

Licensing Sub Committee

Tuesday, 6 June 2023 at 2.00 p.m.
Council Chamber - Town Hall, Whitechapel

Supplemental Agenda

5 .2 Application for Temporary Event Notice for Unit 8 29 Whitepost Lane, London E9 5EN (Pages 3 - 44)

Licensing Objectives:

- The prevention of public nuisance

Representations:

- Environmental Protection

Ward: Bow East

Contact for further enquiries:

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020 7364 3037

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<http://www.towerhamlets.gov.uk/committee>



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Agenda Item 5.2

Committee :	Date	Classification	Report No.	Agenda Item No.
Licensing Sub Committee		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 Unit 8 29 Whitepost Lane, London E9 5EN Ward affected: Bow East
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1.0 Summary

Applicant: **Mr. Carl Edlund**

Address of Premises: **Unit 8 29 White Post Lane
Hackney Wick
E9 5EN**

Objectors: **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:
Ticketed only event:
10th June 2023 – Night Peloton (Music and social event)
11th June 2023 RAI with Timo Maas (Music and social event).
- 3.4 The Notice was given on 25th May 2023 and the Responsible Authorities were notified of the Temporary Event Notice on 26th May 2023
- 3.5 The premises that has been applied for is: Unit 8, 29 White Post Lane Hackney Wick London E9 5EN for the courtyard area.
- 3.6 The dates and times that have been applied for are as follows:
Saturday 10th June 2023 from 21:00 hours to 23:59 hours
Sunday 11th June 2023 from 21:00 hours to 22:30 hours
- 3.7 A map showing the relevant premises and immediate area is included as **Appendix 2**.

4.0 **Premises Licence**

- 4.1 The venue has a premises licence in place, however the licence has a condition that restricts the use of the courtyard aft 21:00 hours and only permits 8 smokers after that time. See **Appendix 3** for a copy of the licence.
- 4.2 The Licensing Authority received a noise complaint on 19th May 2023 stating that a number of events have taken place in the courtyard after 9pm of which an advert was quoting a courtyard event with doors opening at 2pm until midnight. Historical complaints regarding the courtyard on 2/1/22; 2 complaints on 14/2/22.
- 4.3 A warning letter was issued to the premises licence holder and the premises on 23rd May 2023, please see attached in **Appendix 4**.

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 for 2022 and 2023 are as follows: 20 TEN per calendar year or 26 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 At any time before a hearing is held or dispensed, the premises user and EH or Police may come to an agreement and modify the temporary event notice by making changes to it.
- 5.5 Following an objection by the relevant Responsible Authority the Licensing Authority must decide whether;
- (1) Grant the TEN;
 - (2) Grant the TEN with conditions (if a premises licence is in place) and specify conditions as appropriate to the TEN.
 - (3) Refuse the TEN by serving a Counter Notice
- 5.6 The Licensing Authority can apply one or more conditions ;
- (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.
- 5.7 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.
- 5.8 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.

- 5.9 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 Environmental Health objection is in **Appendix 5**.

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
Appendix 4	Warning Letter
Appendix 5	Environmental Health objection

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Appendix 1

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 This is the unique reference for this application generated by the system.
- Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.
- Are you an agent acting on behalf of the applicant?
- ☒ Yes ☐ No
- Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

- * First name
- * Family name
- * E-mail
- Main telephone number Include country code.
- Other telephone number
- ☐ 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.

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Address

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

Agent Details

* First name	<input type="text" value="Woods Whur"/>
* Family name	<input type="text" value="."/>
* E-mail	<input type="text"/>

Main telephone number Include country code.

Other telephone number

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

Are you:

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

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

Agent Business

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

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Your position in the business

Home country

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	<input type="text" value="St James House"/>
Street	<input type="text" value="28 Park Place"/>
District	<input type="text"/>
City or town	<input type="text" value="Leeds"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="LS1 2SP"/>
Country	<input type="text" value="United Kingdom"/>

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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

<input type="text" value="dd"/>	<input type="text" value="mm"/>	<input type="text" value="yyyy"/>
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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	<input type="text" value="Woods Whur"/> <input type="text" value="St James House"/>
Street	<input type="text" value="28 Park Place"/>
District	<input type="text"/>
City or town	<input type="text" value="Leeds"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="LS1 2SP"/>
Country	<input type="text" value="United Kingdom"/>

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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

* Street

District

* City or town

County or administrative area

* Postcode

* Country

* 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

Location Details

* Provide further details about the location of the event

Unit 8, 29 White Post Lane

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](#))

The Courtyard Area

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

Coffee & Wine Bar

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

Ticketed Only Events

10 June 2023 - Night Peloton (Music and Social Event) 21:00 to 23:59. (Maximum 100 persons)

11 June 2023 - RAI with Timo Maas (Music and Social Event) 21:00 to 22:30. (Maximum 80 persons)

This TEN is for an extension of hours for the Courtyard area, as it is currently allowed to operate until 2100hrs.

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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
- ☒ The provision of late night refreshment
- ☐ The giving of a late temporary event notice

([See also guidance on completing the form, note 7](#)).

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

10	/	06	/	2023
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

/ /
dd mm yyyy

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

[\(see also guidance on completing the form, note 10\)](#)

10 June 2023 - 21:00 to 23:59
11 June 2023 - 21:00 to 22:30

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

[\(see also guidance on completing the form, note 11\)](#)

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

N/A

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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

London Borough of Tower Hamlets

Licence number

101165

Date of issue

/ /
dd mm yyyy

Continued from previous page... Any further relevant details

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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

State the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year

3

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

☐

Yes

☒

No

b) Begins 24 hours or less after the event period proposed in this notice?

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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

☐

Yes

☒

No

b) Begins 24 hours or less after the event period proposed in this notice?

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?

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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

Chris Rees-Gay
Woods Whur

* Capacity

Solicitors for the Applicant

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Continued from previous page...

* Date

25

/

05

/

2023

ddmmyyyy

Add another signatory

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

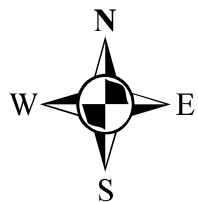
1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/tower-hamlets/apply-1> to upload this file and continue with your application.

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

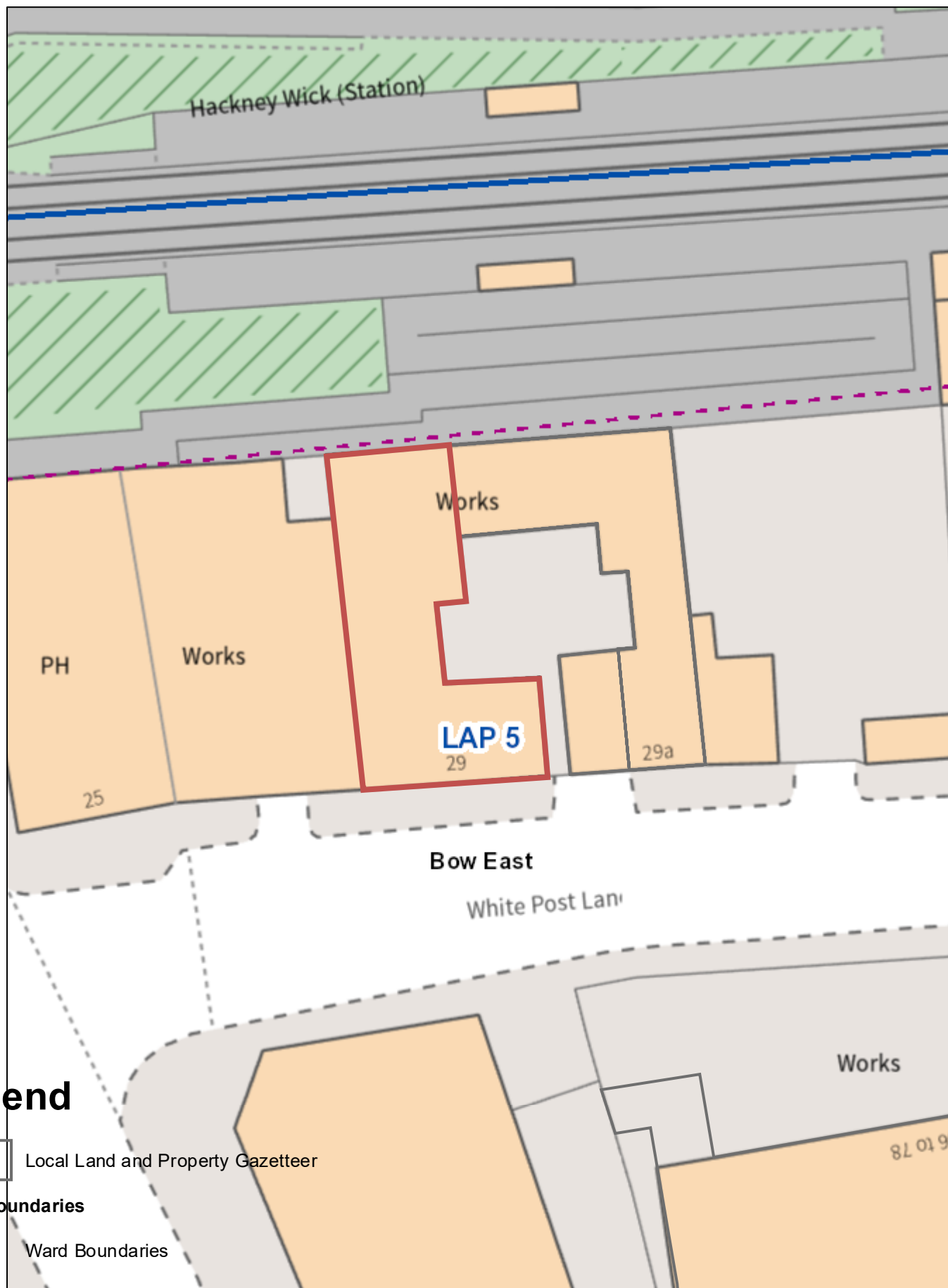
OFFICE USE ONLY

Applicant reference number	HUR001-1-7
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	<input type="checkbox"/>

Appendix 2



Unit 8 29 Whitepost Lane



Legend

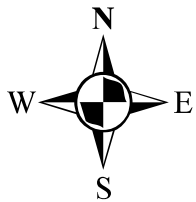
Local Land and Property Gazetteer

Ward Boundaries

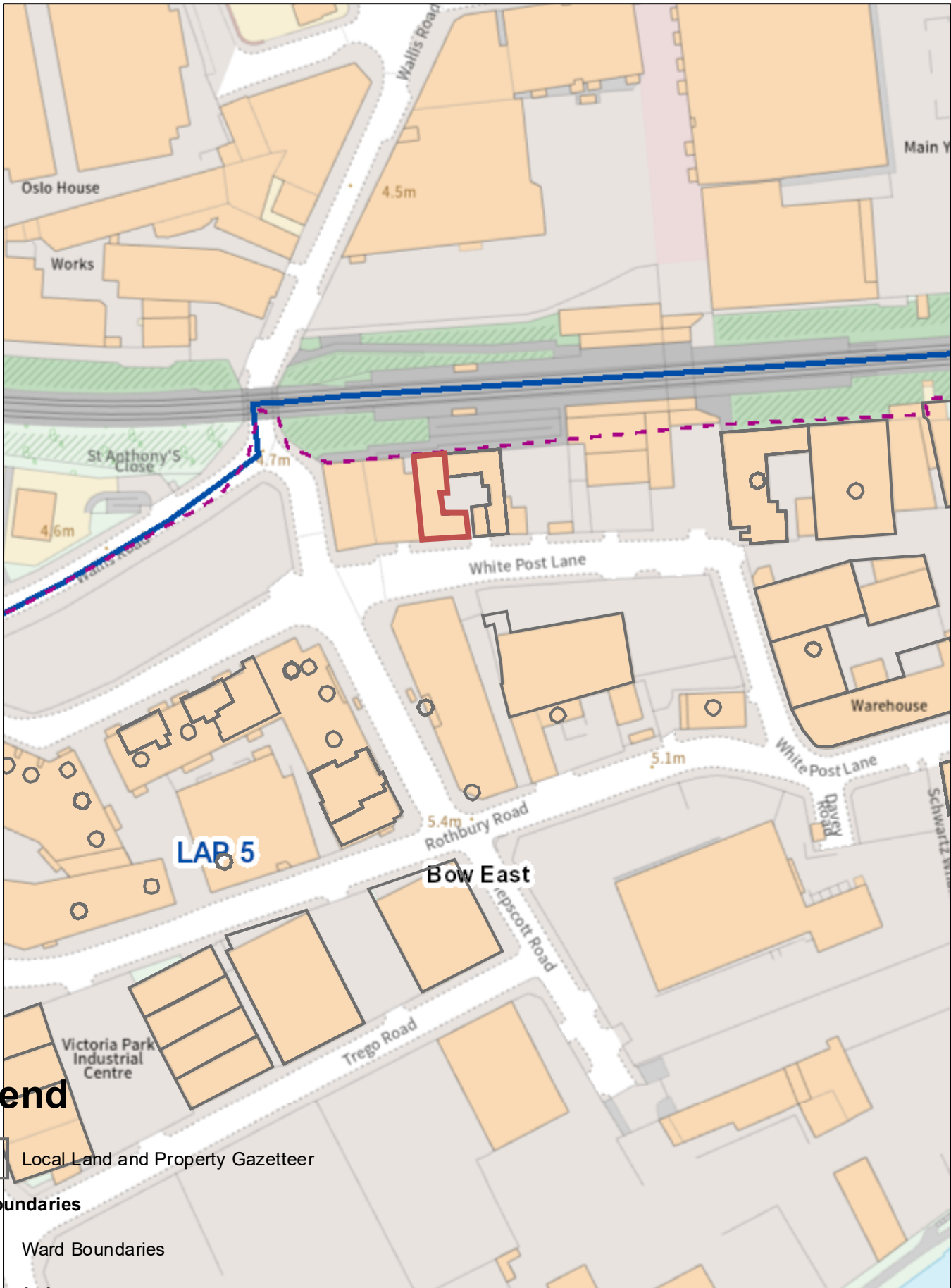
Ward Boundaries

LAP Boundaries






LAP Boundaries



Unit 8 29 Whitepost Lane



Legend

-  Local Land and Property Gazetteer
-  Ward Boundaries
-  Ward Boundaries
-  LAP Boundaries
-  LAP Boundaries

Appendix 3

(Hurk Limited)
Unit 8 29 White Post Lane
London
E9 5EN

Licensable Activities authorised by the licence

The sale by retail of alcohol
The provision of regulated entertainment consisting of Plays &
Recorded Music

See the attached licence for the licence conditions

Signed by

David Tolley 
Head of Trading Standards &
Environmental Health

Date: 13th June 2019



Part A - Format of premises licence

Premises licence number

29059

Part 1 - Premises details

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

Unit 8 29 White Post Lane

Post town

London

Post code

E9 5EN

Telephone number

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The sale by retail of alcohol

The provision of regulated entertainment (**consisting of Plays & Recorded Music**)

The times the licence authorises the carrying out of licensable activities

Supply of alcohol (Indoors & Outdoors)

Monday to Thursday from 11:30 hours to 23:30 hours

Friday to Saturday from 11:30 hours to 00:00 hours

Sunday from 11:30 hours to 22:30 hours

Non-standard timings

Until 01:30 on the evening preceding a Bank Holiday. Until 4am on New Years Eve, until 01:30 on New Year's Day.

Regulated Entertainment Plays & Recorded Music (Indoors & Outdoors)

Monday to Thursday from 11:30 hours to 23:30 hours

Friday to Saturday from 11:30 hours to 00:00 hours

Sunday from 11:30 hours to 22:30 hours

Non-standard timings

Until 01:30 on the evening preceding a Bank Holiday. Until 4am on New Years Eve, until 01:30 on New Year's Day.

The opening hours of the premises**Hours premises are open to the public**

Monday to Thursday from 11:30 hours to 23:00 hours

Friday to Saturday from 11:30 to 23:30 hours

Sunday from 11:30 to 22:00 hours

Non-standard timings

Until 01:30 on the evening preceding a Bank Holiday. Until 4am on New Year's Eve, until 01:30 on New Year's Day.

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**

Carl Edlund & Patrick Lindblom(Company Director)
Unit R3 55 Wallis Road
London
E9 5LH

Telephone Number: 07432650472/07787181457/ 02085334685
Email address: hello@hwklondon.com

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

Registered Company number: 11889653

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

Carl Edlund

[REDACTED]

[REDACTED]

[REDACTED]

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: 101165

Issuing Authority: London Borough of Hackney Council

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

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: ½ 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

For “OFF SALES ONLY” Add the following conds...

- 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

Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, such individuals must be licensed with the Security Industry Authority.

This does not apply to premises within paragraph 8(3) (a) of Schedule 2 to the Private Security Industry Act 2001, (premises with premises licences authorising plays or films), or

in respect of premises in relation to-

any occasion mentioned in paragraph 8(3)(b) or (c) of Schedule 2 (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
any occasion within paragraph 8(3)(d) of Schedule 2 (occasions prescribed by regulations under that Act) unless the Licence specifically states otherwise.

Security activity means an activity to which paragraph 2(1)(a) of Schedule 2 of the Private Security Industry Act 2001 of that schedule applies, and Paragraph 8(5) of Schedule 2 (interpreting of references to an occasion) applies as it applies in relation to paragraph 8 of Schedule 2 of the Private Security Industry Act 2001

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 30 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 30 day period.
2. All staff responsible for selling alcohol shall receive regular training in the Licensing Act 2003 in terms of the licensing objectives, offences committed under the Act and conditions of the Premises Licence. Written records of this training shall be retained and made available to police and authorised officers of the Licensing Authority on request.

3. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:
 - a) All crimes reported to the venue;
 - b) Any complaints received;
 - c) Any incidents of disorder;
 - e) Any refusal of the sale of alcohol;
 - h) Any visit by a relevant authority or emergency service.
4. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
5. Loudspeakers shall not be located in the entrance lobby or outside the premise building.
6. Refuse, including bottles are to be taken and placed into receptacles outside the premises at times which will minimise the disturbance to nearby premises. Refuse shall not be collected between the hours of 23:00 hours and 07:00 hours.
7. 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.
8. 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 are open.
9. All windows and external doors shall be kept closed when regulated entertainment takes place, except for the immediate access & egress of persons.
10. No collections of waste or recycling materials (including bottles) from the premises shall take place between 22:00 hours and 08:00 hours on the following day.
11. No deliveries to the premises shall take place between 22:00 hours and 08:00 hours the following day.

12. No external use of the courtyard area after 21:00 hours, except patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, which shall be limited to 8 persons, after 21:00 hours.

13. Access via the under passage shall be permitted until 23:30 hours.

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

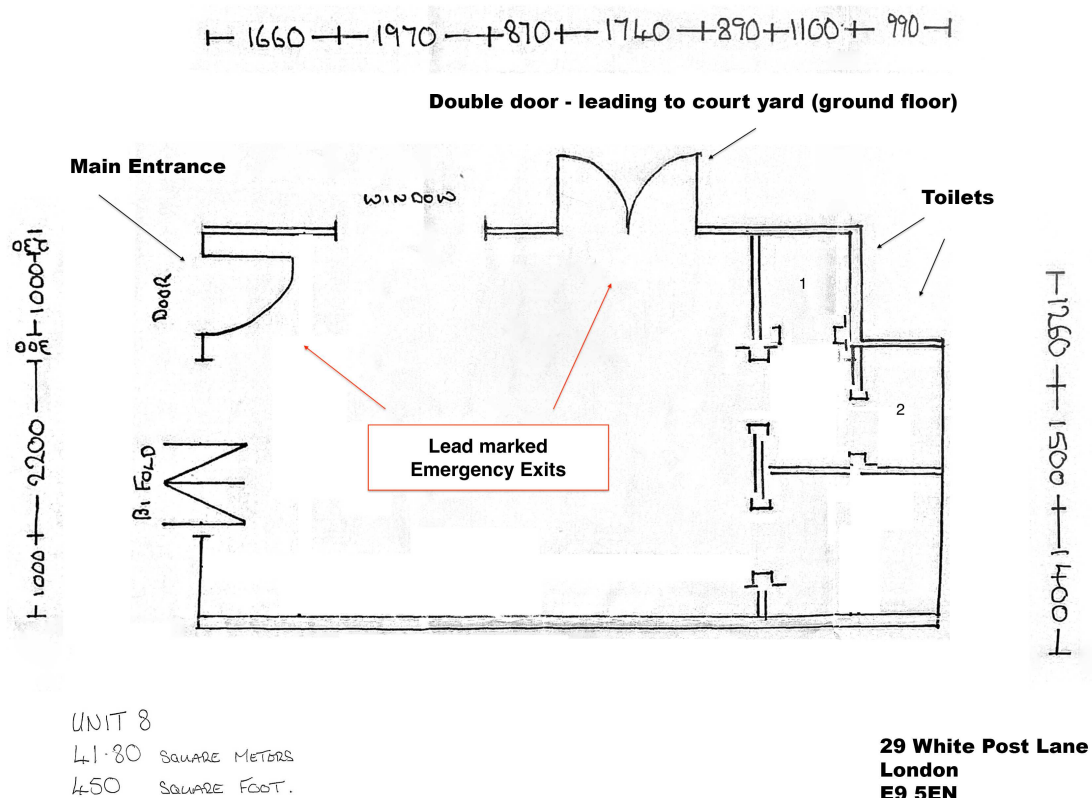
Not applicable

Annex 4 - Plans

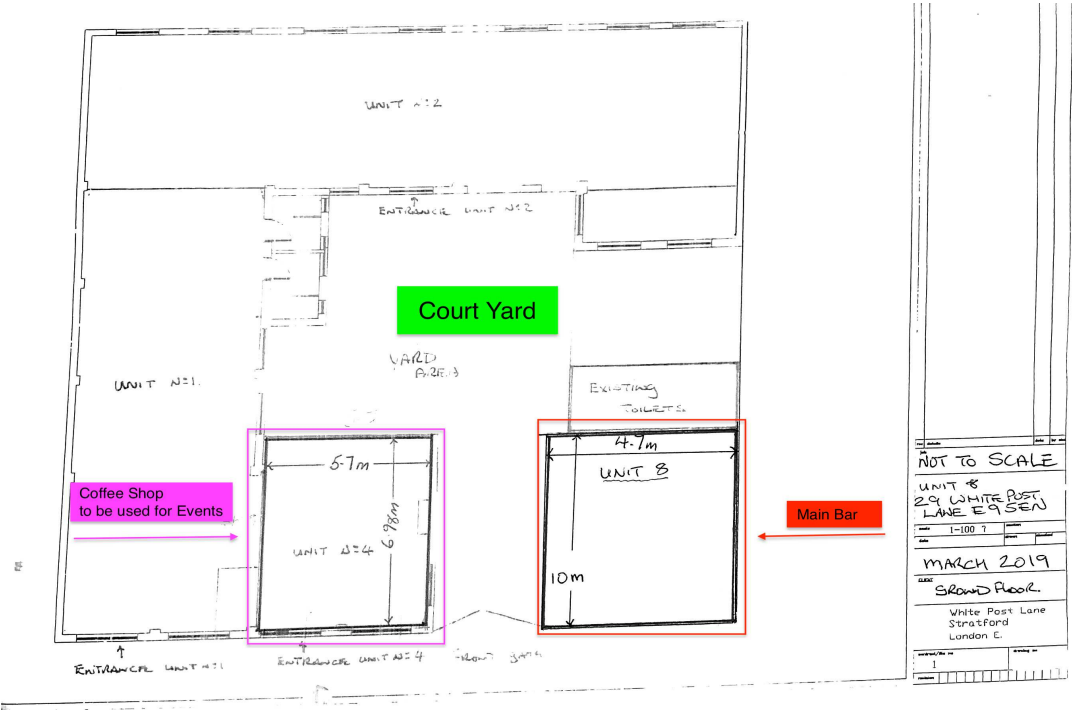
The plans are those submitted to the licensing authority on the following date:

2017 (enter date and if relevant plan No. and area covered within the plans.)

Plan 1- ground floor



Plan 2 – outside courtyard area



Part B - Premises licence summary

Premises licence number

29059

Premises details

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

Unit 8 29 White Post Lane

Post town

London

Post code

E9 5EN

Telephone number

07787181457

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The sale by retail of alcohol
The provision of regulated entertainment consisting of Plays & Recorded Music

The times the licence authorises the carrying out of licensable activities

Supply of alcohol

Monday to Thursday from 11:30 hours to 23:30 hours

Friday to Saturday from 11:30 hours to 00:00 hours

Sunday from 11:30 hours to 22:30 hours

Non-standard timings

Until 01:30 on the evening preceding a Bank Holiday. Until 4am on New Years Eve, until 01:30 on New Years Day.

Regulated Entertainment (Plays & Recorded Music)

Monday to Thursday from 11:30 hours to 23:30 hours

Friday to Saturday from 11:30 hours to 00:00 hours

Sunday from 11:30 hours to 22:30 hours

Non-standard timings

Until 01:30 on the evening preceding a Bank Holiday. Until 4am on New Years Eve, until 01:30 on New Years Day

The opening hours of the premises

Hours premises are open to the public

Monday to Thursday from 11:30 hours to 23:00 hours

Friday to Saturday from 11:30 to 23:30 hours

Sunday from 11:30 to 22:00 hours

Non-standard timings

Until 01:30 on the evening preceding a Bank Holiday. Until 4am on New Years Eve, until 01:30 on New Years Day.

Name, (registered) address of holder of premises licence

Carl Edlund & Patrick
Lindblom(Company Director)
Unit R3 55 Wallis Road
London
E9 5LH

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)

Registered Company number: 11889653

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Carl Edlund

State whether access to the premises by children is restricted or prohibited

No restrictions

Appendix 4

Carl Edlund
Unit R3 55 Wallis Road
London
E9 5LH

B email: [REDACTED]

23rd May 2023

Our reference P/EHTS/LIC/C115405

Dear Sir/Madam

**Place Directorate
Public Realm**

Environmental Health & Trading Standards

Head Of Service **David Tolley**

Licensing Officer - Licensing and Safety
Environmental Health and Trading Standards
Place Directorate
Tower Hamlets Town Hall
160 Whitechapel Road
London
E1 1BJ

Tel **020 7364 3986**
Enquiries to Corinne Holland
Email corinne.holland@towerhamlets.gov.uk

www.towerhamlets.gov.uk

Licensing Act 2003

Premises: HWK, Unit 8, 29 Whitepost Lane , London E9 5EN

The Licensing Authority has received a complaint on the 19th May 2023 regarding your premises for events being held there.

Below is an excerpt from the complaint:

This company is in clear violation of the Licensing Agreement, consistently. Their license says they cannot use the Courtyard after 9pm. They have frequent events that run until the early hours of the morning, some of which remain using the outdoor courtyard until 1-2am.

You have the following condition on your licence:

12. No external use of the courtyard area after 21:00 hours, except patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, which shall be limited to 8 persons, after 21:00 hours.

Condition 12 specifically states that the courtyard can't be used after 21:00 hours.

I realise you have applied for some temporary events recently to extend your hours but I note you put in your TEN application for the 14th May 2023 ' *The music stops in our courtyard at midnight and moves into the function room for which the TEN is being applied for.*

In your TEN for the 27th May 2023 you state '*There will be no music in the courtyard after midnight*'

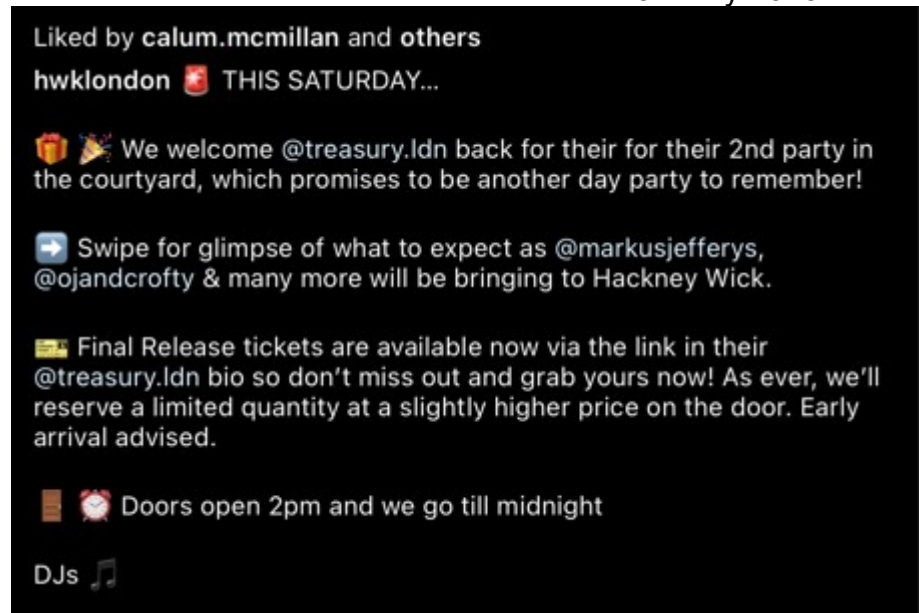
You applied to start your TEN's at 00:00 (midnight) and end at 03:00 hours and therefore before midnight you are operating under your Premise Licence so all your licence conditions apply before midnight, this includes the restriction on the use of the courtyard.

The licence extension granted by the Government under Section 172 Licensing Act 2003 for the Kings Coronation only extended the licensable hours to 1.00am and did not remove the requirement for all conditions to be abided by.

Excerpt from your social media:



The below is an advert for an event on the 20th May 2023:



By using your courtyard after 21:00 hours you are breaching your licence condition.

Under Section 136 (1) of the Licensing Act 2003 it is an offence for anyone who carries on or attempts to carry on a licensable activity on or from any premises without or not in accordance with an authorisation.

The ACT covers;

1. the sale by retail of alcohol (off or on sales)
2. the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club (or permitted guest)
3. the provision of regulated entertainment (with or without a licence to sell alcohol)
4. the provision of late-night refreshment (selling hot food and drinks after 23:00 hours and before 05:00 hours)

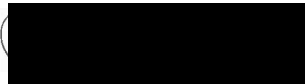
A person guilty of an offence under Section 136 (1) of the ACT is liable on a summary conviction to imprisonment for a term not exceeding six months or an unlimited fine.

If you wish to have an event in your courtyard beyond 21:00 hours then you need to apply for the TEN incorporating the hours to bridge the gap from 21:00 hours.

Enforcement visits will be conducted to ensure compliance. If any offences come to light the Licensing Authority may instigate prosecution proceedings.

I welcome any comments you may wish to make regards to the above.

Yours sincerely



Corinne Holland
Licensing Officer

C.c

Police Licensing Unit - cemailbox-.towerhamletslicensing@met.police.uk

Environmental Health Noise Team – environmental.protection@towerhamlets.gov.uk

Appendix 5

Kathy Driver

From: Nicola Cadzow
Sent: 30 May 2023 16:01
To: Licensing
Cc: 'MARK.J.Perry@met.police.uk'; Christopher Rees-Gay
Subject: 159949 TENs application for Woods Whur Unit 8 29 White Post Lane

Dear Licensing,

I have reviewed the TENs applications for Woods Whur Unit 8 29 White Post Lane and have considered the potential impact of public nuisance and measures to prevent noise generated from within the premises or outside it which could cause disturbance to people in the vicinity.

The applicant is proposing sale of alcohol, and regulated entertainment in the courtyard area on:-

Saturday 10th June 2023 until 23:59 hours (an extension of 2 hours 59 minutes on the current licence)

Sunday 11th June 2023 until 22:30 hours (an extension of an hour and a half on the current licence)

Noise Sensitive premises: residential and commercial premises in close proximity to 29 White Post Lane.

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

- Noise breakout from the venue affecting neighbouring residents, for extending use of the courtyard area.
- Access & egress to and from the venue, of patrons, especially due to patrons likely to be in high spirits;

CONCLUSION

Environmental Protection **does not** support the TENs application Woods Whur Unit 8 29 White Post Lane, London for the following reasons greater likelihood of disturbance to residential premises by allowing extend use of the external courtyard area.

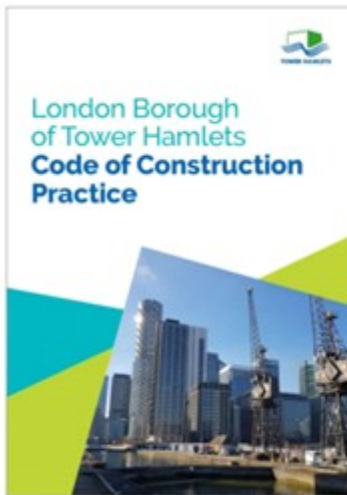
Kind regards

Nicola Cadzow
Environmental Protection Officer
Environmental Health and Trading Standards
4th Floor, Tower Hamlets Town Hall
160 Whitechapel Road
London, E1 1BJ

020 7364 6394

www.towerhamlets.gov.uk

Follow us on:



Construction Code of Practice 2023

- Development with Planning Permission granted and subject to Planning Conditions is adoption of the new Code will continue to operate under the conditions for working hours of **Code of Construction Practice 2006**.

Permitted to work Saturdays without s61 Agreement (8am to 1pm only)

- Development granted Planning Approval **after the 26th April 2023** and subject to Planning Conditions required to adhere to working hours as set out above and in the **Code of Construction Practice 2023**. s61 Agreement required for works on Saturdays, Sundays, Bank Holidays, or Public Holidays
- Developments seeking amendments to Planning Approvals issued prior to 26th April 2023 Working Hours imposed if relevant to the details being amended.
- For more information, please click on the cover page of the Code of Construction Practice 2023

Please note: all s61 consents, dispensations and variations must be submitted [online](#).