

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

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

Are you an agent acting on behalf of the applicant?

- Yes No

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

Applicant Details

* First name

* Family name

You must enter a valid e-mail address

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

- 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 you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

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

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 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

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

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

NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

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

Continued from previous page...

Limited Company

Address

Building number or name	<input type="text" value="Kemp House"/>
Street	<input type="text" value="152 City Road"/>
District	<input type="text"/>
City or town	<input type="text" value="London"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="EC1V 2NX"/>
Country	<input type="text" value="United Kingdom"/>

Contact Details

You must enter a valid e-mail address

E-mail	<input type="text" value="REDACTED"/>
Telephone number	<input type="text" value="REDACTED"/>
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.

We are a small independent loose leaf tea/ coffee shop based in Bethnal Green and would like to have the ability to sell alcohol (on and off premise) from 8:00 to 23:00 Mon to Fri and 9.30 to 23:00 on Sat & Sun. The sale of alcohol will compliment our current business as a specialty concept store and we will offer a small selection of tea based cocktails, premium spirits, wine & bottled beers. There will be a small number of modular seats in the shop, basement and backroom available for the consumption of alcohol on premise. There is also a small yard area that will shut at 21:00. We will play background music. We will operate a challenge 21 scheme. CCTV will cover the entrance and point of sale. Children will need to be accompanied by an adult after 20:00.

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

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

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

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="09:30"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="09:30"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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

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

- Indoors Outdoors Both

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.

music played through ipod & speakers

State any seasonal variations for playing recorded music

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

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

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

Continued from previous page...

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

Section 15 of 19

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

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

State any seasonal variations

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

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

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

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

Name

First name

Family name

Continued from previous page...

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

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.

Section 17 of 19

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

Continued from previous page...

TUESDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="09:30"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="09:30"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

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

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

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

Section 18 of 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)

Continued from previous page...

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

No promotions will be available on alcoholic drinks. Free water will be available. Tea, coffee, soft drinks, cakes and snacks will also be available to purchase (our main business)

b) The prevention of crime and disorder

CCTV in operation

c) Public safety

CCTV in operation

d) The prevention of public nuisance

Noise reduction signage
Yard to close at 21:00

e) The protection of children from harm

Operate Challenge 21
Children will need to be accompanied by an adult after 20:00

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

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

Continued from previous page...

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.

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

DARREN JONES

* Capacity

DIRECTOR

* Date

09 / 01 / 2017

dd

mm

yyyy

Add another signatory

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

1. Save this form to your computer by clicking file/save as...

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

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

IT IS AN OFFENCE, LIABLE 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"/>
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"/>

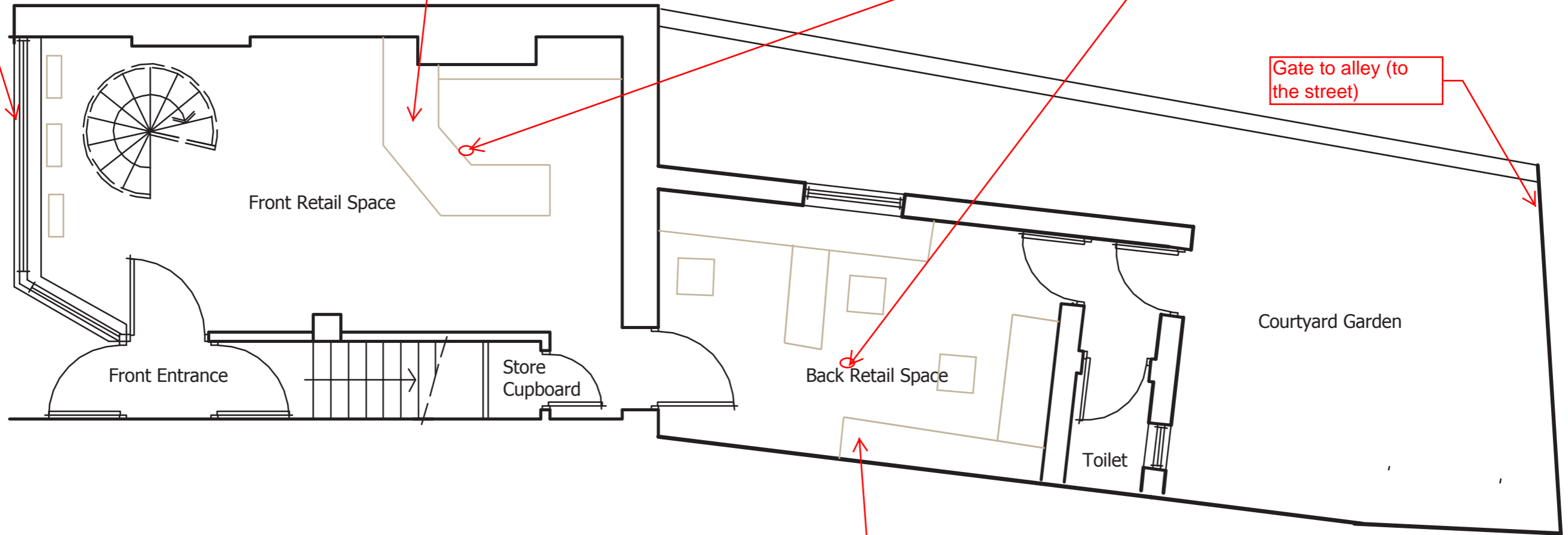
Appendix 2

Fixed Table with
moveable seats

Fixed Shop Bar

Fire Alarms

Gate to alley (to
the street)



Front Entrance

Front Retail Space

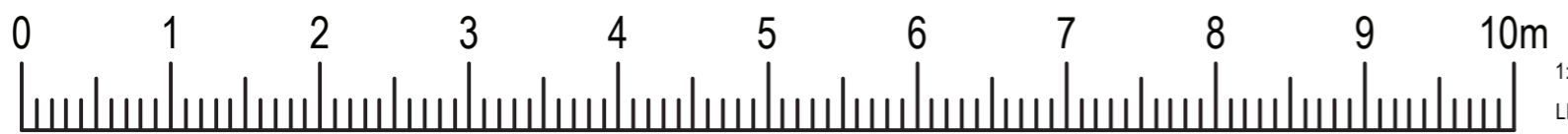
Store
Cupboard

Back Retail Space

Toilet

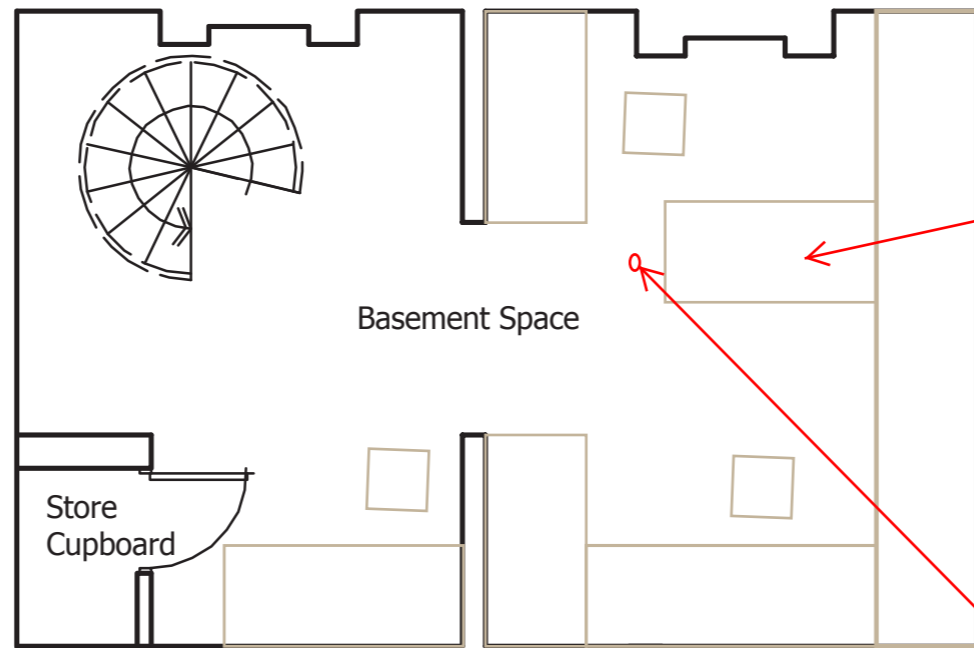
Courtyard Garden

Modular furniture
that is moveable /
adaptable
depending on the
need. e.g it can be
used for retail
display when
required



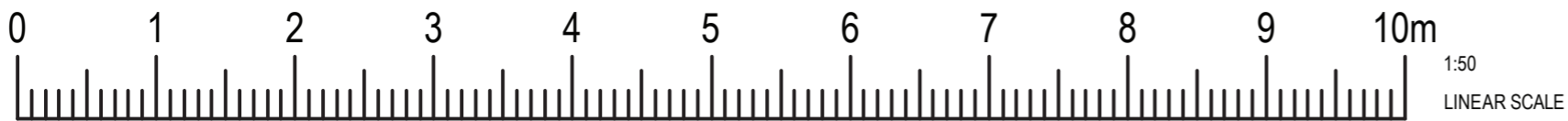
1:50
LINEAR SCALE

GROUND FLOOR PLAN
scale 1:50



Modular furniture that is moveable / adaptable depending on the need. e.g it can be used for retail display when required

Fire Alarm



BASEMENT FLOOR PLAN
scale 1:50

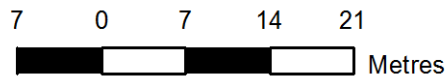
Appendix 3

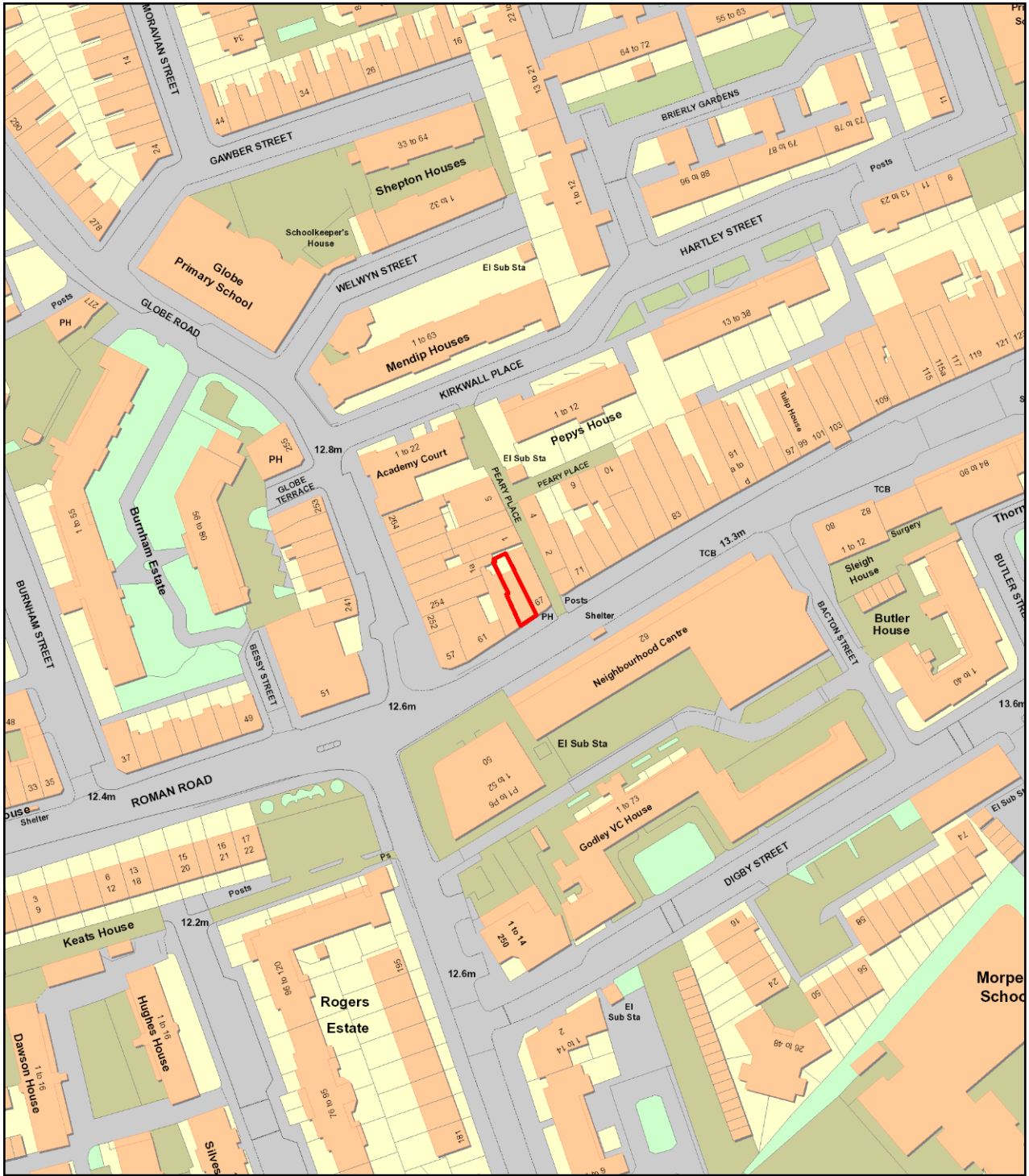


65 Roman Road



Scale 1:769

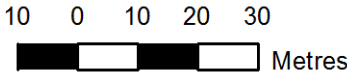




65 Roman Road



Scale 1:1537



Appendix 4

Nearest licensed premises: (Tea Leaf London), 65 Roman Road, London E2 0QN

(Vicky's News)
19 Roman Road
Bethnal Green
London
E2 0HU

The sale by retail of alcohol (Off sales only):

- Sunday to Thursday, from 06:00 hours to 23:00 hours
- Friday and Saturday, from 06:00 hours to midnight

The opening hours of the premises

- Sunday to Thursday, from 06:00 hours to 23:00 hours
- Friday and Saturday, from 06:00 hours to 01:00 hours the following days

(Café Isha)
115a Roman Road
London
E2 0QN

The sale by retail of alcohol (On sales only):

Sunday to Thursday from 11:00 to 24:00 hours

Friday and Saturday from 11:00 to 01:00 hours the following day

Regulated Entertainment consisting of:

Films including Karaoke:

Monday to Sunday from 11:00 to 23:00 hours

Live Music, Recorded music:

Monday to Sunday from 11:00 to 24:00 hours

Performance of dance, facilities for making music, facilities for dancing :

Sunday to Thursday from 11:00 to 24:00 hours

Friday and Saturday from 11:00 to 01:00 hours the following day

Late Night Refreshment:

Sunday to Thursday until 00:30 hours the following day

Friday and Saturday until 01:30 hours the following day

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

Sunday to Thursday from 11:00 to 00:30 hours the following day

Friday and Saturday from 11:00 to 01:30 hours the following day

(Thai Vista Restaurant)
107 Roman Road
London
E2 OQN

Alcohol may be sold or supplied: (On sales only)

- (1) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 11am to midnight.
- (2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12 noon to 11:30pm
- (3) On Christmas Day: 12 noon to 11:30pm;
- (4) On New Year's Eve, except on a Sunday, 11 a.m. to midnight;
- (5) On New Year's Eve on a Sunday, 12 noon to 11.30 p.m.
- (6) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

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

The provision of late night refreshment
Monday to Saturday, from 11pm to midnight
Sunday, from 11pm to 11:30pm

The opening hours of the premises

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

(New Lotus House)
103 Roman Road
London
E2 0QN

The provision of late night refreshment
Monday through to Sunday
23:00 hours until 01:00 hours the following day

The opening hours of the premises

Monday through to Sunday
23:00 hours until 01:00 hours the following day

(Old Friends Public House)
129 Roman Road
London
E2 0QN

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).

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.

Off 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, 8 a.m. to 11 p.m.
- b. On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m.
- c. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.
- d. On Good Friday, 8 a.m. to 10.30 p.m.

For conditions relating to times re off sales with a premises that permits on sales and exemptions see Mandatory Conditions

The opening hours of the premises

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

(Global Kebab and Take Away)
131 Roman Road
London
E2 0QN

Late Night Refreshment:

Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday until 01:00 hours the following day

The opening hours of the premises

For Licensable Activities:

Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday from 23:00 hours until 01:00 hours the following day

(Shah Noor Restaurant)

123 Roman Road
Bethnal Green
London
E2 0QN

Alcohol may be sold or supplied: (On sales only)

- (1) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 11am to 12pm.
- (2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12 noon to 11:30pm
- (3) On Christmas Day: 12 noon to 11:30pm;
- (4) On New Year's Eve, except on a Sunday, 11 a.m. to midnight;
- (5) On New Year's Eve on a Sunday, 12 noon to 11.30 p.m.
- (6) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

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

The opening hours of the premises

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

(West Nine Food & Wine)

132 Roman Road
London
E2 0RN

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

In this condition, permitted hours means: (Off sales only)

- a. On weekdays, other than Christmas Day, 8 a.m. to 11 p.m.
- b. On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m.
- c. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.

d. On Good Friday, 8 a.m. to 10.30 p.m.
See Mandatory conditions for drinking up time

The opening hours of the premises

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

(Trieu Nails London Ltd.)
105 Roman Road
London
E2 0QN

Sale by retail of alcohol (on sales only)

- Monday to Sunday from 10:00hrs to 21:00hrs

The opening hours of the premises

- Monday to Sunday from 10:00hrs to 21:30hrs

(The Green Truffle Ltd.)
21 Roman Road
London
E2 0HU

The Supply of Alcohol (both on and off sales)

- Monday to Saturday from 09:00hrs to 18:00hrs

The opening hours of the premises

- Monday to Saturday from 09:00hrs to 18:00hrs

(Angel Convenience Store)
23 Roman Road
London
E2 0HU

The sale by retail of alcohol (Off sales only)

Monday to Tuesday, 08.00am to Midnight

Wednesday to Saturday, 08.00am to 01.00am the next day

Sunday, 10.00am to 10.00pm

The opening hours of the premises

Monday to Tuesday, 08.00am to Midnight

Wednesday to Saturday, 08.00am to 01.00am the next day

Sunday, 10.00am to 10.00pm

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

15 January 2017

Licensing Sub Committee
Licensing Section
Tower Hamlets Council
John Onlsow House
1 Ewart Place
London E3 5EQ

Re: Representation relating to application for a premises license, Tea Leaf London, 65 Roman Road, London E2 0QN (ref CLC/EHTS/LIC/097693)

Dear Sirs and/or Madams:

I am writing to oppose the application for a premises licence made by Tea Leaf London, a business located at 65 Roman Road, London E2 0QN. The application is for a license that would allow the sale of alcohol (including cocktails, spirits, wine, and beer) until 23:00 every night of the week. The application states, in addition, that the establishment would play music during these times, and would allow customers to drink in its outdoor yard area until 21:00 each night.

The basis for my opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of public nuisance, and the prevention of crime and disorder. Problems that would predictably arise include excessive noise, anti-social behaviour, and public urination in Peary Place, an adjacent residential mews.

I am a very close neighbour of the premises in question. Two windows of my home directly face the premises, and my home's front door is immediately adjacent to the yard area referred to in the application. My bedroom window is on the ground floor, about 15 feet away from the yard area, and my kitchen/living room window is directly above it, on the first floor. I would be directly exposed on a continuing basis to the noise and other problems created by the provision of a premises license.

The yard area of 65 Roman Road is part of a set of yards surrounded by low-rise residential buildings (including 67 Roman Road, 63 Roman Road, and my home). The noise of drinkers in 65 Roman Road's yard area would echo throughout this larger area, disturbing the score or so of residents who live in these buildings.

I am also concerned about the possibility of patrons using Peary Place, a small cobbled mews close to the front door of Tea Leaf London, to urinate. The premises of Tea Leaf London have one very small bathroom, which can only be used by one person at a time. At night, rather than wait in line for the bathroom, it is likely that some customers will choose to use Peary Place, a narrow and somewhat sheltered alleyway.

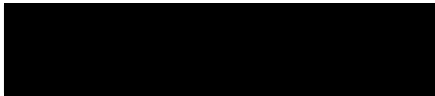
I would note that the sale of cocktails, spirits, wine, and beer until 11 pm is not characteristic of a tea shop; rather, it is characteristic of a bar or pub. To my knowledge, there has never been a bar or pub located at 65 Roman Road, at least not in recent decades, as this location is not appropriate for such a use. Instead, the premises have housed a successful cafe (2014-2016), which closed only because its owner moved to Bristol, a book store, a jewellery store, and an art gallery—all uses that are respectful of the quiet residential character of the neighbourhood.

It is worth noting that 65 Roman Road is located within the Globe Road Conservation Area, a historically significant area of Bethnal Green that has been deemed worthy of special protection. As described in Conservation Area Character Appraisal, the land use character of the Globe Road Conservation Area is “essentially residential.”

In view of the above, I would respectfully urge the Licensing Sub Committee to deny the application for a premises license. If, however, the Licensing Sub Committee decides to grant the application, I would suggest that it impose a set of stringent conditions meant to prevent public nuisance and disorder. In particular, I would hope that the Licensing Sub Committee would require the tea shop not to allow customers to enter the yard area after 17:00, to close all windows facing the yard area so that music and noise are reduced, to limit alcohol sales to wine and beer, and to set the overall closing time at 20:00.

I would be grateful if you could inform me of the outcome of this application.

Yours faithfully,

A large black rectangular redaction box covering the signature area.

Joanne Mariner

A black rectangular redaction box covering contact information.

Appendix 7

Mohshin Ali

From: Andrew Heron
Sent: 12 January 2017 13:41
To: Mohshin Ali
Subject: FW: Premise License Application - Tea Leaf London 65 Roman Road, London - M/097693

From: Nicola Cadzow
Sent: 11 January 2017 12:58
To: Licensing
Cc: [REDACTED].police; [REDACTED]police.uk; [REDACTED]tealeaf; [REDACTED]
Subject: FW: Premise License Application - Tea Leaf London 65 Roman Road, London - M/097693

Dear Licensing,

I have no objections to the Premise License Application for Tea Leaf London 65 Roman Road, London - M/097693, further to agreement with the Applicant to the amendment to the hours, and conditions added below (also see email trail) :-

(1) All Licensable Activities (Provision of Recorded Music, Supply of Alcohol) will finish at 22:30 hours, with premises closing 30 minutes later at 2300 Hours, 7 days a weeks

(2) Conditions to be added as follows:

- (i) No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- (ii) Loudspeakers shall not be located in the entrance lobby or outside the premises building.
- (iii) All windows and external doors shall be kept closed after **21:00 hours**, or at any time when regulated entertainment takes place, except for the immediate access & egress of persons.

Kind regards

Nicola Cadzow
Environmental Health Technical Officer
Place Directorate
Public Realm
London Borough of Tower Hamlets, 5 Clove Crescent
Mulberry Place
London, E14 2BG

From: Darren Jones [REDACTED]
Sent: 11 January 2017 12:31
To: Nicola Cadzow
Cc: [REDACTED]police; [REDACTED]police; [REDACTED]
Subject: Re: Premise License Application - Tea Leaf London 65 Roman Road, London - M/097693

Hi Nicola,

As discussed, I confirm I am happy with the below conditions

Thanks
Darren

On 11 Jan 2017 12:06, "Nicola Cadzow" [REDACTED] wrote:

Hi Darren,

Further to our telephone conversation regarding your Premise License Application for Tea Leaf London 65 Roman Road, London - M/097693.

Please confirm that:

(1) All Licensable Activities (Provision of Recorded Music, Supply of Alcohol) will finish at 22:30 hours, with premises closing 30 minutes later at 2300 Hours, 7 days a week

(2) Conditions to be added as follows:

(i) No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

(ii) Loudspeakers shall not be located in the entrance lobby or outside the premises building.

(iii) All windows and external doors shall be kept closed after **21:00 hours**, or at any time when regulated entertainment takes place, except for the immediate access & egress of persons.

I await your confirmation to the above

All the best

Nicola Cadzow

Environmental Health Technical Officer

Place Directorate

Public Realm

London Borough of Tower Hamlets, 5 Clove Crescent

Mulberry Place

London, E14 2BG

Working Together for a Better Tower Hamlets

Web site : <http://www.towerhamlets.gov.uk>

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If your request relates to a Freedom of Information enquiry, please resend this to foi@towerhamlets.gov.uk

Please consider your environmental responsibility: Before printing this e-mail or any other document , ask yourself whether you need a hard copy.

Appendix 8

Mohshin Ali

From: Andrew Heron on behalf of Licensing
Sent: 23 January 2017 16:10
To: Mohshin Ali
Subject: FW: Premise License Application - Tea Leaf London 65 Roman Road, London - M/097693

From: Darren Jones [REDACTED]
Sent: 23 January 2017 16:05
To: Alan.D.Cruickshank [REDACTED]
Cc: Nicola Cadzow; Licensing
Subject: Re: Premise License Application - Tea Leaf London 65 Roman Road, London -M/097693

Hi Alan,

I agree with your conditions

Thanks
Darren

On 21 Jan 2017 14:35, [REDACTED] > wrote:
[Hi Darren](#)

[That is fine.](#)

[Licensing: please note our agreement below.\(Nicola has agreed noise conditions\)](#)

[Hours: all week](#)
[Alcohol: 1200 -2230](#)
[Other licensable activities to reflect alcohol hours](#)
[Premises to close half hour later](#)

[Conditions](#)

[1. Off sales:](#)
[Alcohol will only be sold for off premise consumption at ticketed tasting events](#)

[2 CCTV](#)

[The CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum of 31 days. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.](#)

There must also be someone on the premises, who can download the images and present them on request by a police officer or other responsible authority.

3) Use of an incident/refusals book

4) No drinks to be consumed outside on the street

Best wishes

Alan

From: Darren Jones [REDACTED]

Sent: 21 January 2017 04:09

To: Cruickshank Alan D - HT

Subject: Re: Premise License Application - Tea Leaf London 65 Roman Road, London -M/097693

Hi Alan,

Apologies for the delay. Work has been hectic! I've been thinking about this and is the concern the type of alcohol being offered off premises or the public's access to it? If it is the latter I'm thinking that we could add the following condition to limit when they can buy it:

Alcohol will only be sold for off premise consumption at ticketed tasting events

Please let me know your thoughts

Darren

On 20 Jan 2017 16:04, [REDACTED] wrote:
Hi Darren

Have you come out with an off sales condition.

Thanks

Alan

From: Cruickshank Alan D - HT

Sent: 12 January 2017 14:35

To: 'd [REDACTED]

Cc: 'Nicola Cadzow'

Subject: Premise License Application - Tea Leaf London 65 Roman Road, London -M/097693

Hi Darren

1200 is fine.

I look forward to your wording of the off-sales.

Thanks for agreeing the other conditions.

I am off now but will be back on Monday. I look forward to hearing from you next week.

Best wishes

Alan

From: [REDACTED] [mailto:[REDACTED]]
Sent: 12 January 2017 14:29
To: Cruickshank Alan D - HT
Cc: [REDACTED]
Subject: RE: Premise License Application - Tea Leaf London 65 Roman Road, London -M/097693

Hi Alan,

Apologies for the delay – I lost your email in the chain. I appreciate it may look like a bar on paper but allow me to give you the context:

The reason for the application is so that we can offer tea based cocktails, have art viewings with alcohol (we allow local artists to exhibit on our walls) and offer events such as cocktail making classes and supper clubs. I applied for the licence as a belts and braces approach (I am a solicitor) to avoid falling foul of the law. The hours applied for are based on the maximum to give us the flexibility to offer these types of activities at short notice. We definitely don't want to be seen as a bar and in reality we are only likely to be open after 6pm a few times a week and definitely not everyday.

I have responded to your queries below but please do not hesitate to contact me on [REDACTED] if you would like more information

1. **later start for alcohol and 2230 finish.** DJ: happy with a 22.30 finish. Would 12.00 work for the start. Our events are likely to start from 17:00 but we would like the ability to offer alcohol in the afternoon
2. **How does the sale of alcohol compliment a "speciality concept store"?** DJ: The idea is that we offer tea based cocktails, tea infused spirits, a modern afternoon tea and cocktail making classes using tea. None of these have been done before in London and it is a great way of advertising our tea and move peoples thoughts away from just teabags. The sale of wine and beer is to cater for those that want something else (nb. we intend to stock a limited number of these)
3. **What is the maximum number of seating?** We are limited in space and anticipate the maximum to be about 40.
4. **I would also ask you to remove off sales:** The reason we asked for off sales is because we may have an opportunity to collaborate and create a tea infused spirit which we'd like to sell in the shop. Would it be OK to limit off sales to those that only contain tea/ coffee as an ingredient?
5. **CCTV:** Agreed. we have a camera in the shop today due to the art
6. **Use of an incident/refusals book:** Agreed
7. **No drinks to be consumed outside on the street:** Agreed

Thanks

Darren

From: [Alan.D.Cruickshank](#) [REDACTED]
Sent: 11 January 2017 12:58
To: [REDACTED]
Subject: Premise License Application - Tea Leaf London 65 Roman Road, London - M/097693

Hi Darren

My first thoughts are the hours are too long, more like a pub than a cafe. Certainly I would be looking at a later start for alcohol and 2230 finish.

First of all:

1. How does the sale of alcohol compliment a "speciality concept store"?
2. What is the maximum number of seating?

I would also ask you to remove off sales

In terms of promoting the licensing objectives there is very little in your application. I would like you to consider the following

a) CCTV

The CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum of 31 days. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.

There must also be someone on the premises, who can download the images and present them on request by a police officer or other responsible authority.

b) Use of an incident/refusals book

c) No drinks to be consumed outside on the street

Best wishes

Alan

From: Darren Jones [REDACTED]
Sent: 11 January 2017 12:31
To: Nicola Cadzow
Cc: Perry MARK J - HT; Cruickshank Alan D - HT
Subject: Re: Premise License Application - Tea Leaf London 65 Roman Road, London - M/097693

Hi Nicola,

As discussed, I confirm I am happy with the below conditions

Thanks

Darren

On 11 Jan 2017 12:06, "Nicola Cadzow" [REDACTED] >
wrote:

Hi Darren,

Further to our telephone conversation regarding your Premise License Application for Tea Leaf London 65 Roman Road, London - M/097693.

Please confirm that:

(1) All Licensable Activities (Provision of Recorded Music, Supply of Alcohol) will finish at 22:30 hours, with premises closing 30 minutes later at 2300 Hours, 7 days a weeks

(2) Conditions to be added as follows:

(i) No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

(ii) Loudspeakers shall not be located in the entrance lobby or outside the premises building.

(iii) All windows and external doors shall be kept closed after **21:00 hours**, or at any time when regulated entertainment takes place, except for the immediate access & egress of persons.

I await your confirmation to the above

All the best

Nicola Cadzow

Environmental Health Technical Officer

Place Directorate

Public Realm

London Borough of Tower Hamlets, 5 Clove Crescent

Mulberry Place

London, E14 2BG

Appendix 9

Mohshin Ali

From: Mohshin Ali
Sent: 10 February 2017 09:33
To: 'joanne [REDACTED]'
Subject: FW: Tea Leaf London, 65 Roman Road, London E2 0QN

Dear Joanne Mariner,

Licensing Act 2003

New premises: Tea Leaf London, 65 Roman Road, London E2 0QN

I write to you following your representation to the above application and my email of 16th January 2017.

Please see below an email from the applicant. As you are the only objector, please let me know if the amended hours and conditions satisfy any of your concerns. If so, then please write to me to confirm if you wish to withdraw your representation. However, if you wish to maintain your representation then the application will be decided by the Licensing Sub-Committee and the Democratic Services will write to you in due course.

Either way, I would be grateful for your response at your earliest convenience.

Thanks

Mohshin Ali - Senior Licensing Officer

Licensing Team . Environmental Health & Trading Standards . John Onslow House . 1 Ewart Place . London E3 5EQ

[REDACTED]



From: Darren Jones [REDACTED]
Sent: 10 February 2017 09:22
To: Mohshin Ali
Subject: RE: Tea Leaf London, 65 Roman Road, London E2 0QN

Hi Joanne,

My name is Darren Jones and I am the owner of Tea Leaf London and thought I would respond directly to your concerns as there have been various discussions with the Police and Council since the original application and conditions have been agreed to address the issues of public nuisance and crime and disorder.

I appreciate that the original application may have looked like a bar on paper but please allow me to give you the context. The reason for the application is so that we can offer tea based cocktails, have art viewings with alcohol (we allow local artists to exhibit on our walls) and offer events such as cocktail making classes and supper clubs. I applied for the licence as a belts and braces approach (I am a solicitor) to avoid falling foul of the law. The hours applied for are based on the maximum to give us the flexibility to offer these types of activities at short notice as we have had to turn down people due to the length of time it takes to get temporary licences. We definitely do not want to be seen as a bar and in reality we are only likely to be open after 18:00 a few times a week and definitely not every day.

Our concept is to be a modern tea shop and the idea is that we offer tea based cocktails, tea infused spirits, a modern afternoon tea and cocktail making classes using tea. None of these have been done before in London and it is a great way of advertising our tea and move peoples thoughts away from just teabags. The sale of wine and beer is to cater for those that want something else (NB. we intend to stock a limited number of these). We are limited in space and aim to have an intimate atmosphere with people seated.

In terms of the conditions of the licence, we have agreed to the following to promote the licensing objectives:

- All Licensable Activities (Provision of Recorded Music, Supply of Alcohol) will start at 12:00 and finish at 22:30, with premises closing 30 minutes later at 23:00
- No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance
- Loudspeakers shall not be located in the entrance lobby or outside the premises building
- All windows and external doors shall be kept closed after 21:00, or at any time when regulated entertainment takes place, except for the immediate access & egress of persons
- All windows and external doors facing the courtyard shall be kept closed after 18:00 and access to the courtyard shall be restricted after 18:00
- No drinks shall be consumed outside on the street
- Alcohol will only be sold for off premise consumption at ticketed tasting events
- Use of CCTV
- Use of incident / refusals books
- Use of Challenge 21 scheme
- Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly

I hope that these satisfy your concerns as they did with the relevant authorities. If you would like further information please do not hesitate to call me on [REDACTED] and we can arrange a meeting at the premises.

I look forward to hearing from you.

Kind Regards,

Darren

Appendix 10

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)**.

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 12.11)**.

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 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 as permitted (13.20 and Annex D).

The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community (2.33).

Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.36) and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder (2.38).

Other Legislation

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

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

Appendix 11

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 12

Anti-Social Behaviour on the Premises

Licensing Policy

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. **(See Section 6 of the Licensing Policy)**

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

- Methods of management communication
- Use of registered Door Supervisors
- Bottle Bans
- Plastic containers
- CCTV
- Restrictions on open containers for “off sales”
- Restrictions on drinking areas
- Capacity
- Proof of Age scheme
- Crime prevention notices
- Drinks promotions-aimed at stopping irresponsible promotions
- Signage
- Seating plans
- Capacity

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

Police Powers

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

Guidance Issued under Section 182 of the Licensing Act 2003

The pool of conditions, adopted by the Council is recommended (Annexe D).

The key role of the Police and SIA is acknowledged (2.1-2.2).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff or agents, but can directly impact on the behaviour of

Customers in the immediate vicinity of the premises as they seek entry or leave (1.16).

Conditions are best targeted on deterrence and preventing crime and disorder (2.3) communication, CCTV, police liaison, no glasses, capacity limits are all relevant (2.3 - 2.7).

Guidance Issued under Section 182 of the Licensing Act 2003

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

Guidance Issued by the Office of Fair Trading

This relates to attempts to control minimum prices.

Other Legislation

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

Appendix 13

Anti-Social Behaviour from Patrons Leaving the Premises

General Advice

Members need to bear in mind that once patrons have left a premises they are no longer under direct control. Members will need to be satisfied that there is a link between the way the premises is operating and the behaviour that is complained of. An example of this would be that irresponsible drinking is being encouraged. Before deciding that any particular licensing conditions are proportionate, Members will also need to be satisfied that other legislation is not a more effective route. For example, if the problem is drinking in the street it may be that the Council should designate the area as a place where alcohol cannot be consumed in public.

Members may also wish to consider whether the hours of opening relate to any problems of anti-social behaviour.

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

Licensing Policy

The policy recognises that other legislation or measures may be more appropriate but also states that licensing laws are “a key aspect of such control and will always be part of an overall approach to the management of the evening and night time economy” (**see Section 4.15 and 4.16 of the Licensing Policy**).

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. (**See Sections 6.2 of the Licensing Policy**)

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

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

Cumulative Impact

There is a process by which the Licensing Authority can determine that an area is saturated following representations. However, the process for this involves wide consultation and cannot come from representations about a particular application. (**See Section 7 of the Licensing Policy**).

Police Powers

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

Guidance Issued under Section 182 of the Licensing Act 2003

The key role of the Police is acknowledged (2.1).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder, but can relate to the immediate vicinity of the premises as they seek entry or leave (1.16).

Conditions are best targeted on deterrence and preventing crime and disorder (2.3) CCTV inside & out, communication, police liaison, no glasses are all relevant

There is also guidance issued around public nuisance (2.14 – 2.20).

The pool of conditions, adopted by the Council is recommended (see Appendix 3 of the Licensing Policy). Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder (2.18/2.20).

Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned (13.13).

Other Legislation

Crime and Disorder Act 1998

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

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

- Anti-Social Behaviour Orders
- Child Curfew Schemes
- Truancy
- Parenting Orders
- Reparation Orders
- Tackling Racism

Appendix 14

Planning

An application for a Premises Licence can be made in respect of a premises even where the premises does not have relevant Planning Permission. That application has to be considered and Members can only refuse the application where the application itself does not promote one of more of the Licensing Objectives. Members cannot refuse just because there is no planning permission. Where a Premises Licence is granted and which exceeds what is allowed by the Planning Permission and that Premises then operates in breach of planning then the operator would be liable to enforcement by Planning.

Appendix 15

Licensing Policy Relating to Hours of Trading

All applications have to be considered on their own merits.

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

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

(see 15.8 of the Licensing Policy)

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

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

(See 15.9 of the licensing policy)

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

- Theatres
- Cinemas
- Premises with club premises certificates