**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)

- **Nye, 12.00 → 06.00**
- **Sundays Before a Bank Holiday**
- **Monday 12.00 → 03.00**

**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)
<table>
<thead>
<tr>
<th>Day</th>
<th>Start</th>
<th>Finish</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mon</td>
<td>12.00</td>
<td>23.30</td>
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<tr>
<td>Tue</td>
<td>12.00</td>
<td>23.30</td>
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<td>Thur</td>
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<td>Fri</td>
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<td>03.30</td>
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<tr>
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<td>03.30</td>
</tr>
<tr>
<td>Sun</td>
<td>12.00</td>
<td>23.00</td>
</tr>
</tbody>
</table>

**State any seasonal variations** (please read guidance note 4)

**Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list** (please read guidance note 5)

NYE, SUNDAYS BEFORE A BANK HOLIDAY MONDAY

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.
- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

THE PREMISES LICENSE WAS SENT WITH THE ORIGINAL APPLICATION WHICH WAS 'LOST IN POST'.

Please tick yes [ ] [ ]

16
Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

- Better training for staff
- Closer association with other local pubs + police
- CCTV cameras
- More signs telling public of their responsibilities

b) The prevention of crime and disorder

- Provision of free soft drinks after 11 p.m.
- E.g. chilled water for customers so they have an alternative to alcohol
- No drinks promotions

c) Public safety

- Employing doorman men on Thurs/Fri/Sat nights to control crowd and customers leaving the premises.

d) The prevention of public nuisance

- Association with local cab firm e.g. having several taxis waiting outside to take customers straight home instead of waiting in street.

e) The protection of children from harm

- Zero tolerance towards any violence/fights
- No children allowed after 20:30
- Children not allowed on gaming machines at any time.
• I have made or enclosed payment of the fee
• I have sent copies of this application and the plan to responsible authorities and others where applicable
• I understand that I must now advertise my application
• I have enclosed the premises licence or relevant part of it or explanation
• I understand that if I do not comply with the above requirements my application will be rejected

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

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant please state in what capacity.

<table>
<thead>
<tr>
<th>Signature</th>
<th>James Coard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date</td>
<td>2/10/06</td>
</tr>
<tr>
<td>Capacity</td>
<td></td>
</tr>
</tbody>
</table>

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) 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.

<table>
<thead>
<tr>
<th>Signature</th>
<th>James Coard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date</td>
<td></td>
</tr>
<tr>
<td>Capacity</td>
<td></td>
</tr>
</tbody>
</table>

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

James Coward
Pier Tavern
299 Manchester Rd

<table>
<thead>
<tr>
<th>Post town</th>
<th>London</th>
</tr>
</thead>
<tbody>
<tr>
<td>Post code</td>
<td>E7 4 3HN</td>
</tr>
<tr>
<td>Telephone number (if any)</td>
<td>0207 515 9528</td>
</tr>
</tbody>
</table>

If you would prefer us to correspond with you by e-mail your e-mail address (optional)
Appendix 3
Map of:

Pier Tavern

Notes:
299 Manchester Road

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Appendix 4
Residents Representations – Pier Tavern  
Variation application of 10/11/06

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>STREET</th>
<th>CITY</th>
<th>POSTCODE</th>
<th>APPENDIX</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shirley Knight</td>
<td>1 Blyth Close</td>
<td>Manchester Road</td>
<td>London</td>
<td>E14 3DU</td>
<td>5</td>
</tr>
<tr>
<td>James Purshouse</td>
<td>2 Blyth Close</td>
<td>Manchester Road</td>
<td>London</td>
<td>E14 3DU</td>
<td>6</td>
</tr>
<tr>
<td>Keryn Vella &amp; Cameron Dally</td>
<td>8 Blyth Close</td>
<td>Manchester Road</td>
<td>London</td>
<td>E14 3DU</td>
<td>7</td>
</tr>
<tr>
<td>Louise Abbott &amp; Edward Sullivan</td>
<td>9 Blyth Close</td>
<td>Manchester Road</td>
<td>London</td>
<td>E14 3DU</td>
<td>8</td>
</tr>
<tr>
<td>Dr Sarah Petrie</td>
<td>19 Blyth Close</td>
<td>Manchester Road</td>
<td>London</td>
<td>E14 3DU</td>
<td>9</td>
</tr>
<tr>
<td>Christian Judd</td>
<td>28 Blyth Close</td>
<td>Manchester Road</td>
<td>London</td>
<td>E14 3DU</td>
<td>10</td>
</tr>
<tr>
<td>Mrs Yvonne Horn</td>
<td>30 Blyth Close</td>
<td>Manchester Road</td>
<td>London</td>
<td>E14 3DU</td>
<td>11</td>
</tr>
<tr>
<td>Paula Fox</td>
<td>31 Blyth Close</td>
<td>Manchester Road</td>
<td>London</td>
<td>E14 3DU</td>
<td>12</td>
</tr>
<tr>
<td>Mr. Jeff Clifton</td>
<td>23 Betty May Gray House</td>
<td>Pier Street</td>
<td>London</td>
<td>E14 3HX</td>
<td>13</td>
</tr>
<tr>
<td>Mrs. P. Keppel</td>
<td>27 Betty May Gray House</td>
<td>Pier Street</td>
<td>London</td>
<td>E14 3HX</td>
<td>14</td>
</tr>
<tr>
<td>Mr. R.P. Hosking</td>
<td>10 Schooner Close</td>
<td></td>
<td>London</td>
<td>E14 3GG</td>
<td>15</td>
</tr>
</tbody>
</table>
Appendix 5
Hello Mr Cruse,

My name is Shirley Knight and I live at number 1 Blyth Close, Manchester Road, Isle of Dogs, E14 3DU.

I live across the road from the Pier Tavern pub and can tell you that I am greatly against any extension of their licence.

This pub attracts a lot of young people who get involved in fighting and causing trouble. I am an elderly lady who lives on my own and I am often disturbed by the noise and trouble they make. If you allow them to open longer that means that I will be kept awake longer listening to the loud music, noise and fighting in the street outside my house.

Please listen to the views of the neighbours and do not grant any extension to the hours of this pub.

Yours sincerely,

Shirley Knight
1 Blyth Close
Manchester Road
Isle of Dogs
E14 3DU

All new Yahoo! Mail "The new Interface is stunning in its simplicity and ease of use." - PC

06/12/2006
Appendix 6
2 Blyth Close,
London E14 3DU

8th November 2006

The Licensing Department
London Borough of Tower Hamlets
Mulberry Place
PO Box 55739
5 Clove Crescent
London E14 1BY

Re: Application of Pier Tavern Pub for extended licensing hours

Dear Sir/Madam,

I would like to formally object to any application made by the Pier Tavern Pub, 299 Manchester Road, London E14 3HT, to extend their licensed hours for serving alcohol.

There is currently a notice in the window of the Pier Tavern, inviting representations regarding an application to extend the licensed hours for serving alcohol on Thursdays until 01:00 am and Fridays and Saturdays until 03:00 am.

I understand from speaking to a member of your team on the phone on 6th November 2006 (the date given as the deadline for representations on the notice in the window), that either no formal application has been made or an unacceptable error has been made in the application. The notice in the window of the pub only appeared recently, and was removed temporarily. Since my phone conversation with your team, the notice has reappeared and hence I would still like to formally add a representation on the record in case an application is made in the future.

The proposal underlined in the notice represents an unacceptable extension to the licensed trading hours given the geographic position of the pub and the noise currently generated by the pub on Fridays and Saturdays.

At present, the pub plays loud music on Fridays and Saturdays until around 12:00 am, added to which, there are often times when many of the pub’s customers spill out on to the street and engage in loud shouting and sometimes fighting. My house is within 30 metres of the pub and this noise already causes a disturbance (through triple glazed glass). I would accept that a certain amount of disturbance is to be expected when living in a house near a pub, however, disturbances occurring until 03:30 am (when the pub customers may finally disperse) as proposed, would be an unacceptable disturbance at such early hours of a morning from a neighbourhood pub.

My house is not the only one in close proximity to the pub; there are 3 blocks of high density flats surrounding the pub (closer than my house) and these disturbances must affect many families with children. From my conversation with a member of your team it appears that I am not the only member of the neighbourhood concerned with this application (they reported that you have had quite a few queries regarding the Pier Tavern). I would like to add my objection formally at this time.

Many thanks for considering this and please let me know if there is any more required of me to add to this representation.

Yours faithfully,

James Purhouse

[Signature]

13 NOV 2006
Appendix 7
8 Blyth Close, London E14 3DU

28 November 2006

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

To whom it may concern

Re: The Pier Tavern

We are writing to express our concerns about the recent application submitted by The Pier Tavern to extend its operating hours.

We have been resident at Blyth Close for five years and already face regular noise and antisocial behaviour issues from The Pier Tavern, mainly on Friday and Saturday nights. We, of course, expect some noise from the pub however we are concerned that any extension of the licensing hours would have a detrimental affect upon the quality of life of the many residents in the area by extending the time we are faced with these problems.

The Pier Tavern has something of a reputation in the area as a source of trouble, with police being called on numerous occasions to deal with drunk and violent patrons. An example of this is a fight that resulted in the stabbing of a patron during the 2006 Football World Cup.

In addition, we feel the publican has not followed the correct procedure in notifying those who will be affected by an extension in licensing hours. The application posted on the premises has a closing notification date of 16 December 2006, however, after speaking to your office, it has been confirmed the closing date is 8 December 2006.

We would be grateful if the Council would consider the objections we have raised and recognise that this Pub is situated in a high-density residential housing area. Consideration should be given to local rate-paying residents and to all the families who live here. We feel Canary Wharf bars, at a distance from residential areas, would be much more appropriate for late night licensing than local pubs in high-density residential areas.

Yours faithfully

Keryn Vella
Cameron Dally
Appendix 8
Trading Standards
Licensing Department
L.B.T.H.
Mulberry Place
5 Clove Crescent
London
E14 2BG

3 Blyth Close
Manchester Road
London
E14 3DU

6th December 2006

Dear Sir/Madam

Re: Objection to planning application to extend opening hours by The Pier Tavern Manchester Road London E14

We wish to object to the application for the extension of opening hours for the following reasons:-

The extension of the hours will cause additional public nuisance to those residing in the vicinity of this pub. During the majority of weekends after closing time we have to often endure very loud, noisy & rowdy behaviour. Fights occasionally break out & revellers smash bottles in the bus stops and pavement areas by the pub & even outside in the square where we reside.

As a result we feel that this application be turned down as it would cause a public nuisance, it is a threat to public safety & it should be hatted to prevent possible additional crime & disorder in this locality.

We would be grateful if you could consider our objection carefully & appraise us of the results

Yours faithfully

[Signature]

Louise P Abbott & Edward JF Sullivan
Appendix 9
Tower Hamlets Council
Planning/licence extensions.
Mulberry Place
5 Glove Crescent
London E14 2BG

Dear Sir/Madam,

Re: Application for extension of opening hours of the Pier Tavern, Manchester Rd, E14

I would like to raise my objections to the application made by the pier to extend it’s opening hours to 1am on Thursdays and 3am on Fridays and Saturdays.

I live in Blyth Close on the far side of close which is on the opposite side of the main road to the Pier and I am often disturbed by loud music from the Pier. On one occasion I rang the pub to ask them to turn it down and they had to hang up on me since it was so loud they couldn’t hear what I was saying.

Extending these opening hours would increase the amount of time for the pub to create a noise disturbance and people leaving the pub at 3am may cause a disturbance to the residential area surrounding it.

With many thanks

Yours sincerely

Dr Sarah Petrie
Appendix 10
To Whom It May Concern:

I have lived at 28 Blyth Close for 3 years now and I object to the possible late licensing that could be granted to the Pier Tavern.

The patrons of the Tavern can be quite noisy and there does tend to be a bit of fighting and yelling at closing time. These potentially even later hours will make the Tavern an even bigger nuisance. Most people in the neighbourhood work 9-5 jobs and I do not think it is appropriate to subject the neighbourhood to noise at such late hours. The area is almost solely residential and we do not need a late-night 'club' in the midst of it all.

There has also been quite a bit of violence at the Tavern – i.e. the stabbing during the World Cup knock out of England. Approximately once a month I personally witness some sort of fighting and violence just out my bedroom window (which also happens to face the Tavern).
I think the patrons of the Pier are a bit too young and immature to handle these late hours respectfully and I believe it would be a big mistake to subject the neighbourhood to such a probable late-night raucous.

If you do grant the Pier Tavern the new licensing, I hope an increased police presence will be implemented or you will surely experience a barrage of complaints from the residents.

Sincerely
Christian Judd

Christian Judd
Cambridge Place Investment Management LLP
Authorised and Regulated by the Financial Services Authority

17 Old Court Place
London, W8 4PL
Tel: +44 (0)20 7938 5753
Fax: +44 (0)20 7938 5701

This message has been scanned for viruses by MailController.
Mohshin Ali

From: Christian Judd [Christian.Judd@cpim.co.uk]
Sent: 08 December 2006 10:15
To: Mohshin Ali
Cc: John Cruse
Subject: RE: Variation: Pier Tavern, 299 Manchester Road, London E3

Thanks you Mohshin. My address is:
28 Blyth Close
London
E14 3DU

Regards
Christian Judd
Mr Cruse,

I would like to ask you not to grant the Pier Tavern the extended license they have applied for.

I live at 30 Blyth Close which is just across the road and the noise and fighting which comes from the pub normally is very much a disturbance.

Please do not give them the extension as it will be unfair on people like myself who live close by and who will be affected by this.

Thank you.

Mrs. Yvonne Horn
30 Blyth Close

Send instant messages to your online friends http://uk.messenger.yahoo.com

05/12/2006
Mohshin Ali

From: Paula Fox [paulafox31@fsmail.net]
Sent: 05 December 2006 17:29
To: Mohshin Ali
Subject: RE: Pier Tavern, 299 Manchester Road, London E3

Dear Mr Ali,

My contact details are as follows:

Paula Fox, 31 Blyth Close, Isle of Dogs, London E14 3DU.

My opposition to the extended licence application for the Pier Tavern is as follows:

I would like to oppose the application for an extended licence made by the Pier Tavern Pub in Manchester Road, Isle of Dogs, E14. I live across the road from the pub, slightly to the left at 31 Blyth Close.

There have been many occasions over the past couple of years when my family and other residents in Blyth Close have been disturbed by activities at the pub. At the very least there is rowdy and noisy behaviour, but we are also subjected to frequent fighting outside on the streets, broken glasses/bottles left lying around, and often enough, the fighting has been severe enough for the police to be called in. This pub is a magnet for the 'wrong' sort of drinkers and this is very much in evidence by the general demeanour of some of the clientele. In fact, a lot of the girls who congregate in and outside of the pub on the pavements, are too young to be drinking. Sometimes in the morning, one can see evidence on the pavements outside of the pub of the violence of the night before, with broken glass and blood. In the Summer months, there was a fight so severe that the police cordoned off the road for quite a few hours where someone was unfortunately stabbed.

I have a young child at home and she is often woken up because of the disturbances. If the licensing hours were to be extended, I believe that the incidences of noise pollution and violence would only increase, and for this reason I am asking you to reject their application.

Thank you.

Yours faithfully,

Paula Fox
Appendix 13
Dear Sir,

The reason I am writing to you is to lodge an objection to the "PIER TAVERN" at Pier 2 St London E14 seeking an extension to their licence hours:

1. It is a built up area.
2. The drunks get close doors at weekends till after midnight on the evenings.
3. Noise levels have been called out on several occasions.
4. Late are always leaving from 3AM.

People leaving the pub at 3AM talking + drinking very loud at that time on the evenings.

I would agree like a night club next door too you. P.T.O.
8. Police have been called on several occasions for fighting
and under-age drinkers.
9. Drug dealers are outside the pub.

18 OCT 2006
Appendix 14
Mrs. P. Keppel
27 Betty May Gray Hse
Pier Street
Isle of Dogs
London E14 3HX
16th October 06
Tel.: 07904404158

Dear Sir,

It has been brought to our attention that the Pier Tavern-Pier St are applying for a late licence.

May I stress the impact this public house has on our quality of life:

1. Noise from the pub 10 o'clock 2.0 'clock all hours of the night - fighting - bottles - broken glass - cars (cabs) - barking, screaming - the publicans haven't any
Control what so ever and no consideration for residents. We watch people come out of the pub walk to the back of the pub's garden in Pier Street and urinate - then they get into our flats and stuff drugs on our stairs which I have reported to local police on a number of occasions if you permit a late licence the situation will worsen, and the local residents suffer.

Thanking you,
Mrs. A. Keppel.

18 Oct 2006
Appendix 15
November 1, 2006

The Licensing Department,
London Borough of Tower Hamlets,
41 – 47 Bow Road,
London E3 2BS

Dear Sir or Madam,

I write to register my opposition to the proposed extended licensing hours of the Pier Tavern at 299 Manchester Road.

This pub it in a residential area with many people living right next to the pub. Although I live over 100 yards from the pub I can still hear the music which blares out of the pub regularly on Friday and Saturday evenings. This is particularly bad during the summer months when I have to have my bedroom windows open because it is so hot. I have been regularly kept awake by this music and I can only imagine how bad this will get if the pub is open until 3am on Friday and Saturday nights. The problem is made worse because the pub doors are often propped open in the summer to try and cool the people inside. Because it is such a small venue, when they do these club nights at weekends people inevitably get very hot and all the doors and windows are opened. This means there is nothing to stop the dance music blaring into the street at full volume and disturbing local residents.

This is anti-social to those of us who live close to the Pier Tavern. I am also worried about the impact of drunken youths wandering the streets at 3am. We already live in an area with anti-social behavior problems and this can only be made worse by pubs like the Pier opening this late at weekends and encouraging youths to drink more. By opening this late on a weekend the Pier is effectively turning itself into a nightclub. In my opinion a nightclub has no place in such a dense residential area as this.

On this basis I object to the proposed extended licensing hours for the Pier Tavern.

Sincerely,

[Signature]

Mr R P Hosking
Appendix 16
Dear Kathy Butler,

Re: Application for Variation of Premises Licence Under the Licensing Act 2003
At The Pier Tavern, 299 Manchester Road, London, E14 3HN

I write to inform you that we object to the proposed variation of the premises licence for the following reasons:

The Council’s Out Of Hours (OOH) Noise Service has received 7 complaints this year alleging excessive noise amounting to a nuisance emanating from the above premises. Below is a summary of these complaints:

On the 28/04/2006 at 01.07 hours the OOH Noise Service duty officer attended and witnessed noise as a result of patrons leaving the Public House that he assessed to be a public nuisance.

On the 23/09/2006 at 23.00 hours the OOH Noise Service duty officer witnessed a statutory noise nuisance emanating from the Public House. As a result of this incident a noise abatement notice was served on Mr Fames Coward on the 26th October 2006 (copy of the notice enclosed)

As you can see from the above we have had problems with public nuisance with the current operating hours. We believe these problems will be exacerbated with the proposed variation of the hours particularly as the applicant has failed to identify potential problems as regards public nuisance associated with opening until 01.30 and 03.30.

Due to the close proximity of the Public House to residential premises, noise control measures need to be put in place in order to contain the noise sufficiently and prevent further Statutory Noise Nuisance from being caused to nearby residences. Should the variation to the licence be approved, we would require the following works to be undertaken prior to consent being granted:

Enquiries: Mr A. R. Rob
Tel 020 7364 6800
Fax 020 7364 6831
Flare Ref: 66830
Your Ref:

E-mail: envhealth.envprotection@towerhamlets.gov.uk
Date 17th November 2006
1. Undertake a comprehensive acoustic report to determine current levels of noise and the impact on these levels with the proposed variation of operating hours. Potential areas for noise breakout should be identified and methods of mitigation to prevent noise escape should be proposed with the corresponding estimated reductions in noise levels.

2. Undertake all works recommended by the acoustic report.

3. Install a noise limiter with the level agreed and set by this department.

In addition to the above we would require the following conditions to be included

4. All doors and windows to be closed when recorded music is played or there is live entertainment.

5. Beer garden to be closed at 20.00 hours.

As the application for variation currently stands, it is considered to undermine the licensing objective of prevention of public nuisance and it must be recommended that this application be refused.

Kind regards

[Signature]

Mr A. R. Rob
Environmental Health Officer

[Corporate Director]
Environment & Culture
Alex Cosgrave
FLARE REF: 66830

ABATEMENT NOTICE in respect of Statutory Nuisance
ISSUED BY THE LONDON BOROUGH OF TOWER HAMLETS

ENVIRONMENTAL PROTECTION ACT 1990 PART III SECTION 80
AS AMENDED BY THE NOISE AND STATUTORY NUISANCE ACT 1993, SECTION 3

TO:        Mr James Christopher Coward
            299 Manchester Road, London E14 3HN

1. Notice

THIS IS A FORMAL NOTICE issued by the LONDON BOROUGH OF TOWER HAMLETS (‘The Council’) because it is satisfied that a statutory nuisance [exists] [is likely to] [occur] [recur] at the premises known as

The Pier Tavern, 299 Manchester Road, London E14 3HN
within its area in that excessive noise is from loud music was witnessed coming from the above premises on 23rd September 2006

2. What You Are Required To Do

the [person responsible for the nuisance or the [owner] [and/or] [occupier] of the premises you are required to [abate or restrain or prohibit] the [occurrence] [recurrence] of the nuisance by [executing the following works or taking the following steps] from the date upon which this Notice was served upon you:

Cease to commit or allow to be committed further noise nuisance as aforesaid from the above premises.

3. What Happens If You Fail To Comply

Without reasonable excuse you contravene or fail to comply with any requirement or prohibition of this Notice:

3.1 you will be guilty of a criminal offence and will be liable on summary conviction to a fine not exceeding level 5 on the standard scale, together with an additional fine for each day on which the offence continues after conviction; or

3.2 if the offence is committed on industrial, trade or business premises, you will be liable a summary conviction to a fine not exceeding £20,000;

3.3 in order to secure an abatement, prohibition or restriction of the nuisance, the Council may bring proceedings in the High Court and;

the Council reserve the right to execute the works specified in the Notice and recover from you any expenditure incurred.

4. Your Right Of Appeal

You may appeal to a Magistrates’ Court against this Notice within 21 days, beginning with the date on which this Notice is served upon you.

5. Suspensions Of Notices

The event of an appeal this Notice shall NOT be suspended until the appeal has been abandoned or decided by the Court as, in the opinion of the Council [[the nuisance to which this Notice relates is [injurious to health] [likely to be of a limited duration such that suspension would render the Notice of no practical effect]] [the expenditure which would be incurred by any person in carrying out works in compliance with this Notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance].

Dated           26th October 2006

Signed

ENVIRONMENTAL HEALTH OFFICER

This matter is being dealt with by Mr A. R. Rob who can be contacted at:
Environmental Health (Environmental Protection),
ilberry Place (A11), PO Box 55739,
> Clove Crescent, London E14 1BY
Tel: 020 7364-3007          Fax: 020 7364-6831
FLARE REF: 66830

and an abatement notice that is varied under sub-paragraph (b) above shall be final and shall otherwise have effect, as so varied, as if it had been so made by the local authority.

(6) Subject to paragraph (7) below, on the hearing of appeal the court may make such order as it thinks fit -
   (a) with respect to the person by whom any work is to be executed and the contribution to be made by any person
       towards the cost of the work, or
   (b) as to the proportions in which any expenses which may become recoverable by the authority under Part III of the
       1990 Act are to be borne by the appellant and by any other person.

(7) In exercising its powers under paragraph (6) above, the court -
   (a) shall have regard, as between an owner and an occupier, to the terms and conditions, whether contractual or
       statutory, of any relevant tenancy and to the nature of the works required, and
   (b) shall be satisfied before it imposes any requirement thereunder on any person other than the appellant, that that
       person has received a copy of the notice of appeal in pursuance of paragraph (4) above.

3. SUSPENSION OF NOTICE
   (1) Where -
      (a) an appeal is brought against an abatement notice served under section 80 or section 80A of the 1990 Act, and -
      (b) either -
          (i) compliance with the abatement notice would involve any person in expenditure on the carrying out of
              works before the hearing of the appeal, or
          (ii) in the case of a nuisance under section 79 (1) (g) or (ga) of the 1990 Act, the noise to which the
              abatement notice relates is noise necessarily caused in the course of the performance of some duty
              imposed by law on the appellant, and
      (c) either paragraph (2) does not apply, or it does apply but the requirements of paragraph (3) have not been met,
          the abatement notice shall be suspended until the appeal has been abandoned or decided by the court.

   (2) This paragraph applies where -
      (a) the nuisance to which the abatement notice relates -
          (i) is injurious to health, or
          (ii) is likely to be of a limited duration such that suspension of the notice would render it of no practical
               effect, or
      (b) the expenditure which would be incurred by any person in the carrying out of works in compliance with the
          abatement notice before any appeal has been decided would not be disproportionate to the public benefit to be
          expected in that period from such compliance.

   (3) Where paragraph (2) applies the abatement notice -
      (a) shall include a statement that paragraph (2) applies, and that as a consequence it shall have effect notwithstanding
          any appeal to a magistrates’ court which has not been decided by the court, and
      (b) shall include a statement as to which of the grounds set out in paragraph (2) apply.
Appendix 17
Dear Sir or Madam,

**LICENSING ACT 2003**

**Premises:** The Pier Tavern, 299 Manchester Road, London E14 3HN

With reference to the application dated 02/10/2006, the application has been examined and the Fire Authority wants to make a representation to the Licensing Authority in relation to this application.

The applicant has been informed that the Fire Authority will be making a representation to the Licensing Authority.

The items that are of concern to this authority are detailed on the attached schedule.

Please advise me, at your earliest convenience, of the date and time of the Licensing Committee Hearing.

Should these matters be resolved to the satisfaction of this Authority at least 2 days prior to the Licensing Committee Hearing the representation will be withdrawn.

Any queries regarding this letter should be addressed to the person named at the top of the letter. If you are dissatisfied in any way with the response given, please ask to speak to the Team Leader quoting our reference.

Yours faithfully,

[Signature]

for Assistant Commissioner

Data Protection Act 1998: The information you have given on this form will be processed by London Fire Emergency Planning Authority for the purpose of fire and emergency planning and control. We will keep your details secure and will not disclose them to other organisations or third parties (except contractors or suppliers working on our behalf) without your permission unless we are legally required to do so.

For more information about how we use your personal information, see our notification entry (Z9123295) www.informationcommissioner.gov.uk or visit: www.london-fire.gov.uk

FS_C08_04a (Rev 1, 15/12/05)

The London Fire & Emergency Planning Authority runs the London Fire Brigade

Sir Ken Knight CBE QPM DL Commissioner for Fire and Emergency Planning
Schedule referred to in the letter reference 05/004177 under the Licensing Act 2003, issued by the London Fire and Emergency Planning Authority on 02 November 2006.

Where appropriate, a plan may form part of this Schedule to illustrate the steps which, in the opinion of the fire authority, need to be taken in order to promote the public safety objective.

**NOTE:** Notwithstanding any consultation undertaken by the fire authority, **before** you make any alterations to the workplace, you must apply for local authority building control department approval (and/or the approval of any other bodies having a statutory interest in the premises) if their permission is required for those alterations to be made.

<table>
<thead>
<tr>
<th>Licensing Objective not adequately addressed</th>
<th>Location and detail of matters which are considered to put people at risk in the event of a fire emergency</th>
<th>Steps considered necessary to promote the public safety licensing objective</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Safety</td>
<td>The Fire Alarm System appears inoperative and no test records were available.</td>
<td>Evidence that the Fire Alarm System is operating in accordance with BS 5839, or equivalent. A current certificate of conformity by a qualified engineer would deem to satisfy.</td>
</tr>
<tr>
<td>Public Safety</td>
<td>Some Emergency Lighting appears inoperative. No Test records were available.</td>
<td>Evidence that the Emergency Lighting is operating in accordance with BS 5266 or equivalent. A current certificate of conformity by a qualified engineer would deem to satisfy.</td>
</tr>
<tr>
<td>Public Safety</td>
<td>The Escape Signage in the bar area does not comply with BS 5499.</td>
<td>Provide Escape signage in accordance with British Standard BS 5499 Part 1, or equivalent.</td>
</tr>
<tr>
<td>Public Safety</td>
<td>Fire door to the kitchen on 1st floor level that protects escape route from residential accommodation on 2nd floor does not meet the requirements of BS 476 part 22.</td>
<td>Provide a 30 minute self closing fire door in accordance with BS 476 part 22 or equivalent in replacement to the existing kitchen door.</td>
</tr>
<tr>
<td>Public Safety</td>
<td>The beer garden at rear of premises has escape routes from the upper floors and the ground floor bar area. The final exit from the beer garden is of insufficient width for use as a means of escape and it does not have escape signage.</td>
<td>Provide a signed fire exit of suitable width to accommodate the safe evacuation of the premises by staff and other occupants in accordance with your premises licence safe capacity or provide written confirmation that the function suite on the 1st floor will not be used.</td>
</tr>
</tbody>
</table>
Data Protection Act 1998: The information you have given on this form will be processed by London Fire Emergency Planning Authority for the purpose of **fire and emergency planning and control**. We will keep your details secure and will not disclose them to other organisations or third parties (except contractors or suppliers working on our behalf) without your permission unless we are legally required to do so.

For more information about how we use your personal information, see our notification entry (Z7122455) www.informationcommissioner.gov.uk or visit: www.london-fire.gov.uk
Appendix 18
Agreed conditions for the Pier Tavern

In consultation with the Chief Licensing Officer, we have decided that the most appropriate measures for the Pier Tavern are:

- The removal of current drinks promotions, including Happy Hour, and any promotion linked with discounted drinks shall be agreed with the police prior to implementation.

- An incident book has been put in place and staff informed of the need to properly maintain it so it can be produced to the Police and Licensing Authority upon request.

- Any incident of violence to be notified to Police immediately.

- A CCTV system to be installed inside and out as soon as possible.

- At least 1 door supervisor to be employed on Friday nights from 8 p.m. increasing if required and to include Saturday nights if required in consultation with Police.

- We are looking into purchasing plastic bottles from the brewery (as we are tied) to be served on Friday nights.

- No children under 18 are to be admitted into the premises after 8.30 p.m.

Signed License Holder..........................................................
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 4.10 and 4.11 of the Licensing Policy).

Cumulative Impact

There is a process by which the Licensing Authority can determine that an area is saturated following representations. However, the process for this involves wide consultation and cannot come from representations about a particular application. (See Section 6 of the Licensing Policy).

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. (See Sections 5.2, of the Licensing Policy)

The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include Conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. (See Appendix 2 Annex D of the Licensing Policy). In particular Members may wish to consider (this list is not exhaustive):

- 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

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 pool of conditions, adopted by the council is recommended (7.20). The key role of the police is acknowledged (7.22). 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 (7.23).
Conditions are best targeted on deterrence and preventing crime and disorder (S.7.25) communication, police liaison, no glasses are all relevant (S7.26-29). There is also guidance issued around the heading of “public nuisance as follows
The pool of conditions, adopted by the council is recommended (7.38). Licence conditions should not duplicate other legislation (7.42). Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises (7.43) but it is essential that conditions are focused on measures within the direct control of the licence holder” (7.45). Otherwise there has to be a causal connection (7.45).

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
Acting As A Magnet Attracting The Young Who Then Engage In Anti-Social Behaviour

General Advice

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

If Members believe that there is a substantial problem of anti-social behaviour and it cannot be proportionately addressed by licensing conditions they should refuse the application. However, hours may be an important issue.

Licensing Policy

The policy recognises that other legislation or measures may be more appropriate (in relation to the behaviour of patrons who have left the premises) but also states that licensing laws are “a key aspect of such control and will always be part of an overall approach to the management of the evening and night time economy.” (See Section 4.10 and 4.11 of the Licensing Policy).

Cumulative Impact

There is a process by which the Licensing Authority can determine that an area is saturated following representations. However, the process for this involves wide consultation and cannot come from representations about a particular application. (See Section 6 of the Licensing Policy).

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. (See Sections 5.2, of the Licensing Policy)

The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include Conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. (See Appendix 2 Annex D of the Licensing Policy). In particular Members may wish to consider (this list is not exhaustive):

- CCTV (outside the premises)
- Restrictions on open containers for “off sales”
- Proof of Age scheme
- Crime prevention notices
- Drinks promotions-aimed at stopping irresponsible promotions
- Signage

Police Powers
The Licensing Act 2003, Part 8 gives a senior police officer the power to close a premises for up to 24 hours where the officer believes there is, or is likely to be disorder on or in the vicinity and closure is necessary in the interests of public.

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

Conditions can be imposed for large capacity “vertical consumption” premises (7.80-7.81).

**Other Legislation**

**Crime and Disorder Act 1998**

The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder.

**Anti-Social Behaviour Act 2003**

The Act also introduced a wide range of measures designed to address anti-social behaviour committed by adults and young people. These include:

- Anti-Social Behaviour Orders
- Child Curfew Schemes
- Truancy
- Parenting Orders
- Reparation Orders
- Tackling Racism
Appendix 21
Drug Taking

General Advice

Members need to consider the evidence about the exact nature of the alleged problems. Is it being suggested that the premises are encouraging or turning a blind eye in relation to the problem? Are there proportionate measures that can be expected to address the matter, if Members determine there is a problem?

In particular, should CCTV be extended to cover all of the premises open to the public. Should a minimum number of registered door supervisors be maintained whenever the premises is open. How are drugs that are confiscated being disposed of? What checks are being made in less public areas such as toilets?

The applicant should be instituting measures advised by the Police

If Members believe this is a problem they should certainly insist that minors are not admitted to the premises.

If Members believe that there is a substantial problem of drug abuse and it cannot be proportionately address by licensing conditions they should refuse the application.

Members should also bear in mind other Police powers.

Licensing Policy

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. (See Sections 5.2, of the Licensing Policy).

The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include Conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. (See Appendix 2 Annex D of the Licensing Policy). In particular Members may wish to consider (this list is not exhaustive):

- Methods of management communication
- Use of registered Door Supervisors
- CCTV
- Capacity
- Proof of Age scheme
- Crime prevention notices
- Signage
- Seating plans
If Members believe that there is a substantial problem of drug-taking and it cannot be proportionately addressed by licensing conditions, they should refuse the application.

The government recommends the model pool of conditions adopted by the adopted by the licensing policy in relation to club safety (7.61).

Guidance Issued under Section 182 of the Licensing Act 2003

A check-list of conditions is recommend (7.62), as is a multi-agency approach, including the Drug Action Team. The check-list (which is not exhaustive, is as follows: The Licensing Authority is also asked top ensure it’s officers engage in a dialogue with clubs to ensure appropriate steps are taken (7.65).

Other Legislation

Anti-Social Behaviour Order Act 2003

This gives the Police the power to close premises where there is the supply of class A drugs and serious nuisance or disorder.

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.
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 8.1 of the Licensing Policy).

The policy also recognises that staggered closing can help prevent problems at closure time (See Section 12.1).

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 12.4).

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 Sections 8.2 of the Licensing Policy).

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. (See Appendix 2 Annex D of the Licensing Policy). In particular Members may wish to consider (this list is not exhaustive):

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

Police Powers

Part 8 of the Licensing Act 2003 enables a senior police officer to close down a premises for up to 24 hrs. a premises causing a nuisance resulting from noise emanating from the premises.

Guidance Issued under Section 182 of the Licensing Act 2003

The Licensing Policy has adopted the recommended Pool of Conditions (7.38).
The Pool of Conditions, adopted by the council is recommended (7.38).
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 (7.40).
Licence conditions should not duplicate other legislation (7.42).
Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises (7.43) but it is essential that conditions are focused on measures within the direct control of the licence holder” (7.45).

See also Annexe G for Pool of conditions relating to the prevention of public nuisance.

Other Legislation

The Environmental Protection Act 1990, Part 111 gives Environmental Health Officers the power to deal with statutory nuisances.
Appendix 23
Egress Problems

Such as:
Disturbance from patrons leaving the premises on foot
Disturbance from patrons 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.

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 Sections 8.1 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 Sections 8.2 of the Licensing Policy, and also Section 12.5).

The policy also recognises that staggered closing can help prevent problems at closure time (See Section 12.1).

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 12.4)

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Poll of Conditions relating to the prevention of Public Nuisance. (See Appendix 2 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 pool of conditions, adopted by the council is recommended (7.38). 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. (7.40).
Licence conditions should not duplicate other legislation (7.42).
Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises (7.43) but it is essential that conditions are focused on measures within the direct control of the licence holder" (7.45).
Otherwise there has to be a causal connection (7.45).

See also Annexe G for Pool of conditions relating to the prevention of public nuisance.
Appendix 24
Underage drinking or other harm to minors

General Advice

If Members hear evidence that gives them cause for concern in relation to this licensing objective 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 either 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 the applicant 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 Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Poll 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 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 by 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
Noise Leakage from the Premises

General Advice

Extending hours may bring issues about noise leakage to the fore, as many premises are close to residential properties (or even sometimes commercial).

The obvious areas for Members to consider, if they believe there is a problem and it is proportionate to consider conditions are:

- Can internal works, actions or equipment reduce the noise leakage
- Does the problem justify curtailing the activities that are licensed. If Members are minded to do this they must ensure conditions are clear and readily enforceable. For example “Jazz Music Only” is not capable of legal definition and is unenforceable.
- Does the problem justify limiting the hours or place of particular activities. For example “no music in the beer garden at any time and no music past 22 30 hrs” although the premises can stay open until 01 00 hrs.

Members also need to bear in mind the statutory exemptions under the Act (see below).

Licensing Policy

The Licensing Authority expects applicants to have sought advice and to be able to explain how they will address problems. (See Section 8, 1-2), especially where a negative impact is likely on local residents or businesses (See 12.5).

The Licensing Policy recognises that staggered hours can make a positive contribution to alcohol related issues but that consideration will be given to imposing stricter conditions in respect of noise control where premises are close to residents. (See 12.4).

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Poll of Conditions relating to public nuisance. (See Appendix 2 Annex G of the Licensing Policy). In particular Members may wish to consider the following: (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
Police Powers

Part 8 of the Licensing Act 2003 enables a senior police officer to close down for up to 24 hrs premises causing a nuisance resulting from noise emanating from the premises.

Licensing Act 2003

Schedule 1 Part 2 states that entertainment in churches, morris dancing and accompanying music if live and unamplified and incidental music are not licensable activities—that is no conditions can be set for them.

Section 177, (1) and (2) of the Act provides that where a premises (or club) is licensed for alcohol consumption on the premises and is primarily thus used, and the permitted capacity does not exceed 200 additional conditions relating to the music should only relate to public safety or the prevention of crime (or both). That is they should not relate to any “noise nuisance.”

Section 177 (4) provides that where a premises licence (or club) has a capacity of not more than 200 and the only music is unamplified live music between 08 00 hrs and midnight, no additional conditions should be set relating to the music.

Section 177 can be disapplied on a licence review if it is proportionate to do so.

Public Nuisance Guidance issued under Section 182 of the Licensing Act 2003

The Licensing Policy has adopted the recommended Pool of Conditions (7.38).

The prevention of the public nuisance could include low level nuisance, perhaps affecting a few people living locally (7.40). Licence conditions should not duplicate other legislation (7.42).

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises (7.43), but it is “essential that conditions are focused on measures within the direct control of the licence holder” (7.45).

It may be appropriate to require take-aways to provide litter bins. (7.46).

Other Legislation

Environmental Health Officers have extensive powers under the Environmental Protection Act 1990 to control a noise nuisance, including a power of immediate closure.
Appendix 26
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 Poll of Conditions relating to public safety. (See Appendix 2 Annex E, F and I 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 guidance commends the Model Pool of Conditions adopted by our licensing policy in relation to public safety (7.31). The public safety objective is the physical safety of the people using the relevant premises," not public health (7.32). It is permissible to require certificates or checks provided this does not duplicate other legislation. Responsible authorities should make their expectations clear to applicant’s (7.33). "Safe capacities " should only be imposed where necessary for the promotion of public safety or the prevention of disorder." (7.34). So conditions of a fire certificate should not be reproduced. Setting a capacity is necessary for any “exemptions” claimed by an applicant, who will need to consult the fire authority.”

Other Legislation


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