

Licensing Sub Committee

**Tuesday, 14 May 2024 at 2.30 p.m.
Committee Room - Tower Hamlets Town Hall,
160 Whitechapel Road, London E1 1BJ**

Supplemental Agenda

- 4 .2 Application for a New Premises Licence for Burgers LDN, (Alleyway) 141 Leman Street, London E1 8EY (Pages 3 - 24)**

Supporting documents submitted on behalf of the Applicant.

- 6. Temporary Event Notice for Fabwick Unit 4a Queens Yard 43 White Post Lane London E9 5EN**

- 7. Temporary Event Notice for (Little LDN) Unit 3, 39 Autumn Street, London E3 2TT**

Contact for further enquiries:

Simmi Yesmin, Democratic Services Officer,

simmi.yesmin@towerhamlets.gov.uk

020 7364 4120

Town Hall, 160 Whitechapel Road, London, E1 1BJ

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



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Agenda Item 4.2

Dear sub committee

Thank you for giving us the opportunity to hear our case.

As you may know we are burger takeaway which operates from the back of an Indian restaurant and started in partnership with the restaurant by operating in covid 2021.

We started based on lack of business within the Indian trade due to restrictions etc and came up with a plane to burgers trendy and affordable for the locals.

The competition at that precise moment was low compared to now.

Our operation hours and values was to serve the local area precisely tourists and had operational hours which we believed the Indian restaurant had late night license and because it was under one roof we presumed we are also covered, until we was notified but the council after a complaint we believe.

Our business model and strategy changed as soon as we was notified of this by changed staff hours, stock management control and other relevant materials in place to make sure we abide by the laws of the council. Based on council records we abide by each every notice they provide us with such as waste management contract and advertising licenses I'm place to run a effective business without issues.

Soon we was notified of the late night refreshment license issue first we appealed by writing back stating we are covered based in the Indian restaurant but then soon made aware that as we are independent business we need to have our own even under same roof.

We applied for this application for extended hours and actioned all the relevant requirements for the license like blue notice etc. unfortunately we have had 1 objection and after awaiting for the objection letter we came to light that the individual objecting has the following issues which they didn't seem to highlight.

Firstly the individual lives about 300 Meters away from the shop which is far based on the location we are situated inside an alleyway. They also live above a burger restaurant and a very busy pizza franchise. Now since we been there for near 3 years we have noticed that the pizza place is open till late on weekends and also has 5 delivery mopeds running it's delivery service throughout which makes enormous amount of noise. They also have very late night lorry deliveries causing traffic on a one way round and right next to a traffic stop also which is used more so then the other siding roads. Lastly the individual is based more

closer to the hostel which is always about 90percent occupied each week so tourists have to go past this traffic lights and pizza place to attend their destination hostel.

We believe our takeaway has no effect on the individual as we also tried to contact them but with no luck. We tried only once because didn't want to disrupt the case any further.

Our business has put on various changes and even had calls from local police and environment health if we follow few steps they are happy for us to operate new hours if authorized. So the changes we made even prior to the appeal and have always have this in place are

Notice boards for customers

We regularly put notices on social media to customer making them aware of simple etiquettes of waste management and behavior

Waste bins provided

Regular cleaning in process of the alleyway

CCTV installed

Lights installed

Staff increased during evening trade

Incident report books brought and trained staff how to utilize them

Website hours changed as soon as we was notified prior to this social media and google hours was changed. This is why website was only mentioned by the individual as we don't have flow of customers coming through website we actually genuinely forgot.

Police checks in the evening were carried out and didn't find us operating on 3 occasion we noticed them come, there could be more we not aware of however no report of any wrong doing.

We changed our delivery of some products to day so noise is controlled.

We have cleared drug users in the alleyway as before we started operating this was a hotspot and a blind spot for them.

We cleared any wrong use of the alleyway such as drunken individuals urinating.

Our final request was to get petition done from locals businesses and individual who approve of our existence and are appreciative of the control environment we conduct which also helps them in many ways.

We humbly request for the commit to see that we have not had a single issue or complaint from the residents above us directly as we operate on their door step infact most are happy for the changed made above and the cleanliness and safety of the alleyway even for them to walk in at night.

It Is vital for us to operate in this location with the extended hours for business revenue growth but also as important safety of our streets, cleanliness of our streets and this relates to having attractiveness got tourists etc.

We have attached many photos and the petition for your records that we fully abide and respect the laws and rules of the authority in place.

These steps have made us put in place for our other stores also and once again had has very positive response.

Thank you for acknowledging the statement and we wait to hear from you soon.



SQUARE MILE
INSURANCE SERVICES

Maylord House 68 Leman Street London E1 8EU United Kingdom
Tel 020 7481 4321 Fax 020 7481 4223 Email info@squaremileinsurance.com Web squaremileinsurance.com

The Licensing Department
Tower Hamlets Council
Town Hall
160 Whitechapel Road
London
E1 1BJ

1st May 2024

Dear Sir/Madam,

**Licensing Application Ref 16653 (Burgers LDN)
141 Leman Street London E1 8EY**

I am the managing director of Square Mile Insurance Services Ltd and am often required to work very long hours particularly at the month end. I am a frequent customer of Burgers London because of the fact that they are open late (I often have to queue!) and also because the food is of a very high standard.

I would also point out that as mentioned above, there is often a queue outside the Burger bar but it is always orderly, not rowdy or messy.

We need to help small businesses keep in business not hinder their ability to earn an honest living and your decision to reduce their hours should be reversed

Please contact me if you require any further information

Yours faithfully

Jan Knights

JAN KNIGHTS FCII

Small text at the bottom of the page providing regulatory information:
Square Mile Insurance Services Ltd are independent intermediaries authorised and regulated by the Financial Conduct Authority (FCA) ref. no. 311852, to transact general insurance business
Director: Jan Knights, F.C.I.I Chartered Insurance Practitioner
Company registered in England no. 3607262.



The Brown Bear, 139 leman Street ,London E1 8EY
Telephone: 020 7481 3792

The Licensing Department
Tower Hamlets Council
Town Hall
160 Whitechapel Road
London
E1 1BJ

1st May 2024

Dear Sir/Madam,

**Licensing application ref 16653 (Burgers LDN)
141 Lemman Street London E1 8EY**

I am the current landlord of the Brown Bear public house and have been since 2003.

I have been made aware that the burger shop in the alleyway next to the pub have made an application to extend/vary their opening hours which include staying open later at weekends

I am totally in favour of this as since they started operating in the alley it has deterred a lot of the drug users that gather in the alley to take drugs and other anti social behaviour.

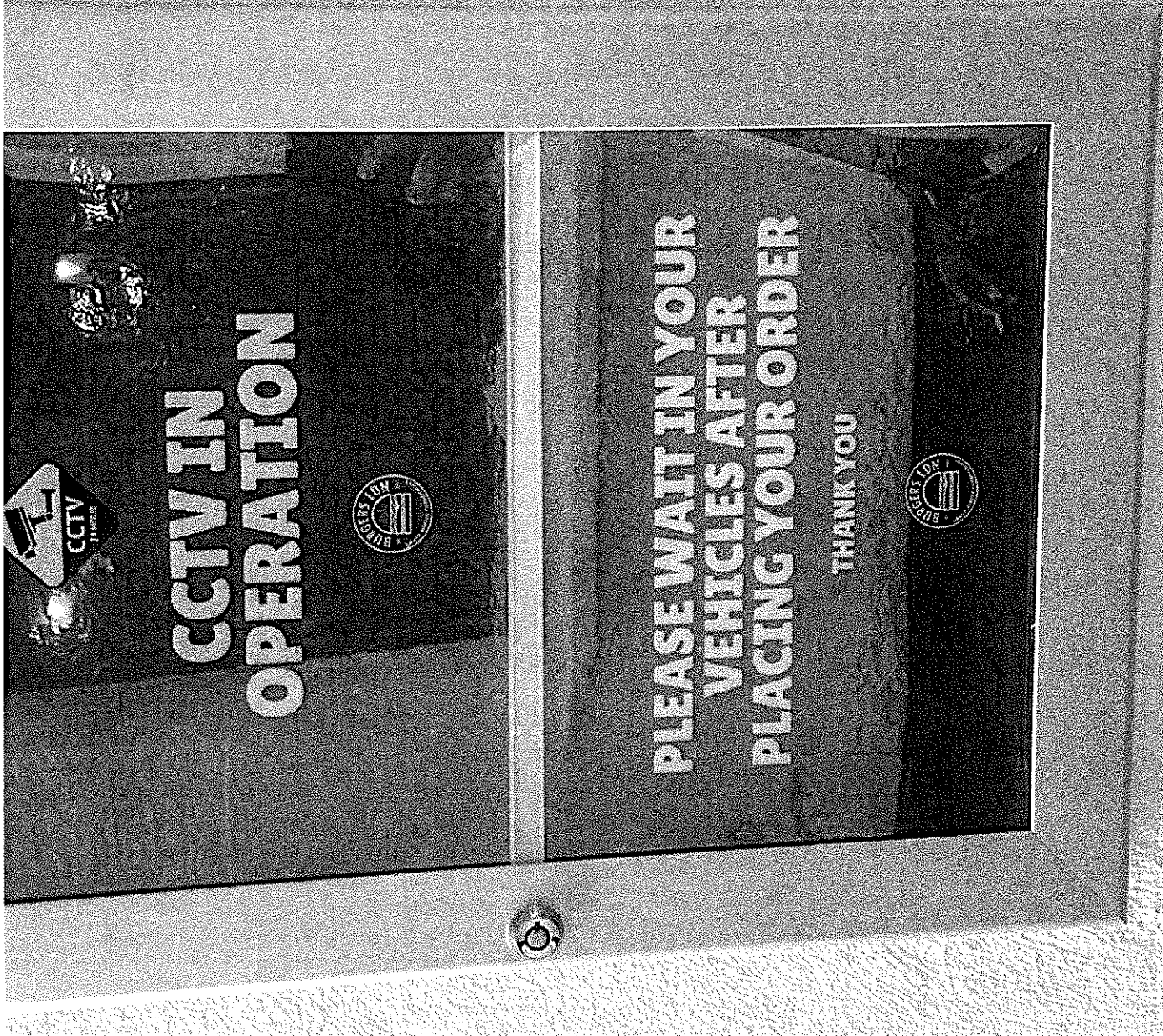
We have previously been broken into via the back door which is in the alley and this has now stopped as Burgers LDN have installed PIR lights and cctv

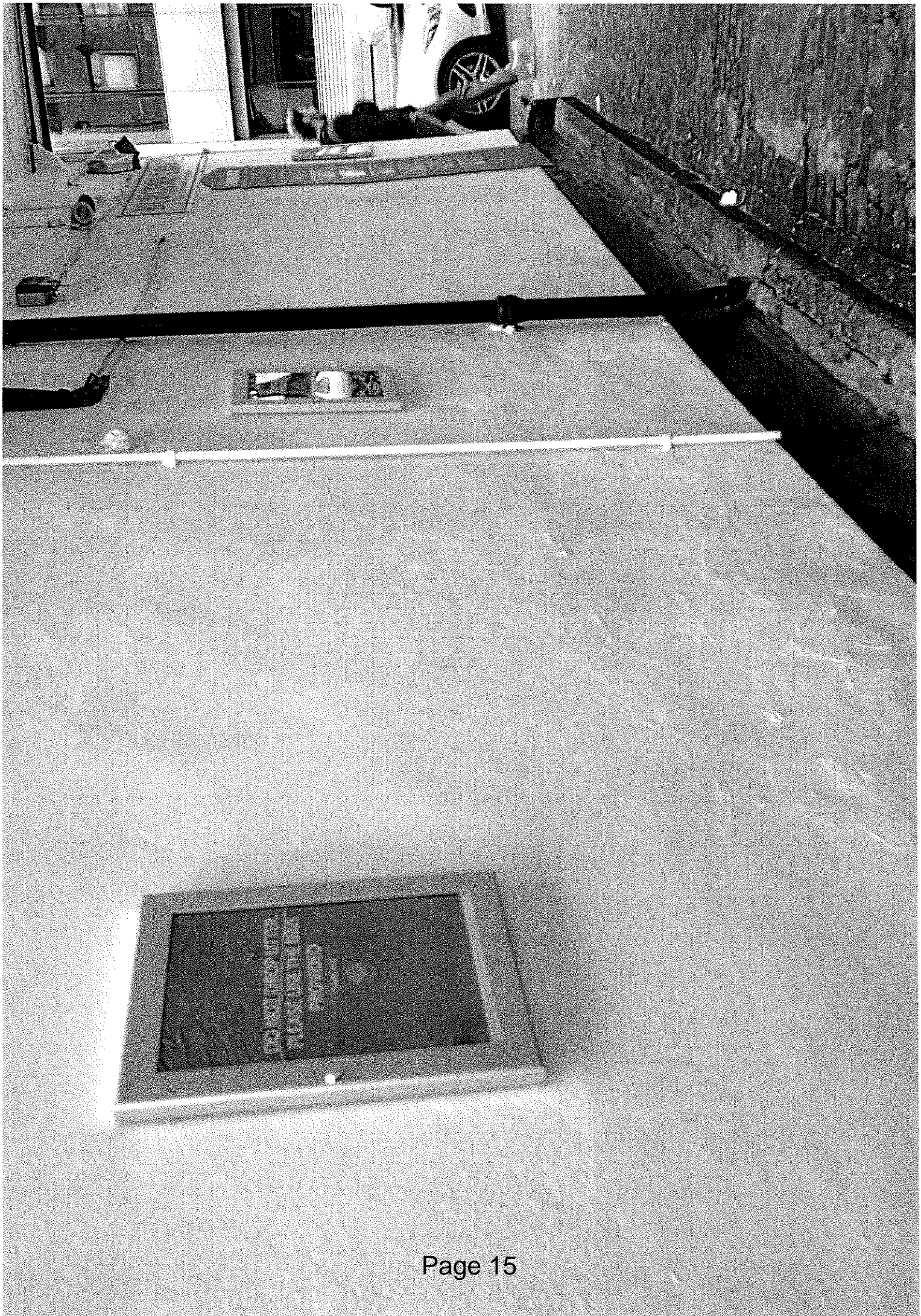
The alleyway is being kept clean and tidy by Burgers LDN which was not being done by anyone before. Since Burger LDN started trading I have not witnessed or been made aware of any issues arising from there, nor has there been any undue noise.

I personally believe that if businesses in this area were to stay open later it would have a positive effect in the area as this would stop some of the nefarious activities occurring.

Yours faithfully

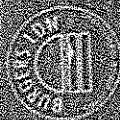

R Porter
The Brown Bear





DO NOT DROP LITTER.
PLEASE USE THE BINS
PROVIDED

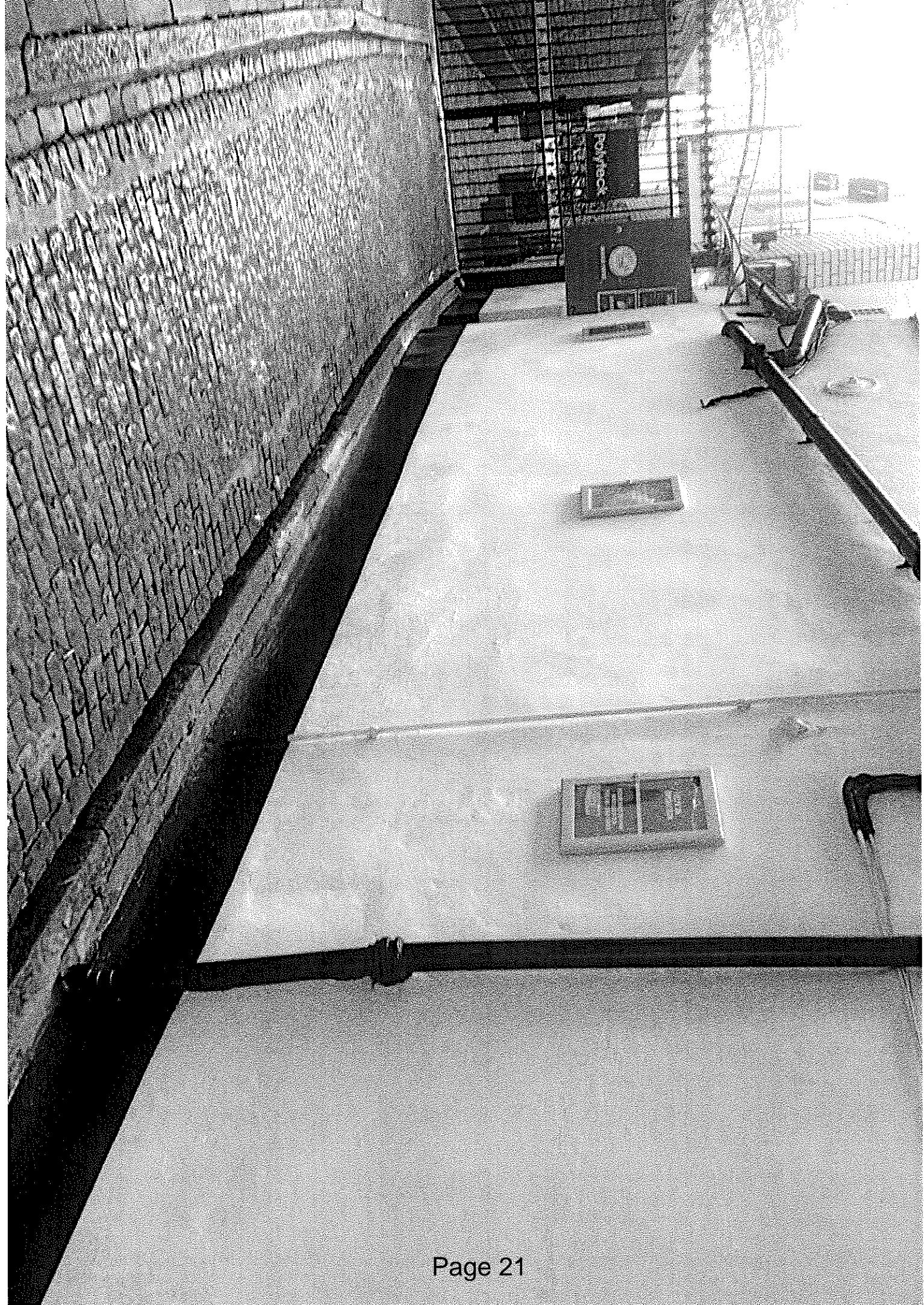
THANK YOU



**PLEASE RESPECT OUR
NEIGHBOURS AND KEEP
THE NOISE DOWN**

THANK YOU







Agenda Item 6

Committee :	Date	Classification	Report No.	Agenda Item No.
Licensing Sub Committee	14 May 2024	Unclassified		

Report of Tom Lewis Head of Environmental Health & Trading Standards Originating Officer: Lavine Miller-Johnson Licensing Officer	Title: Licensing Act 2003 Temporary Event Notice for Fabwick Unit 4a Queens Yard 43 White Post Lane London E9 5EN Ward affected: Bow East
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1.0 Summary

Applicant: **Kenan Balli**

Address of Premises: **Fabwick
Unit 4a Queens Yard
43 Whitepost Lane
London
E9 5EN**

Objectors: **Environmental Protection**

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

Lavine Miller-Johnson
020 7364 2665

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:

Premises licence application is in progress, the application has been submitted on 8/04/2024. ThisTEN application, is to enable the owner to run their business while the premises licence application is in progress. They are committed to ensuring conditions agreed with the Police for the premises licence shall apply throughout.

3.4 The capacity of the event will for up to 200 persons.

3.5 The Notice was given on Wednesday 8th May 2024 and the Responsible Authorities were notified of the Temporary Event Notice on Wednesday 8th May 2024

3.6 The premises that has been applied for is: Fabwick Unit 4a Queens Yard
43 White Post Lane London E9 5EN

3.7

3.8 The dates and times that have been applied for are as follows:

Sale of alcohol (on and off) and Regulated entertainment

23/05/2024 – 10:00 hours to 24/05/2024 01:00 hours

24/05/2024 – 10:00 hours to 25/05/2024 01:00 hours

25/05/2024 – 10:00 hours to 26/05/2024 01:00 hours

3.9 A map showing the relevant premises and immediate area is included as **Appendix 2**.

4.0 **Premises Licence**

4.1 The venue has no premises licence in place. The applicant applied for a premises licence which has received representations and is scheduled to be heard on 18th July 2024.

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 The Environmental Protection objection are contained in **Appendix 3**.

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.

Appendices

Appendix 1	A copy of the application
Appendix 2	Maps of the area
Appendix 3	Environmental Protection Objection

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Appendix 1

* 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

Not Currently In Use

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

Your reference

TEN/E95EN

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

Kenan

* Family name

Balli

* E-mail

[REDACTED]

Main telephone number

[REDACTED]

Include country code.

Other telephone number

[REDACTED]

- 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	<input type="text"/>
* Street	<input type="text"/>
District	<input type="text"/>
* City or town	<input type="text"/>
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="ATLAS"/>
* Family name	<input type="text" value="LICENSING"/>
* E-mail	<input type="text"/>
Main telephone number	<input type="text"/>
Other telephone number	<input type="text"/>

Include country code.

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	<input type="text" value="13463174"/>
Business name	<input type="text" value="ATLAS LICENSING LTD"/>
VAT number	<input type="text" value="-"/> <input type="text" value="NONE"/>
Legal status	<input type="text" value="Private Limited Company"/>
Your position in the business	<input type="text" value="MANAGER"/>
Home country	<input type="text" value="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	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>

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

<input type="text"/>	/	<input type="text"/>	/	<input type="text"/>
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	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>

Continued from previous page...

Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

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.

Yes No

E-mail

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?

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.

Yes No

* 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

Location Details

* Provide further details about the location of the event

The premises is located within the Queens Yard, in Hackney Wick, London.

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 whole premises will be used including the outside seating area.

Continued from previous page...

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

The premises is a restaurant.

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

Premises licence application is in progress, the application has been submitted on 08/04/2024. This TEN application is to enable the owner to run their business while the premises licence application is in progress. They are committed to ensuring conditions agreed with the Police for the premises licence shall apply throughout.

Start 23.05.2024 - 10:00, finish 24.05.2024 at 01:00

Start 24.05.2024 - 10:00, finish 25.05.2024 at 01:00

Start 25.05.2024 - 10:00, finish 26.05.2024 at 01:00

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
- 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 / /
 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.

Event end date / /
 dd mm yyyy

Continued from previous page...

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

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

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

Note that the maximum number of people cannot exceed 499.

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

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

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

Licence number

Date of issue / /
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

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

4

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?

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 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:
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 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

* Capacity

Continued from previous page...

* Date

08	/	05	/	2024
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.

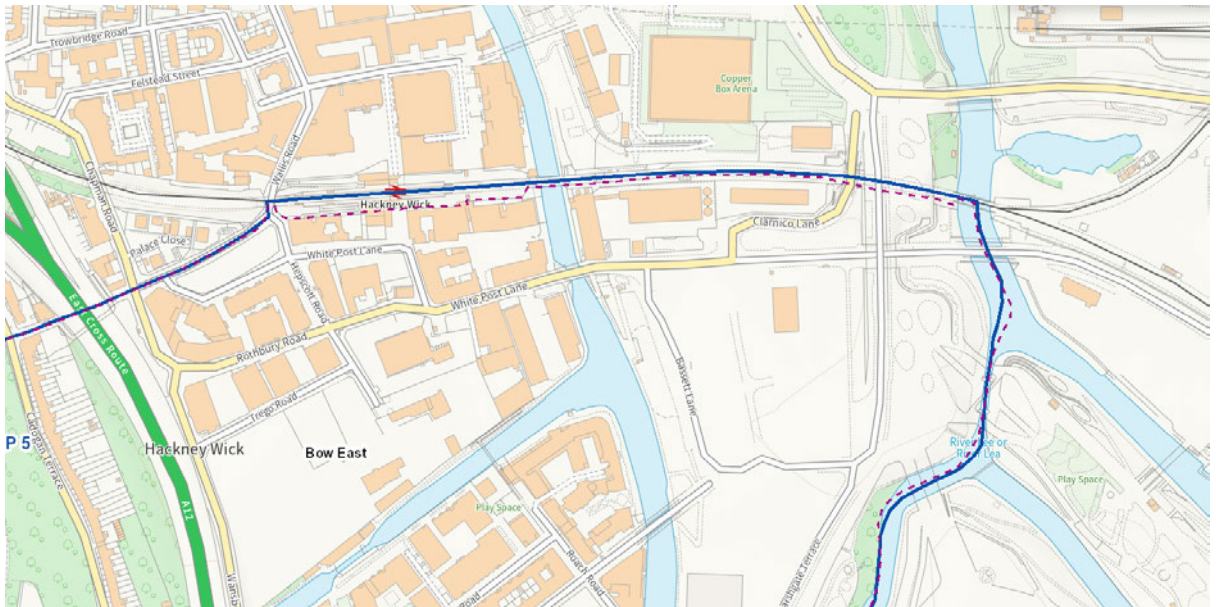
OFFICE USE ONLY

Applicant reference number	<input type="text" value="TEN/E95EN"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

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

Appendix 2

43 Whitepost Lane Unit 4a Queens Yard - Maps of the area



Appendix 3

Lavine Miller-Johnson

From: Nicola Cadzow
Sent: 09 May 2024 09:46
To: Licensing
Cc: 'MARK.J.Perry [REDACTED] Kieran.Wells2 [REDACTED] admin [REDACTED]
Subject: 168859 MAU REPRESENTATION TENS for Fabwick Unit 4a Ground, Queens Yard", 43 White Post Lane, London

Good morning Licensing,

I have regarded the TENs application for Fabwick Unit 4a Ground, Queens Yard, 43 White Post Lane, London 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.

Due to ongoing noise complaints regarding a number of venues in Queens, whilst no evidence of a statutory noise nuisance has been established, I have to consider the licensing objective for the prevention of public nuisance, and the cumulative impact of public nuisance at the late hours sought.

Noise Sensitive premises: residential and commercial premises in close proximity to the premises including at Omega Works, 4 Roach Road, London, E3

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.
- Access & egress to and from the venue, of patrons, especially due to patrons likely to be in high spirits; and
- The hours of operation (inclusive of proposals)

CONCLUSION

Environmental Protection **does not** support the application for Fabwick Unit 4a Ground, Queens Yard", 43 White Post Lane, London due to the greater likelihood of disturbance to residential premises at the noise sensitive hours sought.

Kind regards

Nicola Cadzow
Environmental Health Officer
Environmental Protection (Noise) Team

[REDACTED]

[REDACTED]

Agenda Item 7

Committee :	Date	Classification	Report No.	Agenda Item No.
Licensing Sub Committee	14 May 2024	Unclassified		

Report of: Tom Lewis Service Manager of Regulatory Services (Commercial) Originating Officer: Mohshin Ali Senior Licensing Officer	Title: Licensing Act 2003 Temporary Event Notice for (Little LDN) Unit 3, 39 Autumn Street, London E3 2TT Ward affected: Bow East
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1.0 Summary

Applicant: **Little LDN Ltd**

Address of Premises: **Unit 3**
39 Autumn Street
London
E3 2TT

Objector(s): **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

- Guidance Issued under Section 182 of the Licensing Act 2003
- Tower Hamlets Licensing Policy
- File

Mohshin Ali
020 7364 5498

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:
- *“Music and food event selling alcohol...”*
- 3.4 The following licensable activities have been applied for:
- *The sale by retail of alcohol*
 - *The provision of regulated entertainment*
- 3.5 The Notice was given on 3rd May 2024 and the Responsible Authorities were notified of the Temporary Event Notice on 7th May 2024.
- 3.6 The premises that has been applied for is:
- (Little LDN) Unit 3, 39 Autumn Street, London E3 2TT
- 3.7 The dates that have been applied for are as follows:
- Saturday 25th May 2024 to Sunday 26th May 2024
- 3.8 The times that have been applied for are as follows:
- from 21:00 hrs on Saturday to 03:00 hrs on Sunday
- 3.9 A map showing the relevant premises and immediate area is included as **Appendix 2**.

4.0 **Premises Licence**

- 4.1 The venue held a premises licence of which was surrendered on 23rd December 2019 by the previous licence holders. On the 14th January 2024, a new licence was applied for by Little LDN Ltd which was subsequently refused by the Licensing Sub Committee on 23rd April 2024 following representations from other persons (residents and businesses) and responsible authorities (Licensing Authority and Environmental Protection).

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 2024-2025 are as follows: 20 TEN per calendar year or 26 days. The responsible authorities that can object are 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 Protection objections are contained in **Appendix 3**.

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	Environmental Protection representation

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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 you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

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

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 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

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

District

City or town

County or administrative area

Continued from previous page...

Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

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.

- Yes No

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?

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.

- Yes No

* 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

Location Details

* Provide further details about the location of the event

MUSIC AND FOOD EVENT

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 [\(see also guidance on completing the form, note 3\)](#)

Continued from previous page...

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

COMMERCIAL INSIDE SPACE

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

MUSIC AND FOOD EVENT SELLING ALCOHOL. TRAFFIC CONTROL WILL BE IN PLACE AND A SECURITY TEAM.

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

- 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 / /
 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.

Event end date / /
 dd mm yyyy

Continued from previous page...

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

21:00 TO 03:00

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

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

300

Note that the maximum number of people cannot exceed 499.

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

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

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 [REDACTED]

Licence number [REDACTED]

Date of issue [REDACTED]
dd mm yyyy

Any further relevant details [REDACTED]

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 Yes No

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

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 Yes No

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

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

Continued from previous page...

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

* Capacity

* Date / /
dd mm yyyy

Continued from previous page...

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	<input type="text" value="LDNSCENE250524"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

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

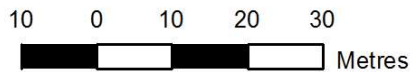
Appendix 2



Unit 3, 39 Autumn Street, Map 1



Scale 1:1153



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Unit 3, 39 Autumn Street, Map 2



Scale 1:2690



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Appendix 3

Mohshin Ali

From: Nicola Cadzow
Sent: 09 May 2024 15:09
To: Licensing
Cc: 'MARK.J.Perry [REDACTED] Kieran.Wells [REDACTED]
LITTLELDNLTD [REDACTED]
Subject: 168835 TENS application for Little LDN, Unit 3, 39 Autumn Street, London 25th-26th May 2024
Attachments: Autumn Street Images - google map views.docx; 166168 - images Autumn Street.pdf
Follow Up Flag: Follow up
Flag Status: Completed

Dear Licensing,

The premises license application for Little LDN Studio 2 Unit 3a, 39 Autumn Street, London (166168) was refused at Licensing Sub Committee Hearing on 23rd April and this Temporary Event Notice (TEN) application has to consider the same impact of the licensing objectives, particularly for Environmental Protection the prevention of public nuisance and the prevention of noise generated from within the premises or outside to be causing disturbance to people in the vicinity and the fact that the applicant has applied for the same hours until 03:00 hours in the morning above and beyond the councils framework hours

It must be noted that the Council's framework hours (i.e. when premises are open) are:

- **Monday to Thursday 0600 hours to 2330 hours; and**
- **Friday & Saturday 0600 hours to midnight**
- **Sunday 0600 hours to 2230 hours.**

The applicant is proposing licensable activity: Regulated Entertainment & Supply of alcohol as follows:

- **Until 03:00 hours (extension three hours on framework hours) .**

Noise Sensitive premises: residential premises in close proximity to 39 Autumn Street (*see attached pdf of images of venue and residential in close proximity*).

In my view the TENS 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,
- Access & egress to and from the venue, of patrons, especially due to patrons likely to be in high spirits
- Hours of operation

CONCLUSION

Environmental Protection **does not** support the TENs application for Little LDN Studio Unit 3a, 39 Autumn Street, London E3 2TT for the following reasons:

1. Likelihood of public nuisance to residential premises at the noise sensitive hours sought.
2. Officers cannot propose conditions on a Temporary Event Notice

If the council are minded to grant the TEN, I would ask that the hours are reduced to framework hours.

Kind regards

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


www.towerhamlets.gov.uk

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Environmental Protection (Noise) Team
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Image 1 - Corner of Wick Lane and Autumn Street close to residents



Image 2 – View of Autumn Street from the top of the road



Image 3 – View to the bottom of Autumn Street

