

# Appendix 1



\* required information

## Section 1 of 19

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

System reference

Not Currently In Use

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

Your reference

IBR1-1

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

Are you an agent acting on behalf of the applicant?

Yes  No

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

### Applicant Details

\* First name

Ahmet

\* Family name

Uzun

\* E-mail

[REDACTED]

Main telephone number

[REDACTED]

Include country code.

Other telephone number

[REDACTED]

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

Is the applicant:

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

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

Continued from previous page...

### Address

* Building number or name	<input type="text"/>
* Street	<input type="text"/>
District	<input type="text"/>
* City or town	<input type="text"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text"/>
* Country	<input type="text"/>

### Agent Details

* First name	<input type="text" value="Alan"/>
* Family name	<input type="text" value="Aylott"/>
* E-mail	<input type="text"/>
Main telephone number	<input type="text"/>
Other telephone number	<input type="text"/>

Include country code.

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

Are you:

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

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

### Agent Business

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

* Registration number	<input type="text" value="OC358152"/>
* Business name	<input type="text" value="Dadds LLP"/>
* VAT number	<input type="text" value="GB"/> <input type="text" value="101 5996 25"/>
* Legal status	<input type="text" value="Partnership"/>
* Your position in the business	<input type="text" value="Solicitor"/>
Home country	<input type="text" value="United Kingdom"/>

If your business is registered, use its registered name.

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

The country where the headquarters of your business is located.

*Continued from previous page...*

**Agent Registered Address**

Address registered with Companies House.

* Building number or name	Crescent House
* Street	51 High Street
District	
* City or town	Billericay
County or administrative area	Essex
* Postcode	CM12 9AX
* Country	United Kingdom

**Section 2 of 19**

**PREMISES DETAILS**

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

**Premises Address**

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

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name	79
Street	Brick Lane
District	
City or town	London
County or administrative area	
Postcode	E1 6QL
Country	United Kingdom

**Further Details**

Telephone number	
Non-domestic rateable value of premises (£)	29,750

## Section 3 of 19

### APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

### Confirm The Following

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

## Section 4 of 19

### INDIVIDUAL APPLICANT DETAILS

#### Applicant Name

Is the name the same as (or similar to) the details given in section one?

- Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes  No

Continued from previous page...

### Applicant Postal Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes  No

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>

### Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes  No

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>

## Section 5 of 19

### OPERATING SCHEDULE

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

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

Provide a general description of the premises

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

This premises was previously known as The Shampan restaurant. The applicant intends to operate as a fast-food outlet in line with similar operations under the Efes trade name.

**Continued from previous page...**

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

**Section 6 of 19**

**PROVISION OF PLAYS**

Will you be providing plays?

- Yes  No

**Section 7 of 19**

**PROVISION OF FILMS**

Will you be providing films?

- Yes  No

**Section 8 of 19**

**PROVISION OF INDOOR SPORTING EVENTS**

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 19**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 19**

**PROVISION OF LIVE MUSIC**

Will you be providing live music?

- Yes  No

**Section 11 of 19**

**PROVISION OF RECORDED MUSIC**

Will you be providing recorded music?

- Yes  No

**Section 12 of 19**

**PROVISION OF PERFORMANCES OF DANCE**

Will you be providing performances of dance?

- Yes  No

**Section 13 of 19**

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

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

- Yes  No

**Section 14 of 19**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

- Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

- Indoors                       Outdoors                       Both

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

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



*Continued from previous page...*

State any seasonal variations

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

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

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

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**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

- Yes                       No

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

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

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

Reference number for consent form (if known)

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

**Section 16 of 19**

**ADULT ENTERTAINMENT**

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

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

There will be no activity of this nature

**Section 17 of 19**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

*Continued from previous page...*

### Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

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

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

Continued from previous page...

**Section 18 of 19**

**LICENSING OBJECTIVES**

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

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

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

The premises licence holder agrees to abide by the mandatory conditions of the premises licence and all other legislation regarding the premises, ie health and safety and fire regulations. In addition, he is offering for the steps below to be attached to the new premises licence;

1. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
2. No person shall be employed to solicit for custom or be permitted to solicit for custom for business for the premises in any public place within a 500-metre radius of the premises.
3. Clear signage shall be placed in the restaurant windows stating that the premises supports the Council's 'No Touting' policy.
4. The premises shall install and maintain a comprehensive CCTV system. All entry and exit points will be covered enabling frontal identification with a "head and shoulder" image of every person entering, in any light condition. The CCTV system shall continually record whilst the premise is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available upon request of Police or authorised officer throughout the preceding 31-day period (subject to data protection legislation).
5. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
6. A minimum of one SIA registered door supervisor shall be on duty from 23:00 daily until the closure of the premises to the public.
7. Reasonable steps shall be taken to ensure that any persons loitering outside the premises disperse quickly and do not congregate.

b) The prevention of crime and disorder

Please see above

c) Public safety

Please see above

d) The prevention of public nuisance

**Continued from previous page...**

Please see above

e) The protection of children from harm

Please see above

## Section 19 of 19

### PAYMENT DETAILS

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

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

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

Band A - No RV to £4,300 = £100.00

Band B - £4,301 to £33,000 = £190.00

Band C - £33,001 to £8700 = 315.00

Band D - £87001 to £12500 = £450.00\*

Band E - £125001 and over = 635.00\*

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

Band D - £7001 to £12500 = £900.00

Band E - £125001 and over £1,905.00

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

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

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

Capacity 5000-9999 = £1,000.00

Capacity 10000 -14999 = £2,000.00

Capacity 15000-19999 = £4,000.00

Capacity 20000-29999 = £8,000.00

Capacity 30000-39000 = £16,000.00

Capacity 40000-49999 = £24,000.00

Capacity 50000-59999 = £32,000.00

Capacity 60000-69999 = £40,000.00

Capacity 70000-79999 = £48,000.00

Capacity 80000-89999 = £56,000.00

Capacity 90000 and over = £64,000.00

\* Fee amount (£)

190.00

### DECLARATION

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

**Continued from previous page...**

The 28 full days consultation period on the public notice on the premises and on the newspaper must state the same \* consultation end date. The advert on the local newspaper must be published on at least one occasion during the period of 10 working days starting on the day after the day on which the application was given to the Licensing Authority.

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

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

* Full name	<input type="text" value="Alan Aylott"/>
* Capacity	<input type="text" value="Applicant's solicitor"/>
* Date	<input type="text" value="15"/> / <input type="text" value="11"/> / <input type="text" value="2016"/> dd mm yyyy

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

1. Save this form to your computer by clicking file/save as...
  2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/tower-hamlets/apply-1> to upload this file and continue with your application.
- Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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**

**OFFICE USE ONLY**

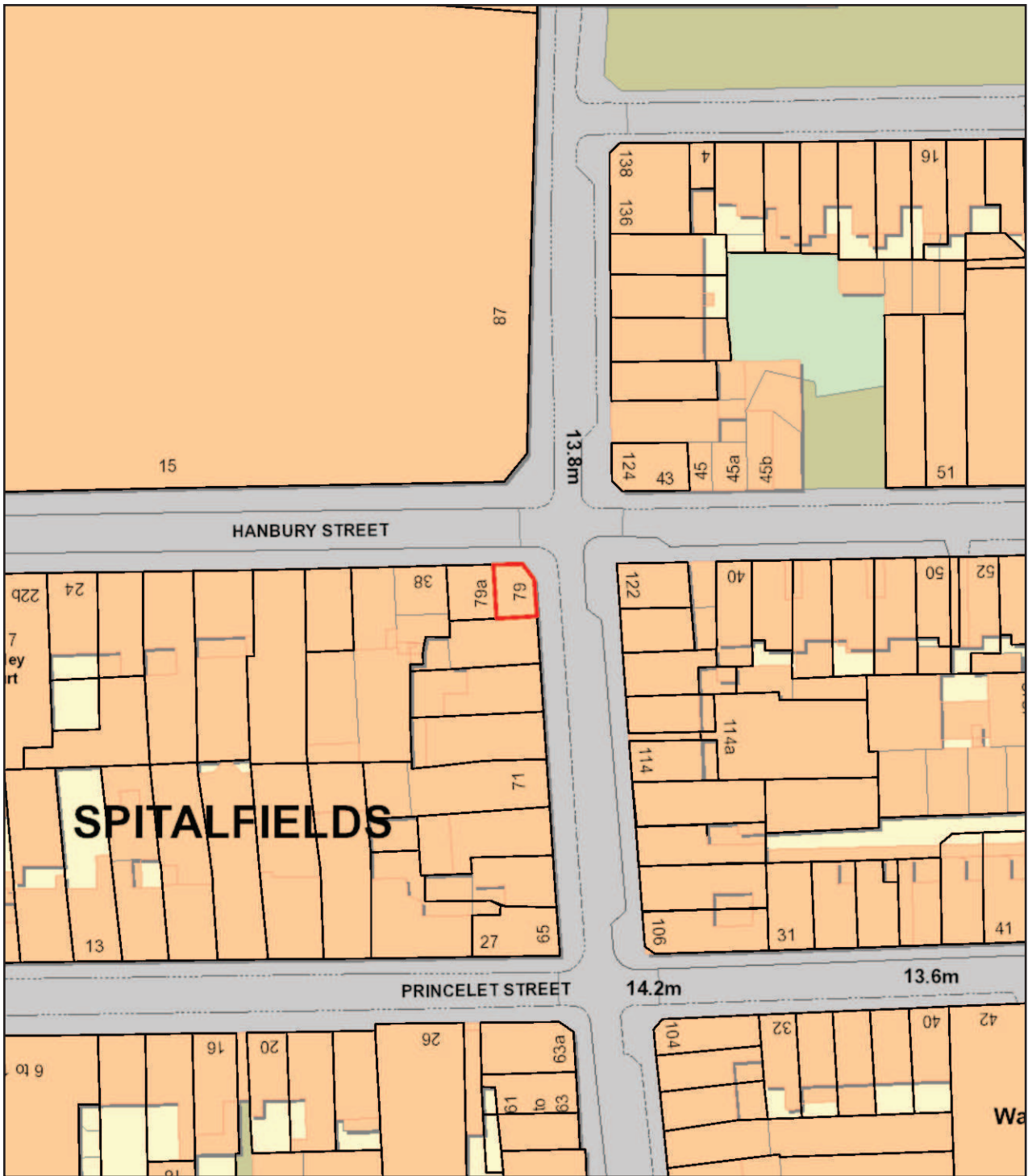
Applicant reference number	<input type="text" value="IBR1-1"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

# Appendix 2



# Appendix 3



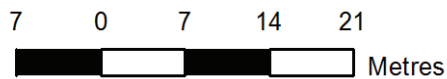


# 79 Brick Lane

## Map 1



Scale 1:769





# 79 Brick Lane

## Map 2



Scale 1:1537

10 0 10 20 30

Metres



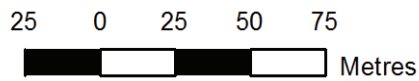


# 79 Brick Lane

## Map 3



Scale 1:3074



# Appendix 4

## **79 Brick Lane, E1** **Surrounding Premises**

### **(Bengal Village)**

75 Brick Lane  
London  
E1 6QL

#### The times the licence authorises the carrying out of licensable activities

Alcohol may be sold or supplied:

- (1) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 10:00hrs to 00:00hrs (midnight)
- (2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12:00hrs (midday) to 23:30hrs
- (3) On Christmas Day from 12:00hrs (midday) to 23:30hrs;
- (4) On New Year's Eve, except on a Sunday from 11:00hrs to 00:00hrs (midnight);
- (5) On New Year's Eve on a Sunday, 12:00hrs (midday) to 23:30hrs;
- (6) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

For conditions relating to times for restaurants and residential properties see Mandatory Conditions

#### Late Night Refreshment

- On weekdays from 23:00hrs to 00:00hrs (midnight)
- On Sundays from 23:00hrs to 23:30hrs

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

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 23:00hrs on New Year's Eve and 11:00hrs on New Year's Day

#### The opening hours of the premises

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

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### **(Curry Bazaar)**

77 Brick Lane  
London  
E1 6QL

#### The sale by retail of alcohol (on sales only)

- Sunday to Thursday from 11:00hrs to 00:00hrs (midnight)

- Friday and Saturday from 11:00hrs until 02:0 hrs (the following day)  
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 23:00hrs on New Year's Eve and 11:00hrs on New Year's Day.

For provision of Late Night Refreshment:

- Sunday to Thursday from 11:00hrs to 00:00hrs (midnight)
- Friday and Saturday from 11:00hrs until 02:00hrs (the following day)

The opening hours of the premises

Sunday to Thursday from 11:00hrs to 00:30hrs (the following day)  
Friday and Saturday from 11:00hrs to 02:30hrs (the following day)

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**(Preem)**

118 -122 Brick Lane  
London  
E1 6RL

Sale of Alcohol (On Sales Only)

- Monday to Sunday from 12:00hrs (midday) to 01:00hrs (the following day)

The Provision for Late Night Refreshment

- Monday to Sunday from 23:00hrs to 01:00hrs (the following day)

The opening hours of the premises

- Monday to Sunday from 12:00hrs (midday) to 01:30hrs (the following day)
- 

**(Cocoa House)**

124 - 126 Brick Lane  
London  
E1 6RU

Alcohol and Late Night Refreshment

- Monday to Sunday from 11:30hrs to 01:30hrs (the following day)

Regulated Entertainment (Recorded Music)

- Monday to Sunday from 11:30hrs to 02:00hrs (the following day)

The Opening Hours of the premises

- Monday to Sunday from 11:30hrs to 02:00hrs (the following day)
-

**(Jasmine)**

128 Brick Lane  
London  
E1 6RU

The sale by retail of alcohol (on sales only)

- Sunday to Wednesday from 12:00hrs (midday) to 01:00hrs (the following day)
- Thursday to Saturday from 12:00hrs (midday) to 03:00hours (the following day)

Late Night Refreshment

- Monday to Saturday from 23:00hrs to 00:30hrs (the following day)

Regulated Entertainment consisting of Recorded Music only

- Sunday to Wednesday from 12:00hrs (midday) to 01:00hrs (the following day)
- Thursday to Saturday from 12:00hrs (midday) to 03:00hours (the following day)

Note: 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 23:00hrs on New Year's Eve and 11:00hrs on New Year's Day.

The opening hours of the premises

- Sunday to Wednesday from 12:00hrs (midday) to 01:00hrs (the following day)
- Thursday to Saturday from 12:00hrs (midday) to 03:00hours (the following day)

Note: 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 23:00hrs on New Year's Eve and 11:00hrs on New Year's Day.

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**(Sichuan Folk)**

32 Hanbury Street  
London  
E1 6RL

The times the licence authorises the carrying out of licensable activities

Alcohol may be sold or supplied:

- (1) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 10:00hrs to 00:00hrs (midnight);
- (2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12:00hrs (midday) to 23:30hrs;
- (3) On Christmas Day: 12:00hrs (midday) to 23:30hrs;
- (4) On New Year's Eve, except on a Sunday from 10:00hrs to 00:00hrs (midnight);
- (5) On New Year's Eve on a Sunday from 12:00hrs (midday) to 23:30hrs;

(6) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

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 23:00hrs on New Year's Eve and 11:00hrs on New Year's Day.

#### Late Night Refreshment

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

#### Regulated Entertainment (recorded music only)

- This is not restricted as to hours

#### The opening hours of the premises

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



# Appendix 5

### Section 182 Advice by the Home Office Updated on March 2015

#### Relevant, vexatious and frivolous representations

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

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

# Appendix 6

Tom Lewis  
LBTH Licensing  
Toby Club  
Vawdrey Close

E1 4UA

HT - Tower Hamlets Borough  
HH - Limehouse Police Station

Licensing Office  
Limehouse Police Station  
27 West India Dock Road  
E14 8EZ



[www.met.police.uk](http://www.met.police.uk)

Your ref:

Our ref:

1 December 2016

Dear Mr Lewis

Application for a premises licence

79 Brick Lane, E1 6QL

I write with reference regarding the above application. Please accept this letter as notification that the police as a responsible authority wish to object to this application on the following two licensing objectives.

The prevention of crime and disorder

The prevention of public nuisance

The applicant, Efes, already has a restaurant in the CIZ at 1 Whitechapel Road, E1  
The basis of my representation reflects the representation I made for 1 Whitechapel Road.  
It is welcome that no alcohol licence has been requested.

The applicant wishes the following for LNR

2300 -0200 : all week: closing at 0230

LBTH has adopted a Saturation Policy / Cumulative Impact Policy specifically for the Brick Lane area which includes the applicant's premises. This policy was adopted due to the concerns about the number of licensed premises and late night eateries in such a small area and the resulting number of ASB calls and the potential for disorder.

With regards to this policy, the licensing authority will normally refuse any new applications or any variation of these in the cumulative impact zone; *unless the applicant can demonstrate there will be no negative cumulative impact on one or more of the licensing objectives.*

79 Brick Lane is situated in the heart of the CIZ. Although there continues to be an increase in licensed premises, there has been a consensual approach with all responsible authorities in limiting the hours in the CIZ

The applicant was aware of the saturation policy and the late hours applied for do not reflect the concerns that have led to the implementation of a CIZ. One of the main reasons for the introduction of the CIZ was to combat the expansion of late night venues. One more late night opening venue will only compound the problems in this area. By remaining open it will result in people hanging about the area for a longer period of time. Even without intending to, their customers could stand or sit outside residential premises whilst eating their food. At this hour in the morning even people talking loudly can be disruptive.

Many people who attend late night eateries are under the influence of alcohol. ASB or violence can occur when some intoxicated people are in close proximity to one another. I accept a SIA supervisor is welcome but they will only deal with the immediate environs of the restaurant and not the side streets where people often tend to congregate.

Licensing Guidance :Paragraph 8.34 states "applicants are in particular expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives".....including "any risk posed to the local area by the applicants' proposed licensable activities" . I don't believe the applicant has taken into consideration the local community and the impact such late hours will have on the neighbourhood.

I believe that since the “saturation policy” was adopted, the local environment has improved and whilst welcoming Efes, it would be a retrograde step if the full hours were granted.

I ask the committee to consider the following hours:

Late night refreshments

All week: 2300 - midnight.

Alan Cruickshank PC 189HT

# Appendix 7



## Andrew Heron

---

**From:** Nicola Cadzow  
**Sent:** 02 December 2016 14:08  
**To:** Licensing  
**Cc:** [REDACTED]  
**Subject:** MAU REPRESENTATION - Efes 79 Brick Lane London E1 6QL - ref M/096105  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Licensing

When regarding the application for New Premises License for 79 Brick Lane I considered the potential impact of public nuisance and measures to prevent noise generated from within the premises or outside it which could cause disturbance to people in the vicinity, the proposed hours are well beyond the Council's framework hours. Added to this is the fact that the Premise is within a Cumulative Impact Zone.

It must be noted that the Council's framework hours (i.e. when premises are open) are:

- **Monday to Thursday 0600 hours to 2330 hours; and**
- **Friday & Saturday 0600 hours to midnight**
- **Sunday 0600 hours to 2230 hours.**

The applicant is proposing:

- **Late Night Refreshment until 0200 hours, closing 30 minutes later at 02:30 hours, 7 days a week.**

I would agree to the following hours:

- **Late Night Refreshment until Midnight, closing 30 minutes later at 00:30 hours, 7 days a week.**

**Noise Sensitive premises:** residential and commercial premises in close proximity to 79 Brick Lane London.

In my view the application, as it stands fails, to comply with the objective of the Licensing Act 2003 relating to "public nuisance" for the following reasons:-

- Noise breakout from the venue affecting neighbouring residents.
- Access & egress to and from the venue, of patrons, especially due to patrons likely to be in high spirits; and
- The hours of operation (inclusive of proposals)

### **CONCLUSION**

Environmental Protection **does not** support the application for 79 Brick Lane, as there is great likelihood of disturbance to residential premises at the noise sensitive hours sought.

Kind regards

Nicola Cadzow  
Environmental Health Technical Officer  
Noise Pollution Team  
Environmental Protection  
London Borough of Tower Hamlets

# Appendix 8

## Communities, Localities & Culture Safer Communities

Head of Environmental Health & Trading  
Standards **David Tolley**

Licensing Section  
John Onslow House  
1 Ewart Place  
London  
E3 5EQ

Licensing Authority  
John Onslow House  
1 Ewart Place  
London  
E3 5EQ

[REDACTED]

[REDACTED]

13<sup>th</sup> December 2016

[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)

Your reference  
My reference: CLC/LIC/96105/MA

Dear Sir/Madam,

### **Licensing Act 2003**

#### New premises licence application: Efes, 79 Brick Lane, London E1 6QL

On 1<sup>st</sup> November 2013, Tower Hamlets adopted a Cumulative Impact Policy (CIP) in the Brick Lane Area. *The Council has recognised that because of the number and density of licensed premises selling alcohol, on and off the premises and the provision of late night refreshment (sale of hot food after 11pm) within the Brick Lane Area, there might be exceptional problems of nuisance, disturbance and/or disorder outside or away from those licensed premises as a result of their combined effect (8.2)*

The Licensing Authority recognises that there is a wide diversity of premises requiring a licence and will have full regard to the differing impact these will have on the local community. It therefore also recognises that, within this Policy, it may be able to approve licences that are unlikely to add significantly to the saturation, and will consider the circumstances of each individual application. The Authority may therefore consider that the imposition of conditions is unlikely to address these problems and may consider the adoption of a special policy of refusing new licences because the area is saturated with licensed premises and the granting of any more would undermine one of the licensing objectives.

*The Licensing Authority is now of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and/or the provision of late night refreshment in the Brick Lane Area as having a cumulative impact on the licensing objectives and has therefore declared a Cumulative Impact Zone (CIZ) (8.3).*

*The effect of this CIZ Policy is to create a rebuttable presumption for applications in respect of the sale or supply of alcohol on or off the premises and/or late Night Refreshment for new Premises Licences, Club Premises Certificates or Provisional Statements and applications for variations of existing Premises Licences, Club Premises Certificates (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity). Where the premises are situated in the CIZ and a representation is received, the licence will be objected to by the Authority. To rebut this presumption the applicant is expected to show through the operating schedule and where appropriate with supporting evidence that the operation of the premises will not add to the cumulative impact already being experienced. This policy does not act as an absolute prohibition on granting/varying new licences in the CIZ (8.4).*

The Licensing Authority is therefore making a representation against the above application on the grounds of the prevention of crime and disorder and the prevention of public nuisance as the premises lies within the CIZ. If the applicant is unable to prove to the Licensing Sub Committee, through the implementation of appropriate conditions within the Operating Schedule, that the granting of the application will not affect the cumulative impact of the area; then I ask the Committee to reject the application in full.

The Tower Hamlets statement of licensing policy makes it clear (8.4) that the applicant is expected to show through the operating schedule and where appropriate with supporting evidence that the operation of the premises will not add to the cumulative impact already being experienced. This is also repeated in the Home Office guidance (8.35). *Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.*

The hours applied for are longer than the framework hours in the Tower Hamlets licensing policy (15.8). The policy states that application to operate outside of the framework hours will be considered on their merit, with regard to:

*a) The location of the premises and the general character of the area in which the premises are situated. (i.e. does the area include residential or business premises likely to be adversely affected).*

*b) The proposed hours during which licensable activities will be take place and the proposed hours during which customers will be permitted to remain on the premises.*

*c) The adequacy of the applicant's proposals to address the issues of the prevention of crime and disorder **and** the prevention of public nuisance.*

*d) Where the premises have been previously licensed, the past operation of the premises.*

*e) Whether customers have access to public transport when arriving at or leaving the premises at night time and in the early hours of the morning.*

*f) The proximity of the premises to other licensed*

In my opinion, the applicant has not satisfied these criteria. The Home Office guidance (8.33) says:

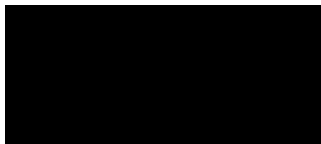
*Applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives.*

If the Licensing Sub-Committee is minded to grant a licence then I would ask that the hours are reduced to the framework hours.

- Monday to Thursday, from 23:00 hours to 23:30 hrs
- Friday and Saturday, from 23:00 hours to midnight
- Sunday, from 23:00 hours to 22:30 hours

I would also request the conditions offered in the application form are also included. However, in relation to the CCTV condition (section 18) I would request that members remove the statement about data protection requirement "(subject to data protection legislation)".

Yours faithfully,



Mohshin Ali  
**Senior Licensing Officer**  
**Acting as a Responsible Authority**

**CC:** Applicant's solicitor (Alan Aylott - 

# Appendix 9

## Andrew Heron

---

**From:** Keith Bowler [REDACTED]  
**Sent:** 12 December 2016 16:22  
**To:** Licensing  
**Subject:** 79 Brick Lane Application for a Refreshments Licence

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

[REDACTED]  
**Subject:** 79 Brick Lane Application for a Refreshments Licence

---

Dear Licensing Authority

### Re 79 Brick Lane Application for Refreshment License

I object to the hours asked for by the applicant in the 79 Brick Lane licence application. The applicant is asking to serve food until 2am and be open until 2:30, this is far too late in an area which already suffers from problems of anti social behaviour and is being considered for a Public Spaces Protection Order. This is a large restaurant next door to residential homes and in the middle of an area with a large residential population.

The hours requested will lead to increased anti social behaviour and noise nuisance.

It will be outside the control of the applicant to control the behaviour of the restaurant customers when they leave the premises in the early hours of the morning. Our experience is that groups of people will be moving through our residential streets noisily as they go towards public transport and/or will be sitting on doorsteps and gathering in groups, especially during the summer months.

The area has no public lavatories and insufficient rubbish bins.

Currently this results in urination, and worse in our streets and doorways, vomiting and rubbish left everywhere.

Late night customers may have been drinking at the point of visiting the restaurant, especially after 11pm. If there is take away food these people will be buying drinks at the local off licenses and sitting around the street eating and drinking.

It is unclear whether the applicant is allowing alcohol to be drunk at the premises if it is bought elsewhere, if this is the case then the anti social problems already experienced in the area will worsen.

I request that the licensing authority do not grant the opening times requested, and that if they do grant any late hours this does not go beyond 12 midnight and that no take away food is served after 11pm ( in line with Poppies Fish and Chips on Hanbury Street.)

Thank you for your consideration of the above.

Keith Bowler

[REDACTED]

[REDACTED]



# Appendix 10

**Andrew Heron**

---

**From:** Critchley Main [REDACTED]  
**Sent:** 13 December 2016 21:36  
**To:** Licensing  
**Subject:** 79 Brick Lane Application for a Refreshments Licence

Dear Licensing Authority,

Re 79 Brick Lane Application for Refreshment License

We wish to object to the hours asked for by the applicant in the 79 Brick Lane licence application. These are to serve food until 2am and be open until 2:30.

We feel that this is far too late in an area which already suffers from well documented problems of anti social behaviour and is being considered for a Public Spaces Protection Order. We are sure that the hours requested will lead to increased anti social behaviour and noise nuisance.

We request the licensing authority not to grant the opening times requested, and that any late hours do not go beyond 12 midnight at the very latest and that no take away food is served after 11pm (in line with Poppies Fish and Chips on Hanbury Street.)

Yours sincerely,

John and Sandy Critchley

[REDACTED]

# Appendix 11

## Andrew Heron

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**From:** Jane Curtis [REDACTED]  
**Sent:** 12 December 2016 09:57  
**To:** Licensing  
**Subject:** 79 Brick Lane Application for a Refreshments Licence

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Dear Licensing Authority

### Re 79 Brick Lane Application for Refreshment License

I object to the hours asked for by the applicant in the 79 Brick Lane licence application. The applicant is asking to serve food until 2am and be open until 2:30, this is far too late in an area which already suffers from well documented problems of anti social behaviour and is being considered for a Public Spaces Protection Order. This is a large restaurant next door to residential homes and in the middle of an area with a large residential population. The hours requested will lead to increased anti social behaviour and noise nuisance.

It will be outside the control of the applicant to control the behaviour of the restaurant customers when they leave the premises in the early hours of the morning. Our experience is that groups of people will be moving through our residential streets noisily as they go towards public transport and/or will be sitting on doorsteps and gathering in groups, especially during the summer months. (The area has no public lavatories and insufficient rubbish bins. Currently this results in urination, and worse in our streets and doorways, vomiting and rubbish left everywhere.)

Late night customers may have been drinking at the point of visiting the restaurant, especially after 11pm. If there is take away food these people will be buying drinks at the local off licenses and sitting around the street eating and drinking. It is unclear whether the applicant is allowing alcohol to be drunk at the premises if it is bought elsewhere, if this is the case then the anti social problems already experienced in the area will worsen.

I request that the licensing authority do not grant the opening times requested, and that if they do grant any late hours this does not go beyond 12 midnight and that no take away food is served after 11pm ( in line with Poppies Fish and Chips on Hanbury Street.)

Thank you for your consideration of the above.

Jane Curtis  
[REDACTED]  
[REDACTED]

# Appendix 12

## Andrew Heron

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**From:** Olwen Evans [REDACTED]  
**Sent:** 13 December 2016 21:18  
**To:** Licensing  
**Subject:** Effes Brick Lane - licensing application

Dear Sirs

[REDACTED]

I have just been told that the above restaurant is asking for an alcohol license until 2.00am . I do not object to the license per se , but believe 2.00am is too late bearing in mind the concentration of licensed premises / restaurants in the area , and the public drunkenness and anti social behaviour that local residents are already subject to. An alcohol license until 2.00 will encourage people to move on from pubs and bars closing earlier and has the potential to aggravate the existing problems of public vomiting, urinating in streets and doorways nearby and crowds of rowdy people walking down the streets in the early hours of the morning. This already happens on a regular basis .

Yours faithfully  
Olwen Evans

[REDACTED]

Sent from my iPad

# Appendix 13

## Andrew Heron

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**From:** Jeremy Freedman [REDACTED]  
**Sent:** 14 December 2016 10:07  
**To:** Licensing  
**Subject:** Re: licence application at Efes, 79 Brick Lane, E1 6QL

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

On 13 Dec 2016, at 15:13, Jeremy Freedman [REDACTED] wrote:

Hi Licensing -

I wish to strongly object to the licensing application of Efes, 79 Brick Lane, E1 6QL

They have applied for permission stay open until 2am!!! - this is totally unacceptable! this area does not need further late opening eateries! 11pm should be the cut off - like all other eateries near and around residential areas!

This part of Brick Lane a-butts a dense residential area, full of families with young children - the area has already terrible ASB issues. 2am is not acceptable at all!!!

11pm latest I think is more the ticket!

we do not want more drunk people - littering, vomiting, drinking, defecating on the steps of our homes - 11pm should be the cut off and visitors head out of this dense residential area and head home.

the problems in this area are well known - and the applicants application seems to laugh in the face of them!

This application as it stands must be refused - or the hours reduced significantly!

Sincerely,

Jeremy Freedman  
[REDACTED]  
[REDACTED]

On 13 Dec 2016, at 14:29, Spitalfields Community Group  
<[spitalfieldscommunitygroup@gmail.com](mailto:spitalfieldscommunitygroup@gmail.com)> wrote:

Dear SCG members,



SCG has just objected to the licence application for Efes, 79 Brick Lane. Our main concern is the excessive hours applied for - until 2am - which will only add to problems with anti-social behaviour in the area, especially late at night. Our letter of objection is below. If you wish to object too you need to do so **today** by emailing [licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk) . Our understanding is that they normally accept representations sent in by midnight on the closing date. Our apologies for the very short notice.

Thank you for your support.

SCG

**From:** [REDACTED]  
**Sent:** Tuesday, December 13, 2016 2:11 PM  
**To:** [Licensing](#)  
**Cc:** [Alan Cruickshank](#)  
**Subject:** licence application at Efes, 79 Brick Lane, E1 6QL

Dear Sir/Madam,

SCG wishes to OBJECT to the licensing application at Efes Express, 79 Brick Lane E1 6QL for Late Night Refreshment until 0200.

Spitalfields Community Group was formed in September 2011 with the aim of promoting and protecting the quality of life of people living and working in the ward of Spitalfields and Banglatown. We have over 200 members and are growing. Our current survey, conducted to identify priorities for action, highlighted the growing problems faced by locals as a result of the existing dense concentration of licensed premises in the area, exacerbating the negative impact on us of the night time economy. In accordance with this focus, SCG has supported the adoption of a cumulative impact zone for the Brick Lane area, within which Old Spitalfields Market is situated.

Food takeaway at late hours clearly encourages excessive drinking and associated nuisance including noise and antisocial behaviour. There is an unfortunate provision in Brick Lane of late night alcohol off-sales which exacerbates this problem, and the misery caused to surrounding residents.

There has been a recent upsurge in antisocial behaviour in the residential streets adjacent to Brick Lane, in which visitors loiter causing a disturbance late at night. A particularly unacceptable facet of this is the number of instances of vomit on pavements, in doorways, light-wells providing light to residential basement kitchens and on cars. Excessively late hours for food takeaway fuels this disgusting phenomenon.

Local residents and businesses are also increasingly concerned at the growing problem of litter and food waste associated with an excess of takeaway outlets and food stalls in the area. Waste bins are routinely overflowing or disregarded, with packaging and leftover food dumped without consideration. Rats are endemic in the neighbourhood.

For the above reasons SCG objects to the licensing application at Efes Express, 79 Brick Lane.

# Appendix 14

## Andrew Heron

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**From:** [REDACTED]  
**Sent:** 12 December 2016 16:01  
**To:** Licensing  
**Cc:** Sarah Jenkins  
**Subject:** Licencing Application for 79 Brick Lane - Closing date 13 December 2016 - Local Resident Objection

To whom it may concern,

We wish to raise our objection as local residents [REDACTED] to an element of the Premises Application dated 15 November 2016 in respect of Efes Express for 79 Brick Lane, London, E1 6QL, namely in respect of the opening hours of the premises.

The application requests permission for opening hours until 2.30am, which we consider to be disproportionately late.

The area around Brick Lane in the block between the intersections of Princelet Street and Hanbury Street already suffers from late-night anti-social behaviour from clientele of the existing premises which have closing times of midnight, or in one case 1am. This takes the form of loud and raucous behaviour as well as public urination and drug taking. Cases of these latter two behaviours are especially true up the less well-illuminated side streets perpendicular to Brick Lane such as Princelet Street. Permitting a licence to open for 150 minutes beyond midnight increases the risk that such behaviour extends further into the early hours of the morning.

The restaurants in Brick Lane had their closing times brought earlier in recent years with the intention of reducing anti-social behaviour. Permitting a new establishment to open for longer than existing premises would be a retrograde step. That anti-social behaviour is an issue in and around this area, has clearly been recognised by Tower Hamlets through the Proposed Brick Lane Public Spaces Protection Order the consultation period for which ended 7 December.

The application contains the provision to not allow people to congregate outside the restaurant. We do not consider this would be effective, as individuals currently move to congregate on street corners and there is little evidence that there is an enforcement of such requirements. For example on the evening of the 8<sup>th</sup> December, a crowd congregated for a substantial period outside the Eastern Eye restaurant on the corner of Brick Lane and Princelet Street, leading to public vomiting, loud drunkenness and public urination outside our neighbour's property.

Additionally we note the proposed opening hours for the premises of 08.00, we would also note that none of the other premises, as far as we are aware, are licenced for the provision of food on this block of Brick Lane open before 11.00. The level of activity in the street at prior to 11.30am is very modest and we would suggest that the opening hours are moved to commence at 11.30am in line with the activity in the surrounding premises. Further the area to the back of the property is very quiet early in the morning and we are concerned that disproportionate noise that would be generated by the extractor fan system operating at that time.

We are happy to discuss any aspect of this response with you.

Sarah and Ed Jenkins  
[REDACTED]  
[REDACTED]

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SAVE PAPER - THINK BEFORE YOU PRINT!

# Appendix 15

## Andrew Heron

---

**From:** Susan Kay [REDACTED]  
**Sent:** 14 December 2016 10:55  
**To:** Licensing  
**Cc:** Andrew Heron  
**Subject:** Fwd: Efes - 79 Brick Lane

From: Susan Kay [REDACTED]  
Sent: 13 December 2016 15:05  
To: Licensing  
Cc: [REDACTED] Matt Piper  
Subject: Efes - 79 Brick Lane

Dear Andrew Heron, (Licensing Officer)

I would like to OBJECT to the above premises being granted an application for late night refreshment extending to 2 am !

I am a long standing resident in The Spitalfields area, residing in the St George Development.

My address is: Susan & Michael Kay

[REDACTED]

The increase of licenced premises has increased so much over the past 5 years that we are now seriously finding the situation of late night drinking disturbance unbearable, particularly Friday/Saturday evenings and late at night.

The noise, food and drink litter left on ledges and seats all around the market and around the streets off Brick Lane is unsupportable to the local residents and businesses.

Please take heed of this objection and do not allow yet another late night refreshment licence to be granted to the above premises.

Susan Kay

Sent from my iPhone

Begin forwarded message:

[REDACTED]

# Appendix 16

## Andrew Heron

---

**From:** Glenn Leeder [REDACTED]  
**Sent:** 13 December 2016 16:49  
**To:** Licensing  
**Subject:** Objection to Licencing at Efes, 79 Brick Lane E1 6QL

I wish to OBJECT to the licensing application at Efes Express, 79 Brick Lane E1 6QL for Late Night Refreshment until 0200.

Being a local resident I am all too aware of the constant disruption to my quality of life my late night patrons vomiting and urinating in the local streets. Combined with alcohol, late night food available until 2am makes it likely the patrons will vomit, litter or urinate in our residential streets. Our local area is getting progressively worse for litter as well.

As this establishment is within the local Brick Lane Cumulative Impact Zone, I believe the application for a late licence should be rejected to help alleviate the loss of quality of life the local residents have to endure.

Glenn Leeder  
[REDACTED]  
[REDACTED]



# Appendix 17

## Andrew Heron

---

**From:** Conor McLernon [REDACTED]  
**Sent:** 13 December 2016 22:27  
**To:** Licensing  
**Subject:** Efe's Express Objection

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

Dear Sir/Madam,

I wish to object to Licensing Application for Efe's Express. I am a resident on Hanbury Street.

Whilst I would welcome a celebrated Turkish restaurant like Efe's to this part of Brick Lane, the unfortunate fact is that the format of this establishment is to be a takeaway; that is why it is to be called 'Efe's Express'.

It is clear there will be very limited internal seating, and as such patrons are likely to congregate outside in the nearby residential area, as late as the 2.30am proposed closing time, and beyond.

Unfortunately this part of Brick Lane is no stranger to real problems.

Over the years, the significant anti-social behaviour problems have led to the setting up of a Cumulative Impact Zone, and now there is a proposal for a Public Spaces Protection Order.

Surveys of local residents have made clear that the control of ASB is a top priority.

The police have previously made clear that they see late-night takeaways as a significant part of the problem. They encourage people to stay in the area, on the streets, into the early hours of the morning, it is just that simple.

Yours,

C McLernon

# Appendix 18

## Andrew Heron

---

**From:** Glen Mifsud [REDACTED]  
**Sent:** 13 December 2016 16:40  
**To:** Licensing  
**Subject:** Objection to Efes licence 79 Brick Lane, E1 6QL

Good afternoon.

I understand the licence application is until 2 am.

This is far too late in an area where the LBTH has a responsibility to limit the severe ASB which currently occurs. We have recently suffered an even further increase and n door way vomiting. Uncontrolled Late night drinking is the direct cause and LBTH appears not to have the resources to control Brick lane.

Thanks.

Glen Mifsud  
[REDACTED]  
[REDACTED]

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# Appendix 19

## Andrew Heron

---

**From:** Spitalfields Community Group [REDACTED]  
**Sent:** 13 December 2016 14:12  
**To:** Licensing  
**Cc:** Alan Cruickshank  
**Subject:** licence application at Efes, 79 Brick Lane, E1 6QL

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

Dear Sir/Madam,

SCG wishes to OBJECT to the licensing application at Efes Express, 79 Brick Lane E1 6QL for Late Night Refreshment until 0200.

Spitalfields Community Group was formed in September 2011 with the aim of promoting and protecting the quality of life of people living and working in the ward of Spitalfields and Banglatown. We have over 200 members and are growing. Our current survey, conducted to identify priorities for action, highlighted the growing problems faced by locals as a result of the existing dense concentration of licensed premises in the area, exacerbating the negative impact on us of the night time economy. In accordance with this focus, SCG has supported the adoption of a cumulative impact zone for the Brick Lane area, within which Old Spitalfields Market is situated.

Food takeaway at late hours clearly encourages excessive drinking and associated nuisance including noise and antisocial behaviour. There is an unfortunate provision in Brick Lane of late night alcohol off-sales which exacerbates this problem, and the misery caused to surrounding residents.

There has been a recent upsurge in antisocial behaviour in the residential streets adjacent to Brick Lane, in which visitors loiter causing a disturbance late at night. A particularly unacceptable facet of this is the number of instances of vomit on pavements, in doorways, light-wells providing light to residential basement kitchens and on cars. Excessively late hours for food takeaway fuels this disgusting phenomenon.

Local residents and businesses are also increasingly concerned at the growing problem of litter and food waste associated with an excess of takeaway outlets and food stalls in the area. Waste bins are routinely overflowing or disregarded, with packaging and leftover food dumped without consideration. Rats are endemic in the neighbourhood.

For the above reasons SCG objects to the licensing application at Efes Express, 79 Brick Lane.

Yours,  
Selina Mifsud  
For and on behalf of SCG,  
[REDACTED]

# Appendix 20

## Andrew Heron

---

**From:** Jon Shapiro [REDACTED]  
**Sent:** 12 December 2016 15:49  
**To:** Licensing  
**Cc:** [REDACTED]met.pnn.police.uk; Anthony Edwards  
**Subject:** Efes Express, 79 Brick Lane, E1 6QL

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

Dear Sir or Madam,

I would like to request that the hours of this Licence Application for Late Night Refreshment should be reduced on the grounds of:

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

as the request for Late Night Refreshment is for absurd hours way into the early hours of the morning.

I believe that to grant Efes Express hours to 02.00 AM would be excessive and would only help to provide sustenance to late night drinkers within the CIZ.

The last thing needed in Brick Lane is yet more late night food being served in the early hours of the morning. I believe that to grant any such licence would significantly exacerbate late night ASB in the area.

I request that Late Night Refreshment for this new establishment should be restricted to end at 00.00 at the latest.

Yours faithfully,  
Jon Shapiro.

Resident at:

[REDACTED]  
[REDACTED]



# Appendix 21

### Access and Egress Problems

Such as:  
Disturbance from patrons arriving/leaving the premises on foot  
Disturbance from patrons arriving/leaving the premises by car  
Lack of adequate car parking facilities  
Close proximity to residential properties

#### Comment

The above have been grouped together as egress problems. Of course the particular facts will be different for each alleged problem.

Egress only is referred to-if necessary access can be added or substituted in.

#### General Advice

In considering concerns relating to disturbance from egress, Members need to be satisfied that the premises under consideration has been identified as the source of the actual or potential disturbance. If they are satisfied that this is a problem, then proportionate conditions should be considered.

The hours of operation also need to be considered.

If Members believe that there is a substantial problem concerning egress and it cannot be proportionately addressed by licensing conditions, they should refuse the application.

#### Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. **(See Section 10 of the Licensing Policy)**.

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

The policy also recognises that staggered closing can help prevent problems at closure time **(See Section 15.1)**.

However, while all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. **(See Section 15.5)**

The Council has adopted a set of framework hours **(See 15.8 of the licensing policy)**. This relates to potential disturbance caused by late night trading.

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Pool of Conditions relating to the prevention of Public Nuisance. (**See Annex G of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

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

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

The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community. (2.19).

Licence conditions should not duplicate other legislation (1.16).

Any conditions should be tailored to the type, nature and characteristics of the specific premises. Licensing authorities should be aware of the need to avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues. (2.20)

Measures can include ensuring the safe departure of customers, these can include:

- Providing information on the premises of local taxi companies who can provide safe transportation home; and
- Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.22) and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder.

# Appendix 22

### Licensing Policy Relating to Hours of Trading

All applications have to be considered on their own merits.

The Council has however adopted a set of framework hours as follows:

Monday to Thursday	06:00hrs to 23:30hrs
Friday and Saturday	06:00hrs to 00:00hrs (midnight)
Sunday	06:00hrs to 22:30hrs

(see 12.8 Of the Licensing Policy)

In considering the applicability of frame work hours to any particular application regard should be had to the following

- Location
- Proposed hours of regulated activities, and the proposed hours the premises are open to the public
- The adequacy of the applicants proposals to deal with issues of crime and disorder and public nuisance
- Previous history
- Access to public transport
- Proximity to other licensed premises, and their hours

(See 12.8 of the licensing policy)

Subject to any representations to the contrary in individual cases the following premises are not generally considered to contribute to late night anti-social behaviour and will therefore generally have greater freedom

- Theatres
- Cinemas
- Premises with club premises certificates
- Premises licensed for off sales only

# Appendix 23

## Appendix 23

### Special Cumulative Impact Policy for the Brick Lane Area

- Section 8 of the LBTH Licensing Policy provides for the Cumulative Impact Policy for the Brick Lane Area.
- As with many other London Borough's the majority of late night licensed premises are concentrated within one area of the Borough. Following guidance issued under the Licensing Act 2003 a cumulative impact policy was adopted on 18th September 2013 by the Council.
- After consultation the Council recognises that because of the number and density of licensed premises selling alcohol, on and off the premises and the provision of late night refreshment (sale of hot food after 11pm) within the Brick Lane Area as defined in **Figure One**, there might be exceptional problems of nuisance, disturbance and/or disorder outside or away from those licensed premises as a result of their combined effect.
- The Licensing Authority is now of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and/or the provision of late night refreshment in the area highlighted in Figure One is having a cumulative impact on the licensing objectives and has therefore declared a cumulative impact zone.
- The effect of this Special Cumulative Impact Policy is to create a rebuttable presumption for applications in respect of the sale or supply of alcohol on or off the premises and/or late Night Refreshment for new Premises Licences, Club Premises Certificates or Provisional Statements and applications for variations of existing Premises Licences, Club Premises Certificates (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity). Where the premises are situated in the cumulative impact zone and a representation is received, the licence will be refused. To rebut this presumption the applicant would be expected to show through the operating schedule and where appropriate with supporting evidence that the operation of the premises will not add to the cumulative impact already being experienced. This policy does not act as an absolute prohibition on granting/varying new licences in the Cumulative Impact Zone.
- The Special Cumulative Impact policy will not be used to revoke an existing licence or certificate and will not be applicable during the review of existing licences.

## The Cumulative Impact Zone in the Brick Lane area

The Cumulative Impact Zone is detailed in the map below. The map shows all of the premises (dots) currently licensed under the Licensing Act 2003 in the Brick Lane Area. The Cumulative Impact Zone is defined by the dark line.

Figure One

