

# LICENSING SUB COMMITTEE

Tuesday, 23 June 2020 at 6.00 p.m.

Online 'Virtual' Meeting - <https://towerhamlets.public-i.tv/core/portal/home>

## SUPPLEMENTAL AGENDA

This meeting is open to the public to attend.

**Contact for further enquiries:**

Farhana Zia, Senior Democratic Services Officer  
1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, E14 2BG  
Tel: 020 7364 0842  
E-mail: [farhana.zia@towerhamlets.gov.uk](mailto:farhana.zia@towerhamlets.gov.uk)  
Web: <http://www.towerhamlets.gov.uk/committee>

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For further information, see the main agenda.

	PAGE NUMBER(S)	WARD(S) AFFECTED
3 .1 Licensing Act 2003 Application for variation of a Premises Licence for Retreat East Farm Shop, 20 - 22 Toynbee Street, London E1 7NE	3 - 10	Spitalfields & Banglatown

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# Agenda Item 3.1

Email from Mr Nickson – sent 17/06/20 at 14:37

Thanks Corinne (& Farhana)

I would like the attached documents to be added as supplementary items on the agenda for the hearing please:

- Letter to residents
- Email exchange Lavine
- Email to Nicola Cadzow 17 June

It is also my client's wish that the application be amended to include the extra condition mentioned in my email to Lavine dated 16 June, namely:

**No off sales of alcohol shall be permitted on or from the premises after 1800hrs on any day**

We are yet to receive information on how the virtual hearing will be conducted and any specific instructions we might need to adopt (software etc).

Kind Regards, Mike

**From:** Corinne Holland [<mailto:Corinne.Holland@towerhamlets.gov.uk>]

**Sent:** 17 June 2020 11:08

**To:** 'mike.nickson@innconfidence.co.uk'

**Cc:** Lavine Miller-Johnson; Nicola Cadzow; Farhana Zia

**Subject:** FW: Urgent Premises Licence Grant Retreat East Farm Shop, 20-22 Toynbee Street London E1 7NE

Dear Mike

Thank you for your email.

As the report has now been published any amendments to your application plus the resident letter need to be sent to Democratic services for this to be brought to the LSC attention in a supplementary agenda. Please submit all the information in one go so only one supplementary agenda needs to be produced.

You would need to send your amendments to Farhana Zia (I have copied in) from Democratic Services.

I have also copied in Nicola Cadzow as requested.

Kind regards

**Corinne Holland**  
Licensing Officer  
Licensing and Safety Team  
Place Directorate  
London Borough of Tower Hamlets  
John Onslow House

London E3 5EQ

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# Our Place

16<sup>th</sup> June 2020

To:

Residents in the vicinity of 20-22 Toynbee Street

London

E1 7NE

Dear Sir/Madam

I write in relation to our application to vary the premises licence at our Farm Shop at 20-22 Toynbee Street, London, E1 7NE (premises licence number: 26265).

I note the concerns raised in your letters to the London Borough of Tower Hamlets Licensing Team but would urge a considered approach to trying to thwart local businesses who are seeking to develop and improve the social fabric of the local neighbourhood, specifically in and around Toynbee Street.

As I would hope you might know if you have visited our premises, we operate a markedly different type of establishment to those outlets which have a track record for causing ASB issues. To the best of our knowledge, there has never been an ASB issue recorded or alleged in relation to our premises and we have every intention of things staying that way. Our prime trade is coffee, cake and vegan cheese, hardly the stuff of local residents' nightmares! Alcohol forms a very small part of our offering, but going forward, and in a post-COVID environment, we would like to offer cheese and wine tasting evening events and private dinners, hence the application to extend our licensing hours beyond the current 1800h limit.

Ironically, it will be operators such as us who will play a key role alongside residents and local law & order bodies to drive ASB from the surrounding areas. We have invested significant sums in improving what was a derelict shop front into the Farm Shop that occupies the site today, bringing in turn consumer footfall to a street with a long track record for ASB. Furthermore, we are the owners of the large development site on the other side of the road, so have undoubtedly the largest single investment position on the street and arguably the most to gain from purging ASB from the local area.

In an effort to find compromise, we have approached the LBTH Licensing Team and asked them to remove evening OFF premises sales of alcohol from our application as we understand your

# Our Place

legitimate concerns here. I hope this move will allay your worries over any increase in ASB in the area and demonstrate that as an interested local stakeholder we value your input and opinions.

I would ask you to drop into the Farm Shop when it opens post COVID-19 and experience the relaxed and family-friendly atmosphere and food & drink offering for yourselves. We are all stakeholders in the local neighbourhood and I would hope we can find a suitable compromise to minimise any perception of increased ASB whilst at the same time encouraging private operators such as ourselves to own and invest in viable and attractive businesses which will go a long way to improving the area and lower rather than increase incidents of ASB.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'E Stratton', with a long horizontal flourish extending to the right.

Edward Stratton, Commercial Director, Our Place.

Email from Mike Nickson to Lavine Miller-Johnson 16 June 2020

Dear Lavine & Corinne

Further to my email below dated 1 April, I am instructed by my client to add the following condition to the application for variation of the premises licence:

- No off sales of alcohol shall be permitted on or from the premises after 1800hrs on any day

Studying your representation and the CIZ policy, it is quite clear that your representation is concerning evening off sales only.

You are now able, I believe, to either withdraw your representation or at least make a positive comment to the licensing sub-committee concerning your original representation.

I attach also a letter from my client which has been sent by email to all of those that have submitted representations. I would be grateful for this letter to be added to the hearing documents presented to the licensing sub-committee on 23<sup>rd</sup> June.

I do not have an email address for Nicola Cadzow, so I would be grateful if you would kindly share this email and the attached letter with her.

Kind Regards

Mike

Mike Nickson  
DIRECTOR, Inn Confidence

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*Mike Nickson is the 2011 winner of the national BII NITA training award in respect of 'Social Responsibilities in Licensed Retailing'*

**From:** Lavine Miller-Johnson [mailto:Lavine.Miller-Johnson@towerhamlets.gov.uk]  
**Sent:** 09 April 2020 15:22  
**To:** 'Mike Nickson'

**Cc:** Corinne Holland

**Subject:** RE: Urgent Premises Licence Grant Retreat East Farm Shop, 20-22 Toynbee Street London E1 7NE

Dear Mike,

Thank you for your email.

I am sorry for the late reply to your email but I have been off sick and have just returned back to work.

Unfortunately, as the premises is within the CIZ, I am not in a position to withdraw or agree to any amendments. All applications within a CIZ must be heard before a licensing subcommittee.

Kind Regards

Lavine Miller-Johnson

Licensing Officer  
Licensing and Safety Team  
Place Directorate  
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**From:** Mike Nickson [mailto:mike.nickson@innconfidence.co.uk]

**Sent:** 01 April 2020 15:02

**To:** Lavine Miller-Johnson

**Subject:** FW: Urgent Premises Licence Grant Retreat East Farm Shop, 20-22 Toynbee Street London E1 7NE

Dear Lavine

I act for the applicant in respect of the above application against which you have submitted a representation.

My question is a simple one at this stage; would you be prepared to withdraw your representation if the sale of alcohol for consumption OFF the premises was withdrawn from this application for variation of hours?

It would still be the intention of the applicant to make those sales up to the existing time of 1800hrs.

Kind Regards, Mike

Email from [mike.nickson@innconfidence.co.uk](mailto:mike.nickson@innconfidence.co.uk) to [Nicola.Cadzow@towerhamlets.gov.uk](mailto:Nicola.Cadzow@towerhamlets.gov.uk) 17 June 2020

Dear Nicola

I hope you are well.

I represent the premises licence holder in the application that attracted your representation for the variation of hours for the above premises, and now due to be heard by your licensing sub-committee on 23<sup>rd</sup> June.

I would like to draw your attention to the attached letter that my clients have sent to the resident objectors, which provides a clear context in which we can judge their proposed business. You should note too that OFF sales has been removed from the application, after 1800hrs on any day.

Your representation suggests that we have failed to take account of the potential extra risks of providing on sales of alcohol in the evening within the CIZ area which includes Toynbee Street. However, we did specifically offer the following conditions to those on the existing licence (which was granted despite the CIZ in 2017):

1. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
2. The premises licence holder shall ensure that any patrons smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway
3. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them
4. All windows and external doors shall be kept closed after 21:00 hours except for the immediate access and egress of persons or in the case of an emergency

We accept that the expectations are greater on us being in the defined CIZ area, but there is a rebuttable presumption that an application will fail, as you know. The Tower Hamlets Policy suggests that factors that point towards 'exceptions' to the CIZ rule are:

- Business is not alcohol led
- Operates within Framework Hours
- Small Capacity (of less than 50)

My client's business satisfies all three of these. The capacity is around 30 patrons and you can see from the application and the covering letter to residents that the purpose of wishing to operate in the evening is primarily to allow private dining events; hardly the sort of activity to strike fear into the public. Indeed, it is this type of operation that should be welcomed by Tower Hamlets Council as it will be an antidote to the very businesses that have recklessly caused the imposition of the CIZ policy in the first place. The premises do not have regulated entertainment, nor late night refreshment.

I am reaching out to you now with a respectful request for you to reconsider your representation. It is within your remit to suggest extra conditions that we might have missed that would satisfy your concern surrounding the public nuisance licensing objective.

Please don't hesitate to contact me if we can move on this before next week's hearing.

Kind Regards, Mike

**Mike Nickson**  
DIRECTOR, Inn Confidence



*Mike Nickson is the 2011 winner of the national BII NITA training award in respect of 'Social Responsibilities in Licensed Retailing'*

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