

Licensing Sub Committee



Tuesday, 22 February 2022 at 6.30 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.

Further Information

For further information including Membership of this body and public information see the main agenda.

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London Borough of Tower Hamlets

Licensing Sub Committee

Tuesday, 22 February 2022

6.30 p.m.

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Supporting Documents

**submitted on behalf
of the Applicant**

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IN THE TOWER HAMLETS

LICENSING SUB-COMMITTEE

APPLICATION FOR A NEW “DELIVERY CENTRE” PREMISES LICENCE

Gopuff, 89 Hemming Street, Bethnal Green, London E1 5BW

APPLICANT’S SUPPORTING BUNDLE

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IN THE TOWER HAMLETS

LICENSING SUB-COMMITTEE

APPLICATION FOR A NEW “DELIVERY CENTRE” PREMISES LICENCE

Gopuff, 89 Hemming Street, Bethnal Green, London E1 5BW

SUMMARY OF APPLICATION

The application

1. The Applicant, Fancy Delivery UIK Limited t/a Gopuff, is an experienced global operator of licensed delivery centre facilities. In central London, the Applicant currently operates 19 centres, with a further 17 centres nationally. Attached to this summary, is an Operation Overview of the application site that provides an insight into the proposed operation of the Premises.

2. The application site is a former automotive servicing business, offering amongst other things, MOT testing and automotive repairs. It is located within the arches under a major railway bridge (site outlined in yellow below):





Image of site circa June 2016.

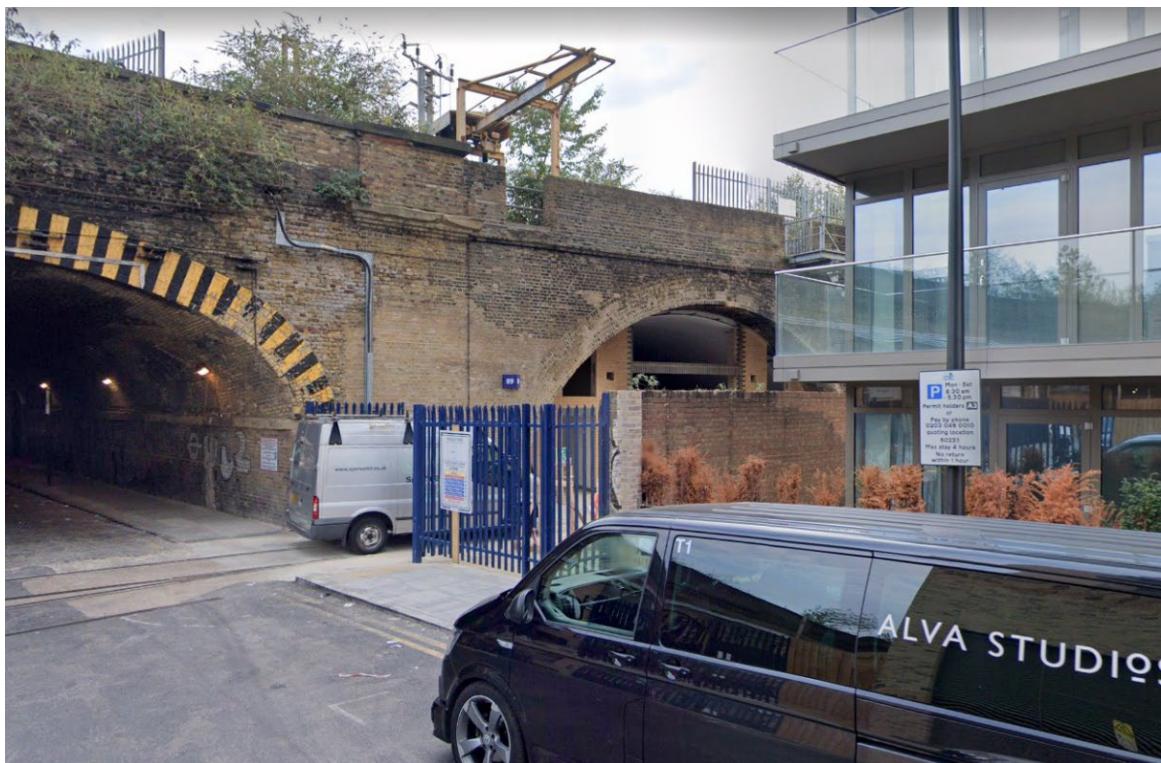


Image of site circa September 2020.

3. The site is overlooked by a number of residential apartments that share this mixed use road, as can be seen in the following image:



4. **Engagement**

5. No Representation has been made by the Environmental Health Officer.
6. A Representation was made by the Police and after engagement with the Applicant, amended conditions were agreed that addressed the Police concerns, the Police Representation to be withdrawn. Please see the attached Proposed Conditions document.
7. The Applicant has considered the Representations made by local residents and has identified the concerns raised. In response to these concerns, and in line with the best practices employed by the Applicant, the Applicant proposes the following additional conditions:
- Only electric or pedal powered vehicles shall be used by delivery drivers/riders delivering products sold from the Premises, to customers.
 - Delivery drivers waiting to collect customers' orders for delivery, shall not be allowed to congregate outside of the Premises (save in the event of a fire drill or fire

evacuation) and shall be required by the Premises Licence Holder to wait inside the Premises.

8. Further, the Applicant puts forward for the Committee Members' consideration, the attached Safety Training and Age Restricted Products Training documents, along with the example staff awareness poster that will be displayed prominently around the Premises. These policies and posters are supported by the contracts in place between the Applicant and their team of drivers, which state:

"You must comply at all times with the Company's rules, policies and procedures in respect of health and safety, food safety, data protection, and harassment, and any other policies which the Company may notify you are relevant to your engagement, copies of which are available on request."

9. The applicant will consider any other reasonable conditions as they adopt a partnership approach to all stakeholders interested in their operation.

Policy Considerations

10. Tower Hamlets' Statement of Licensing Policy identifies the prevention of public nuisance as not only one of the four Licensing Objectives, but as a Main Principle of the Policy:

"4 Main Principles of the Licensing Policy

... 4.1 The Act requires that the Licensing Authority carries out its various licensing functions so as to promote the following four licensing objectives:-

... 4.4 The prevention of public nuisance

Consideration of the prevention of irresponsible promotions, methods of preventing and managing noise and light pollution, and ways of managing litter." [emphasis added]

11. The Policy goes on to note, in relation to Noise Nuisance:

"9.2 The concerns mainly relate to noise nuisance both from the premises and customer egress, light pollution, noxious smells and disruption from parked vehicles and due regard will be taken of the impact these may have in considering a licence."

And:

"13.5 ... The Licensing Authority considers that the possibility of disturbance to residents late at night and in the early hours of the morning, and the effect that any such disturbance may have, is a proper matter for it to consider when addressing the hours during which licensable activities may be undertaken."

12. The application site is not open to the public, serving as a distribution centre rather than a pub, bar, club or even a conventional grocery store. This avoids a number of the issues identified by the Policy; however, the comings and goings of delivery drivers and their behaviour when at the Premises are still relevant matters to consider. To that end, the Applicant submits that the conditions detailed above and in the Proposed Conditions Document, enshrining the best practice adopted and detailed in the attached documents, address those matters appropriately.

13. In support of this Application, the Policy identifies that:

"14 Shops, Stores and Supermarkets

"14.1 The Licensing Authority will generally licence shops, stores and supermarkets to sell alcohol for consumption off the premises at any times they are open for shopping."

14. As a distribution centre, this application site is a lower-impact use than a traditional "Shop" that allows access to the Premises by the public. Further, it will be open for on-line shopping 24 hours a day.

Conclusion

15. The Applicant has engaged constructively with officers during this application process and intends to do so in the long-term should this licence application be granted. Further, the Applicant has taken consideration of the concerns of local residents and provided robust Conditions (breach of which can result in an unlimited fine or up to 6 months in prison, or both) to address those concerns.
16. If any issues do arise, they will be ironed out quickly by this responsible, experienced operator. This approach serves the best interests of all involved and, in the applicant's view, it is simply the neighbourly thing to do.
17. The licensing sub-committee is respectfully invited to grant the Application to the extent set out in the Application papers, together with the suite of amended Proposed Conditions - all of which are designed to promote the licensing objectives in an appropriate and proportionate manner.

MARCUS LAVELL

Consultant Barrister

Keystone Law

16 February 2022

PROPOSED CONDITIONS

1. All staff will be fully trained in their responsibilities and with regard to the promotion of the licensing objective in particular sale of alcohol, and will be retrained every six months, with recorded training records kept for inspection.
2. Members of the public shall not be allowed on the premises at any time.
3. The licence and premises are to fulfil internet generated sales for delivery and no direct sales shall take place to the general public from the site.
4. A CCTV system is in operation for the warehouse, to provide security and identify any culprit who is intent in causing trouble. All images are stored for a period of 31 days after which they can be erased or saved at the request of the police. All current security measures will remain in operation. All staff will be fully trained in the operation of the CCTV to ensure it is operational all the hours of trade. Images will be made available to the police or authorised licensing officer from the council on request.
5. All potential customers must verify on the payment page of the website that they are at least 18 years of age. If the applicant is in any doubt as to the age of the customer, they will only deliver the alcohol if the owner of the card that made the payment is present at the delivery address; Orders will only be despatched to bona fide addresses,
 - No deliveries will be made to an open space,
 - All sales of alcohol for delivery must be paid for by credit card, debit card (pre-paid or otherwise) or electronic payment,
 - Details of the order (including the type, amount of alcohol, name and address of the customer and delivery address if different) must be included with the order. The detail shall be shown on the printout dispatched with the order **electronic receipt provided to the customer, [proposed amended wording to reflect updated “app” ordering system]**
 - All delivery drivers and riders must allow any police or authorised local authority officers to inspect any alcohol,
 - Deliveries only made to those over the age of 18.
6. A challenge 25 age verification scheme will be used. ID will be required for deliveries to customers who do not look 25 years old. They will be required to prove by way of photographic ID, either a passport or driving licence that they are at least 18. The card used for purchase will also be checked against the ID provided. If the business is in any doubt then the delivery of alcohol will not be made, and a full refund will be issued. Postal/ carriage deliveries will only be made once a verified payment method has been established, and the customer has confirmed they are 18 or over when making the purchase.

Additional Conditions Agreed with Police

7. No idling of vehicles that are awaiting access to the premises or waiting to pick up a delivery.
8. Alcohol shall only be delivered to a residential or business address and not to a public place.

Additional Conditions Proposed Following Consideration of Residents' Representations

9. Only electric or pedal powered vehicles shall be used by delivery drivers/riders delivering products sold from the Premises, to customers.
10. Delivery drivers waiting to collect customers' orders for delivery, shall not be allowed to congregate outside of the Premises (save in the event of a fire drill or fire evacuation) and shall be required by the Premises Licence Holder to wait inside the Premises.



Gopuff's Operational Overview of 89 Hemming Street, Bethnal Green, E1 5BW

This document provides an overview of who we are, how we plan to operate our site at 89 Hemming Street, Bethnal Green, E1 5BW (the “Site”) and how we manage our fulfilment and delivery operations to ensure we meet our responsibility to local residents to minimise noise and disruption and to also safely deliver age verified products in full accordance with our legal and regulatory obligations.

If you have any questions regarding issues not covered by this document please don't hesitate to reach out to us at the following e-mail address: stef.webb@gopuff.com

Who are we?

We're a full service on demand grocery company that delivers all of your daily needs, including cleaning and home products, over-the-counter medications, baby and pet products, snacks and drinks, as well as alcohol. We store about 4,000 products at each of our sites and we fulfill all deliveries made on our app directly from our own sites using our own drivers. Our customers range in age from 20s to the elderly, with new parents and customers over 35 being our fastest growing customer groups! During the COVID-19 pandemic, customers valued Gopuff's contact-free delivery, and the ability to purchase a COVID test kit, soup and tissues all in the same order. From day-to-day to sick days, Gopuff is there for our customers in an instant.

We were founded in 2013 and are now serving customers in more than 1,000 cities in the United States, United Kingdom, France and Spain. We currently have 33 sites across the United Kingdom in London, Birmingham, Bristol, Cambridge, Cardiff, Leeds, Liverpool, Manchester, Newcastle, Nottingham and Sheffield.

What will be the opening hours at the Site?

We plan to operate and fulfil customer orders from the Site 24 hours a day.

How do customers purchase products from the Site?

Customers order products from the Site via the Gopuff app.

Can customers walk into the Site to purchase products?

No. This Site does not allow customers entry to purchase products.

To minimise food waste, we have a relationship with Too Good To Go across our network of sites in the UK where we make food products reaching their expiry available to the public for purchase at a significant discount. Such orders are collected by members of the public from the Site. We are deeply dedicated to this partnership, and since September 2021, our Gopuff UK sites have donated nearly 5 tons of food, or almost 5,000 meals to Too Good To Go.

How do we deliver orders to customers?

We deliver orders from our sites using our own professional drivers. We do not use companies such as Uber Eats, Just Eat or Deliveroo to deliver orders to customers.

All our deliveries from this Site will be made by our drivers operating bicycles, eBikes or electric mopeds which we provide to our drivers. Our fully electric mopeds are energy efficient and generate little to no noise and are regularly maintained by us.

We have a dedicated area at the Site for our drivers with toilet facilities and other amenities. So, unlike most grocery and takeaway delivery operators, our drivers won't be loitering outside or in close vicinity to the Site awaiting orders and generating noise and nuisance for local residents and businesses.

Ensuring we are a responsible neighbour and minimising disruption to our community is one of our key priorities. Our neighbours are our customers and we provide training to our drivers on behaviour to avoid in or around our sites to minimise noise and disruption to the local area, including not leaving engines running outside and not loitering outside the site or nearby residential properties. We also have signage affixed at the Site to remind our drivers to be courteous when entering and exiting the Site and the wider complex. Our on-site team also provide regular reminders on this to our drivers.

Do we sell alcohol?

Yes, albeit alcohol products form only a small proportion of the overall number of products stored at our sites.

We plan, subject to approval, to fulfil alcohol orders from the Site 24 hours a day.

How do we meet age restricted delivery legal requirements?

The safety and wellbeing of our customers is of utmost importance to Gopuff. We take our responsibility to ensure age restricted products such as alcohol are not delivered to minors very seriously.

It's Gopuff policy to check the customer's ID for all orders containing age restricted products, even if the customer looks older than the legal age for buying those items. Customers are notified in the app before placing an order containing an age restricted product, of the requirement to present valid ID upon delivery of the order, and are sent further reminders ahead of delivery. We only accept the following types of IDs from customers: Passport; European Union photocard driving license; Photographic identity card bearing the national Proof of Age Standards Scheme (PASS) hologram; and National identity card issued by a European Union member state (other than the United Kingdom), Norway, Iceland, Liechtenstein or Switzerland.

When a driver pick up any order from the Site, the receipt attached to the package flags to our driver that the order contains an age restricted product. Our delivery app used by our drivers also notifies them and prompts our drivers to check the customer's ID. Where a customer is underage or unable to provide valid ID, our drivers will return the entire order to the Site and the customer is then refunded. All refused sales are logged by our drivers in our driver app and we retain records of such refusals centrally.

We provide dedicated training to all our drivers on our "*Age restricted product verification policy*" during their onboarding. This training is repeated quarterly by our drivers. We also have signage affixed at the Site to remind drivers to undertake ID checks when delivering age restricted products and our on-site team also provide them with regular reminders.

Age Restricted Products: EduMe Training

You will learn...

What are age restricted products?

How to verify identification

Liability

Verifying using goDrive

Let's go!



Some products are age restricted due to UK laws e.g. alcohol, tobacco, sex toys.

Keep going



Age Restricted Products: EduMe Training

Sale of Restricted Products

In the UK it is illegal to sell any age restricted product to individuals that are **under the age of 18**.

We must check identification to verify a customer's age before handing over any age restricted goods.

OK 😊



Let's review what we know so far!

Age Restricted Products

Take the quiz 💡

Learner then goes on to 'take the quiz' & is asked 2 questions at this point:

Choose the correct answer



QUESTION 1 OF 2

In the UK, what age do you need to be over to legally buy restricted products?

15

21

18

Choose the correct answer



What product(s) would you need to ask for ID for here?

Nappies

Tobacco

Alcohol

Steaks

Age Restricted Products: EduMe Training



Valid forms of identification include:

- A valid passport
- A valid European Union photocard driving licence
- A valid photographic identity card bearing the national Proof of Age Standard Scheme (PASS) hologram.

Checking ID

- When a customer comes to the door, ask them to show the front of their ID but DO NOT take the ID from them
- Check the front of the ID at a safe distance
- Check the date of birth indicates the person is 18 or over
- Check the photo is a true likeness of the customer & hologram is present and genuine
- If there are any doubts, or there is reason to suspect the document is forged or borrowed, the sale or service of age restricted products must be refused.

Denying Handover

- ID is invalid or fake
- ID is expired
- Customer is underage
- Customer is intoxicated

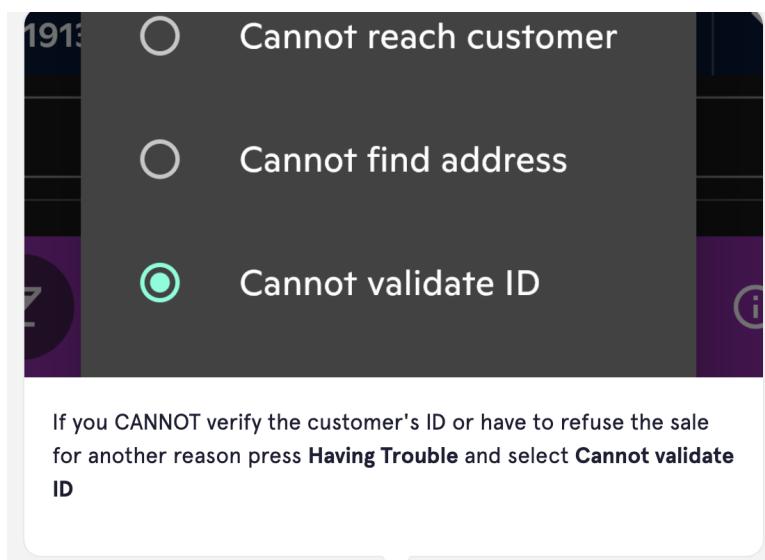
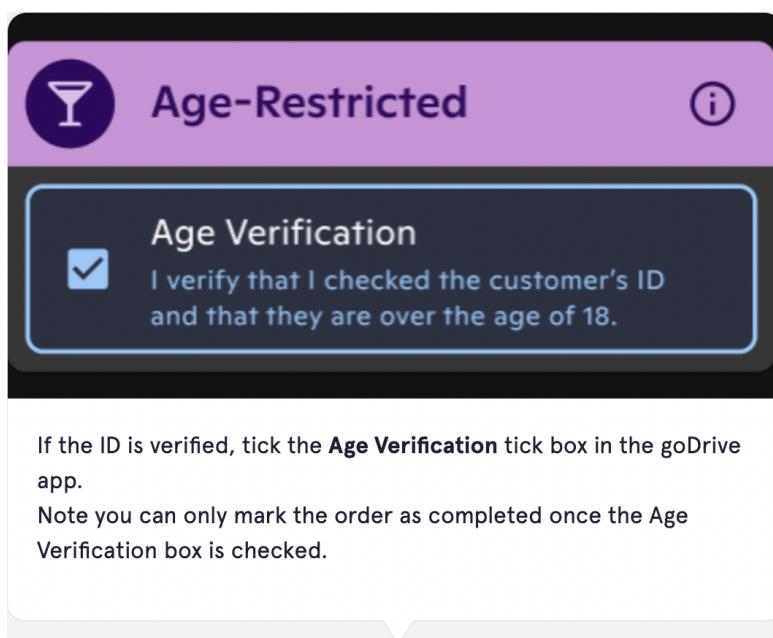
Age Restricted Products: EduMe Training

Delivery Partner Liability

Delivery partners can be personally liable if they do not verify the customer's age at the point of handover.

The **maximum** fine for handing over age restricted products to someone underage is £5000.

The delivery partner, store manager and company could be liable for a fine in these circumstances.



Age Restricted Products: EduMe Training

There is then a final quiz to cover more of the material:

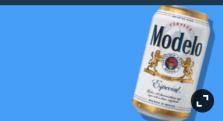
Choose the correct answer



What type of ID card(s) can we NOT accept from this list?

- National Insurance Card
- Valid Passport
- Bank Card
- PASS card

Choose the correct answer



QUESTION 2 OF 4

Will it let you complete an order if you have not verified the customer's ID?

- Yes
- No

Choose the correct answer



Which Date of Birth would you have to reject the sale of alcohol to?

- 10/10/2006
- 04/11/1993
- 03/05/1995
- 06/09/1972

Choose the correct answer



- The Store Manager
- The Delivery Partner
- The customer
- The Operations Associate who packed the order
- Gopuff

*Who can be held liable for selling of age restricted products.

Safety : EduMe Training

You will learn...

- How to keep safe on the roads
- How to prevent incidents
- How to report accidents
- Insurance information
- Safety & respect towards neighbours & the community

Let's go!

Practice Safe Driving Techniques

Monitor blind spots, travel at safe speeds and reduce speed in work zones, keep up with regular vehicle maintenance, adjust driving techniques in bad weather, load cargo safely, and reduce speeds on curves to prevent your vehicle and cargo from tipping over.

Be aware of your Surroundings

- Familiarise yourself with your delivery zone and routes e.g. what streets or shortcuts might be better avoided.
- Park near to the delivery address to avoid walking alone in areas.
- Take note of any vehicles that may be following you.
- Only deliver to valid addresses e.g. we cannot deliver to parks or street side.

Physical Exertion

- Be sure not to carry loads that are too heavy on your back (bike)
- When using a cargo trailer be aware that the back of your bike may be heavier (bike/moped) _
- Be careful when handing over heavier bags to customers or moving the cargo trailer

Safety : EduMe Training

Dress Appropriately

- Using lights, fluorescent strips and bright clothing will make you stand out more on the roads
- Wear a helmet – this will help prevent serious injury (**bike/moped**)
- Dress for the weather _e.g. waterproofs for rain/snow and lighter clothes and suncream for sun. It is as important to protect yourself from sunburn and cold/flu as it is from falls. (**bike/moped**)

They are then asked a short quiz:

The image shows three separate mobile phone screens, each displaying a different safety quiz question. Each screen has a dark blue header with the text "Choose the correct answer(s)" and a small circular icon in the top right corner.

QUESTION 1 OF 3
What is this cyclist doing that is not safe?

Using a phone and loosely holding handlebar on other side
 Wearing a tshirt
 Wearing sunglasses

QUESTION 2 OF 3
What should you be aware of in this situation?

The roads might be icy
 Wearing warm clothing
 It's dark

QUESTION 3 OF 3
What is the main hazard here?

The person in the red jacket crossing the road without looking
 The weather
 The road markings

Answers: A, ALL , A

Safety : EduMe Training

Preventing Incidents

- You can prevent incidents by being aware of other drivers/ cyclists on the road.
- Check your bike/moped before use _e.g. check tyre pressure, handlebar alignment, gear changes, lights_
- Check over your car before use and ensure ample petrol levels
- Do refresher safety training every 3 months

Reporting Accidents

We try to keep you as safe as possible while at work but accidents can happen!

- If an accident happens on the road, pull over to the side of the road & contact your MFC **when it is safe to do so**.
- Note the vehicles, registration numbers and any passengers, as well as the incident scene.
- Never admit liability at the scene.

Insurance

- Please share the name of our insurance company and policy number with anyone who asks at the scene of the accident. (The Store Manager of the MFC can provide this)._(bike and moped only)_
- **Zego** is the name of the company that provides our insurance _(bike and moped only)_
- Drivers must have an H&R insurance policy that runs alongside their SD&P policy _(independent contracted drivers only)_

Our Neighbours are our Customers

Please avoid:

- shouting/ loud conversations outside the MFC - particularly early morning and late at night.
- using horns
- leaving engines running outside
- loud music when coming and going from the MFC
- loitering outside the MFC or nearby residential properties

Safety : EduMe Training

While you're Waiting

- If your MFC has a driver waiting room you must wait in there rather than outside the premises or in your vehicle.
- Please park your vehicle responsibly as to not upset any nearby residents. _e.g. do not park over double spaces, mopeds parked on pavements or bikes overflowing into pedestrian areas_

Quiz:

Choose the correct answer



Safety & Accident Reporting

What should you take pictures of at the scene of an accident (if possible)?

Vehicle(s) involved

Passengers

Location of the incident

Vehicle(s) Registration Number

Choose the correct answer



Safety & Accident Reporting

QUESTION 2 OF 3

What should you never admit to at the scene of an accident?

Liability

Your Age

Your Name

Choose the correct answer



Safety & Accident Reporting

QUESTION 3 OF 3

When will you get safety refresher training?

Every 3 months

Never

Every year

Answers: All, A, A

**WE'RE
SUPER-FAST,
NOT NOISY.**

Please be respectful of
our neighbours. Leave and
enter the site quietly.

Thank you.

gopuff

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Supporting Documents

**submitted on behalf
of the Objectors**

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Hi Simmi,

I'm Gurkan Oluc. I would like to join in person. I'm a leaseholder of xxxxxxxxxxxx.

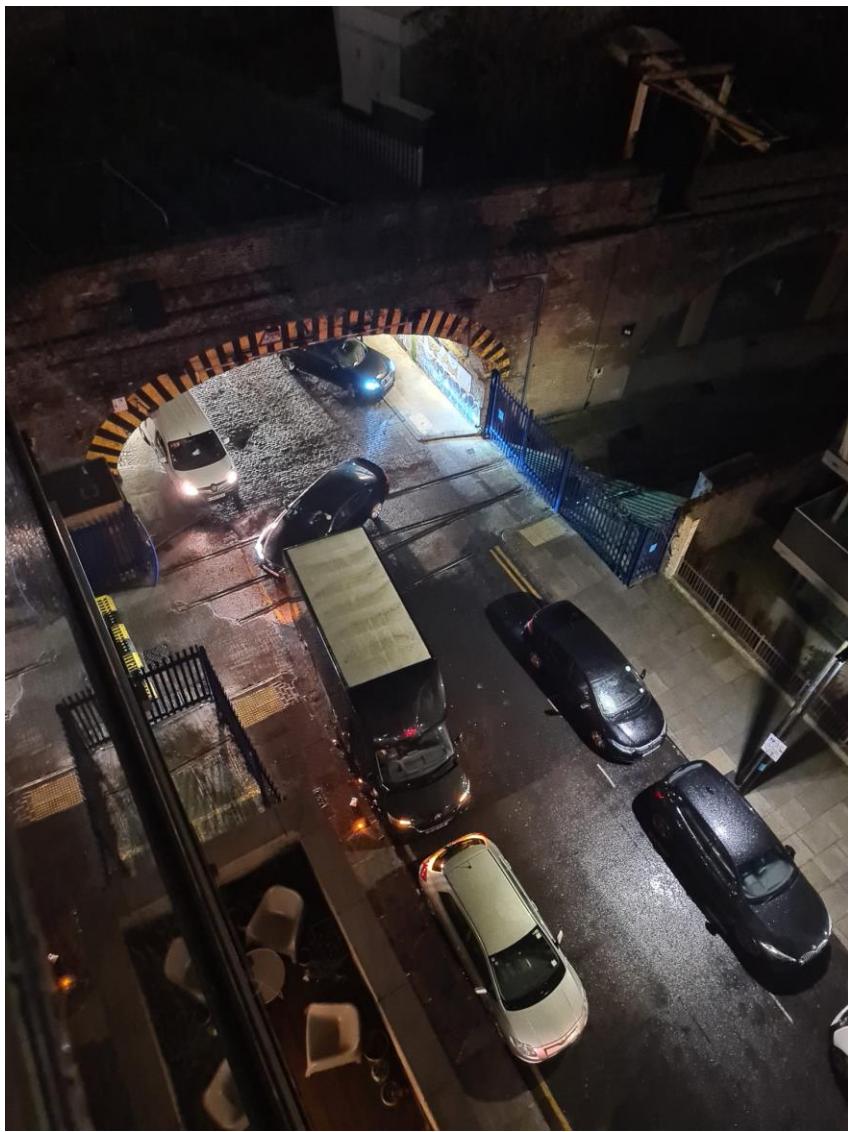
Would like to share some of the pictures from other GoPuff branches, that confirms my concerns. Please find them attached.

1 - This is their branch in Dunbridge street, blocking the pavement. There are similar doors and actually way less space then it's in here, how are they going to manage not blocking the pavement in our street?



2 - It's really common for Hemming street to be in traffic jam and people in the car using their horns causing great disruption to the residents. It's narrow street, with 2 way parking and 2 way traffic. It already has quite a lot motorcycles coming in and out due to FoodStar which is dark kitchen, which has ~10ish brands in it and sells online over food delivery systems like Deliveroo, JustEat. Do we think does it make sense to add more motorcycle traffic to that?





3 - When the summer time comes, we continuously experienced antisocial behavior from the riders who are taking a break or relaxing after they finish their shift, on the benches which are in the middle of Vega House and Sirus House on the Hemming street. Due to the extreme amount of noise that comes from the street, we were not able to open our windows or use our balconies. We're worried that having more delivery people on the street would only cause this sort of ASB to increase. The ASB we have observed

- Having long conversations with the high volume of voice, shouting
- Watching fun videos or inappropriate content, making jokes, laughing continuously in a high tone.
- Having their dinner / lunch there and continuously leaving the rubbish behind them littering.
- Getting aggressive when people warn them that they cause disruption to people who just want to rest at their flats after a tiring work day

4 - The noise levels in Hemming street are already at 60 DBs due to extremely loud fans on FoodStar, which actually closed for business after 11 or 12 as far as I know. When the GoPuff is opened they are going to add on top of that + the street which is quite in the night will continuously have mopeds going and out and the noise we experience will be all day, everyday. Please consider this.

5 - Are the moped drivers going to be the employees of GoPuff? If they are not going to be employees, for any kind of issue whom we can hold accountable?

I would appreciate if you can include those questions in the agenda.

Thanks
Gurkan

Corinne Holland

From: Simmi Yesmin
Sent: 17 February 2022 11:45
To: Corinne Holland
Subject: FW: Agenda - Licensing Sub Committee - 22 February 2022
Attachments: Blocking pavement.jpeg; GoPuff blocking pavement.jpeg; Littering 3.jpeg; Congestion.jpeg; Littering 2.jpeg; Littering.jpeg

Hi Simmi,

I would like to attend online, please.

I would also like the following evidence to be admitted as part of the opposition to the license. Granting the license will increase the scale of these problems:

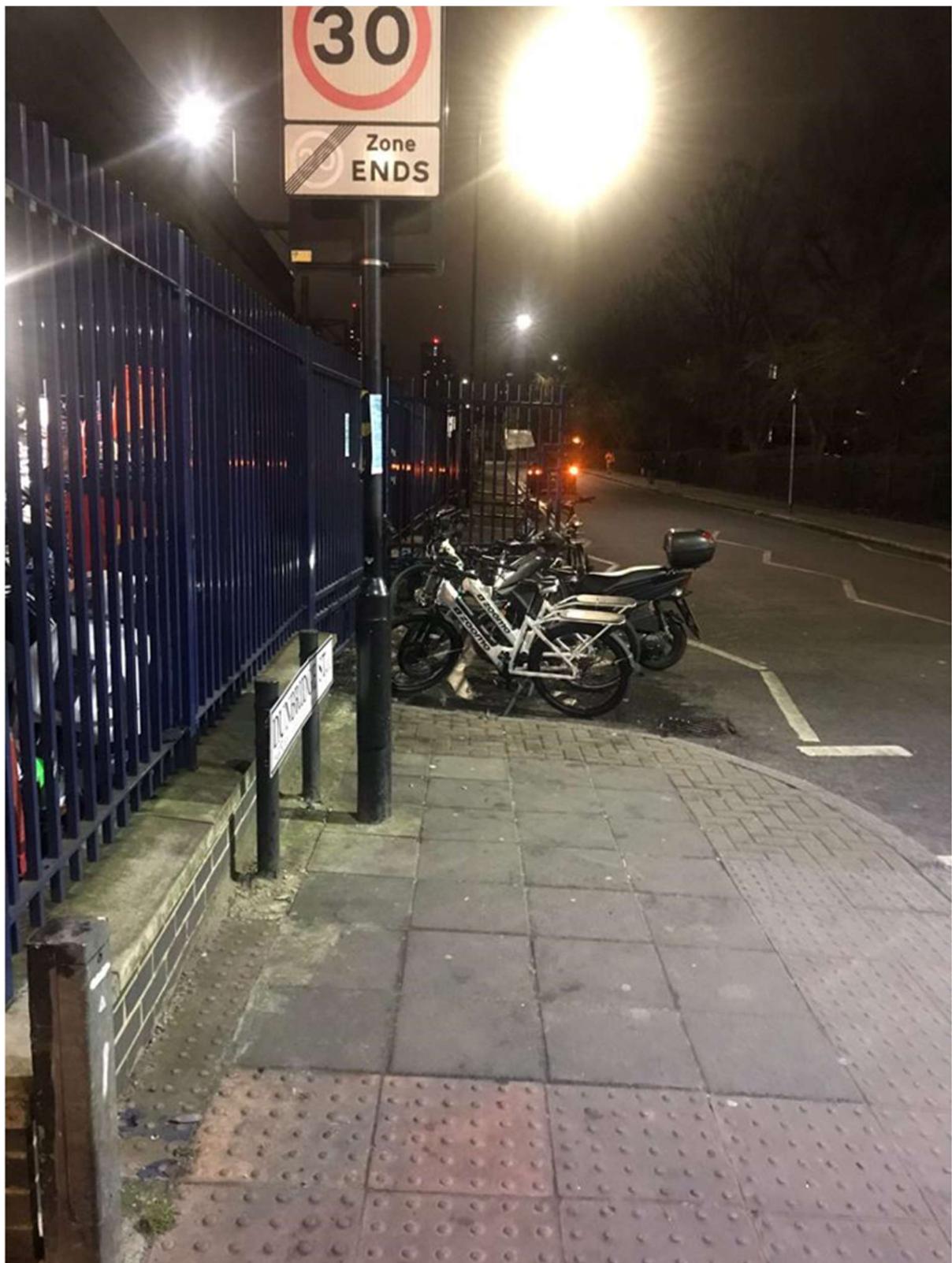
- GoPuff blocking the pavement on a nearby site. Causing pedestrians to have to dangerously walk on the road.
- Delivery drivers congregating outside our building, which would be of course acceptable if it wasn't for the cat-calling, the loud conversations and yelling late into the night, and the littering that we have to privately pay to pick up
- A congested hemming street causing unacceptable levels of acoustic and luminous pollution. In addition to dangerous driving by many delivery drivers due to what I assume are targets to deliver as many orders as possible in as little time as possible.

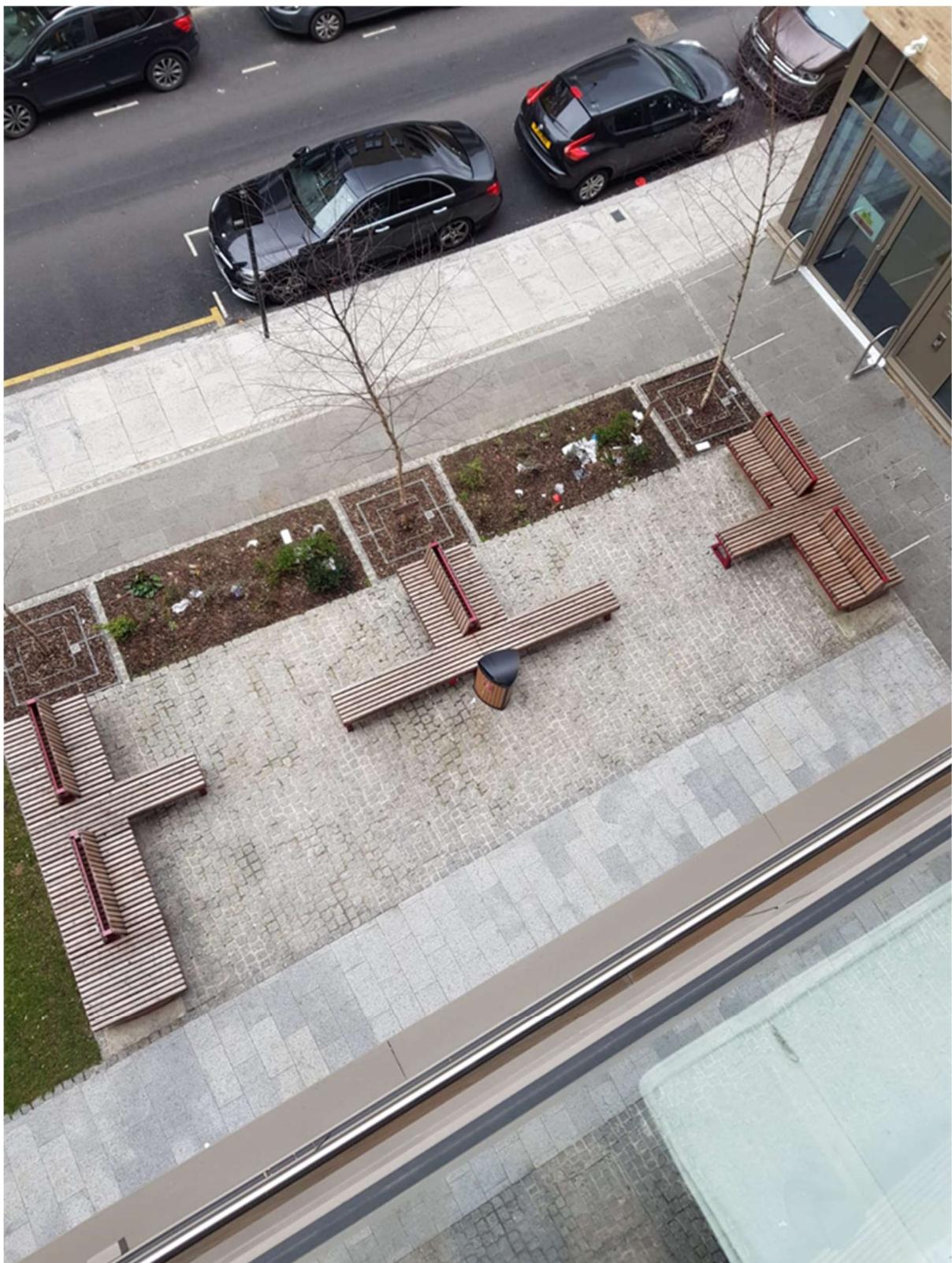
I'd be happy to speak about these issues however, I understand fellow residents are already speaking so that may not be necessary.

Many thanks
Sacha

Go Puff – 89 Hemming Street

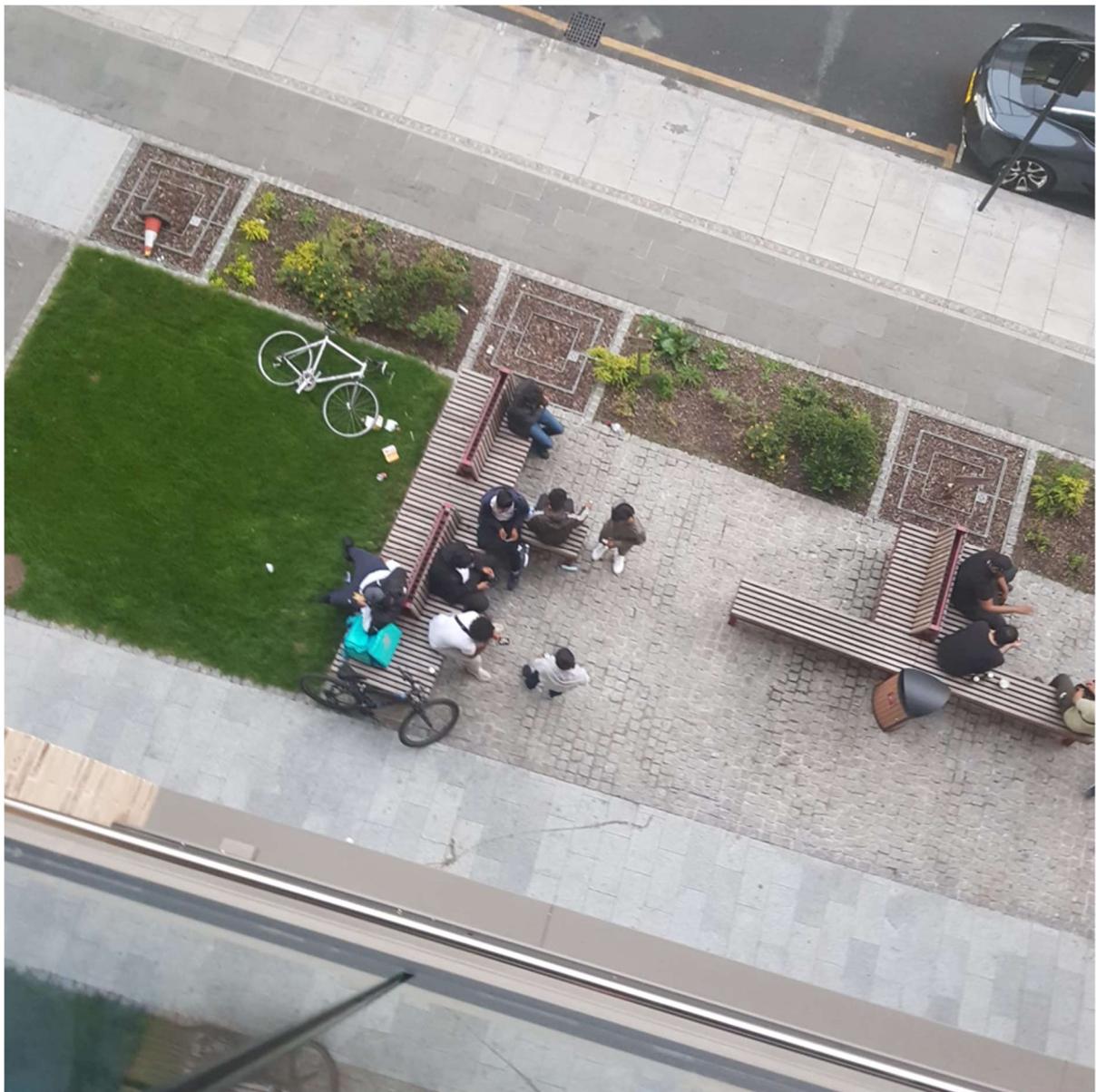












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Agenda Item 4.3

Committee :	Date	Classification	Report No.	Agenda Item No.
Licensing Sub Committee	22 February 2022	Unclassified		

Report of David Tolley Head of Environmental Health & Trading Standards Originating Officer: Kathy Driver Principal Licensing Officer	Title: Licensing Act 2003 Temporary Event Notice for Cabbys Rum Bar, Arch 411 St Pauls Way, London E3 4AG Ward affected: Mile End
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1.0 Summary

Applicant: **Moses Odong**

Address of Premises: **Railway Arch 411
St Pauls Way
London E3 4AG**

Objectors: **Metropolitan Police
Environmental Health**

2.0 Recommendations

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

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

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

Licensing Act 2003 Section 182 Guidance
Licensing Policy
File Only

Kathy Driver
020 7364 5171

3.0 Background

- 3.1 This is an application for a Standard Temporary Event Notice.
- 3.2 Enclosed is a copy of the application. (**See Appendix 1**).
- 3.3 The applicant has described the nature of the application as follows:
The supply of alcohol; Regulated Entertainment and Late Night Refreshment.
- 3.4 The premises that has been applied for is: Railway Arch 411 St Pauls Way, London E3 4AG.
- 3.5 The dates and times that have been applied for are as follows: from 23:30 hours on Saturday 26th February 2022 to 02:00 hours on 27th February 2022.
- 3.6 A map showing the relevant premises and immediate area is included as **Appendix 2**.

4.0 Premises Licence

- 4.1 The venue holds a premises licence. Members can impose one or more conditions of the existing licence on the TEN (in so far as such conditions are not inconsistent with the event) if it considers that this is appropriate for the promotion of the licensing objectives.

The licence was reviewed and amended on 28th September 2021 where all activities other than the off sale for delivery only was maintained. This licence is attached as **Appendix 3**.

We have been notified by the Solicitors acting for the licence holder that an appeal has been lodged, however we have received no confirmation from the Courts to date. If an appeal is lodged the applicant can continue under the previous licence until such time that the appeal is heard.
Please see attached premises licence permission prior to the review.
Appendix 4.

Members should also note at the time of writing this report the premises licence is currently suspended for non payment of fees, due from October 2021.

5.0 Temporary Event Notices

- 5.1 Temporary Event Notices (TENs) are a creation of the Licensing Act 2003. They provide a method by which licensable activities can be carried out on a temporary basis (max. 168 hrs) without a licence. The maximum number that can attend at any one time is 499. At least 10 full

working days notice must be given to the licensing authority. When a TEN cannot be obtained, for example the event is over 499, then a full premises licence must be obtained, for a limited duration.

- 5.2 The licensing authority cannot oppose an application, (nor can local residents or businesses. The licensing authority must reject any application that does not meet the rules as to numbers, maximum per year etc. The limits are now as follows: 15 TEN per calendar year or 21 days. The responsible authorities that can object is the Metropolitan Police or Environmental Protection.
- 5.3 The Police and Environmental Protection can object on the grounds that allowing the event to go ahead will undermine one of the Licensing Objectives.
- 5.4 Following an objection by the relevant responsible authority one or more conditions may be imposed by the Licensing Authority
 - (a) if it considers it appropriate for the promotion of the licensing objectives to do so,
 - (b) the conditions are also imposed on a premises licence or club premises certificate that has effect in respect of the same premises, or any part of the same premises, as the temporary event notice, and
 - (c) the conditions would not be inconsistent with the carrying out of the licensable activities under the temporary event notice.
- 5.5 Where the authority decides to impose one or more conditions;
 - (a) the authority must give the premises user notice of the decision;
 - (b) the notice must be accompanied by a separate statement (the "statement of conditions") which sets out the conditions that have been imposed on the temporary event notice; and
 - (c) a copy of the notice and statement of conditions must be given to each relevant party.
- 5.6 LATE TENs have been created through the Police Reform and Social Responsibilities Act 2011, a Late TEN can be made no later than FIVE working days and no earlier than NINE working days before the event. The limits to these applications are no more than 2 for a non personal licence holder or no more than 10 for a personal licence holder.
- 5.7 The Police and Environmental Protection can object to Late TENs, if an objection is made the Licensing Authority must issue a counter notice advising the event cannot take place.

6.0 Objections

- 6.1 The Police objections are contained in **Appendix 5**.
- 6.2 Environmental Protection objections are contained in **Appendix 6**.

7.0 Advice to Members

- 7.1 The Police Reform and Social Responsibility Act 2011 amended legislation whereby Environmental Protection alongside Police can object to Temporary Event Notice under any of the licensing objectives.
- 7.2 This hearing is required by the Licensing Act 2003. As always the decision is on the civil burden of proof, i.e. the balance of probability.
- 7.3 Members can consider any of the licensing objectives. Other matters can also be dealt with elsewhere by primary legislation.
- 7.4 Premises users are not required to be on the premises for the entire duration of the event authorised by the TEN, but they will remain liable to prosecution for certain offences that may be committed at the premises during the period covered by it. These include, for example, the offences of the sale of alcohol to a person who is drunk; persistently selling alcohol to children; and allowing disorderly conduct on licensed premises.
- 7.5 The police or local authority exercising environmental health functions may contact the premises user to discuss their objections and try to come to an agreement which will allow the proposed licensable activities to proceed. The TEN can be modified. If there is no agreement, the licensing authority must hold a hearing to consider the notice.

8.0 Legal Comments

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

9.0 Finance Comments

- 9.1 There are no financial implications in this report.

10.0 Appendices

Appendix 1	A copy of the application
Appendix 2	Maps of the area
Appendix 3	Premises Licence following review
Appendix 4	Premises Licence prior to review
Appendix 5	Police Objection
Appendix 6	Environmental Protection objection

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Appendix 1



**Tower Hamlets
Temporary Event Notice
Licensing Act 2003**

For help contact
licensing@towerhamlets.gov.uk
Telephone: 020 7364 5008

* required information

Section 1 of 9

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	<input type="text" value="Not Currently In Use"/>	This is the unique reference for this application generated by the system.
Your reference	<input type="text" value="1475"/>	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	<input type="text" value="Moses"/>
* Family name	<input type="text" value="Odong"/>
* E-mail	<input type="text" value=""/>
Main telephone number	<input type="text" value=""/>
Other telephone number	<input type="text" value=""/>

Include country code.

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 [REDACTED]

* Street [REDACTED]
[REDACTED]

* City or town [REDACTED]

County or administrative area [REDACTED]

* Postcode [REDACTED]

* Country United Kingdom

Agent Details

* First name David

* Family name Dadds

* E-mail [REDACTED]

Main telephone number [REDACTED]

Other telephone number [REDACTED]

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

Include country code.

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

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

Registration number OC358152

Business name Dadds LLP

VAT number GB 101 5996 25

Legal status Limited Liability Partnership

Your position in the business Solicitor / Partner

Home country 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	Dadds LLP
Street	Crescent House
District	51 High Street
City or town	Billericay
County or administrative area	Essex
Postcode	CM12 9AX
Country	United Kingdom

Section 2 of 9

APPLICATION DETAILS [\(See also guidance on completing the form, general notes and note 1\)](#)

Have you had any previous or maiden names?

Yes No

* Your date of birth


dd mm yyyy

Applicant must be 18 years of age or older

National Insurance number



This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth



Correspondence Address

Is the address the same as (or similar to) the address 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.

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

Continued from previous page...

Additional Contact Details

Are the contact details the same as (or similar to) those 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.

Telephone number

Other telephone number

Section 3 of 9

THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). [\(See also guidance on completing the form, note 2\)](#)

* Does the premises have an address?

Yes

No

Address

Is the address the same as (or similar to) the address 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.

* Building number or name

Cabby's Rum Bar

* Street

Railway Arch 411

District

St Pauls Way

* City or town

London

County or administrative area

Essex

* Postcode

E3 4AG

* Country

United Kingdom

* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

Neither

Premises licence

Club premises certificate

* Premises licence number

131323

Location Details

* Provide further details about the location of the event

Event on the licenced premises

Continued from previous page...

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below ([see also guidance on completing the form, note 3](#))

Whole Premises

Describe the nature of the premises below ([see also guidance on completing the form, note 4](#))

Licensed restaurant and bar

Describe the nature of the event below ([see also guidance on completing the form, note 5](#))

Private event for a birthday party.

Recorded music with sound limiter in place for the duration of the event.

3 SIA registered security staff will be on the premises to assist with promotion of licensing objectives, specifically prevention of public nuisance. They will be directing guests to keep noise to a minimum when arriving at and leaving the premises, and assisting with a managed dispersal at the end of the event.

Section 4 of 9

LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises

([see also guidance on completing the form, note 6](#)):

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment ([See also guidance on completing the form, note 7](#)).
- The provision of late night refreshment
- The giving of a late temporary event notice Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.
([See also guidance on completing the form, note 8](#)).

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

([see also guidance on completing the form, note 9](#))

Event start date

26 / 02 / 2022
dd mm yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Continued from previous page...

Event end date

27 / 02 / 2022
dd mm yyyy

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)
[\(see also guidance on completing the form, note 10\)](#)

from 23:30 hrs on Saturday 26th February 2022 until 02:00 hrs the following day. The premises will close 30 minutes later to allow for the safe and organised dispersal of guests.

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers
[\(see also guidance on completing the form, note 11\)](#)

100

Note that the maximum number of people cannot exceed 499.

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both
[\(see also guidance on completing the form, note 12\)](#):

- On the premises only
- Off the premises only
- Both

Section 5 of 9

RELEVANT ENTERTAINMENT [\(See also guidance on completing the form, note 13\)](#)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

none

Section 6 of 9

PERSONAL LICENCE HOLDERS [\(See also guidance on completing the form, note 14\)](#)

Do you currently hold a valid personal licence? Yes No

Provide the details of your personal licence below.

Issuing licensing authority

Hammersmith & Fulham

Licence number

2020/00517/LAPER

Continued from previous page...

Date of issue

16 / 07 / 2020
dd mm yyyy

Any further relevant details

Section 7 of 9

PREVIOUS TEMPORARY EVENT NOTICES [\(See also guidance on completing the form, note 15\)](#)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

Yes No

Have you already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or
b) Begins 24 hours or less after the event period proposed in this notice?
- Yes No

Section 8 of 9

ASSOCIATES AND BUSINESS COLLEAGUES [\(See also guidance on completing the form, note 16\)](#)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or
b) Begins 24 hours or less after the event period proposed in this notice?
- Yes No

Continued from previous page...

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes No

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

Yes No

- a) Ends 24 hours or less before; or
- b) Begins 24 hours or less after the event period proposed in this notice?

Section 9 of 9

CONDITION [\(See also guidance on completing the form, note 18\)](#)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

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.

This formality requires a fixed fee of £21

DECLARATION [\(See also guidance on completing the form, note 19\)](#)

(i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six (6) months, or to both.

* For completion by the Licensing Authority

* I acknowledge receipt of this temporary event notice

* SIGNATURE _____ On behalf of the Licensing Authority NAME OF OFFICER _____ DATE _____

*

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

David Dadds

* Capacity

Applicant's Solicitor

Continued from previous page...

* Date

11 / 02 / 2022
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/temporary-event-notice/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.

OFFICE USE ONLY

Applicant reference number

1475

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

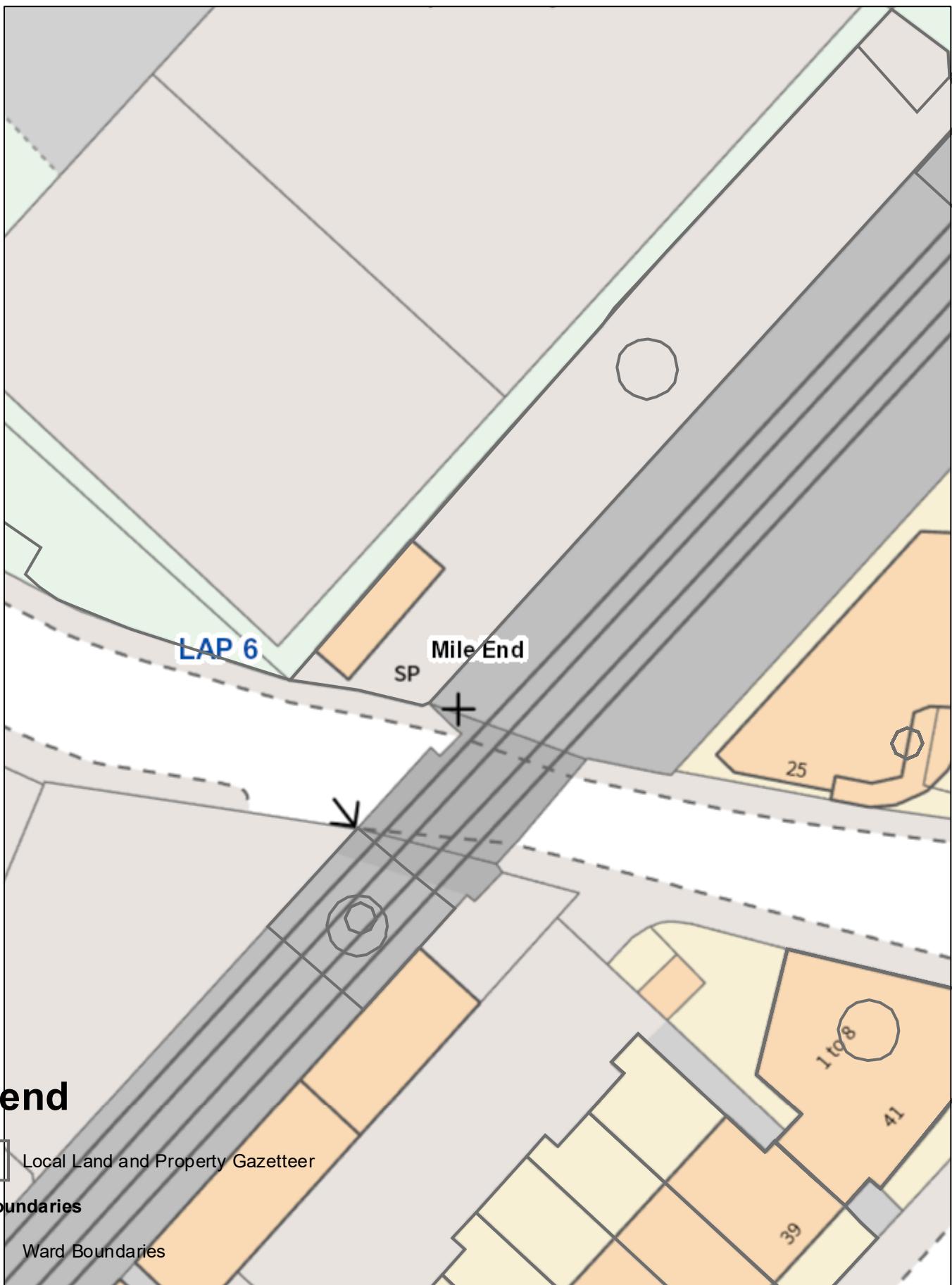
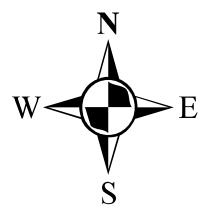
Approval deadline

Error message

Is Digitally signed

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [Next >](#)

Appendix 2



Legend



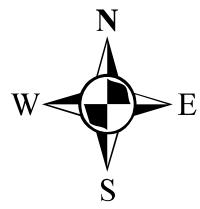
Local Land and Property Gazetteer

Ward Boundaries

Ward Boundaries

LAP Boundaries

LAP Boundaries



ArcGIS Web Map



Appendix 3



Lic No:
139272

(Cabby's Rum Bar)
Railway Arch 411
St Pauls Way
London
E3 4AG

Licensable Activities authorised by the licence

The sale by retail of alcohol (off sales only)

See the attached licence for the licence conditions

Signed by

David Tolley _____
Head of Trading Standards & Environmental Health

Date: 20th October 2020

- 28th September 2021, amended by Licensing Sub-Committee following a Police review

OFFICE USE	Receipt No: 183-22161	Paid:190.00	Date:18/08/20
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LICENSING ACT 2003

Part A - Format of premises licence

Premises licence number

139272

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description

(Cabby's Rum Bar)

Railway Arch 411
St Pauls Way

Post town
London

Post code
E3 4AG

Telephone number
[REDACTED]

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The sale by retail of alcohol (off sales only)

The times the licence authorises the carrying out of licensable activities

The sale by retail of alcohol (off sales only)

- Monday to Sunday, from 09:00 hours to 23:30 hours

The opening hours of the premises

- Monday Sunday, from 09:00 hours to 00:00 hours (midnight)

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

Off sales only

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

The Taxi Spirit Company Limited
16 Beaufort Court
Admirals Way
Canary Wharf
London
E14 9XL



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

Company Number: 08903282

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Moses Odong

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

Personal Licence Number: 2020/00517/LAPER

Issuing authority: London Borough of Hammersmith & Fulham

Annex 1 - Mandatory conditions

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

- a) at a time where there is no designated premises supervisor in respect of the premises licence, or
- b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence

3.

- (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or

- (b) an ultraviolet feature.
5. 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1—
- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) “permitted price” is the price found by applying the formula —
$$P = D + (D \times V)$$
where —
- (i) **P** is the permitted price
- (ii) **D** is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) **V** is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence
- (i) the holder of the premises licence
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member prevent the supply in question; and
- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day

Annex 2 - Conditions consistent with the operating Schedule

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team.
 - a. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
 - b. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises.
 - c. All recordings shall be stored for a minimum period of 31 days with date and time stamping.
 - d. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31day period.
2. 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. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following:
 - a. all crimes reported to the venue;
 - b. all ejections of patrons;
 - c. any complaints received concerning crime and disorder
 - d. any incidents of disorder;
 - e. all seizures of drugs or offensive weapons;
 - f. any faults in the CCTV system, searching equipment or scanning equipment;
 - g. any refusal of the sale of alcohol;
 - h. any visit by a relevant authority or emergency service.
4. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
5. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer at all times whilst the premises is open.

6. Staff training shall be provided at regular intervals on, the sales of alcohol, underage sales and Health & Safety regulations.
7. There shall be no consumption of alcohol outside the premises.
8. Off sales shall be in sealed containers only.
9. A standard age verification check shall be undertaken on entering the website. A signature at the point of delivery must be obtained. No delivery shall be left without a signature. Every third-party courier delivery box shall be labelled with the words "Age Restricted Product".
10. Alcohol shall only be delivered to a residential or business address and not to a public place.
11. No Music or Amplified Sound shall be generated on the premises to give rise to a nuisance to neighbouring residents.
12. Loudspeakers shall not be located in the entrance lobby or outside the premise building.
13. All windows and external doors shall be kept closed when regulated entertainment takes place, except for the immediate access & egress of persons.
14. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
15. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 5 persons at any one time.
16. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

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

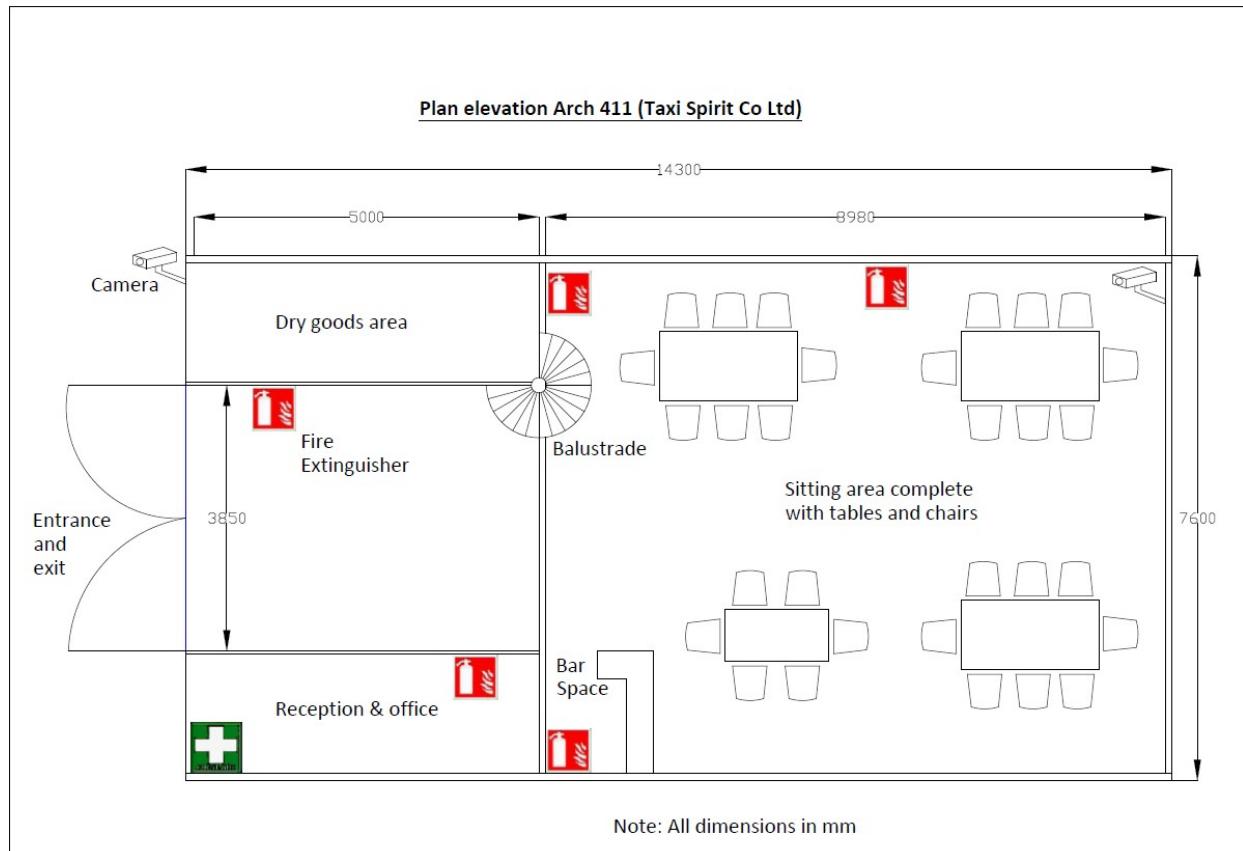
Conditions added on the 28th September 2021 by the Licensing Sub-committee following a Police review

1. All sales of alcohol are to be for consumption off the premises only.
2. A statement pursuant to s.177A(3) of the Licensing Act 2003 that s.177A does not apply to any condition on the licence that relates to live or recorded music.

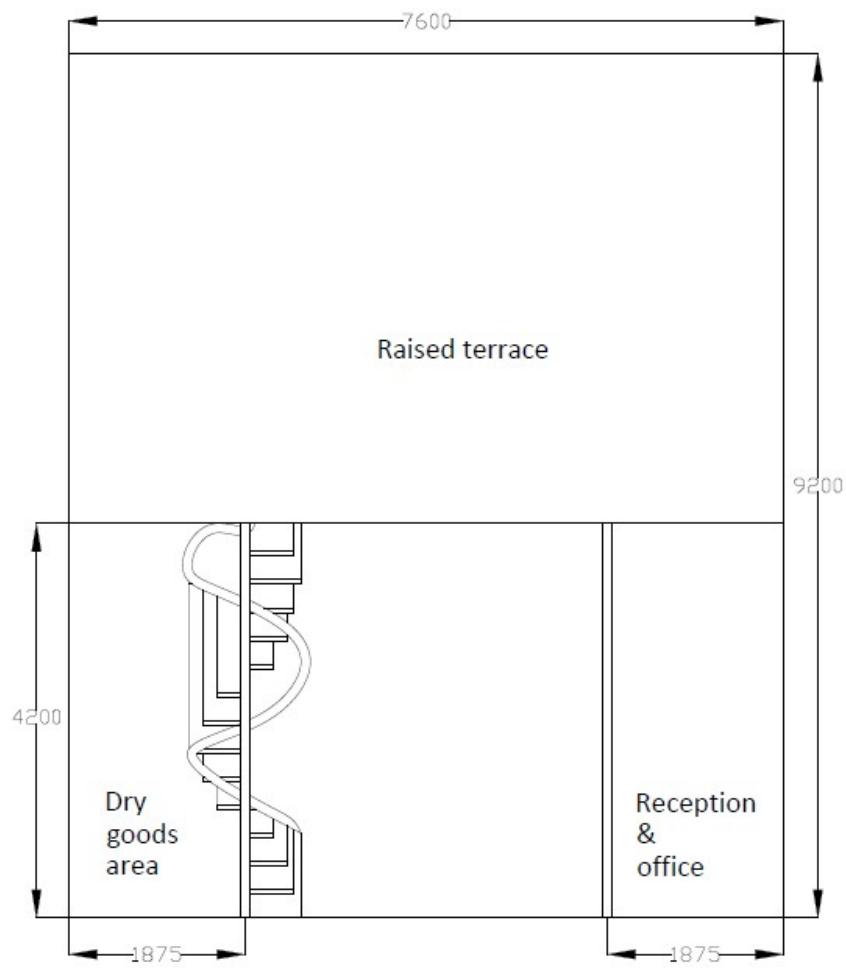
Annex 4 - Plans

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

16th September 2020 – Ground floor level



Front section Arch 411 (Taxi Spirit Co Ltd)



Note: All dimensions in mm



Licensing Act 2003

Part B - Premises licence summary

Premises licence number

139272

Premises details

Postal address of premises, or if none, ordnance survey map reference or description

(Cabby's Rum Bar)
Railway Arch 411
St Pauls Way

Post town
London

Post code
E3 4AG

Telephone number

Where the licence is time limited
the dates

N/A

Licisable activities authorised
by the licence

The sale by retail of alcohol (off sales only)

The times the licence authorises the carrying out of licensable activities	The sale by retail of alcohol (off sales only) <ul style="list-style-type: none"> Monday to Sunday, from 09:00 hours to 23:30 hours
The opening hours of the premises	<ul style="list-style-type: none"> Monday Sunday, from 09:00 hours to 00:00 hours (midnight)
Name, (registered) address of holder of premises licence	The Taxi Spirit Company Limited 16 Beaufort Court Admirals Way Canary Wharf London E14 9XL
Where the licence authorises supplies of alcohol whether these are on and / or off supplies	Off sales only
Registered number of holder, for example company number, charity number (where applicable)	08903282
Name of designated premises supervisor where the premises licence authorises for the supply of alcohol	Moses Odong
State whether access to the premises by children is restricted or prohibited	Not restricted

Appendix 4



Lic No:
131323

(Cabby's Rum Bar)
Railway Arch 411
St Pauls Way
London
E3 4AG

Licensable Activities authorised by the licence

The sale by retail of alcohol
The provision of late night refreshments
The provision of regulated entertainment (Recorded music)

See the attached licence for the licence conditions

Signed by

David Tolley _____
Head of Trading Standards & Environmental Health

Date: 20th October 2020

OFFICE USE	Receipt No: 183-22161	Paid:190.00	Date:18/08/20
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LICENSING ACT 2003

Part A - Format of premises licence

Premises licence number

131323

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description

(Cabby's Rum Bar)
Railway Arch 411
St Pauls Way

Post town

London

Post code

E3 4AG

Telephone number

[REDACTED]

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The sale by retail of alcohol

Provision of late night refreshment

Provision of regulated entertainment (recorded music)

The times the licence authorises the carrying out of licensable activities**Sale of Alcohol (on & off sales)**

Monday – Sunday 09:00 hours – 23:30 hours

Late Night Refreshments (indoors & outdoors):

Monday – Sunday 23:00 hours – 23:30 hours

Provision of Regulated Entertainment (Recorded Music- indoors):

Monday – Sunday 12:00 hours – 23:30 hours

The opening hours of the premises

Monday – Sunday 09:00 hours – 00:00 hours (midnight)

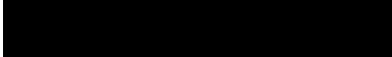
Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

On and off sales

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

The Taxi Spirit Company Limited
16 Beaufort Court
Admirals Way
Canary Wharf
London
E14 9XL

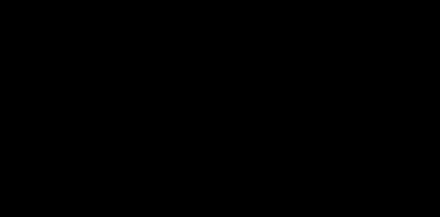


Registered number of holder, for example company number, charity number (where applicable)

Company Number: 08903282

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Moses Odong



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

Personal Licence Number: 2020/00517/LAPER
Issuing authority: London Borough of Hammersmith & Fulham

Annex 1 - Mandatory conditions

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

- a) at a time where there is no designated premises supervisor in respect of the premises licence, or
- b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence

1.

- (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises;
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability)

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
3.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
4. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: $\frac{1}{2}$ pint
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
5. 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
 2. For the purposes of the condition set out in paragraph 1—
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) “permitted price” is the price found by applying the formula —
$$P = D + (D \times V)$$
where —
 - (i) P is the permitted price

- (ii) **D** is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) **V** is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence
- (i) the holder of the premises licence
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day

Annex 2 - Conditions consistent with the operating Schedule

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises 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. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31day period.
2. 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. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following:
 - a) all crimes reported to the venue;
 - b) all ejections of patrons;
 - c) any complaints received concerning crime and disorder
 - d) any incidents of disorder;
 - e) all seizures of drugs or offensive weapons;
 - f) any faults in the CCTV system, searching equipment or scanning equipment;
 - g) any refusal of the sale of alcohol;
 - h) any visit by a relevant authority or emergency service.
4. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
5. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer at all times whilst the premises is open.
6. Staff training shall be provided at regular intervals on, the sales of alcohol, underage sales and Health & Safety regulations.

7. There shall be no consumption of alcohol outside the premises.
8. Off sales shall be in sealed containers only.
9. A standard age verification check shall be undertaken on entering the website. A signature at the point of delivery must be obtained. No delivery shall be left without a signature. Every third-party courier delivery box shall be labelled with the words "Age Restricted Product".
10. Alcohol shall only be delivered to a residential or business address and not to a public place.
11. No Music or Amplified Sound shall be generated on the premises to give rise to a nuisance to neighbouring residents.
12. Loudspeakers shall not be located in the entrance lobby or outside the premise building.
13. All windows and external doors shall be kept closed when regulated entertainment takes place, except for the immediate access & egress of persons.
14. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
15. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 5 persons at any one time.
16. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

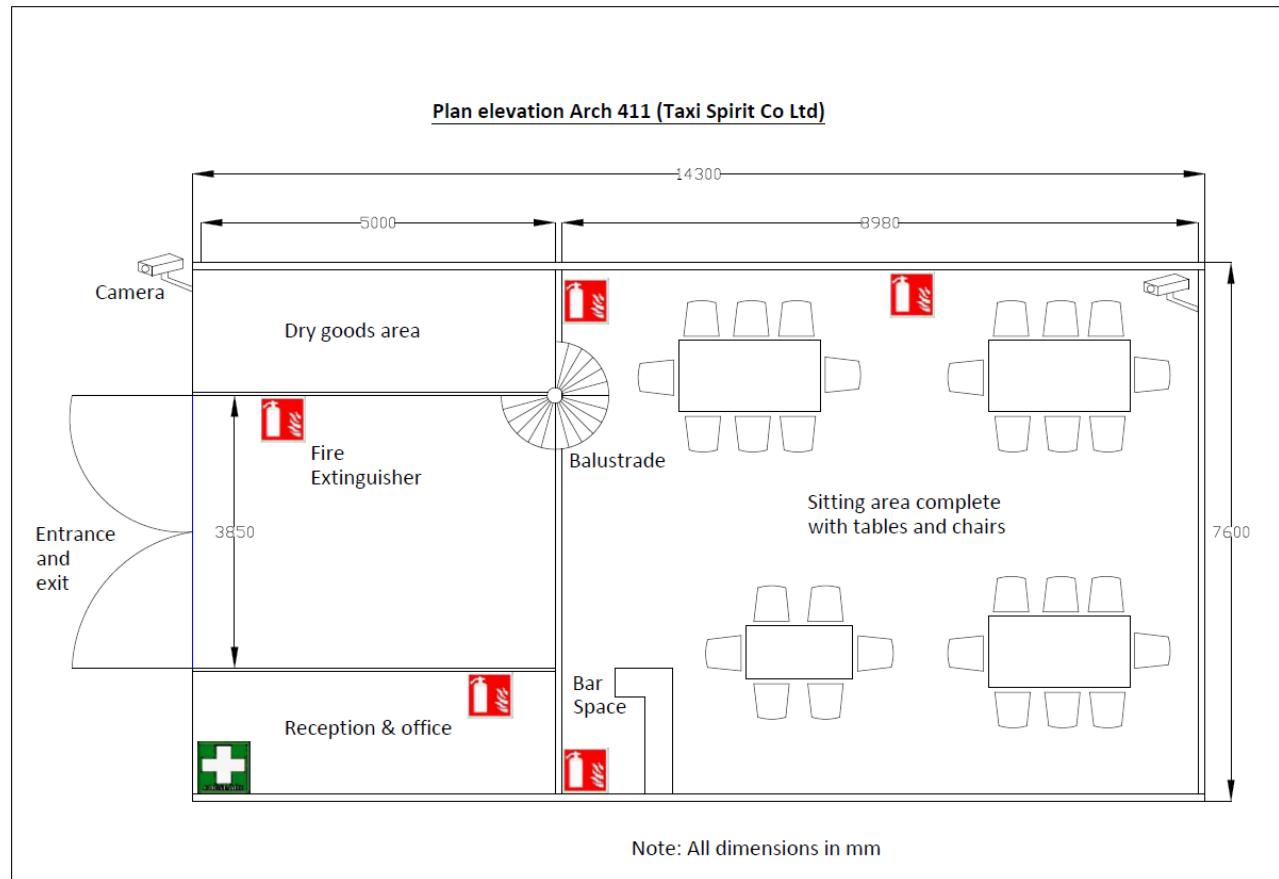
Annex 3 - Conditions attached after a hearing by the licensing authority

Not applicable

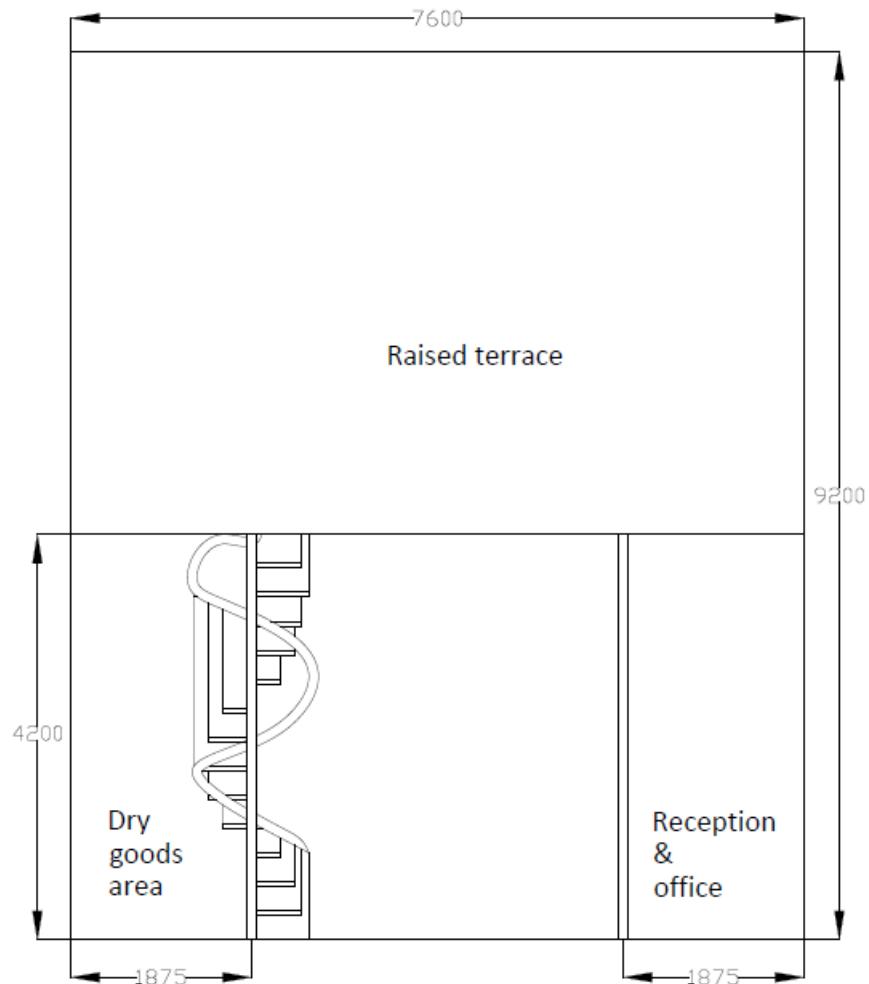
Annex 4 - Plans

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

16/09/20



Front section Arch 411 (Taxi Spirit Co Ltd)



Note: All dimensions in mm



Part B - Premises licence summary

Premises licence number

131323

Premises details

Postal address of premises, or if none, ordnance survey map reference or description

(Cabby's Rum Bar)
Railway Arch 411
St Pauls Way

Post town

London

Post code

E3 4AG

Telephone number

[REDACTED]

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The sale by retail of alcohol
Provision of late night refreshment
Provision of regulated entertainment
(recorded music)

The times the licence authorises the carrying out of licensable activities	<p>Sale of Alcohol (on & off sales) Monday – Sunday 09:00 hours – 23:30 hours</p> <p>Late Night Refreshments (indoors & outdoors) Monday – Sunday 23:00 hours – 23:30 hours</p> <p>Provision of Regulated Entertainment (Recorded Music- indoors): Monday – Sunday 12:00 hours – 23:30 hours</p>
The opening hours of the premises	Monday – Sunday 09:00 – 00:00 hours (midnight)
Name, (registered) address of holder of premises licence	The Taxi Spirit Company Limited 16 Beaufort Court Admirals Way Canary Wharf London E14 9XL
Where the licence authorises supplies of alcohol whether these are on and / or off supplies	On and off sales
Registered number of holder, for example company number, charity number (where applicable)	08903282
Name of designated premises supervisor where the premises licence authorises for the supply of alcohol	Moses Odong
State whether access to the premises by children is restricted or prohibited	No restrictions

Appendix 5



TERRITORIAL POLICING

HT - Tower Hamlets Borough

Tom Lewis
Head of Licensing
Tower Hamlets Council

Licensing Office
Stoke Newington Police Station
33 Stoke Newington High Street
N16 8DS

Email [REDACTED]
www.met.police.uk

Dear Sir,

Central East Police Licensing formally object to the application for a Temporary event notice application for the 26th February 2022 for CABBY'S RUM BAR, ARCH 411, ST PAULS WAY, E3 4AG. On the grounds of Crime and disorder, public safety and public nuisance. The operators of the venue have demonstrated that they have total disregard for authority and upholding the licensing objectives.

The most recent event demonstrating this, was the 4th February 2022 when police attended the venue.

Upon arrival it was very clear to police that an unlicensed event was taking place. Police witnessed Security staff not having their SIA identity clearly on show and initially refusing to identify themselves. Officers were refused entry into the venue by security staff, who placed a physical barrier across the gate to prevent officers entering.

The Designated premises supervisor was not on site. The various individuals claiming to be representing the operator had no idea of the license conditions for the venue.

Police believe that allowing this temporary event to take place will undermine the licensing objectives set out in the 2003 licensing act.

Kind Regards

Barry LEBAN PC1485CE



PC1485CE LEBAN
Central East Licensing Unit
Metropolitan Police Service (MPS)
Email [REDACTED]
Licensing Office, 1st Floor, Stoke Newington police station

Kathy Driver

From: [REDACTED]@met.police.uk
Sent: 15 February 2022 15:11
To: Tom Lewis Kath Driver Licensin Nicola Cadzow
Cc: [REDACTED]
Subject: OBJECTION to TEMPORARY EVENT NOTICE 146318 26th-27th February 2022
Attachments: CABBY'S 15022022.docx

Good afternoon,

Please find attached the objection letter for the Temporary event notice application for, CABBY'S RUM BAR, ST PAULS WAY, E3.

Kind regards,

Barry LEBAN PC1485CE

Stoke Newington police station licensing unit.

NOTICE - This email and any attachments are solely for the intended recipient and may be confidential. If you have received this email in error, please notify the sender and delete it from your system. Do not use, copy or disclose the information contained in this email or in any attachment without the permission of the sender. Metropolitan Police Service (MPS) communication systems are monitored to the extent permitted by law and any email and/or attachments may be read by monitoring staff. Only specified personnel are authorised to conclude binding agreements on behalf of the MPS by email and no responsibility is accepted for unauthorised agreements reached with other personnel. While reasonable precautions have been taken to ensure no viruses are present in this email, its security and that of any attachments cannot be guaranteed.

Appendix 6

Kathy Driver

From: Nicola Cadzow
Sent: 16 February 2022 14:57
To: Kath Driver
Cc: [REDACTED]
Subject: 146318 MAU REPRESENTATION TENS application for Cabby's Rum Bar Railway Arch, 411 St Pauls Way, London
Attachments: 31c812bd-51ed-454e-b5a0-17b2217c42fc.JPG

Dear Licensing

I have regarded the application for the TENs for Cabby's Rum Bar Railway Arch, 411 St Pauls Way, London and 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.

Recent history of noise complaints of loud amplified music emanating from the venue since 20th December 2021, includes six complaints from four different residents with:-

1. Several letters sent to the venue advising of noise complaints received.
2. 29/1/22 a visit was made to the vicinity when officers received a call from the control room in regards to a noise complaint made and liaised with the complainant at 00:27 who reported loud music coming from the premises. Officers then arrived in the vicinity of the noise source address at 00:39 when conducting their investigation could hear music and bass from 200m away where they had parked their vehicle. OOH officers spoke to the venue and they complied and turned music down
3. 30/1/22 officers visit to a resident following a report of loud music at 00:14 when again officers spoke to the venue, followed by a S80 noise abatement notice being served on 3rd February 2022 (see attached)

I do not believe that the Licensing Objective for the Prevention of Public Nuisance would be adhered to by allowing this TENs event to go ahead until 02:00 hours for licensable activities: sale of alcohol, regulated entertainment, late night refreshment, closing 30 minutes later at 02:30 hours. Visits undertaken by the Out of Hours noise service to the premises known as Cabby's Rum Bar, which is not currently licensed for regulated entertainment after 2300 hours, have witnessed the playing of loud music after 23:00 hours, and causing a noise nuisance to residents.

In my opinion the Current License, 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 and egress to and from the venue, by patrons, especially due to patrons likely to be in high spirits; and
- The hours of operation.

CONCLUSION

Environmental Protection **does not** support the TENs application for Cabby's Rum Bar Railway Arch, 411 St Pauls Way, London, as there is great likelihood of disturbance to residential premises at the noise sensitive hours sought, particularly when given the recent history of noise complaints.

Kind regards

Nicola Cadzow
Environmental Protection Team
Place Directorate
London Borough of Tower Hamlets
Mulberry Place Town Hall
5 Clove Crescent

LONDON BOROUGH OF TOWER HAMLETS
ENVIRONMENTAL PROTECTION ACT 1990 – SECTION 80
NOTICE IN RESPECT OF NOISE NUISANCE

Ref No: (from Notice Folder)
(Despatch No) 335696

(full name): MOSES ODOOG.
Postal Address: CABOYS JERK.

NOTICE that under the provisions of Section S.79 (1)(g) of the Environmental Protection Act 1990 the LONDON BOROUGH of TOWER HAMLETS COUNCIL is satisfied of the delete as appropriate [existence] or [occurrence] or [recurrence] of noise amounting to a statutory nuisance at the premises known as

Full address including postcode):- ARCH 411, HAVEN MEWS, E3 4AG
SAIN PAULS WAY
LODDON E3 4AG.

London Borough of Tower Hamlets, arising from the playing of amplified music (amplified voices) in a manner as to be a nuisance to the Occupiers of neighbouring properties.

the delete as appropriate [person responsible for the said nuisance] or [owner] or [occupier] of the said premises **YOU ARE REQUIRED IMMEDIATELY** from the service of this notice to abate the noise nuisance and the council **HEREBY PROHIBITS** the recurrence of the same. You are therefore required to

the playing of amplified music (amplified voices) in such a manner as to be a nuisance to the occupiers of neighbouring properties.

I wish to appeal against this notice you may do so, within 21 days from date of service, to a Magistrates' Court. If you do lodge an appeal, this notice shall NOT be suspended until the appeal has been abandoned or decided by the Court, as in the opinion of the Council, **the expenditure which would be incurred by any person carrying out works in compliance with this notice before any Appeal has been decided would not be proportionate to the public benefit to be expected in that period from such compliance.**

If you contravene without reasonable excuse any requirement of this notice, you will have committed an offence under section 80(4) of the Environmental Protection Act 1990. On summary conviction you will be liable to a fine not exceeding Level 5 (unlimited fine) together with a further fine for each day that the offence continues after conviction. A person who commits an offence on industrial, trade or business premises will be liable on summary conviction to an unlimited fine. The council may take proceedings for securing the abatement, prohibition or restriction of the nuisance. If you fail to execute all or any of the works in accordance with this notice, the council may execute those works and recover from you the necessary expenditure incurred.

ED:

03/02/22

(Signed) _____

CARL HACKETT

(Authorised Officer – PRINT NAME)

Address to which all communications should be sent: -

London Borough of Tower Hamlets
Noise Pollution Team
Environmental Office
5 Clove Crescent, London E14 2BG
No. 020 7364 5008/5007

* Subject to alteration by Order.
N.B. See notes on reverse of this form.

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