

LICENSING SUB COMMITTEE

Monday, 3 June 2019 at 2.30 p.m.

The Council Chamber, Town Hall, Mulberry Place, 5 Clove Crescent,
London, E14 2BG

SUPPLEMENTAL AGENDA

This meeting is open to the public to attend.

Contact for further enquiries:

Simmi Yesmin, Senior Democratic Services Officer
1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, E14 2BG
Tel: 020 7364 4120
E-mail: simmi.yesmin@towerhamlets.gov.uk
Web: <http://www.towerhamlets.gov.uk/committee>

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agenda:



For further information, see the main agenda.

		PAGE NUMBER(S)	WARD(S) AFFECTED
3 .2	Application for a New Premises Licence for: Royal PFC 178a Whitechapel Road London E1 1BJ	3 - 6	Whitechapel

Supporting documents submitted on behalf of the Objector
(Licensing Authority)

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2008-2010
Positive engagement of older people
2008-2010
Preventing and tackling child poverty
2008-2009
Winner of 2 previous
Beacon Awards



Public Realm

Place Directorate

Four Brothers Ltd
(Royal PFC)
178a Whitechapel Road
London
E1 1BJ

Head of Environmental Health and Trading
Standards: David Tolley

John Onslow House
1 Ewart Place
London E3 5EQ

Date 11th February 2019

Tel 020 7364 2665

Enquiries to Lavine Miller-Johnson

Email lavine.miller-johnson@towerhamlets.gov.uk

My reference TSS/LIC/113916/LMI/093517

www.towerhamlets.gov.uk

Dear Sir/Madam,

Licensing Act 2003

Premises Licence: (Royal PFC) 178a Whitechapel Road London E1 1BJ

I write to advise you that the above premises licence has now lapsed and therefore the premises are longer licensed for any licensable activities.

You are advised to cease ALL unauthorised licensing activity with immediate effect.

It is an offence for anyone who carries on, or attempts to carry on a licensable activity on or from any premises without or not in accordance with an authorisation.

The ACT covers;

- 1) the sale by retail of alcohol (off or on sales)
- 2) the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club (or permitted guest)
- 3) the provision of regulated entertainment (with or without a licence to sell alcohol)
- 4) the provision of late night refreshment (selling hot food and drinks past 11pm)

A person guilty of an offence under section 136 (1) of the ACT is liable on a summary conviction to imprisonment for a term not exceeding six months or an unlimited fine.

Should you wish to discuss the above matter further or would like forms to make a new application, do not hesitate to contact me.

Yours faithfully,

Lavine Miller-Johnson
Licensing Officer

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Communities, Localities & Culture Safer Communities

Four Brothers (UK) Ltd.
178a Whitechapel Road
London
E1 1BJ

Head of Environmental Health & Trading Standards
David Tolley

28th February 2019

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

Your reference
My reference: CLC/LIC/094227

Tel **020 7364 5498**
Fax **020 7364 0863**
Enquiries to **Samantha Neale**

Dear Sir/Madam,

Email **Samantha.neale@towerhamlets.gov.uk**

Licensing Act 2003

Premises: (Royal PFC) 178a Whitechapel Road, London, E1 1BJ

It has been brought to the Licensing Authority's attention that your business has dissolved.

Upon checking companies house records, it shows that the licence holder, "**Four Brothers (UK) Ltd**" (Company number **08551364**) is "**Dissolved**". An entry dated 9th January 2018 shows the "**Final Gazette dissolved via compulsory strike-off**". There is no option to transfer the licence as it has been longer than 28 days since it was dissolved. It therefore means that the licence has lapsed and therefore the premises is no longer licensed for any licensable activities.

Licensing Act 2003, Section 27 Death, incapacity, insolvency etc. of licence holder

(1) A premises licence lapses if the holder of the licence—

- (a) dies,
- (b) becomes a person who lacks capacity (within the meaning of the Mental Capacity Act 2005) to hold the licence,
- (c) becomes insolvent,
- (d) is dissolved, or
- (e) if it is a club, ceases to be a recognised club.

- (4) For the purposes of this section, a company becomes insolvent on
- (a) the approval of a voluntary arrangement proposed by its directors,
 - (b) the appointment of an administrator in respect of the company,
 - (c) the appointment of an administrative receiver in respect of the

*company, or
(d) going into liquidation.*

Section 50 of the Act allows transfer to be made no later than 28 days of the company being lapsed. Unfortunately as the time period has expired, there is no alternative but to make a new application.

Conclusion

Unfortunately, I am obliged to advise you that your premises licence has now lapsed and you must cease the licensable activities (The provision of Late Night Refreshment) at your premises with immediate effect.

Licensing Act 2003 – Section 136 - Unauthorised licensable activities

(1) A person commits an offence if—

- (a) he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or*
- (b) he knowingly allows a licensable activity to be so carried on.*

A person guilty of an offence under above sections of the ACT is liable on a summary conviction to imprisonment for a term not exceeding six months or to an unlimited fine, or to both.

You can apply for Temporary Event Notices to continue trading but are limited on the number of days to 21 per calendar year or 15 events, events (whichever comes first). There is the option to apply for Late Tens which must give at least 5 workings notice, however should the Police Licensing or Environmental Health Noise Team make any objection you would receive a counter notice advising you that the event cannot take place. A standard TEN requires 10 full working days' notice. Further advice and forms are available on our website. www.towerhamlets.gov.uk/licensing

Enforcement Officers will visit your premises to ensure that you are NOT conducting any unlicensed activities. This letter has been copied to the relevant responsible authorities and the directors of the company.

You may wish to seek independent legal advice. However, if you would like any further clarification, do not hesitate to contact me.

Yours faithfully



**Samantha Neale
Licensing Officer**