

# LICENSING SUB COMMITTEE

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**Tuesday, 1 October 2019 at 6.30 p.m.**

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

**This meeting is open to the public to attend.**

**Contact for further enquiries:**

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

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QR code for smart phone users.



## **APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

### **1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST (Pages 7 - 10)**

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Monitoring Officer.

### **2. RULES OF PROCEDURE (Pages 11 - 20)**

To note the rules of procedure which are attached for information.

		<b>PAGE NUMBER(S)</b>	<b>WARD(S) AFFECTED</b>
<b>3. ITEMS FOR CONSIDERATION</b>			
<b>3 .1</b>	<b>Application for a New Premises Licence for Faizah Mini Market, 2 Old Montague Street, London E1 5NG</b>	<b>21 - 178</b>	<b>Spitalfields &amp; Banglatown</b>

Licensing Objectives:

- Public Nuisance

Representations by:

- Licensing Authority
- Environmental Health

<b>3 .2</b>	<b>Application for a New Premises Licence for (Make It Group) 5 Hancok Road, London E3 3DA</b>	<b>179 - 238</b>	<b>Bromley North</b>
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Licensing Objectives:

- Public Nuisance

Representations by:

- Local Resident(s)



**4. EXTENSION OF DECISION DEADLINE:  
LICENSING ACT 2003**

The Sub Committee may be requested to extend the decision deadline for applications to be considered at forthcoming meetings due to the volume of applications requiring a hearing. Where necessary, details will be provided at the meeting.

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## **DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER**

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

### **Interests and Disclosable Pecuniary Interests (DPIs)**

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

### **Effect of a Disclosable Pecuniary Interest on participation at meetings**

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Monitoring Officer following consideration by the Dispensations Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Monitoring Officer of the interest for inclusion in the Register.

### **Further advice**

For further advice please contact:-

Asmat Hussain, Corporate Director, Governance and Monitoring Officer, Tel 020 7364 4800

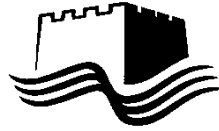
## APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

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## **TOWER HAMLETS**



### **LICENSING COMMITTEE**

#### **RULES OF PROCEDURE GOVERNING APPLICATIONS FOR PREMISES LICENCES AND OTHER PERMISSIONS UNDER THE LICENSING ACT 2003**

<b>Date Last Reviewed:</b>	<b>14<sup>th</sup> June 2016</b>
<b>Reviewed By:</b>	<b>Senior Corporate and Governance Legal Officer</b>
<b>Approved By:</b>	<b>Licensing Committee</b>
<b>Date Approved:</b>	<b>14<sup>th</sup> June 2016</b>
<b>Version No.</b>	<b>1</b>
<b>Document Owner:</b>	<b>Paul Greeno</b>
<b>Post Holder:</b>	<b>Senior Corporate and Governance Legal Officer</b>
<b>Date of Next Scheduled Review:</b>	<b>31<sup>st</sup> March 2018</b>

## **1. Interpretation**

- 1.1 These Procedures describe the way in which hearings will be conducted under the Licensing Act 2003, as set out in the Licensing Act 2003 (Hearings) Regulations 2005 (as amended) ('the Hearings Regulations'). The Procedures take into account the Licensing Act (Premises Licences and Club Premises Certificates) Regulations 2005.
- 1.2 Except where otherwise stated, references in this Code are to the Licensing Committee and its Sub-committees and the expression 'Licensing Committee' should be interpreted accordingly.
- 1.3 The Hearings Regulations provide (Regulation 21) that a Licensing Authority shall, subject to the provisions of those Regulations, determine for itself the procedure to be followed at a hearing.
- 1.4 These Procedures, therefore, set out the way in which Licensing Committee Meetings will be conducted under the Licensing Act 2003, following the requirements of the Hearings Regulations.
- 1.5 Proceedings will not be rendered void only as the result of failure to comply with any provision of the Hearings Regulations (Regulation 31) save that in any case of such an irregularity, the Licensing Committee shall, if it considers that any person may have been prejudiced as a result of the irregularity, take such steps as it thinks fit to cure the irregularity before reaching its determination (Regulation 32).

## **2. Composition of Sub-Committee**

- 2.1 The Sub-Committee will consist of three (3) members and no business shall be transacted unless three (3) members of the Licensing Committee are present and able to form a properly constituted Licensing Sub-Committee. In such cases the Chair shall have a second or casting vote.

## **3. Procedure**

- 3.1 The hearing shall take place in public save that the Licensing Committee may exclude the public from all or part of a hearing where it considers that, on balance, it is in the public interest to do so. The parties and any person representing them may be excluded in the same way as another member of the public. Any person so excluded may, before the end of the hearing, submit to the Licensing Committee in writing, any information which, they would have been entitled to give orally had they not been required to leave. Where there are a number of items on the agenda, the adjournment of that item for a short period, whilst another item is heard, may allow this process to be carried out effectively.



- 3.2 The Chair will begin by asking the parties to identify themselves and confirm whether or not they are represented.
- 3.3 The Licensing Committee should always satisfy itself that sufficient notice of the hearing has been given to all parties and if not satisfied, then the Licensing Committee should take such steps as it thinks fit to deal with that issue before reaching its determination and this could include adjourning that application to a later date.
- 3.4 The Licensing Committee will then consider any requests by a party for any other person to be heard at the hearing in accordance with the Regulations. Permission will not be unreasonably withheld provided proper notice has been given.
- 3.5 The Chair will then explain how the proceedings will be conducted, and indicate any time limits that may apply to the parties to the application. In setting time limits, the Licensing Committee will take into account the importance of ensuring that all parties receive a fair hearing, and the importance of ensuring that all applications are determined expeditiously and without undue delay. Further the Licensing Committee must have regard to the requirement to allow each party an equal amount of time.
- 3.6 If a party considers that any time limit is not sufficient then they should address the Licensing Committee and which will determine accordingly.
- 3.7 If any party has informed the Authority that they will not be attending or be represented at the hearing or any party does not give notice that they will not be attending but fails to attend and is not represented, the Licensing Committee may proceed in their absence or adjourn the hearing if it considers it to be necessary in the public interest. An adjournment will not be considered where due to the operation of the Hearing Regulations it would not be possible to adjourn.
- 3.8 If the Licensing Committee adjourns the hearing to a specified date it must specify the date, time and place to which the hearing has been adjourned and why it is considered necessary in the public interest.
- 3.9 If the Licensing Committee holds the hearing in the absence of a party, it will consider at the hearing the application, representation or notice given by that party.
- 3.10 The Chair will invite an Officer of the Licensing Section to present the report by briefly summarising the application and the number and type of the representations as set out in the papers circulated. The Officer will also advise of any discussions held with the parties; any amendments made to the application; any representations withdrawn; and any agreed conditions that the Licensing Committee is being asked to consider. The Officer shall not give

any opinion on the application or ask the Committee to make an inference based on such an opinion.

- 3.11 Members of the Licensing Committee can then ask questions of clarification of the Licensing Officer or seek legal advice from the Legal Adviser to the Licensing Committee if they require in respect of matters raised during the presentation by the Licensing Officer.
- 3.12 The Legal Adviser to the Licensing Committee will then give any relevant legal advice that the Licensing Committee need to take into consideration.
- 3.13 The Chair will then ask the applicant or their representative, if present, to present a summary of the nature and extent of the application. This should be brief, avoid repetition of material already available to the Licensing Committee in the Officer's report or otherwise, and include any reasons why an exception should be made to the Council's Licensing Policy, where appropriate, and respond to the written representations received. The submission may be followed by the evidence of any person who has been given permission by the Committee to give supporting evidence on behalf of the applicant or who has made a representation in favour of the application.
- 3.14 The application is to be presented within the time limit that has been set.
- 3.15 Where an applicant is unrepresented and having difficulty in presenting their application then the Legal Adviser to the Licensing Committee may ask questions of the applicant so that the relevant points are addressed and clarified for the Licensing Committee.
- 3.16 Members of the Licensing Committee may ask questions of the person presenting the case after their address as well as any other person who has spoken in support of the application. Members can also ask questions of the applicant as well as any other person present for the applicant who they consider can assist.
- 3.17 The Legal Adviser to the Licensing Committee may ask questions for the purpose of clarifying points for the Licensing Committee.
- 3.18 The Chair will then ask the persons who have made representations against the application to address the Licensing Committee within the time limit that has been set. They should not repeat what is already set out in their representations or notice or raise new matters. In their address they should provide clarification on any points previously requested by the Council. The submission may be followed by the evidence of any person who has been given permission by the Committee to give supporting evidence.
- 3.19 Members of the Licensing Committee may then ask questions of the persons making representations against the application and any other person who has

spoken in support of such representation. Members can also ask questions of any other person present who they consider can assist.

- 3.20 The Legal Adviser to the Licensing Committee may ask questions for the purpose of clarifying points for the Licensing Committee.
- 3.21 Petitions will be treated as representations provided they meet the requirements for relevant representations set out in the Licensing Act 2003. Members should proceed with caution when relying upon petitions used as evidence due to the structure and wording used.
- 3.22 The Licensing Committee will disregard any information given by a party, or any other person appearing at the hearing, which is not relevant to:
  - a) their application, representation or notice; and
  - b) the promotion of the licensing objectives or the crime prevention objective where notice has been given by the police.
- 3.23 The Chair will intervene at any stage of the hearing to prevent repetitious or irrelevant points being raised.
- 3.24 Cross examination of any party or any other person allowed to appear will not be allowed unless specifically permitted by the Chair.
- 3.25 There is no right for any party to sum up but they may be permitted to do at the discretion of the Chair and within time limits prescribed by the Chair.
- 3.26 The Licensing Committee will consider its decision in private save that the Legal Adviser and Democratic Services Officer will remain with them.
- 3.27 The Licensing Committee will normally return to open session to announce its decision but in cases where the prescribed time limit allows for a later determination and it is appropriate to determine the matter within that time then the Chair will advise the parties present that the decision will not be announced then but that the determination will take place within the prescribed time limit and that written notification will be dispatched to all parties advising them of the determination.

#### **4. Exclusions**

- 4.1 In addition to any exclusion under paragraph 3.1 above, The Licensing Committee may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may refuse to permit the person to return; or allow them to return only on such conditions as Licensing Committee may specify.

- 4.2 Any person so excluded may, before the end of the hearing, submit to the Authority in writing, any information which, they would have been entitled to give orally had they not been required to leave.

## Guidance for Licensing Sub-Committee Meetings.

### (1) Attendance at Meetings.

All meetings of the Sub-Committee are open to the public and press to attend. On rare occasions, the Sub-Committee may retire to consider private business that will be clearly marked on the agenda as such. The press and public will be excluded for those confidential items only. We try to keep confidential reports to an absolute minimum. We request that you show courtesy to all present and please keep mobile phones on silent. Meetings can reach full capacity and seats are allocated on a first come first come served basis.

### (2) Licensing Sub-Committee Role and Membership.

In summary, the Sub-Committee will consider and determine applications to grant, vary or review a license submitted under the Licensing Act 2003 where representations have been made. The full terms of reference can be found on the Committee webpages (see below). The Licensing Sub-Committee will consist of 3 Members of the main Licensing Committee. Meetings are normally held in the Town Hall Council Chamber.

#### Licensing Sub-Committee Webpages

To view go to the Committee and Member Services web page:  
[www.towerhamlets.gov.uk/committee](http://www.towerhamlets.gov.uk/committee) - 'agenda, reports, decisions and minutes', then click on 'Licensing Sub-Committee'.

The pages include:

- Terms of Reference for the Licensing Sub-Committee.
- Meeting dates, agendas and minutes.
- Agenda timetable including agenda publication dates. (To view click 'browse meetings and agendas for this committee', then 'show agenda management timetable').

### (3) Access to Committee Papers.

The agenda for Sub-Committee meetings is published five clear (working) days before the Sub-Committee meeting on the Committee webpages (except for certain types of applications where special rules apply). All Committee papers (i.e. agendas, reports, minutes and decisions) are published on the website and also available on iPad and Android tablet apps downloadable for free from their respective app stores.

### (4) Who can speak at Licensing Sub-Committee meetings?

Only interested parties may address the Sub-Committee (those who have made a valid representation) and the applicant and their representatives. Although the Sub-Committee may allow other persons to present the interested parties evidence or to give supporting evidence. If you are planning to attend the hearing to address the committee, you are advised to contact the Committee officer - see the Committee

pages and agenda front page for contact details. Speakers are advised to arrive at the start of the meeting in case the order of business is changed. Speakers will be called to speak by the Chair at the appropriate time. If speakers are not present by the time their application is heard, the Committee may consider the item in their absence.

**(5) What can be circulated?**

Should you wish to submit any material, please contact the Committee/Licensing Officer as soon as possible. The Sub-Committee may accept information at the hearing, however this is only with the agreement of all parties present.

**(6) How will the applications be considered?**

The Sub-Committee will normally consider the items in agenda order subject to the Chair's discretion. The hearing procedure is detailed at the end of this guidance.

**(7) How can I find out about a decision?**

You can contact Democratic Services the day after the meeting to find out the decisions.

**(8) Queries on reports.**

For any questions, please contact the Officer named on the front of the report.

Typical Seating Plan for Licensing Sub - Committee Meetings in the Town Hall Council Chamber.

Public Seating		Objectors Benches		Sub-Committee Members
Public Seating				
Public Seating				Chair
Public Seating				Legal Officer
Public Seating		Applicants Benches		Committee Officer
Public Seating				
				Licensing Officer

## **LICENSING SUB COMMITTEE HEARING PROCEDURE**

All interested parties to the hearing must notify Democratic Services within prescribed timescales that they intend to attend and/or be represented at the hearing and whether any witnesses will be attending on their behalf. The meeting will be in the form of a discussion led by the Sub Committee, cross examination of either party will not be permitted.

The Chair will allocate an equal amount of speaking time to each party. Where there is more than one representation raising the same or similar grounds, those parties should consider nominating a single representative to address the Sub-Committee on their behalf at the hearing.

The hearing will proceed as follows (subject to the discretion of the Chair).

1. Chair will introduce him/herself and ask Members, officers, and all interested parties present at the meeting to introduce themselves.
2. Licensing Officer to present the report.
3. Committee Members to ask questions of officer (if any).
4. The Applicant to present their case in support of their application (including any witnesses they may have).
5. Committee Members to ask questions of applicants and their witnesses or ask for points of clarification.
6. The relevant Responsible Authorities in attendance will present their case and their reasons for representation (including any witnesses they may have).
7. The Objectors/Interested Parties in attendance will present their case and their reasons for objecting (including any witnesses they may have).
8. Committee Members to ask questions of Responsible Authorities, objectors and their witnesses or ask for points of clarification.
9. Applicant (with exception and with permission of the Chair) can ask questions of the other parties to the hearing and their witnesses.
10. Interested Parties to the hearing (with exception and with the permission of the Chair) can ask questions of the applicant/other parties to the hearing and their witnesses.
11. Chair's closing remarks
12. Sub-Committee retire from the meeting with the Committee Officer and Legal Officer and consider their decision.
13. The Sub-Committee will return to the meeting and Chair announces the decision together with the reasons for the decision and any right to appeal.
14. A Decision letter will be sent to all interested parties confirming the decision made.

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# Agenda Item 3.1

Committee : <b>Licensing Sub Committee</b>	Date 01 October 2019	Classification <b>Unclassified</b>	Report No.	Agenda Item No.
Report of : <b>David Tolley</b> <b>Head of Environmental Health &amp; Trading Standards</b>  Originating Officer: <b>Corinne Holland</b> <b>Licensing Officer</b>		Title: <b>Licensing Act 2003 Application for a Premises Licence for Faizah Mini Market, 2 Old Montague Street, London E1 5NG</b>  Ward affected: <b>Spitalfields and Banglatown</b>		

## 1.0 Summary

Applicant:  
Name and  
Address of Premises: **Abul Mangur**  
**Faizah Mini Market**  
**2 Old Montague Street**  
**London E1 5NG**

Licence sought: **Licensing Act 2003**  
**The Sale of Alcohol**

Objectors: **Environmental Health**  
**Licensing Authority**

## 2.0 Recommendations

- 2.1 That the Licensing Committee considers the application and objections then adjudicate 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

File  
Section 182 Guidance  
LBTH Licensing Policy

Corinne Holland  
020 7364 3986

### 3.0 Background

- 3.1 This is an application for a premises licence for Faizah Mini Market, 2 Old Montague street, London E1 5NG
- 3.2 Historically the premises had held a premises licence since 2005, this was revoked on 4<sup>th</sup> November 2014 following a review by Trading Standards in regards to smuggled goods. The hours held at that time was Monday to Saturday 08:00 hours to 23:00 hours and Sunday 10:00 hours to 22:30 hours. This was a different owner at the time of this revocation so is not relevant to this application.
- 3.3 The current applicant applied for a Premises Licence last year. This went to a Licensing Sub Committee on 24<sup>th</sup> April 2018 and the application was refused. Copy of the minutes are enclosed as part of the Licensing Authorities representation in **Appendix 6**.
- 3.4 A copy of the application, together with supporting documents (including a supporting petition), is enclosed as **Appendix 1**.  
*Members may wish to note that both 'on and off sales' have been applied for although this premises is a shop.*
- 3.5 The hours that have been applied for are as follows:-

#### **Sale of Alcohol (on and off sales)**

Monday to Saturday 10:00 hours to 00:00 hours (midnight)  
Sunday 10:00 hours to 22:30 hours

#### **Hours premises is open to the public:**

Monday to Sunday 08:00 hours to 02:00 hours

The applicant has volunteered to reduce the proposed licensing hours to the following in line with the Councils' framework hours:

- Monday to Thursday, until 23:30 hours
- Friday and Saturday, until 00:00 hours (midnight)
- Sunday, until 22:30 hours

### 4.0 Location and Nature of the premises

- 4.1 Photographs of the venue and immediate vicinity will be provided at the hearing.
- 4.2 The site plan of the venue is included as **Appendix 2**.
- 4.3 Maps showing the vicinity are included as **Appendix 3**.
- 4.4 Details of other licensed venues in the immediate vicinity are included as **Appendix 4**.

## 5.0 Licensing Policy and Government Advice

- 5.1 The Council has adopted a licensing policy and this is available from the Licensing Section, and at the hearing. The revised policy came into effect on 1<sup>st</sup> November 2018.
- 5.2 Relevant Sections of the policy are brought to the attention of Members within the Licensing Officers report.
- 5.3 The Home Secretary has issued Guidance under Section 182 of the Licensing Act 2003. This is available on the Government's website, [www.homeoffice.gov.uk](http://www.homeoffice.gov.uk). It was last revised in April 2018.
- 5.4 Relevant Sections of this advice are brought to Members attention within the Licensing Officers report. Members should note however, that in some areas Tower Hamlets, after a proper consideration of local circumstances, has not followed the Government's advice, or has developed it further.

## 6.0 Representations

- 6.1 All representations have to meet basic legal and administrative requirements. If they fail to do so they cannot be accepted. When rejected the person sending in the representation must be written to, and an explanation for rejection given in writing
- 6.2 A responsible authority or other person can make a representation. There are two tests for other persons and only one for a responsible authority. The two tests are contained in Section 18 of the Act.
- 6.3 All representations must be "about the likely effect of the grant of the premises licence on the promotion of the licensing objectives." Likely means something that will probably happen, i.e. on balance more likely than not.
- 6.4 Representations by responsible authorities do not have to meet the second test of not being vexatious and frivolous. Other persons have to meet this test.
- 6.5 The Home Office recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation.
- 6.6 Section 182 Advice by the Home Office concerning relevant, vexatious and frivolous representations is attached as **Appendix 5**.
- 6.7 All the representations in this report have been considered by the relevant officer (Team Leader Licensing & Safety) and determined to have met the requirements of the Licensing Act 2003.

6.8 This hearing is required by the Licensing Act 2003, because relevant representations have been made by the following.

Licensing Authority – **Appendix 6**

Environmental Protection – **Appendix 7**

6.9 All of the responsible authorities have been consulted about this application. They are as follows:

- The Licensing Authority
- The Metropolitan Police
- The LFEPA (the London Fire and Emergency Planning Authority).
- Planning
- Health and Safety
- Noise (Environmental Health)
- Trading Standards
- Child Protection
- Public Health
- Home office (Immigration Enforcement)

6.10 In addition the application was required to be advertised in a local newspaper and by a blue poster. Only objections that relate to the following licensing objectives are relevant:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

6.11 The objections cover allegations of

- Prevention of Public Nuisance
- Prevention of Crime and Disorder.
- The LBTH Cumulative Impact Zone

6.12 Essentially, the relevant parties oppose the application because the applicant has not explained how within the context of the application they will meet licensing objective of the prevention of public nuisance and the prevention of crime and disorder.

6.13 There are strict time limits to any representations. The time limits are contained in The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005.

6.14 The applicant has offered measures in the operating schedule of the application that address the promotion of the Licensing Objectives. If there were no representations, the Licensing Authority would grant the licence, with conditions consistent with the operating schedule, which are relevant, proportionate and enforceable. Members are asked to consider the schedule and incorporate any conditions as necessary to address the licensing objectives.

## **7.0 Conditions consistent with Operating Schedule**

- 7.1 The premises shall have a CCTV system in place that covers all areas of the premises both inside and outside where customers will be. The cameras will be of sufficient quality that people's faces can be clearly seen. The CCTV system shall keep recording for 31 days and make available to the police or relevant authority upon request. While the premises are open there must be a member of staff on site who can operate the CCTV.
- 7.2 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.
- 7.3 The premises shall operate a refusals incident book that will be used to record all refusals of sales, including date, time, description of why the alcohol sale was refused. The incident book shall record all incidents of crime and disorder and any other incident of note at the premises.
- 7.4 The premises shall not sell beer or cider with an ABV strength of 5.5% or above, save for "Craft Beer".
- 7.5 Effective training of all staff, so they are aware of the Premises Licence and the requirements to meet the four licensing objectives with particular attention to:
- No selling of alcohol to underage persons
  - No drunk and disorderly behaviour on the premises
  - Vigilance in preventing the use and sale of illegal drugs at the premises
  - No violent and anti-social behaviour
  - Protection of harm to children
- 7.6 A clear and legible notice shall be outside the premises, which indicates when licensable activities are permitted under the premises licence.
- 7.7 Clear and conspicuous notices warning of potential criminal activity, such as theft, that may target customers will be displayed.
- 7.8 Customers will not be sought by means of personal solicitation outside or in the vicinity of the premises.
- 7.9 A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made, those required by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.

7.10 Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and leave the premises and area quietly.

## **8.0 Conditions Agreed/Requested by Responsible Authority**

Conditions requested by the Police are included in the Operating Schedule. These formed part of the application.

## **9.0 Licensing Officer Comments**

9.1 The Live Music Act removed licensing requirements for the following:

- amplified live music and recorded music between 8am and 11pm before audiences of no more than 500 people on premises authorised to sell alcohol for consumption on the premises;
- unamplified live music between 8am and 11pm in all venues.

Further exemptions apply see Section 16.5-16.6 of Section 182 Guidance.

9.2 The following is intended to advise Members of the relevant aspects of the Boroughs Licensing Policy, guidance from the Secretary of State, legislation and good practice. Members may depart from the Council's Licensing Policy and/or Government advice, provide they consider it appropriate to do so, and have clear reasons for their decision.

9.3 Guidance issued under section 182 of the Licensing Act 2003

- ❖ As stated in the guidance it is “provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act.” It is a key medium for promoting best practice, ensuring consistent application and promoting fairness equal treatment and proportionality (1.7).
- ❖ Also “as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons. Departure from this Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.” Therefore licensing authorities will need to give full reasons for their actions (1.9).
- ❖ Also Members should note “A Licensing Authority may depart from its own policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the licensing objectives.” (1.12)
- ❖ Also, “The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant

representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives.” Therefore, conditions may not be imposed for the purpose other than promoting the licensing objectives and in some cases no additional conditions will be appropriate. (10.8)

- ❖ Necessary conditions should emerge from a risk assessment by the applicant, which should then be reflected in the operating schedule (10.4).
- ❖ The Guidance states: “Where there are objections to an application to extend the hours during which licensable activities are to be carried on and the licensing authority determines that this would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.” (10.14)
- ❖ Mandatory conditions must be imposed (10.27) and censorship avoided (10.17).
- ❖ The Guidance states: “It is still permitted to sell alcohol using promotions (as long as they are compatible with any other licensing condition that may be in force), and the relevant person should ensure that the price of the alcohol is not less than the permitted price. Detailed guidance on the use of promotions is given in the guidance document available on the Gov.uk website.” (10.60) Also, “Licensing authorities should not attach standardised blanket conditions promoting fixed prices for alcoholic drinks to premises licences or club licences or club premises certificates in an area.” (10.21)

- 9.4 The Licensing Act 2003 permits children of any age to be on the premises which primarily sell alcohol providing they are accompanied by an adult. It is not necessary to make this a condition.
- 9.5 In all cases the Members should make their decision on the civil burden of proof, that is “the balance of probability.”
- 9.6 In all cases Members should consider whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.
- 9.7 The Government has advised that conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. Conditions cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff and standardised conditions should be avoided where they cannot be shown to be appropriate. (1.16/1.17)

9.8 The Council's Licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.

9.9 In **Appendices 8 - 15** Members are given general advice, and also have explanations of the Council's Licensing Policy, Government advice and other legislation relating to the matters previously identified.

#### 10.0 **Legal Comments**

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

#### 11.0 **Finance Comments**

11.1 There are no financial implications in this report.



## 12.0 Appendices

<b>Appendix 1</b>	A copy of the application with supporting documents
<b>Appendix 2</b>	Site Plan
<b>Appendix 3</b>	Maps of the surrounding area
<b>Appendix 4</b>	Other licensed venues in the area
<b>Appendix 5</b>	Section 182 Advice by the DCMS- Relevant, vexatious and frivolous representations
<b>Appendix 6</b>	Representations of Licensing Authority
<b>Appendix 7</b>	Representation of Environmental Protection
<b>Appendix 8</b>	S182 advice on Public Nuisance
<b>Appendix 9</b>	Licensing Officer comments on Public Nuisance
<b>Appendix 10</b>	S182 advice on crime and disorder
<b>Appendix 11</b>	Licensing Officer comments on Crime & Disorder
<b>Appendix 12</b>	Access & Egress
<b>Appendix 13</b>	Cumulative Impact Zone
<b>Appendix 14</b>	Planning
<b>Appendix 15</b>	Licensing Policy relating to hours of trading.

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# Appendix 1



**KC Solicitors**  
Committed to the Community

Our Ref: A.Mangur [REDACTED]

Your Ref: N/K

12/06/2019

The Licensing Authority  
Licensing Team  
Environmental Health & Trading Standards  
John Onslow House  
1 Ewart Place  
London  
E3 5EQ

55-57 Brady Street  
London E1 5DW  
Tel : 020 7375 3761  
Fax : 020 7377 1113

VAT Reg No: 280 0732 26  
[www.kcsolicitors.co.uk](http://www.kcsolicitors.co.uk)

Dear Sirs,

**Re: Abul Mangur T/A Faiza Mini Market, Premises Licence of 2 Old Montague Street, E1 5NG**

We write to confirm you that we have been instructed to submit on behalf of our above mentioned client application for a premises licence under the Licensing Act 2003 for the above mentioned premises.

We hereby enclosed the Copy of the Application along with the followings:

- A duly completed Application form along with the plan of the premises;
- A Cheque amounts of £190.00 as payment of the fee;
- Exhibit A: Additional Representation to support of the Application;
- Exhibit B: Applicant's Supporting Statement to comply with the additional conditions to the licence;
- Exhibit C: Pre-Application Consultation with the interested Parties;
- Exhibit D: Recommendation from the London Metropolitan Police;
- Exhibit E: A Copy of Notice of Application for a Premises Licence (Advert);
- Exhibit F: A Copy of the Advertisement in the East London Advertiser which will commence on 13<sup>th</sup> June 2019;
- Exhibit G: Supporting Letters from the Local Residence towards the proposed licence Premises;

We would be obliged if you could kindly consider the application accordingly.

Should you require any more information please do not hesitate to contact us.

Yours sincerely

**KC Solicitors**

**Encs.**

**CC:**

**Principal**  
Mohammed Abul Kalam Chowdhury  
**Associate Solicitor**  
Abu Elias  
Piara Mayenin

This firm is authorised and regulated by the Solicitors Regulation Authority SRA No- 597724

We do not accept service by email.

FOR OFFICE USE			
Receipt No:	FEE REQUIRED:	Date:	Initials:
On-Line Payment Ref:			

This form should be completed and forwarded to: Licensing Section, John Onslow House, 1 Ewart Place, London E3 5EQ with a cheque for the correct fee, made payable to the London Borough of Tower Hamlets. You can also pay by phoning 020 7364 5008 or on-line: <http://www.towerhamlets.gov.uk/pay>

**Application for a premises licence to be granted  
under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form.  
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.  
You may wish to keep a copy of the completed form for your records.

I/We (Insert name(s) of applicant) MANGUR ABUL

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description <b>2 OLD MONTAGUE STREET LONDON</b>	
Post town <b>LONDON</b>	Post code <b>E1 5NG</b>

Telephone number at premises (if any)

[REDACTED]

Non-domestic rateable value of premises

£ **15,250**

## Part 2 - Applicant details

Please state whether you are applying for a premises licence as

- Please tick as appropriate
- ☒ Please complete section (A)
- a) an individual or individuals\*
- b) a person other than an individual \*
- i. as a limited company ☐ please complete section (B)
- ii. as a partnership ☐ please complete section (B)
- iii. as an unincorporated association or ☐ please complete section (B)
- iv. other (for example a statutory corporation) ☐ please complete section (B)
- c) a recognised club ☐ please complete section (B)
- d) a charity ☐ please complete section (B)
- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) an individual who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

\*If you are applying as a person described in (a) or (b) please confirm:

- Please tick as appropriate
- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒
- I am making the application pursuant to a ☐
- statutory function or
- a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr ☒ Mrs ☐ Miss ☐ Ms ☐ Other title ☐  
(for example, Rev)

Surname

ABUL

First names

MANGUR

Date of Birth

I am 18 years old or over

Please tick yes

☒

Nationality

Current residential  
address if different  
from premises  
address

Post Town

Postcode

Daytime contact telephone number

E-mail address  
(optional)

**SECOND INDIVIDUAL APPLICANT** (if applicable)

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title ☐  
(for example, Rev)

Surname

First names

Date of Birth

I am 18 years old or over

Please tick yes

☐

Nationality

Current residential  
address if different  
from premises  
address

Post Town

Postcode

Daytime contact telephone number

E-mail address  
(optional)



## B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example partnership, company, unincorporated association etc)
Telephone number, if any
E-mail (optional)

## Part 3 Operating Schedule

When do you want the premises licence to start?

Day Month Year

--	--	--	--	--	--	--	--

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day Month Year

--	--	--	--	--	--	--	--

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

--

Please give a general description of the premises (please read guidance note1)

--

What licensable activities do you intend to carry on from the premises?  
(Please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

**Provision of regulated entertainment** (see guidance Note 2)

Please tick all that apply

- |  |                          |
|--|--------------------------|
| a) plays (if ticking yes, fill in box A)   | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B)   | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C)  | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)   | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E)  | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)  | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G)   | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g)<br>(if ticking yes, fill in box H) | <input type="checkbox"/> |

**Provision of late night refreshment** (if ticking yes, fill in box I) ☐

**Supply of alcohol** (if ticking yes, fill in box J) ☒

**In all cases complete boxes K, L and M**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of a play take place indoors or outdoors or both - please tick</b> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)		
Mon					
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 5)		
Thur					
Fri					
Sat			<b>Non standard timings. Where you intend to use the premises for performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b>Will the exhibition of a film take place indoors or outdoors or both - please tick</b> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)		
Mon					
Tue					
Wed			<b>State any seasonal variations for exhibition of films</b> (please read guidance note 5)		
Thur					
Fri					
Sat			<b>Non standard timings. Where you intend to use the premises for exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sun					

**Indoor sporting events**  
Standard days and timings (please read guidance note 7)

**Please give further details here** (please read guidance note 4)

**State any seasonal variations for indoor sporting events**  
(please read guidance note 5)

**Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list** (please read guidance note 6)

**Boxing or wrestling entertainment**  
Standard days and timings (please read guidance note 7)

<b><u>Will the Boxing or wrestling entertainment take place indoors or outdoors or both - please tick</u></b> <b>(please read guidance note 3)</b>	Indoors	
	Outdoors	
	Both	

**Please give further details here** (please read guidance note 4)

**State any seasonal variations for boxing or wrestling entertainment**  
(please read guidance note 5)

**Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list** (please read guidance note 6)

# E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick [Y] (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat					
Sun					

# F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick [Y] (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for playing recorded music</b> (please read guidance note 5)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat					
Sun					



# G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place <u>indoors or outdoors or both – please tick <input type="checkbox"/></u> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

# H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish		Indoors	
				Outdoors	
				Both	
Mon			<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

<b>Late night refreshment</b> <b>Standard days and timings</b> (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick [Y] (please read guidance note 3)</b>	Indoors	
Day	Start	Finish		Outdoors	
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat					
Sun					

**J**

<b>Supply of alcohol</b> <b>Standard days and timings</b> (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick [Y] (please read guidance note 8)</b>	On the premises	
Day	Start	Finish		Off the premises	
Mon	10 am	12 am		Both	yes
			<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Tue	10 am	12 am			
Wed	10 am	12 am			
Thur	10 am	12 am	<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Fri	10 am	12 am			
Sat	10 am	12 am			
Sun	10 am	10.30 pm			

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

Date of Birth

Address

Postcode

Personal Licence number(if known)

Issuing licensing authority (if known)

**K**

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9)



**L**

**Hours premises are open to the public**

Standard timings (please read guidance note 7)

Day	Start	Finish
-----	-------	--------

Mon		
-----	--	--

Tue		
-----	--	--

Wed		
-----	--	--

Thur		
------	--	--

Fri		
-----	--	--

Sat		
-----	--	--

Sun		
-----	--	--

State any seasonal variations (please read guidance note 5)

**Non standard timings. Where you intend to the premises to be open at different times to those listed in the column on the left, please list** (please read guidance note 6)

**M**

Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b,c,d,e)** (please read guidance note 10)

Strong management controls and effective training of all staff so that they are aware of the premises license and the requirements to meet the four licensing objectives with attention to:

- a/ no selling of alcohol to underage people
- b/ no drunk and disorderly behavior on the premises area
- c/ vigilance in preventing the use and sale of illegal drugs at the retail area
- d/ no violent and anti-social behavior
- e/ no any harm to children

operating Schedule providing the hours of operation and licensable activities during those hours.

- Designated premises supervisor confirmed it is obligated to be in day-to-day control of the premises, to provide good training for staff on the Licensing Act (Training Record), to make or authorize each sale

- Clear "Challenge 25" information to prevent the supply of alcohol to under-age drinkers.

- CCTV system installed with recording option available

- Roller metal exterior window shutter will be fixed to ensure that shop front is safe and secure at all times

#### **b) The prevention of crime and disorder**

CCTV System installed to monitor entrances, exits, and other parts of the premises in order to address the prevention of crime objective.

A clear and legible notice outside the premises indicating the normal hours under the terms of the premises license during which licensable activities are permitted.

Clear and conspicuous notices warning of potential criminal activity, such as theft, that may target customers will be displayed.

Not selling of alcohol to drunk or intoxicated customers.

Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises.

Prevention and vigilance in illegal drug use at the retail unit area.

Staff will be well trained in asking customers to use premises in an orderly and respectful manner and prevent drinking alcohol at the retail unit (ex. canned or bottled beer).

#### **c) Public safety**

Internal and external lighting fixed to promote the public safety objective.

Well trained staff adherence to environmental health requirements.

Training and implementation of underage ID checks.

A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises license that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.

All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air condition, sanitary accommodation and other installations, will be maintained always in good order and in a safe condition.

#### **d) The prevention of public nuisance**

Noise reduction measures to address the public nuisance objective.

Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.

Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to

**e) The protection of children from harm**

"Challenge 25" sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol. Well trained staff about requirement for persons' identification, age establishment etc.

All the details provided in Training Record Book available the retail unit.

Log Book will be kept upon the premises all the time.

Nothing belong existing Health & Safety requirements.

**You have completed part 3 of this form. Below is a checklist for your assistance.**

**CHECKLIST:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee  
Insert On-Line Payment reference here if applicable : ☒
- I have enclosed the plan of the premises ☒
- I have sent copies of this application and the plan (showing the area to be licensed) to responsible authorities and others where applicable ☒
- I have enclosed the consent form completed by the individual I wish to be Premises Supervisor, if applicable ☐
- I understand that I must now advertise my application ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). ☒

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

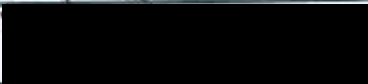
**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE**



WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant's solicitor or other duly authorised agent.** (See guidance note 12) If signing on behalf of the applicant please state in what capacity.

<b>Declaration</b>	<ul style="list-style-type: none"><li>[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li><li>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)</li></ul>
Signature	
Date	11/06/2019
Capacity	Solicitor

**For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent.** (please read guidance note 13) If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

**Contact name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 14)

MOHAMMED CHOWDHURY SOLICITOR KC SOLICITORS, 55-57 BRADY STREET	
Post town	LONDON
Post code	E1 5DW
Telephone number (if any)	020 7375 3761
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

**FAIZAH MINI MARKET**

**Premises Licence of 2 Old Montague Street, E1 5NG**

---

**EXHIBIT A**

---

Additional Representation to support this application

The Applicant would deal with specific problems close to the premises as it is in Cumulative Impact Zone by taking following measures:

In regards to the Cumulative Impact Zone, we would like to inform you that between January 2012 to December 2012 the Metropolitan Police received 510 reports of crime or anti-social behaviour linked to a licensed premises within as a the Cumulative Impact Zone. The incidents categories include violence against a person, criminal damage, harassment, rowdy behaviour, civil disputes, street drinking, drugs related offences, anti-social behaviour etc.

▪ Between January 2015 to December 2015 the Police received 774 reports of crime or anti-social behaviour linked to a licensed premise within the Cumulative Impact Zone. In 2015 there was a decrease of 64 incidents (equivalent to 7.6%) compared to the previous year. From the CIZ report of 2012 and 2015 shows that the licence premise on Montague Street actually had no remarkable contribution to crime at all. Met Police received 510 calls during 2012 and it was 774 during 2015.

It can be rebuttable that the business at the Premises License at Montague Street was the only reason of creating negative values on the quality of lives on this CIZ. Therefore, our client's new premises license would not affect disapprovingly to the local community. Our client has already proposed reduced hours of licensing activities. He is fully aware of the impact of CIZ, therefore he will:

- Take extra caution to protect the alcohol abuse of the under - aged persons and vulnerable adult.
  - In that regards, CCTV installation and strictly monitoring system will be in place, prohibition on selling alcohol to intoxicated customers will be maintained,
  - Incident record especially for under aged persons attempt to buy alcohol should be monitored ,
  - Properly trained staff will ensure the safety of the premises by taking prompt action against the anti-social behaviour.
  - Premises Licensing activity (sale of alcohol) will be reduced to: Monday-Saturday, open until midnight 12 am; Sunday, open until 10.30 pm
- Furthermore, from the Statement of Licensing Policy Review – Proposed Changes 2018 – 2023, we see Local crime mapping showed that there had been a reduction in crime and disorder linked to licensed premises within the CIZ since January 2015. As we see that licence premise on Montague Street had no remarkable contribution to the crime, our client can confirm that he would take all the measures to maintain the CIZ at his capacity.
- There are few other licence premises surrounding 2 Old Montague Street. Drinking is not forbidden by the Church. If the other licensed premises are not adding problems to the area

our client's premises License would not be exceptional than others. Whereas he is determined to take all the measures to restrict the alcohol available to the drunk and alcohol abusers, his premise license will not create any detrimental effect on the CIZ.

- In my application, we clearly mentioned that there would be no amplified music at all. So, our client can assure you that we would not create any noise problem at the vicinity.

Moreover, to deal with the residence of the hostels who are mostly vulnerable persons with alcohol issues, we will ensure our clear information of 'Challenge 25' in front of the premises. For discouraging the alcoholic persons to get the alcohol available, we will strictly prohibit selling alcohol to the drunken persons. Zero tolerance will be shown against any anti-social behaviour. The entire premises will be under the CCTV monitoring and any suspicious activities will be recorded and reported to the police immediately. Proper rules and regulations will be applied regarding alcohol selling and restrictions will be maintained to the alcohol abusers. He would appreciate any suggestions or recommendations from the neighbourhoods regarding the safety and security of the locality. Point to be noted that the Environmental Health Technical Officer has withdrawn her representation submitting that our client has reduced the operating hours of the license premises.

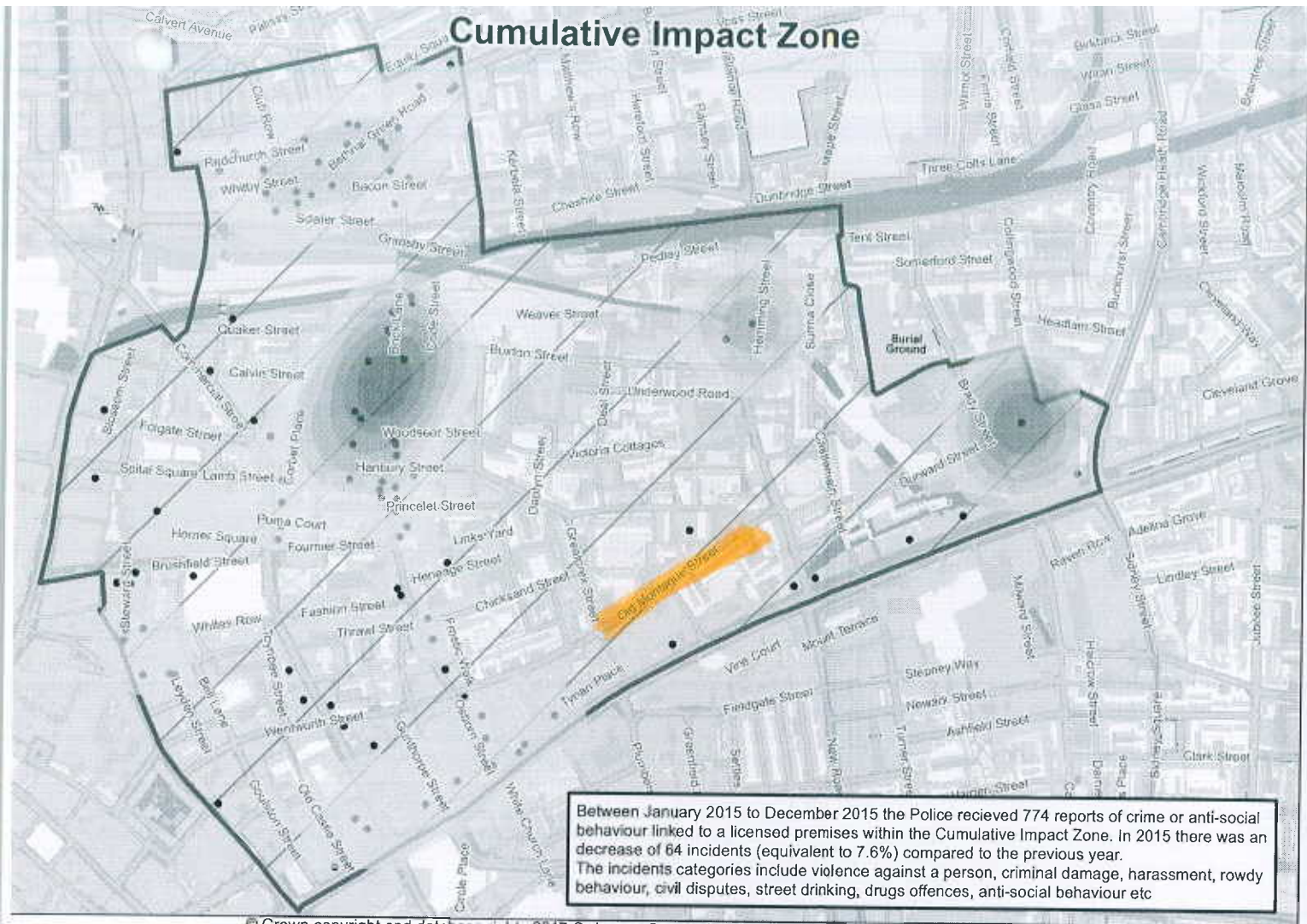
Our client would like to confirm that he has provided all the measures to maintain the all four licensing objectives at his application. However, any other suggestions and recommendations from the local residents are vastly welcome by our client and would be implemented to protect the local community as well as the CIZ.



[illegible]



# Cumulative Impact Zone



**FAIZAH MINI MARKET**

**Premises Licence of 2 Old Montague Street, E1 5NG**

---

**EXHIBIT B**

---

Applicant's Supporting Statement to comply with the additional conditions to the Licence

I, Abul Mangur, hereby make this statement to support my Application for premises licence of 2 Old Montague Street, London, E1 5NG. I have acknowledged and agreed to comply with all the Conditions to the License which is proposed by PC Mark Perry, Police Licensing Officer of Bethnal Green Police Station. The details of the additional conditions which I will comply with are as follows:

1. The premises shall have a CCTV system in place that covers all the areas of premises both inside and outside where customers will be. The cameras will be of sufficient quality that people's faces can be clearly seen. The system shall keep recording for 31 days and make available to Police or relevant authority upon request. While the premises are open there must be a member of staff on site who can operate the CCTV.
2. The Premises shall operate a Challenge 25 scheme, where by staff will ask for photo ID for any customers under the age of 25.
3. The premises shall operate refusals in incident book that will be used to record all refusals of sales, including date, time and description of why the alcohol sale was refused. The incident book shall record all incidents of crime and disorder and any other incident of note at the premises.
4. The premises shall not sell beer or cider with a ABV strength of 5.5% or above, save for "Craft Beer".

Note that, condition 4 is included due to the alcohol related disorder in the area linked to "street drinkers" and prostitution.

I read and understand the above statement.

Yours faithfully



Abul Mangur

Date: 11/06/2019

**FAIZAH MINI MARKET**

**Premises Licence of 2 Old Montague Street, E1 5NG**

---

**EXHIBIT C**

---

Pre-Application Consultation with the interested parties

Our Ref: A.Mangur/ [REDACTED]  
Your Ref: N/K

17/12/2018

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

55-57 Brady Street  
London E1 5DW  
Tel : 020 7375 3761  
Fax : 020 7377 1113

VAT Reg No: 280 0732 26  
[www.kcsolicitors.co.uk](http://www.kcsolicitors.co.uk)

Dear Sirs

Re: Faizah Mini Market

We write to you on behalf of our client Mr Mangur Abul in regards to the issues regarding the proposed premises licence application by Faizah Mini Market. Our client recently applied for a licence but was refused. One of the grounds was that the application was made without consulting those who will be directly or indirectly affected.

We understand that during the last application you raised some objections and some concerns how the selling of alcohol beverage will impact the local community and whilst our client can fully appreciate your concern, our client would like to be informed as to what he can do to ensure that there is no negative impact on the local hostels and the people who use it for their betterment of their life. Our client acknowledges that his store would be within the CIZ vicinity and does not intend to cause further problems for the local community. Our client fully appreciates that he is to consider the four licensing objectives which are as follows:

- The prevention of crime and disorder
- Public Safety
- Prevention of Public Nuisance
- The protection of children from harm

In considering the above objectives, our client's proposed licensing activity (sale of alcohol) will be as follows:

- Monday - Saturday until midnight to open until 12am
- Sunday until 10.30pm.

Our client is open to suggestions as to how the best way forward will be and hopes that a solution can be achieved. Our client is under financial difficulties and struggling to manage the business. Having a premises licence means that it will boost his business.

We look forward to your reply.

Yours faithfully

**Principal**  
Mohammed Abul Kalam Chowdhury  
**Associate Solicitor**  
Abu Elias

**KC Solicitors**





Our Ref: A.Mangur/[REDACTED]

Your Ref: N/K

17/12/2018

Metropolitan Police Service  
Licensing Unit  
Toby Club  
Vawdrey Close  
London  
E1 4UA

55-57 Brady Street  
London E1 5DW  
Tel : 020 7375 3761  
Fax : 020 7377 1113

[REDACTED]  
VAT Reg No: 280 0732 26  
[www.kcsolicitors.co.uk](http://www.kcsolicitors.co.uk)



Dear Sirs

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We look forward to your reply.

Yours faithfully

**KC Solicitors**

**Principal**  
Mohammed Abul Kalam Chowdhury  
**Associate Solicitor**  
Abu Elias



**KC Solicitors**  
Committed to the Community

Our Ref: A.Mongur/ [REDACTED]

Your Ref: N/K

17/12/2018

Hopetown Hostel  
60 Old Montague Street  
London  
E1 5NG

55-57 Brady Street  
London E1 5DW  
Tel : 020 7375 3761  
Fax : 020 7377 1113

[REDACTED]  
VAT Reg No: 280 0732 26  
[www.kcsolicitors.co.uk](http://www.kcsolicitors.co.uk)

Dear Sirs

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KC Solicitors

**Principal**  
Mohammed Abul Kalam Chowdhury  
**Associate Solicitor**  
Abu Elias

This firm is authorised and regulated by the Solicitors Regulation Authority SRA No- 597724

We do not accept service by email.



**KC Solicitors**  
Committed to the Community

Our Ref: A.Mangur/ [REDACTED]

Your Ref: N/K

17/12/2018

Dellow Centre  
82 Wentworth Street  
London  
E1 7SA

55-57 Brady Street

London E1 5DW

Tel : 020 7375 3761

Fax : 020 7377 1113

VAT Reg No: 280 0732 26

[www.kcsolicitors.co.uk](http://www.kcsolicitors.co.uk)

Dear Sir

Re: Faizah Mini Market

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We look forward to your reply.

Yours faithfully

**KC Solicitors**

**Principal**  
Mohammed Abul Kalam Chowdhury  
**Associate Solicitor**  
Abu Elias



Our Ref: A.Mangur/[REDACTED]  
Your Ref: N/K

17/12/2018

Booth House  
Salvation Army  
153-175 Whitechapel Road  
London  
E1 1DN

55-57 Brady Street  
London E1 5DW  
Tel : 020 7375 3761  
Fax : 020 7377 1113

[REDACTED]  
VAT Reg No: 280 0732 26  
[www.kcsolicitors.co.uk](http://www.kcsolicitors.co.uk)

Dear Sirs

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- The prevention of crime and disorder;
- Public Safety;
- Prevention of Public Nuisance;
- The protection of children from harm;

In considering the above objectives, our client's proposed licensing activity (sale of alcohol) will be as follows:

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We look forward to your reply.

Yours faithfully

KC Solicitors

**Principal**  
Mohammed Abul Kalam Chowdhury  
**Associate Solicitor**  
Abu Elias

**FAIZAH MINI MARKET**

**Premises Licence of 2 Old Montague Street, E1 5NG**

---

**EXHIBIT D**

---

Recommendation from the London Metropolitan Police

## KC Solicitors

---

**From:** MARK.J.Perry@[REDACTED]  
**Sent:** 21 May 2019 15:41  
**To:** [REDACTED]  
**Subject:** RE: Application for premises License of 2 Old Montague Street E1 5NG

Hi,

I apologise for the delay in getting back to you but we have been very busy lately. I have looked at the proposed application and I have no problem with the hours asked for but would like the following conditions added to the license.

- 1) The premises shall have a cctv system in place that covers all the areas of the premises both inside and outside where customers will be. The cameras must be of sufficient quality that peoples faces can be clearly seen. The system shall keep recordings for 31 days and make available to Police or relevant authority upon request. While the premises are open there must be a member of staff on site who can operate the CCTV.
- 2) The premises shall operate a challenge 25 scheme, where by staff will ask for photo ID for any customers who look under the age of 25.
- 3) The premises shall operate a refusals in incident book that will be used to record all refusals of sales, including date, time, description of why the alcohol sale was refused. The incident book shall record all incidents of crime and disorder and any other incident of note at the premises.
- 4) The premises shall not sell beer or cider with a ABV strength of 5.5% or above, save for "Craft Beer".

I have included condition 4 due to the alcohol related disorder in the area linked to "street drinkers" and prostitution. If you wish to discuss these concerns with me I shall be back in the office on Tuesday.

Kind Regards

Mark



PC Mark Perry  
Central East Licensing Unit  
Metropolitan Police Service (MPS)  
T: [REDACTED] Int: [REDACTED] Email mark.j.perry@[REDACTED]  
A: Licensing Office, 2nd Floor Bethnal Green Police Station E2 9NZ

---

**From:** KC Solicitors <[REDACTED]>  
**Sent:** 10 May 2019 15:14  
**To:** Perry Mark J - CE-CU <MARK.J.Perry@[REDACTED]>  
**Subject:** RE: Application for premises License of 2 Old Montague Street E1 5NG

Dear Mr Perry

FAIZAH MINI MARKET

Premises Licence of 2 Old Montague Street, E1 5NG

---

EXHIBIT E

---

A Copy of Notice of Application for a Premises Licence





LICENSING ACT 2003

**LONDON BOROUGH OF TOWER HAMLETS  
LICENSING ACT 2003**

**NOTICE OF APPLICATION FOR A PREMISES LICENCE**

Notice is given that **FAIZAH MINI MARKET**  
has applied to London Borough of Tower Hamlets Licensing  
Authority for a Premises Licence under the Licensing Act 2003.

<b>Premises</b>	FAIZAH MINI MARKET, 2 OLD MONTAGUE STREET, LONDON E1 5NG
<b>The licensable activities and timings are:</b>	THE PREMISES TO BE OPEN FROM 08.00 AM TO UNTIL 2.00 AM 7 DAYS A WEEK SUPPLY OF ALCHOHOL IN THE PREMISES FROM MONDAY TO SATURDAY BETWEEN 10.00AM TO UNTILL 00.00AM SUNDAY FROM 10.00AM TO UNTIL 10.30PM

Anyone who wishes to make representations regarding this  
application must give notice in writing to: **The Licensing Section,  
London Borough of Tower Hamlets, John Onslow House, 1 Ewart  
Place, London E3 5EQ**

Website: [www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk) Tel: 020 7364 5008

Representations must be received no later than **16 / 07 / 2019**

The Application Record and Register may be viewed between 10am  
and 4pm Monday to Friday during normal office hours at the above  
address.

*It is an offence under Section 158 of the Licensing Act 2003,  
knowingly or recklessly to make a false statement in connection with  
an application and the maximum fine for which a person is liable on  
summary conviction for the offence is up to level 5 on the standard  
scale (£5000)*

**FAIZAH MINI MARKET**

**Premises Licence of 2 Old Montague Street, E1 5NG**

---

**EXHIBIT F**

---

A copy of the Advertisement in the East London Advertiser which will commence on 13<sup>th</sup> June 2019

LONDON BOROUGH OF TOWER HAMLETS  
LICENSING ACT 2003  
NOTICE OF APPLICATION FOR  
A PREMISES LICENCE

**Notice is given that Faizah Mini Market has applied to London Borough of Tower Hamlets Licensing Authority for a Premises Licence under the Licensing Act 2003.**

**Premises: Faizah Mini Market, 2 Old Montague Street, London, E1 5NG**

The licensable activities and timings are: The premises to be open from 08:00am to until 02:00am 7 days a week. Supply of alcohol in the premises from Monday to Saturday between 10:00am until 00:00am (midnight). Sunday between 10:00am to until 10:30pm Anyone who wishes to make representations regarding

this application must give notice in writing to: **The Licensing Section, London Borough of Tower Hamlets, John Onslow House, 1 Ewart Place, London E3 5EQ**

**Website:** [www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk) **Tel:** 020 7364 5008

Representations must be received no later than 16/07/19

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*It is an offence under Section 158 of the Licensing Act 2003, knowingly or recklessly to make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence is up to level 5 on the standard scale (£5000).*



**FAIZAH MINI MARKET**

**Premises Licence of 2 Old Montague Street, E1 5NG**

---

**EXHIBIT G**

---

Supporting Letters from the Local Residence towards the proposed Licence Premises



# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

[REDACTED]

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

Name: *Sheela Sheela CHAND*

Address:

Contact:

Date:

*19/10/18*

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

Name:

Pupri

Address:

Ghani

Contact:

Date:

29/10/18.

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

Name:

Address:

Contact:

Date:

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

[REDACTED]

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

[REDACTED]

Name: MASUM HUSSAN

Address:

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

Contact:

[REDACTED]

Date: 19-10-2018

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

[REDACTED]

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

[REDACTED] 

Name: M. H. AHMED

Address:

[REDACTED]

Contact:

[REDACTED]

Date:

19/10/2010

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

[REDACTED]

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

[REDACTED]

Name:

*Lambath*

Address:

[REDACTED]

[REDACTED]

Contact:

[REDACTED]

Date:

*23/10/18.*

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

[REDACTED]

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

[REDACTED]

Name: JUSTYNA KRZYWICKA

Address:

[REDACTED]

Contact:

[REDACTED]

Date:

23/10/2018

Thank you

Abul Mangur



# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

[REDACTED]

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

[REDACTED]

Name:

VICTOR BLANC

Address:

[REDACTED]

Contact:

[REDACTED]

Date: 19/10/18

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG



To whom it may concern.

Re: Supporting letter.

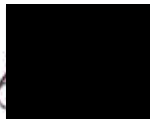
Dear Sir/Madam,

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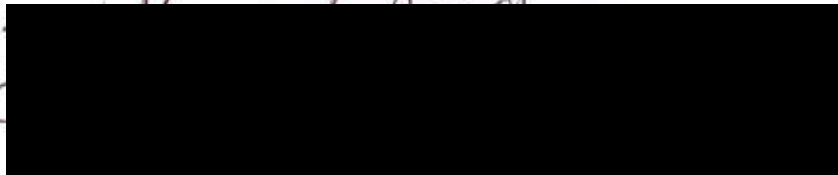
Customer Signature



Name:

Mohammad Asad Ali

Address:



Contact:



Date:

19-10-18

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

[REDACTED]

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

[REDACTED]

Name: MOYNUL ISLAM

Address:

[REDACTED]

[REDACTED]

Contact:

[REDACTED]

Date: 20/10/2018

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG



To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature



Name: MD S AHMED

Address:



Contact:



Date: 21-10-18

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

[REDACTED]

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

Name: AKLASUR RAHMAN

Address:

[REDACTED]

Contact:

[REDACTED]

Date: 20/10/18

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

[REDACTED]

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

Name: *md. Abdul Haque*

Address:

[REDACTED]

Contact:

[REDACTED]

Date:

*24/10/18*

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

[REDACTED]

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

[REDACTED]

Name: Ali Hossein

Address:

[REDACTED]

Contact:

[REDACTED]

Date:

20.10.18

Thank you

Abul Mangur



# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

[REDACTED]

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

[REDACTED]

Name: ABDUL ALIM

Address:

[REDACTED]

[REDACTED]

Contact:

[REDACTED]

Date: 20-10-18

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

To whom it may concern.


Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

  
Customer Signature

Name: S-AHMED

Address: 

Contact: 

Date: 

21-10-18

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

Name: Khokon Miah

Address:

Contact:

Date: 21-10-2018

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

[REDACTED]

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

[REDACTED]

Name:

RAHMAN AHMED

Address:

[REDACTED]

Contact:

[REDACTED]

Date:

21.10.18

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG



To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

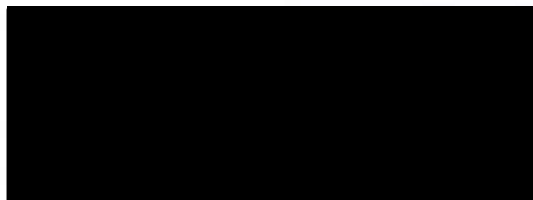
Customer Signature



Name:

AROSH AW

Address:



Contact:

Date: 20/11/18

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

Name: *moden udden*

Address:

Contact:

Date: *22/10/18*

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG



To whom it may concern.

Re: Supporting letter.

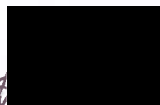
Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

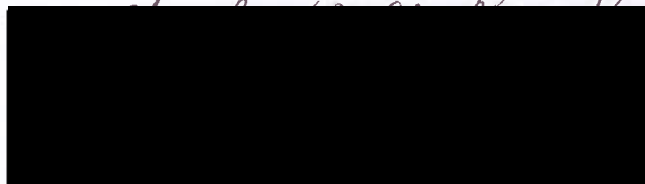
Customer Signature



Name:

*Rasheed*

Address:



Contact:

Date: *22/10/18*

Thank you

Abul Mangur



# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

Name: M WINT

Address:

Contact:

Date: 23/10/2018

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

[REDACTED]

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

[REDACTED]

Name:

Rashid Khan

Address:

[REDACTED]

Contact:

Date:

[REDACTED]

Thank you

Abul Mangur

[REDACTED]

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

Name:

MD SMILE RAHMAN

Address:

Contact:

Date:

23/10/18

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG



To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

Name: *abduz salame*

Address:



Contact:



Date: *20/10/18*

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG



To whom it may concern.

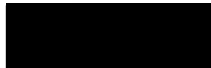
Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

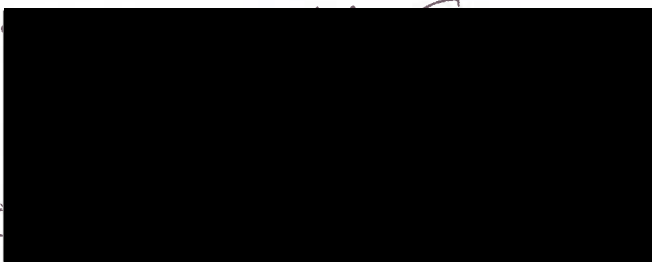
I hope you will allow me and I can get customer's Details and signature.



Customer Signature

Name: MD. RAHMAN

Address:



Contact:

Date:

23/10/18

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG



To whom it may concern.

Re: Supporting letter.

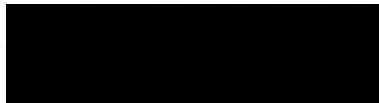
Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

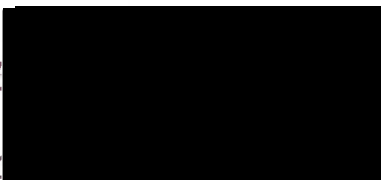
I hope you will allow me and I can get customer's Details and signature.

Customer Signature



Name: FAZANA LIMA

Address:



Contact:

Date: 23-10-18

Thank you

Abul Mangur



# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

[REDACTED]

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

[REDACTED]

Name:

MOHICTAR

Address:

[REDACTED]

[REDACTED]

Contact:

[REDACTED]

Date:

23.10.18

Thank you

Abul Mangur

[REDACTED]

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG



To whom it may concern.

Re: Supporting letter.

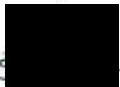
Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature



Name: JASIM UDDIN

Address:



Contact:



Date: 23-10-18

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

Name: *Fazanah Mosahel*

Address:

Contact:

Date: *23-10-18*

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG



To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

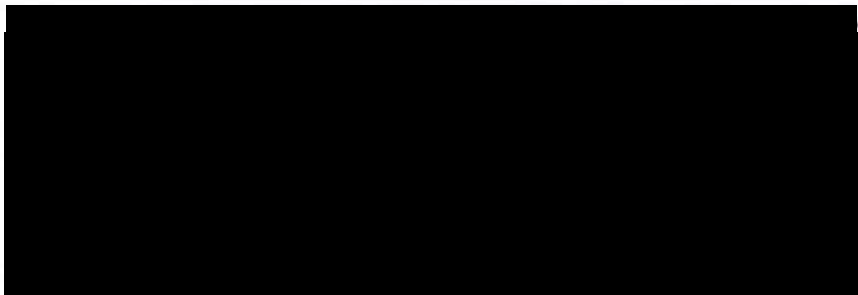
And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

S. HUSSAIN

Name:



Address:

Contact:

Date:

24-10-2018

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG



To whom it may concern.

Re: Supporting letter.

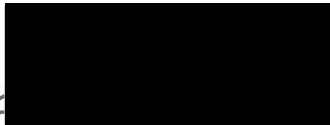
Dear Sir/Madam,

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And lots of customer's asking for Beer's and sprits.

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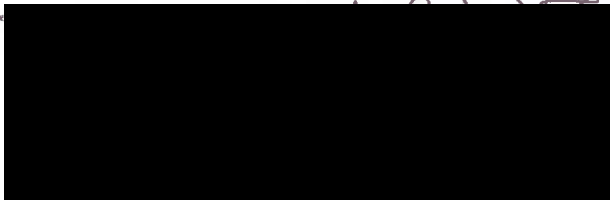
Customer Signature



Name:

DOLAL AHMED

Address:



Contact:

Date:

24/10/2018

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

[REDACTED]

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

[REDACTED]

Name:

JAHANGIR MOHAMMED ALOM

Address:

[REDACTED]

Contact:

[REDACTED]

Date:

22-10-2018

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

[REDACTED]

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

[REDACTED]

Name: Belal Amin

Address:

[REDACTED]

Contact:

Date: 23,10,18

Thank you

Abul Mangur

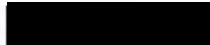


# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG



To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

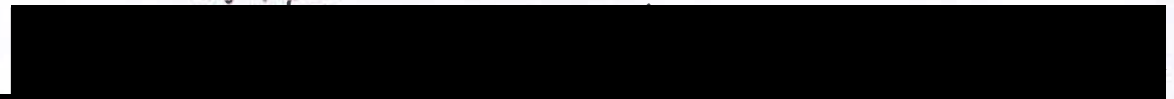
Customer Signature



Name:

Adrian White

Address:



Contact:



Date:



23/10/2018

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

Name:

Address:

Contact:

Date:

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

Name: MD. MIJANUR RAHATID

Address:

Contact:

Date: 23/10/18

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

Name: MD ANAM Hussain

Address:

Contact:

Date:

22/10/2018

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG



To whom it may concern.

Re: Supporting letter.

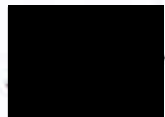
Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

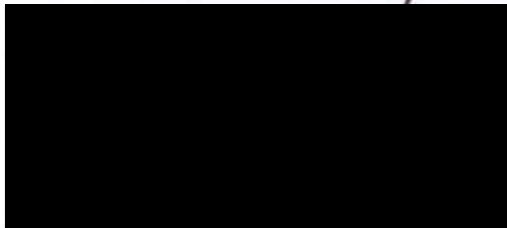
Customer Signature



Name:

MD. Sahab Uddin

Address:



Contact:

Date:

23-10-18

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG



To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature



Name: SHAMIM AHMED

Address:



Contact:

Date: 23/10/2018

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

[REDACTED]

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

[REDACTED]

Name: *Bass Mahi*

Address:

[REDACTED]

Contact:

[REDACTED]

Date: *20/10/2016*

Thank you

Abul Mangur



# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

Name:

ALA AHMED

Address:

Contact:

Date:

23-10-2018

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG



To whom it may concern.

Re: Supporting letter.

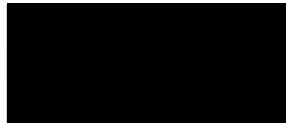
Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

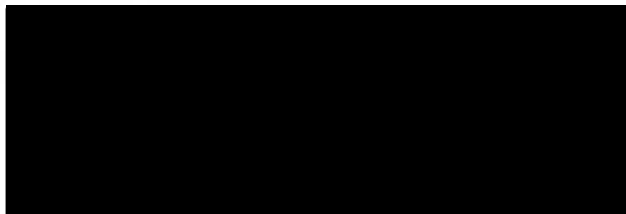
I hope you will allow me and I can get customer's Details and signature.

Customer Signature



Name: ABDAL HUSSAIN

Address:



Contact:

Date: 22/10/18

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG



To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature



Name: AFZOL HUSSAIN

Address:



Contact:



Date: 23/10/2018

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

[REDACTED]

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

[REDACTED]

Customer Signature

Name:

Nahid Shud.

Address:

[REDACTED]

[REDACTED]

Contact:

[REDACTED]

Date:

23-10-18

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG



To whom it may concern.

Re: Supporting letter.

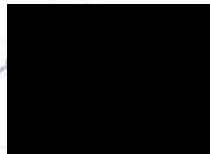
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And lots of customer's asking for Beer's and sprits.

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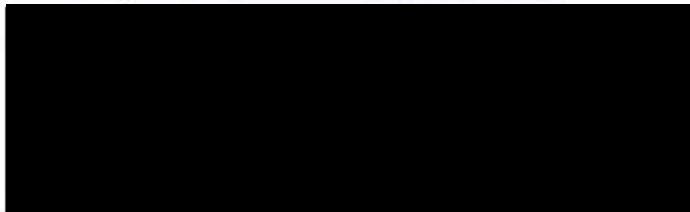
Customer Signature



Name:

ROY KARIR

Address:



Contact:

Date:

28/10/18

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG



To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

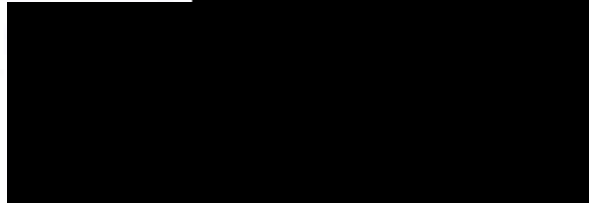
Customer Signature

*Md Zouk Fahim*

Name:



Address:



Contact:

Date: *23-10-2018*

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG



To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature



Name: ABDUS SAMI

Address:



Contact:



Date: 24-10-18.

Thank you

Abul Mangur



# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG



To whom it may concern.

Re: Supporting letter.

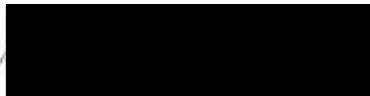
Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature



Name: Muzzamil Hussain

Address:



Contact:



Date: 24/10/18

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

Name: *Alim kham*

Address:

Contact:

Date: *23-10-18*

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

[REDACTED]

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

[REDACTED]

Customer Signature

Name:

Rifat Ali

Address:

[REDACTED]  
[REDACTED]

Contact:

[REDACTED]

Date:

24/10/18

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

[REDACTED]

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

[REDACTED]

Name:

Timca Begum

Address:

[REDACTED]

Contact:

Date:

24/10/18

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

[REDACTED]

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits:

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

[REDACTED]

Name:

Tina Ahmed

Address:

[REDACTED]

Contact:

0777 777 777

Date:

24/10/2014

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

Name:

Address:

Contact:

Date: 23/10/18

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

Name:

Jamil Ahmed

Address:

Contact:

Date:

24/10/18

Thank you

Abul Mangur

# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG



To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

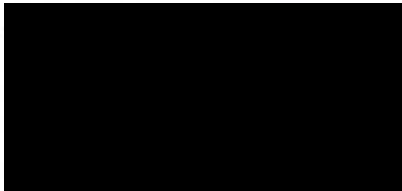
I hope you will allow me and I can get customer's Details and signature.

Customer Signature



Name: *Abdul Karyum*

Address:



Contact:

Date: *24-10-18*

Thank you

Abul Mangur



# FAIZAH MINI MARKET

2 Old Montague street

London

E1 5NG

[REDACTED]

To whom it may concern.

Re: Supporting letter.

Dear Sir/Madam,

I would like to apply for an Off Licence shop, because I got a small sweet shop.

And lots of customer's asking for Beer's and sprits.

I hope you will allow me and I can get customer's Details and signature.

Customer Signature

[REDACTED]

Name: Raza

[REDACTED]

Address:

[REDACTED]

Contact:

[REDACTED]

Date: 25/10/18

Thank you

Abul Mangur

**L**

**Hours premises are open to the public**

Standard timings (please read guidance note 7)

Day	Start	Finish
Mon	8am	2am
Tue	8am	2am
Wed	8am	2am
Thur	8am	2am
Fri	8am	2am
Sat	8am	2am
Sun	8am	2am

State any seasonal variations (please read guidance note 5)

Non standard timings. Where you intend to the premises to be open at different times to those listed in the column on the left, please list (please read guidance note 6)

**M**

Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b,c,d,e)** (please read guidance note 10)

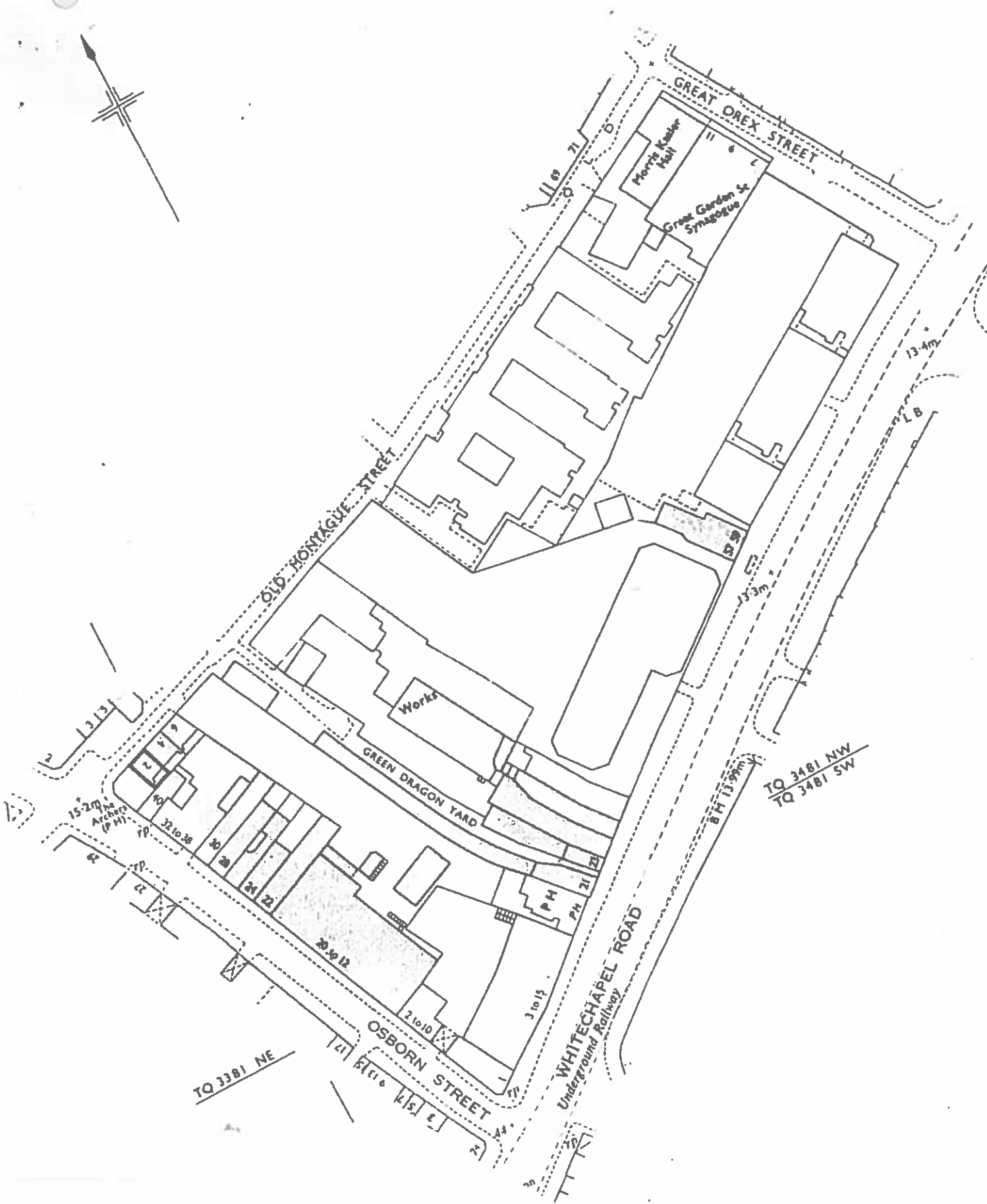
Strong management controls and effective training of all staff so that they are aware of the premises license and the requirements to meet the four licensing objectives with attention to:

- a/ no selling of alcohol to underage people
- b/ no drunk and disorderly behavior on the premises area
- c/ vigilance in preventing the use and sale of illegal drugs at the retail area
- d/ no violent and anti-social behavior
- e/ no any harm to children

operating Schedule providing the hours of operation and licensable activities during those hours.

- Designated premises supervisor confirmed it is obligated to be in day-to-day control of the premises, to provide good training for staff on the Licensing Act (Training Record), to make or authorize each sale
- Clear "Challenge 25" information to prevent the supply of alcohol to under-age drinkers.
- CCTV system installed with recording option available
- Roller metal exterior window shutter will be fixed to ensure that shop front is safe and secure at all times

# Appendix 2





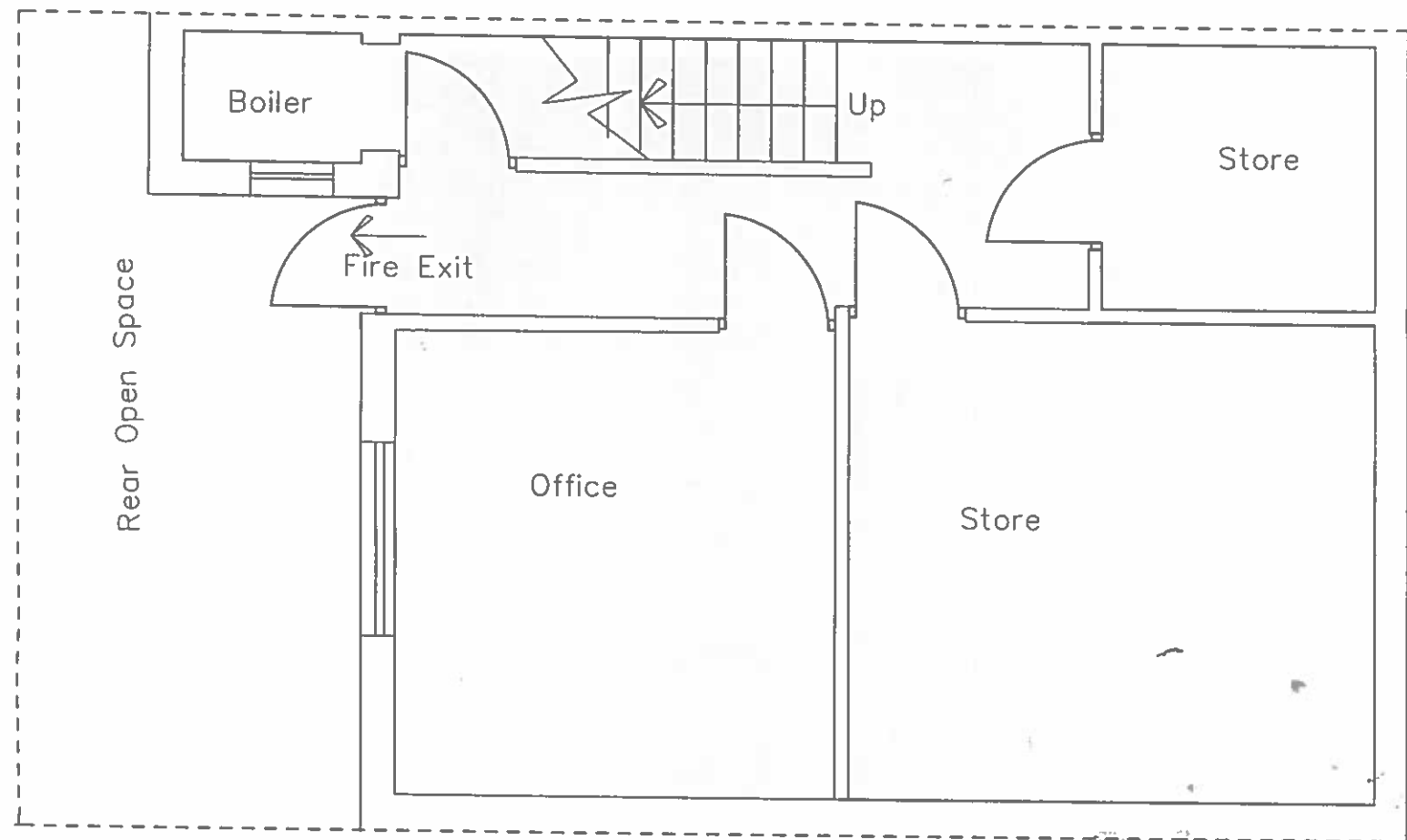


## 2 OLD MONTAGUE STREET

ALL ELEVATIONS WILL REMAIN  
SAME AS EXISTING.

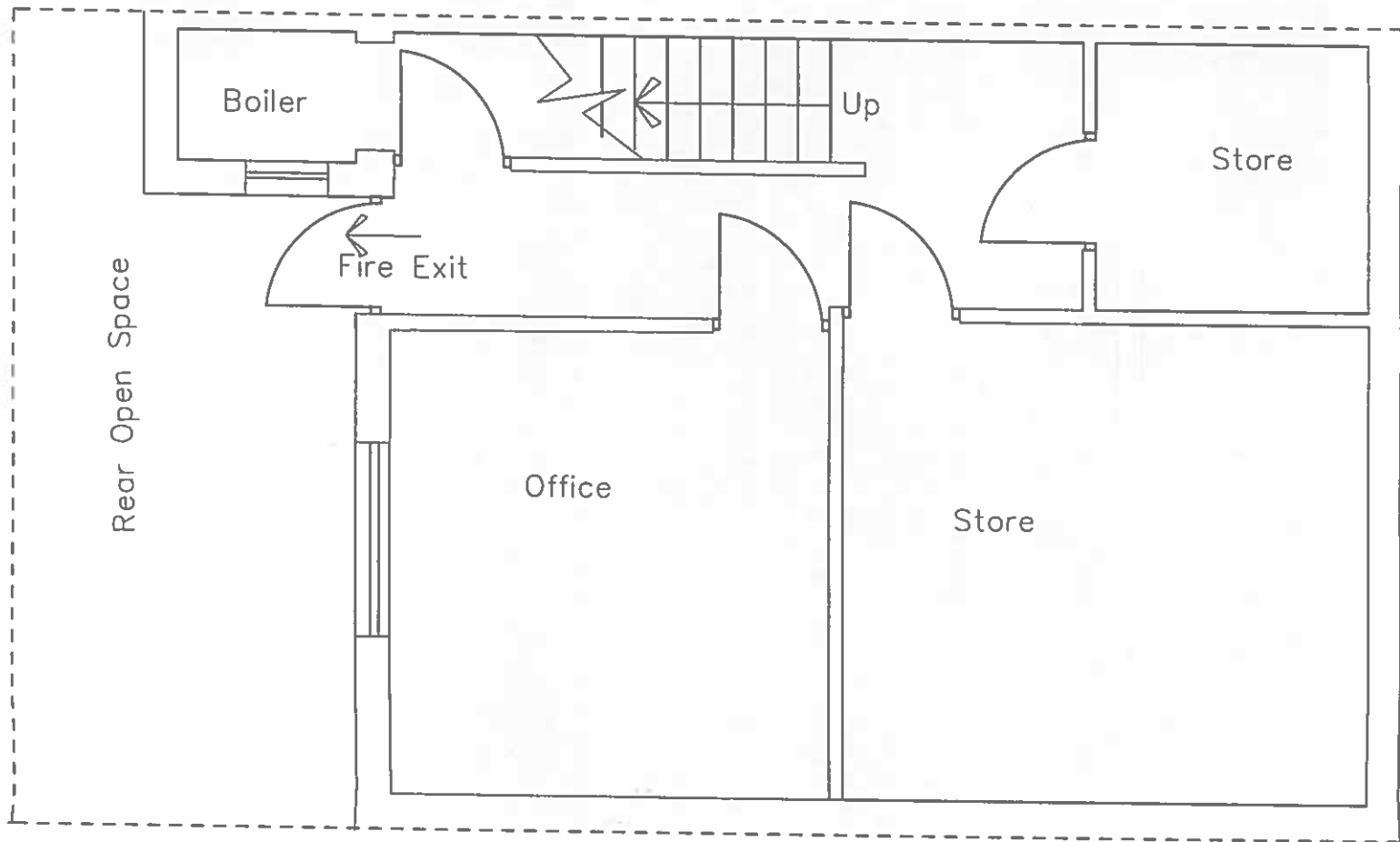
THERE ARE NO PROPOSALS FOR  
ANY CHANGES TO THE  
FRONT, REAR OR SIDE  
ELEVATIONS.

Page 129



OLD MONTAGUE ROAD  
Front

**PROPOSED  
BASEMENT PLAN**

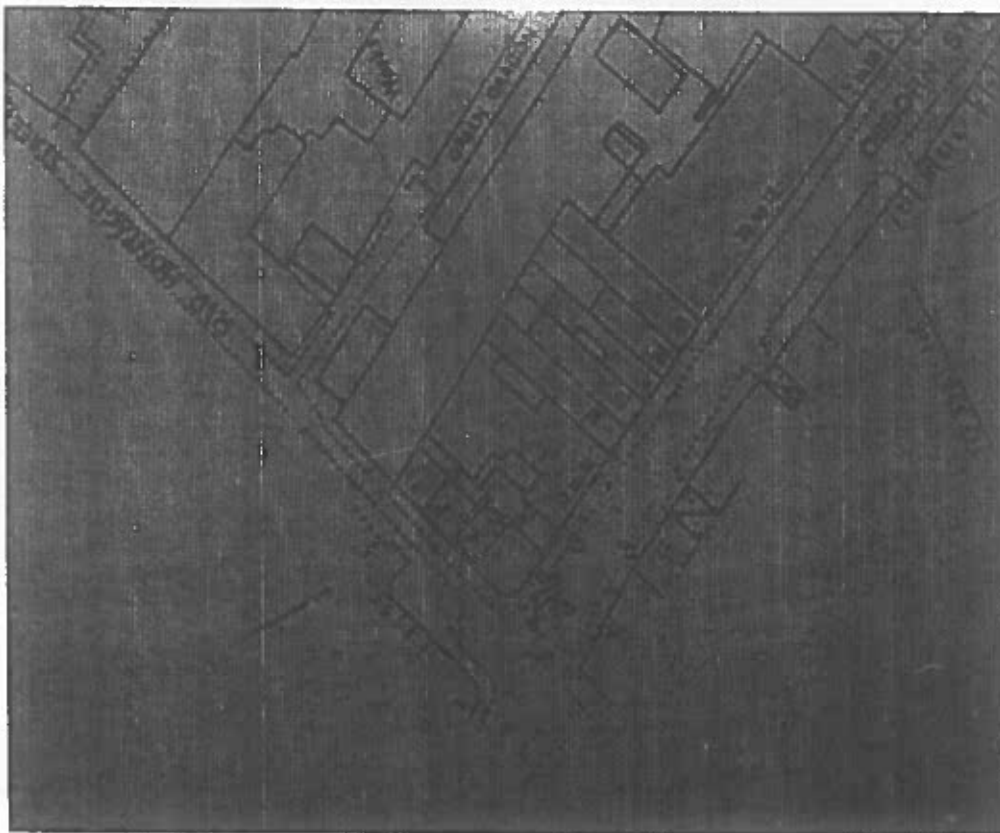
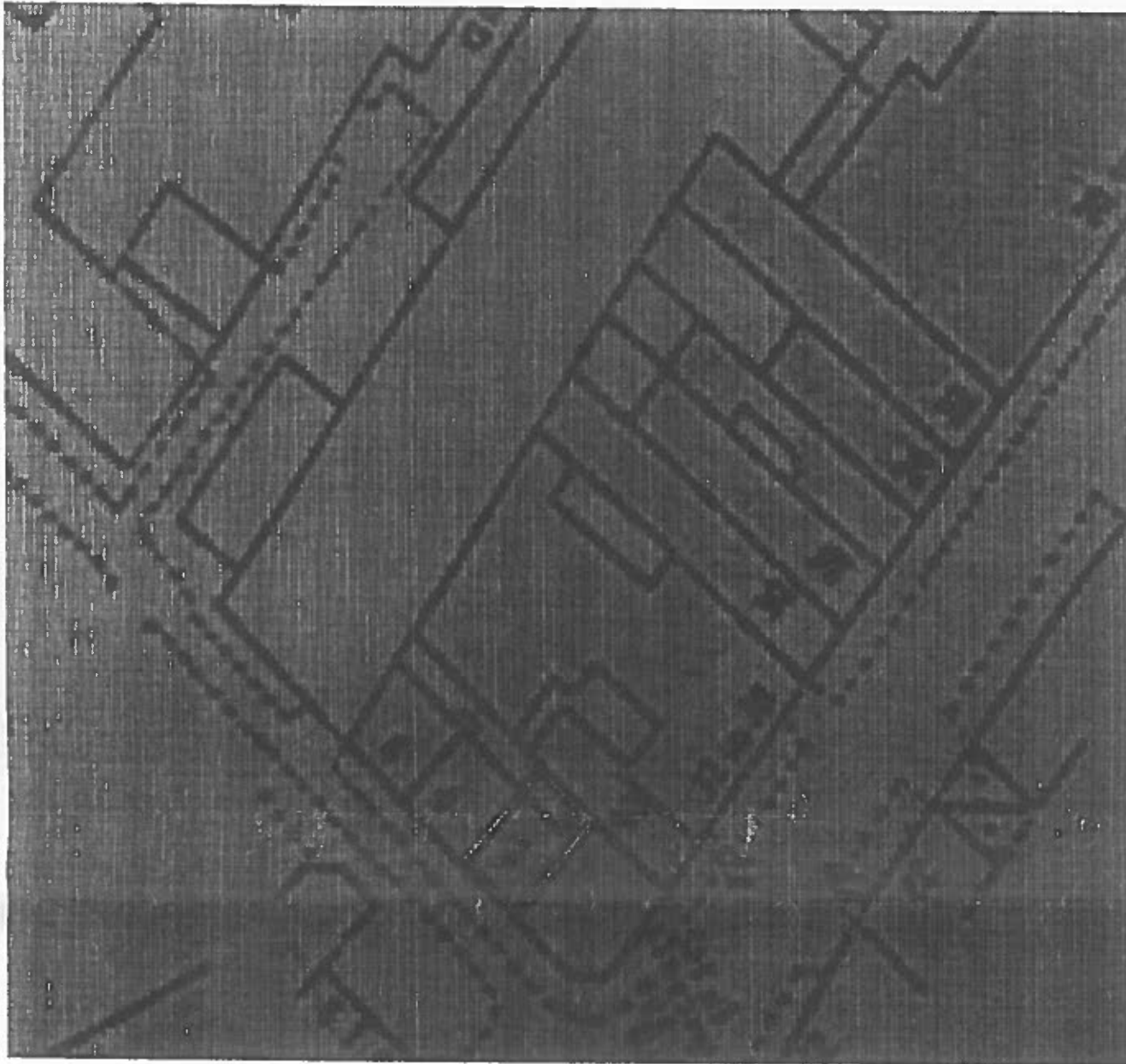


**EXISTING  
BASEMENT PLAN**

**NOTE:**  
PLEASE NOTE THAT BEFORE BUILDING WORKS COMMENCES IT IS THE RESPONSIBILITY OF BUILDER OR OWNER TO SERVE PARTY WALL NOTICES TO ALL NEIGHBOURS  
DIMENSIONS  
ALL DIMENSIONS TO BE CHECKED ON SITE. CONTRACTOR TO CHECK SITE THOROUGHLY BEFORE WORK STARTS & REPORT ANY DISCREPANCIES

**LEGEND**  
 Ⓢ = SMOKE DETECTOR WITH SOUNDER  
 Ⓢ = EMERGENCY LIGHTING TO BS5266: Part 1 1988  
 Ⓢ = HEAT DETECTOR  
 FD30 = 30 MINUTE FIRE RESISTING DOOR AND FRAME  
 FD20 = 20 MINUTE FIRE RESISTING DOOR AND FRAME  
 Ⓢ = SMOKE SEALS FITTED TO PERIMETER OF DOOR  
 Ⓢ = SELF CLOSING DEVICE

DATE	CHECKED	DATE	CHECKED
DATE	CHECKED	DATE	CHECKED
Sylarc Planning			
PROJECT: 2, MONTAGUE STREET E1 5NG			
DWC TITLE		SCALE 1:50 043	
Planning Permission			
CLIENT	DATE		
Mr Abul Mangur	Nov 2017		
DWG NO :	SYL/17/2/2	ISSUE	
		A	



NAME	DATE	INITIALS	REV	DESCRIPTION	DATE
CHECKED				DATE	
<b>Sylarc Planning</b>					
PROJECT: 153 GREEN LANE, RT 126					
2 MONTAGUE STREET E1 5NG					
DWG TITLE Site Map Location Map				SCALE 1:500 0A3 1:1250 0A3	
CLIENT Mr Abul Mangur				DATE Nov 2017	
DWG NO : SYL/17/2/4				ISSUE A	

**NOTE:**

PLEASE NOTE THAT BEFORE BUILDING WORKS COMMENCES IT IS THE RESPONSIBILITY OF BUILDER OR OWNER TO SERVE PARTY WALL NOTICES TO ALL NEIGHBOURS

DIMENSIONS TO BE CHECKED ON SITE.  
CONTRACTOR TO CHECK SITE THOROUGHLY BEFORE WORK STARTS & REPORT ANY DISCREPANCIES

**LEGEND**

- SD = SMOKE DETECTOR WITH SOUNDER
- ED = EMERGENCY LIGHTING TO BS5266: Part 1 1988
- HD = HEAT DETECTOR
- FD30 = 30 MINUTE FIRE RESISTING DOOR AND FRAME
- FD20 = 20 MINUTE FIRE RESISTING DOOR AND FRAME
- SC = SMOKE SEALS FITTED TO PERIMETER OF DOOR
- SC = SELF CLOSING DEVICE

# Appendix 3





# Map 1

## 2 Old Montague Street

N

Scale 1:882

8    0    8    16    24

Metres

**TOWER HAMLETS**

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## Map 2

### 2 Old Montague Street



Scale 1:1765

10 0 10 20 30  
Metres



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# Appendix 4

**Faizah Mini Market, 2 Old Montague Street, London, E1 5NG - Nearby licensed premises**

Name of Premises	Licensing Activities	Opening Times
<b>(The Buxton)</b> 42 Osborn Street	<p><b>The sale by retail of alcohol for NON - HOTEL GUESTS:</b></p> <ul style="list-style-type: none"> <li>Monday to Thursday, from 11:00 hrs to 23:30 hrs</li> <li>Friday and Saturday, from 11:00 hrs to 00:30 hrs (the following day)</li> <li>Sunday, from 11:00 hrs to 22:30 hrs</li> </ul> <p><b>The sale by retail of alcohol for HOTEL GUESTS:</b></p> <ul style="list-style-type: none"> <li>Monday to Thursday, from 07:30 hrs to 23:30 hrs</li> <li>Friday and Saturday, from 07:30 hrs to 00:30 hrs (the following day)</li> <li>Sunday, from 07:30 hrs to 22:30 hrs</li> </ul> <p><b>The provision of regulated entertainment - Indoors (Recorded Music):</b></p> <ul style="list-style-type: none"> <li>Monday to Thursday, from 07:00 hrs to 23:30 hrs</li> <li>Friday and Saturday, from 07:00 hrs to 00:30 hrs (the following day)</li> <li>Sunday, from 07:00 hrs to 22:30 hrs</li> </ul> <p><b>(Live music to include Karaoke):</b></p> <ul style="list-style-type: none"> <li>Friday from 21:00 hrs to 00:30 hrs (the following day)</li> </ul>	<ul style="list-style-type: none"> <li>Monday to Thursday, from 07:00 hrs to 00:00 hrs (midnight)</li> <li>Friday and Saturday, from 07:00 hrs to 01:00 hrs (the following day)</li> <li>Sunday, from 07:00 hrs to 23:00 hrs</li> </ul>
<b>(Sonargaon Restaurant)</b> 32-38 Osborn Street	<p><b>First Floor</b></p> <p>Supply of alcohol (first floor restaurant)  Sunday to Saturday 12 midday until 12 midnight</p> <p>Late Night Refreshment (first floor restaurant)  Sunday to Saturday until midnight</p>	<p>1ST Floor Restaurant</p> <ul style="list-style-type: none"> <li>Sunday to Saturday 12 midday until 12 midnight)</li> </ul>

	<p>Supply of alcohol, Regulated Entertainment (<b>basement area</b>)  Sunday to Wednesday 12 midday until 01 00 hrs  Thursday to Saturday 12 00 midday until 03 00 hrs  Late Night Refreshment (basement area)  Sunday to Wednesday until 01 00 hrs  Thursday to Saturday until 03 00 hrs</p>	<p>Basement Area</p> <ul style="list-style-type: none"> <li>• Sunday to Wednesday 12 midday until 01 00 hrs</li> <li>• Thursday to Saturday 12 00 midday until 03 00 hrs</li> </ul>
<p><b>(Nabrassa Express)  30 Osborn Street</b></p>	<p>The sale by retail of alcohol  Monday to Saturday 11:00 hours to 23:30 hours  Sunday 11:00 hours to 23:00 hours</p> <p>The provision of late night refreshment  Monday to Sunday 23:00 hours to 23:30 hours</p>	<ul style="list-style-type: none"> <li>• Monday to Saturday 11:00 hours to 00:00 hours</li> <li>• Sunday 11:00 hours to 23:30 hours</li> </ul>
<p><b>Apples &amp; Pears  26 Osborn Street</b></p>	<p><u>The provision of regulated entertainment</u>  Films; recorded music; performance of dance; anything similar to recorded music or performance of dance;.  Sunday to Thursday 11:00 hours – 23:30 hours  Friday &amp; Saturday 11:00 hours – 00:30 the following day.</p> <p>Live Music; anything similar to live music.  Sunday to Thursday 11:00 hours – 23:00 hours  Friday &amp; Saturday 11:00 hours – midnight</p> <p><u>The provision of late night refreshment</u>  Sunday to Thursday 11:00 hours – 23:30 hours  Friday &amp; Saturday 11:00 hours – 00:30 hours the following day</p> <p><u>The sale by retail of alcohol</u>  Sunday to Thursday 11:00 hours – 23:30 hours  Friday &amp; Saturday 11:00 hours – 00:30 hours the following day</p>	<ul style="list-style-type: none"> <li>• Sunday to Thursday 11:00 hours – midnight</li> <li>• Friday &amp; Saturday 11:00 hours – 01:00 hours</li> </ul>

<p><b>(Moonlight)</b> 8 Brick lane</p>	<p><b>The sale of alcohol</b> Sunday, Monday, Tuesday and Wednesday between 12 noon and 11pm Thursday, Friday and Saturday between 12 noon and 1am the following day,</p> <p><b>The provision of late night refreshment</b> Thursday, Friday and Saturday between 11pm and 1am the following day</p> <p><b>Provision of regulated entertainment</b> (consisting of recorded music) Sunday, Monday, Tuesday and Wednesday, between 12 noon and 11pm Thursday, Friday and Saturday, between 12 noon and 1am the following day</p>	<p>Sunday, Monday, Tuesday, Wednesday, 12 Noon until 11pm Thursday, Friday, Saturday 12 Noon until 1am the following day</p>
<p><b>(Bengal Cuisine)</b> 12 Brick Lane</p>	<p><b>Alcohol may be sold or supplied:</b> (1) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 10am to 12pm. (2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12 noon to 11:30pm (3) On Christmas Day: 12 noon to 11:30pm; (4) On New Year's Eve, except on a Sunday, 11 a.m. to midnight; (5) On New Year's Eve on a Sunday, 12 noon to 11.30 p.m. (6) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).</p>	<ul style="list-style-type: none"> <li>• There are no restrictions on the hours during which this premises is open to the public</li> </ul>

# Appendix 5

## **Section 182 Advice by the Home Office Updated on April 2018**

### Relevant, vexatious and frivolous representations

9.4 A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.

9.5 It is for the licensing authority to determine whether a representation (other than a representation from responsible authority) is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. A representation may be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification. Vexatious circumstances may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Licensing authorities can consider the main effect of the representation, and whether any inconvenience or expense caused by it could reasonably be considered to be proportionate.

9.6 Frivolous representations would be essentially categorised by a lack of seriousness. Frivolous representations would concern issues which, at most, are minor and in relation to which no remedial steps would be warranted or proportionate.

9.7 Any person who is aggrieved by a rejection of their representations on either of these grounds may lodge a complaint through the local authority’s corporate complaints procedure. A person may also challenge the authority’s decision by way of judicial review.

9.8 Licensing authorities should not take decisions about whether representations are frivolous, vexatious or relevant to the licensing objectives on the basis of any political judgement. This may be difficult for councillors who receive complaints from residents within their own wards. If consideration is not to be delegated, contrary to the recommendation in this



Guidance, an assessment should be prepared by officials for consideration by the sub-committee before any decision is taken that necessitates a hearing. Any councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.

9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.

9.10 Licensing authorities should consider providing advice on their websites about how any person can make representations to them.

# Appendix 6

## Place Directorate Public Realm

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

Email: [Corinne.Holland](mailto:Corinne.Holland@towerhamlets.gov.uk) [REDACTED]

16<sup>th</sup> July 2019

Your reference  
My reference: LIC/119139/MA

Dear Sir/Madam,

Head of Environmental Health & Trading  
Standards **David Tolley**

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

Tel [REDACTED]  
[REDACTED] [REDACTED]  
Enquiries to **Mohshin Ali**

Email [REDACTED]

[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)

### Licensing Act 2003

New premises licence application: Faizah Mini Market, 2 Old Montague, Street,  
London E1 5NG

The Licensing Authority (acting a Responsible Authority) is making a representation against the above application on the grounds of:

- *the prevention of crime and disorder and*
- *the prevention of public nuisance*

On 1<sup>st</sup> November 2013, Tower Hamlets Council adopted a Cumulative Impact Policy in the Brick Lane Area. The Council Cumulative Impact Zone (CIZ) was revised alongside this Statement of Licensing Policy on the 1<sup>st</sup> November 2018. *Local crime mapping showed that although there had been a reduction in crime and disorder linked to licensed premises within the CIZ since January 2015, the same crime mapping showed that the area of the CIZ is still higher than average in regards to crimes and disorder linked to licensed premises compared to the rest of the borough (19.3).*

The Licensing Authority is of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and/or the provision of late night refreshment in the Brick Lane area is having a cumulative impact on the licensing objectives and has therefore declared a cumulative impact zone within the area. The Brick Lane CIZ aims to manage the negative cumulative impact of the concentration of licensed premises in the area and the stresses that the saturation of licensed premises has had on local amenity, environmental degradation and emergency and regulatory services in managing this impact.

*The effect of this Special Cumulative Impact Policy will affect applications in respect of the sale or supply of alcohol on or off the premises and/or late Night Refreshment for the following:*

- *New Premises Licences applications,*
- *New Club Premises Certificates applications*
- *Provisional Statements,*
- *Variation of Premises Licences and Club Premises Certificate applications (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity).*

*The Licensing Authority expects such applications to have regard for and make reference to the ClZ (19.5).*

*The Special Cumulative Impact policy creates a rebuttable presumption that where relevant representations are received by one or more of the responsible authorities and/or other persons against applications within the ClZ zones the application will be refused (19.6).*

*Where representations have been received in respect to applications within the ClZ zones the onus is on applicants to adequately rebut the presumption. Applicants will need to demonstrate in their applications why the granting of their application will not negatively add to the cumulative already experience within the ClZ Zones. Applicants may wish to address the following in their applications:*

- *Genuinely exceptional circumstances,*
- *Relevant good practices they employ (for example, this could include details of membership of local Pubwatch/other trade groups,*
- *Accreditation of Award Schemes (as applicable), and any participation in Police/Council initiatives),*
- *Other good operational/practice arrangements in respect of any outside drinking and smoking to control potential impact in the area,*
- *Measures used to promote the licensing objectives (for example, any relevant conditions to control noise, dispersal, litter and other anti-social issues (19.7)*

***This Policy will be strictly applied and where relevant representations are received it is the view of the Council that the application will be refused. Applicants will need to demonstrate that there are exceptional circumstances and that granting their application will not negatively add to the cumulative effect on the Licensing Objectives within the Brick Lane and Bethnal Green ClZ if they wish to rebut this presumption.***

*Examples of factors the Licensing Authority may consider as exceptional may include, though are not limited to:*

- *small premises with a capacity of fifty persons or less who only intend to operate during Framework Hours,*

- *premises which are not alcohol led and operate only within Framework Hours, such as coffee shops,*
- *instances where the applicant has recently surrendered a licence for another premises of a similar size and providing similar licensable activities in the same Special Policy Area.*

*Examples of factors the Licensing Authority will **not** consider as exceptional include:*

- *that the premises will be well managed and run,*
- *that the premises will be constructed to a high standard,*
- *that the applicant operates similar premises elsewhere without complaint (19.8).*

All applications have to be considered on their own merits and the Council has however adopted a set of framework hours (14.8) as follows:

- *Monday to Thursday, until 23:30 hours*
- *Friday and Saturday, until 00:00 hours (midnight)*
- *Sunday, until 22:30 hours*

The hours applied for are longer than the framework hours in the Tower Hamlets licensing policy.

I have looked at the history of the premises on the Licensing Authority's system and have noted that the same applicant had applied for a licence in 2018. On 24<sup>th</sup> April 2018, the Licensing Sub-committee refused that application and I attach the decision for member's information.

The following issues will also need to be clarified:

1. The applicant has applied for both on and off sales of alcohol and it is not clear from the plan where the licensable activities will take place.
2. It is my understanding that the premises to be licensed is on the ground floor level, however, the plan submitted with the application refers to a basement plan? This appears to show an "office", "store" areas and a "rear open space"
3. The applicant has not stated the opening hours of the premises on the application form.

If the applicant is unable to prove to the Licensing Sub-Committee, through the implementation of appropriate conditions within the Operating Schedule, that the granting of the application will not undermine the licensing objectives; then the application should be rejected. However, if the Sub-Committee is minded to grant a licence then I would ask that the hours are reduced closer to the framework hours.

Yours faithfully,



Mohshin Ali  
**Senior Licensing Officer**  
**(Acting as a Responsible Authority)**

**CC:** Abul Mangur   
KC Solicitors:  [@kcsolicitors.co.uk](mailto:_____@kcsolicitors.co.uk)

**Place Directorate**

**Public Realm**

Environmental Health and Trading Standards

Head of Service: David Tolley

Licensing Section

John Onslow House

1 Ewart Place

London E3 5EQ

Tel **020 7364 5008 option 3**

Fax **020 7364 0863**

Enquiries to **Licensing**

Email [licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)

[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)

Mr Mohammed Abul Kalam Chowdhury  
KC Solicitors  
55-57 Brady Street  
London  
E1 5DW

15<sup>th</sup> May 2018

My reference TSS/LIC/106810

Dear Sir/Madam,

**Licensing Act 2003**

**New Premises Licence Application.**

**Faizah Mini Market 2 Old Montague Street London E1 5NG**

I write to you following your clients application for a new premises licence for the above and the subsequent Licensing Sub Committee Hearing on 24<sup>th</sup> April 2018.

The licence application was considered by the Sub Committee who made a decision to refuse the application.

The reasons for this decision are attached in **Appendix A.**

Your rights of appeal are contained in **Appendix B**

If I can be of any further help please let me know.

Yours faithfully,



**Kathy Driver**  
**Principal Licensing Officer**

## **Appendix A**

### **Reasons for refusing a premises licence or**

#### **The Licensing Objectives**

In considering the application, Members were required to consider the same in accordance with the Licensing Act 2003 (as amended), the Licensing Objectives, the Home Office Guidance and the Council's Statement of Licensing Policy and in particular to have regard to the promotion of the four licensing objectives:

1. The Prevention of Crime and Disorder;
2. Public Safety;
3. Prevention of Public Nuisance; and
4. The Protection of Children from Harm

#### **Consideration**

Each application must be considered on its own merit. The Sub Committee has carefully considered all of the evidence before them and considered written and verbal representation from both the applicant and his representative and the objectors with particular regard to all four licensing objectives of the prevention of public nuisance, the prevention of crime and disorder and the protection of children from harm and public safety.

The Sub-Committee noted that the premises in question are situated in the cumulative impact zone and when a representation is received, the licence will be refused. However the effect of this special cumulative impact policy is to create a rebuttable presumption.

The Sub-Committee noted that the applicant can rebut the presumption if they can demonstrate that their application for a premises licence would not undermine any of the four licensing objectives.

The Sub-Committee considered that the onus lay upon the applicant to show this through the operating schedule, with appropriate supporting evidence that the operation of the premises, if licensed, would not add to the cumulative impact already being experienced.

The Sub-Committee noted that the cumulative impact of the number, type and the density of licensed premises in the area may lead to serious problems of nuisance and disorder; and that the cumulative impact zone did not act as an absolute prohibition on granting or varying new licences within that zone.

The Sub-Committee noted the written representations made by objectors and also heard oral representations from the Metropolitan Police and resident objectors regarding the impact of the premises on the Cumulative Impact Zone (CIZ). The Sub-



Committee noted objectors' concerns relating to the existing levels of public nuisance and anti-social behaviour in the area; and noted the premise's close proximity to two local hostels for vulnerable persons with alcohol issues.

The Sub Committee noted the applicant's representation that the hours originally applied for had been reduced upon consultation with Environmental Health and the premises licence if granted, would be mitigated by any conditions that would be agreed. However, the Sub Committee was concerned that this in itself did not address how the grant of a premises licence within the CIZ would not add to the cumulative impact of the number, type and density of licensed premises already in the area with regard to prevention of public nuisance and prevention of crime and disorder. The Sub-Committee therefore considered that it had not heard evidence that rebutted the presumption against granting any further premises licence within the CIZ. The Sub-Committee was not satisfied that the operating schedule as presented at the Sub-Committee meeting met the requirement to uphold the licensing objectives in the CIZ.

Members also expressed grave concerns about the absence of any consultation with responsible authorities especially the Police and local residents, which also did not satisfy the Sub-Committee that the applicant understood what was needed to seek to rebut the presumption against granting any further premises licence within the CIZ.

The Sub Committee was therefore not satisfied with the application and were of the view that the applicant had failed to successfully demonstrate that they had rebutted the presumption against granting a premises licence for a premises situated in a cumulative impact zone, in that it was considered the applicant failed to demonstrate that their application for a premises licence would not undermine any of the four licensing objectives.

Accordingly, the Sub Committee unanimously

### **RESOLVED**

That the application for a New Premises Licence for Faizah Mini Market, 2 Old Montague Street, London E1 5NG be **REFUSED**

## **Appendix B**

### **Appeal Rights under Section 5 of Licensing Act 2003.**

The appeal must be made to the Magistrates Court which has jurisdiction in the area of the London Borough of Tower Hamlets.

A notice of appeal must be given to the justices' chief executive for the Magistrates Court within a period of 21 days beginning with the day on which notification was sent by the Licensing Authority.

**Please note that the licensing authority will always be a party to the appeal.**

# Appendix 7

## Corinne Holland

---

**From:** Nicola Cadzow  
**Sent:** 02 July 2019 10:28  
**To:** Licensing  
**Cc:** mark.j.perry@[REDACTED]; thomas.ratican@[REDACTED];  
[REDACTED]  
**Subject:** FW: MAU REPRESENTATION 119139 New Premises licence application for Faizah Mini Market 2 Old Montague Street London  
  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Licensing,

Having considered the new premise licence application Faizah Mini Market 2 Old Montague Street London and the potential impact of public nuisance and measures to prevent noise generated from within the premises or outside it which could cause disturbance to people in the vicinity, the proposed hours are beyond the Council's framework hours, and consideration has to be given to the fact that the premises is in Brick Lane Cumulative Impact Zone.

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 activities: the supply of alcohol for the hours as follows:

- **Monday to Saturday until midnight (half hours later than framework hours Monday to Thursday)**
- **Friday and Saturday (as per framework hours)**
- **Sunday until 22:30 hours as per framework hours.**

The applicant has not provided sufficient information in the operating schedule to show how they are going to promote the four licensing objectives, and in particularly the prevention of public nuisance.

**Noise Sensitive premises:** residential apartments in close proximity to 2 Old Montague Street London.

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 2 Old Montague Street London as there is great likelihood of disturbance to residential premises at the noise sensitive hours sought, the application does provide sufficient information to show compliance with the licensing objective for the prevention of public nuisance and the premises is in Brick Lane Cumulative Impact Zone.

Kind regards

Nicola Cadzow  
Environmental Health Technical Officer  
Place Directorate

# Appendix 8

# **Guidance Issued by the Home Office under Section 182 of the Licensing Act 2003**

Updated April 2018

## **Public nuisance**

- 2.15 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.
- 2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.
- 2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.
- 2.18 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.

- 2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.
- 2.20 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.
- 2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

# Appendix 9



## Prevention of Public Nuisance

- 9.1 Licensed premises, especially those operating late at night and in the early hours of the morning, can cause a range of nuisances impacting on people living, working or sleeping in the vicinity of the premises.
- 9.2 The concerns mainly relate to noise nuisance both from the premises and customer egress, light pollution, noxious smells and disruption from parked vehicles and due regard will be taken of the impact these may have in considering a licence. The Licensing Authority will expect Operating Schedules to satisfactorily address these issues. Applicants are advised to seek advice from the Council's Environmental Health Officers before preparing their plans and Schedules.
- 9.3 The Licensing Authority, where its discretion is engaged, will consider, where appropriate, attaching conditions to licences and permissions to prevent the problems identified in Section 18 of this Policy (Special Cumulative Impact Policy for the Brick Lane and Bethnal Green Area), and these may include conditions drawn from the Model Pool of Conditions found in the Secretary of States Guidance.
- 9.4 **Street Furniture** – placing of street furniture, which includes advertising boards, on the highway can cause a public nuisance by way of obstruction, or encourage consumption of alcohol on an unlicensed area. The Licensing Authority expects applicants to have ensured that they fully comply with the Council's rules relating to authorisation of obstructions on the highway, and that the required authorisations are obtained prior to submitting a licence application. Where proportionate and appropriate, and its discretion is engaged, the Licensing Authority will impose conditions in relation to street furniture, including on private land.
- 9.5 **Fly Posting** – The Council has experienced problems with "fly posting" in relation to venues that offer entertainment. Fly posting is the unauthorised posting of posters / advertisements etc. Where it considers it proportionate and appropriate, and its discretion is engaged, the Licensing Authority will attach conditions relating to the control of fly posting to ensure that venues clearly prohibit all fly posting in their contract terms with others and they effectively enforce this control.

# Appendix 10

# **Guidance Issued by the Home Office under Section 182 of the Licensing Act 2003**

Updated April 2018

## **Crime and disorder**

- 2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).
- 2.2 In the exercise of their functions, licensing authorities should seek to co-operate with the Security Industry Authority (“SIA”) as far as possible and consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.
- 2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.
- 2.4 The inclusion of radio links and ring-round phone systems should be considered an appropriate condition for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises. These systems allow managers of licensed premises to communicate instantly with the police and facilitate a rapid response to any disorder which may be endangering the customers and staff on the premises.

- 2.5 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. The designated premises supervisor is the key person who will usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances where it can be demonstrated that, in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.
- 2.6 The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. Licensing authorities should work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check are retained at the licensed premises.

# Appendix 11

## Crime and Disorder

- 7.1 Licensed premises, especially those offering late night / early morning entertainment, alcohol and refreshment for large numbers of people, can be a source of crime and disorder problems and to store prescribed information.
- 7.2 When addressing crime and disorder the applicant should initially identify any particular issues (having regard to their particular type of premises and / or activities) which are likely to adversely affect the promotion of the crime and disorder licensing objective. Such steps as are required to deal with these identified issues should be included within the applications operating schedule. Where the Metropolitan Police, acting as a responsible authority, makes recommendations in respect of an application relating to the licensing objectives the Licensing Authority would expect the applicant to incorporate these into their operating schedule.
- 7.3 Applicants are recommended to seek advice from Council Officers and the Police as well as taking into account, as appropriate, local planning and transport policies, with tourism, cultural and crime prevention strategies, when preparing their plans and Schedules.
- 7.4 In addition to the requirements for the Licensing Authority to promote the licensing objectives, it also has duties under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the Borough and to share prescribed information.
- 7.5 The Licensing Authority, if its discretion is engaged, will consider attaching Conditions to licences and permissions to deter and prevent crime and disorder both inside and immediately outside the premises and these may include Conditions drawn from the Model Pool of Conditions relating to Crime and Disorder given in the Secretary of State's Guidance.
- 7.6 **CCTV** - The Licensing Authority, if its discretion is engaged, will attach conditions to licences, as appropriate where the conditions reflect local crime prevention strategies, for example the provision of closed circuit television cameras.

- 7.7 **Touting** – This is soliciting for custom. There has been a historic problem with Touting in the borough, mainly in relation to restaurants, and as such in 2006 the Council introduced a byelaw under Section 235 of the Local Government Act 1972 for the good rule and government of the London Borough of Tower Hamlets and for the prevention and suppression of nuisances.

As a result, in relation to premises where there is intelligence that touting is, or has been carried out, the Licensing Authority, where its discretion is engaged will insert a standard condition that prohibits 'touting' as follows:-

- 1) No person shall be employed to solicit for custom or be permitted to solicit for custom for business for the premises in any public place within a 500 meters radius of the premises as shown edged red on the attached plan.( marked as Appendix -)
- 2) Clear Signage to be placed in the restaurant windows stating that the premises supports the Council's 'No Touting' policy.

- 7.8 **Responsible Drinking** - The Licensing Authority expects alcohol to be promoted in a responsible way in the Borough. This should incorporate relevant industry standards, such as the Portman Group Code of Practice. Where appropriate and proportionate, if its discretion is engaged, the Licensing Authority will apply conditions to ensure responsible drinking. The Licensing Authority also recognises the positive contribution to best practice that "Pubwatch" and other similar schemes can make in promoting the licensing objectives and is committed to working with them.

Model Pool Conditions can be found in the Secretary of State's Guidance.

- 7.9 **Criminal Activity** - There is certain criminal activity that may arise in connection with licensed premises which the Licensing Authority will treat particularly seriously. These are the use of the licensed premises:

- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
- for the sale and distribution of illegal firearms;
- for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
- for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
- for prostitution or the sale of unlawful pornography;
- by organised groups of paedophiles to groom children;

- as the base for the organisation of criminal activity, particularly by gangs;
- for the organisation of racist activity or the promotion of racist attacks;
- for employing a person who is disqualified from that work by reason of their immigration status in the UK;
- for unlawful gambling; and
- for the sale or storage of smuggled tobacco and alcohol.

The Secretary State's Guidance states that it is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and this Licensing Authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence, even in the first instance, should be seriously considered.

- 7.10 In particular the Licensing Authority is mindful of the Secretary of State's Guidance "Reviews arising in connection with crime".
- 7.11 From 1 April 2017, businesses which sell alcohol (for example, retailers of alcohol and trade buyers) will need to ensure that the UK wholesalers that they buy alcohol from have been approved by HMRC under the Alcohol Wholesaler Registration Scheme (AWRS). They will need to check their wholesalers Unique Registration Number (URN) against the HMRC online database which will be available from April 2017. This is an ongoing obligation and if a business is found to have bought alcohol from an unapproved wholesaler, they may be liable to a penalty or could even face criminal prosecution and their alcohol stock may be seized. Any trader who buys alcohol from a wholesaler for onward sale to the general public (known as a 'trade buyer') does not need to register unless they sell alcohol to other businesses. Examples of trade buyers would be pubs, clubs, restaurants, cafes, retailers and hotels. However, they will need to check that the wholesaler they purchase alcohol from is registered with HMRC. Further information may be found at: <https://www.gov.uk/guidance/the-alcohol-wholesaler-registration-scheme-awrs>.



## **Smuggled goods**

- 7.12 The Licensing Authority will exercise its discretion to add a standard condition as follows:-
- 1) The premises licence holder and any other persons responsible for the purchase of stock shall not purchase any goods from door-to-door sellers other than from established traders who provide full receipts at the time of delivery to provide traceability.
  - 2) The premises licence holder shall ensure that all receipts for goods bought include the following details:
    - i. Seller's name and address
    - ii. Seller's company details, if applicable
    - iii. Seller's VAT details, if applicable
    - iv. Vehicle registration detail, if applicable
  - 3) Legible copies of the documents referred to in 2) shall be retained on the premises and made available to officers on request.
  - 4) The trader shall obtain and use a UV detection device to verify that duty stamps are valid.
  - 5) Where the trader becomes aware that any alcohol may be not duty paid they shall inform the Police of this immediately.

## **Olympic Park – Football Ground**

- 7.13 Premises where Police intelligence shows that football supporters congregate within the borough should consider in their application form the following conditions:
- 1) On Match Days for premises licensed for the supply of alcohol for consumption on the premises:
    - a) Drinks shall only be supplied in polypropylene or similar plastic and all bottled drinks shall be poured into such drinking vessels before being handed to the customer. These should be made of recyclable materials.
    - b) Registered door staff shall be employed to control the entry and exits to the premises and to manage any licensed outside area(s).

# Appendix 12

## **Access and Egress Problems**

Such as:

- Disturbance from patrons arriving/leaving the premises on foot
- Disturbance from patrons arriving/leaving the premises by car
- Lack of adequate car parking facilities
- Close proximity to residential properties

### Comment

The above have been grouped together as egress problems. Of course the particular facts will be different for each alleged problem.

Egress only is referred to-if necessary access can be added or substituted in.

### General Advice

In considering concerns relating to disturbance from egress, Members need to be satisfied that the premises under consideration has been identified as the source of the actual or potential disturbance. If they are satisfied that this is a problem, then proportionate conditions should be considered.

The hours of operation also need to be considered.

If Members believe that there is a substantial problem concerning egress and it cannot be proportionately addressed by licensing conditions, they should refuse the application.

### Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. (**See Section 10 of the Licensing Policy**).

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. (**See Section 10.2 of the Licensing Policy**).

The policy also recognises that staggered closing can help prevent problems at closure time (**See Section 15.1**).

However, while all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. (**See Section 15.5**)

The Council has adopted a set of framework hours (**See 15.8 of the licensing policy**). This relates to potential disturbance caused by late night trading.

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Pool of Conditions relating to the prevention of Public Nuisance. (**See Annex G of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- hours of opening (this needs to be balanced against potential disorder caused by artificially early closing times)
- Whether certain parts should close earlier than the rest (for example a “beer garden”, or restricted in their use)
- Whether or not certain activities should have to close at an early hour, for example live music
- Conditions controlling noise or vibration (for example, noise limiters, keeping doors and windows closed).
- Prominent clear and legible notices at all exits requesting the public to respect the needs of local residents and leave the premises and area quietly

#### Guidance Issued under Section 182 of the Licensing Act 2003

The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community. (2.15).

Licence conditions should not duplicate other legislation (1.16).

Any conditions should be tailored to the type, nature and characteristics of the specific premises. Licensing authorities should be aware of the need to avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues. (2.19)

Measures can include ensuring the safe departure of customers, these can include:

- Providing information on the premises of local taxi companies who can provide safe transportation home; and
- Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.19) and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder.

# Appendix 13

### **Special Cumulative Impact Policy for the Brick Lane and Bethnal Green Area**

- 19.1 As with many other London Borough's the majority of late night licensed premises are concentrated within one area of the Borough. Following guidance issued under the Licensing Act 2003 a cumulative impact policy for the Brick Lane area was adopted on 18th September 2013 by the Council and came into effect on the 1st November 2013.
- 19.2 After consultation the Council recognised that because of the number and density of licensed premises selling alcohol, on and off the premises and the provision of late night refreshment (sale of hot food after 11pm) within the Brick Lane Area as defined in Figure One, there might be exceptional problems of nuisance, disturbance and/or disorder outside or away from those licensed premises as a result of their combined effect.
- 19.3 The Council Cumulative Impact Zone (CIZ) was reviewed alongside this Statement of Licensing Policy by the Licensing Committee on 14<sup>th</sup> December 2017. Following this review and consultation in early 2018 the Council has decided to keep the Cumulative Impact Zone (CIZ). Local crime mapping showed that although there had been a reduction in crime and disorder linked to licensed premises within the CIZ since January 2015, the same crime mapping showed that the area of the CIZ is still higher than average in regards to crimes and disorder linked to licensed premises compared to the rest of the borough.

Further to the CIZ in the Brick Lane Area shown in Figure One below, data from 999/101 calls to Police in 2016/17 showed a large number of incidents linked to licensed premises within the area shown in Figure Two below (Bethnal Green Area). In light of this evidence and following consultation mentioned above the Council has decided to adopt a second CIZ in the Bethnal Green Area.

- 19.4 The Licensing Authority is of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and/or the provision of late night refreshment in the area highlighted in Figures One and Two is having a cumulative impact on the licensing objectives and has therefore declared a cumulative impact zone within these areas. The Brick Lane and Bethnal Green CIZ aims to manage the negative cumulative impact of the concentration of licensed premises in these areas and the stresses that the saturation of licensed premises has had on local amenity, environmental degradation and emergency and regulatory services in managing this impact.
- 19.5 The effect of this Special Cumulative Impact Policy will affect applications in respect of the sale or supply of alcohol on or off the premises and/or late Night Refreshment for the following:

- New Premises Licences applications,
- New Club Premises Certificates applications
- Provisional Statements,
- Variation of Premises Licences and Club Premises Certificate applications (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity).

The Licensing Authority expects such applications to have regard for and make reference to the CIZ.

19.6 The Special Cumulative Impact policy creates a rebuttable presumption that where relevant representations are received by one or more of the responsible authorities and/or other persons against applications within the CIZ zones the application will be refused.

19.7 Where representations have been received in respect to applications within the CIZ zones the onus is on applicants to adequately rebut the presumption. Applicants will need to demonstrate in their applications why the granting of their application will not negatively add to the cumulative already experience within the CIZ Zones. Applicants may wish to address the following in their applications:

- Genuinely exceptional circumstances,
- Relevant good practices they employ (for example, this could include details of membership of local Pubwatch/other trade groups,
- Accreditation of Award Schemes (as applicable), and any participation in Police/Council initiatives),
- Other good operational/practice arrangements in respect of any outside drinking and smoking to control potential impact in the area,
- Measures used to promote the licensing objectives (for example, any relevant conditions to control noise, dispersal, litter and other anti-social issues.

19.8 **This Policy will be strictly applied and where relevant representations are received it is the view of the Council that the application will be refused. Applicants will need to demonstrate that there are exceptional circumstances and that granting their application will not negatively add to the cumulative effect on the Licensing Objectives within the Brick Lane and Bethnal Green CIZ if they wish to rebut this presumption.**

Examples of factors the Licensing Authority may consider as exceptional may include, though are not limited to:

- small premises with a capacity of fifty persons or less who only intend to operate during Framework Hours,
- premises which are not alcohol led and operate only within Framework Hours, such as coffee shops,

- instances where the applicant has recently surrendered a licence for another premises of a similar size and providing similar licensable activities in the same Special Policy Area.

Examples of factors the Licensing Authority will **not** consider as exceptional include:

- that the premises will be well managed and run,
- that the premises will be constructed to a high standard,
- that the applicant operates similar premises elsewhere without complaint.

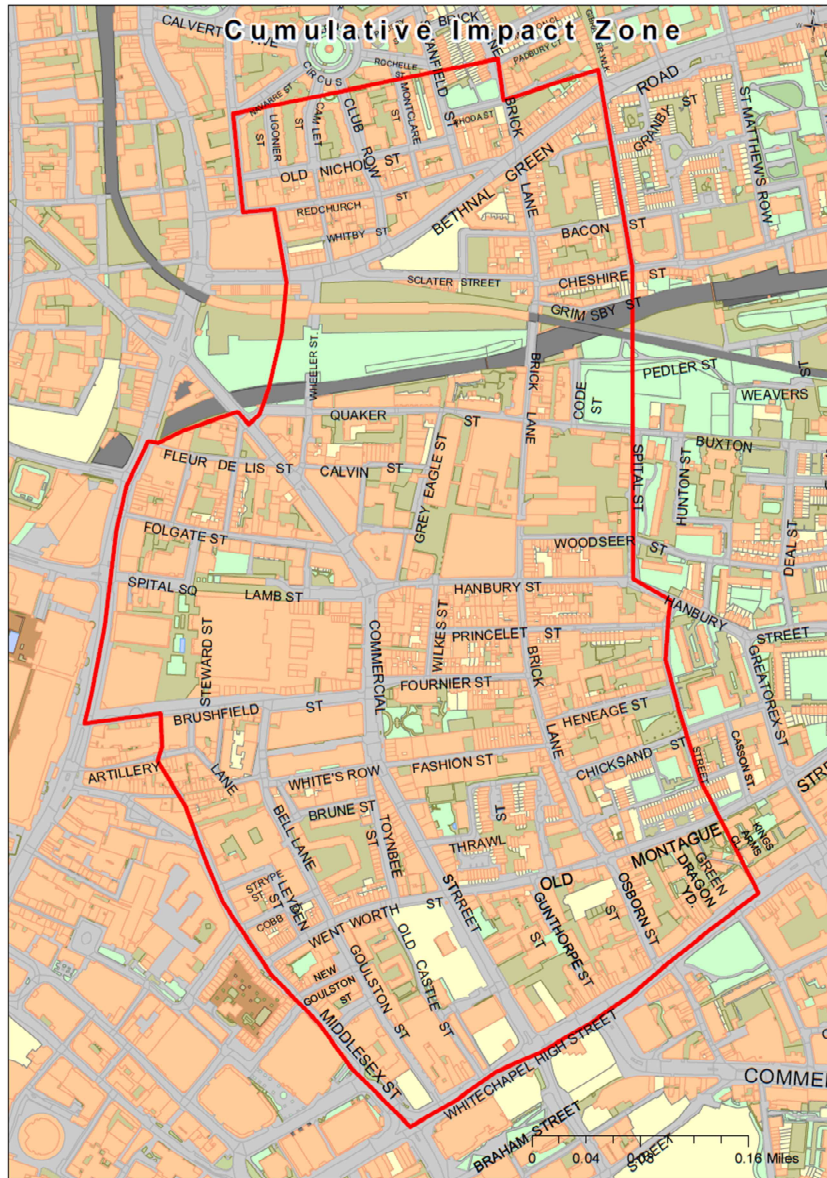
19.9 The Special Cumulative Impact policy will not be used to revoke an existing licence or certificate and will not be applicable during the review of existing licences.



## The Cumulative Impact Zones:

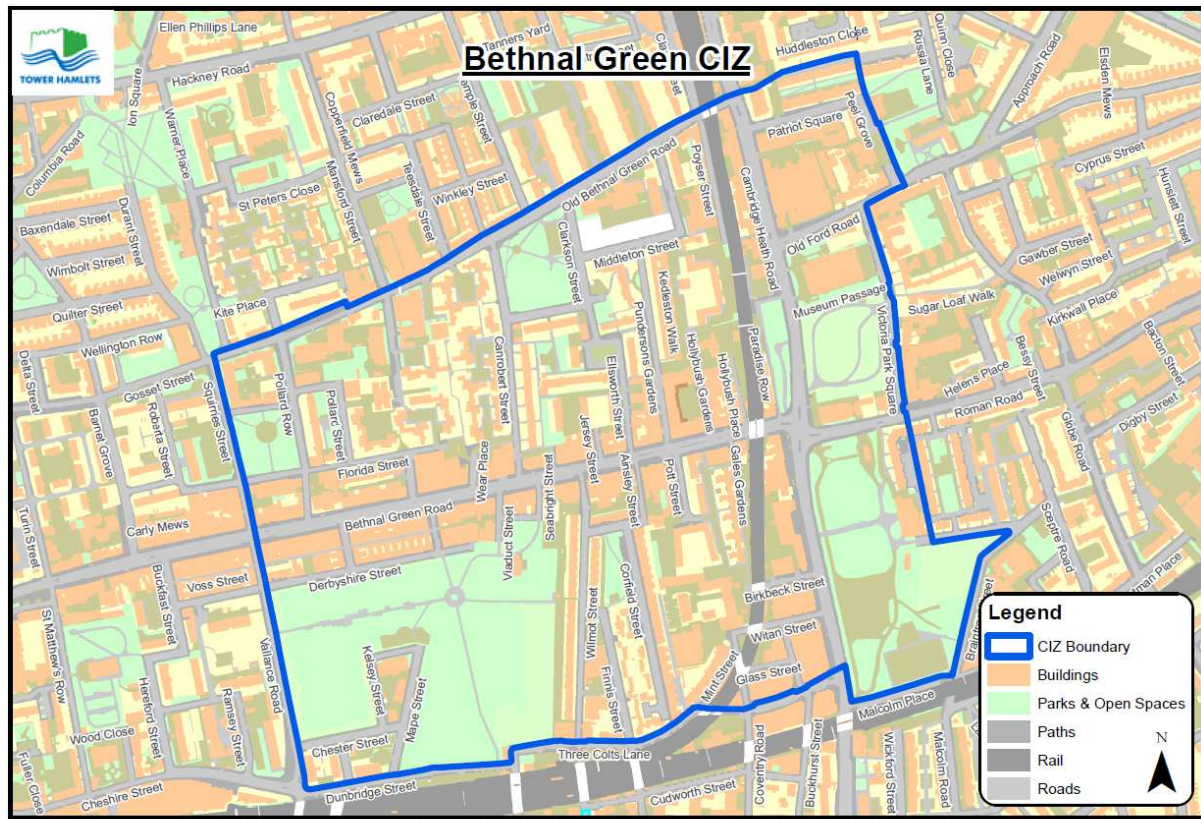
Figure One

Brick Lane area:



**Figure Two:**

**Bethnal Green Area**



# Appendix 14

## **Planning**

An application for a Premises Licence can be made in respect of a premises even where the premises does not have relevant Planning Permission. That application has to be considered and Members can only refuse the application where the application itself does not promote one or more of the Licensing Objectives. Members cannot refuse just because there is no planning permission. Where a Premises Licence is granted and which exceeds what is allowed by the Planning Permission and that Premises then operates in breach of planning then the operator would be liable to enforcement by Planning.

# Appendix 15

### **Licensing Policy Relating to Hours of Trading**

All applications have to be considered on their own merits.

The Council has however adopted a set of framework hours as follows:

- Monday to Thursday, from 06:00 hrs to 23:30 hrs
- Friday and Saturday, from 06:00 hrs to 00:00 hrs (midnight)
- Sunday, from 06:00 hrs to 22:30 hrs

(see 14.8 of the Licensing Policy)

In considering the applicability of framework hours to any particular application regard should be had to the following

- Location
- Proposed hours of regulated activities, and the proposed hours the premises are open to the public
- The adequacy of the applicant's proposals to deal with issues of crime and disorder and public nuisance
- Previous history
- Access to public transport
- Proximity to other licensed premises, and their hours

(See 14.9 of the licensing policy)

Subject to any representations to the contrary in individual cases the following premises are not generally considered to contribute to late night anti-social behaviour and will therefore generally have greater freedom

- Theatres
- Cinemas
- Premises with club premises certificates

# Agenda Item 3.2

Committee :	Date	Classification	Report No.	Agenda Item No.
<b>Licensing Sub-Committee</b>	01 October 2019	<b>Unclassified</b>		

Report of: <b>David Tolley</b> <b>Head of Environmental Health &amp; Trading Standards</b>  Originating Officer: <b>Mohshin Ali</b> <b>Senior Licensing Officer</b>	Title: <b>Licensing Act 2003</b> <b>Application for a Premises Licence for (Make It Group)</b> <b>5 Hancock Road, London E3 3DA</b>  Ward affected: <b>Bromley North</b>
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## 1.0 Summary

Applicant: **Make It Group Ltd**

Name and **Make It Bow**

Address of Premises: **5 Hancock Road**  
**London**  
**E3 3DA**

Licence sought: **Licensing Act 2003 – premises licence**  

- **The sale by retail of alcohol (on sales)**

Representation(s): **Resident (one)**

## 2.0 Recommendations

2.1 That the Licensing Committee considers the application and representations then adjudicate 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 premises licence for (Ozone Coffee Roastery) 8 Pritchards Road, London E2 9AP.

3.2 The applicant has described the premises as follows:

*““Make It Bow” is a converted warehouse occupying two floors, offering flexible space for tenants both for short to medium term occupation or single day or short term hire. As a result it is expected to be used for product launches, exhibitions, fashion shows, and photo shoots, when the sale of alcohol by retail will from time to time be required. There will be a relaxation area on the first floor for tenants to use when they and their guests are on the premises, offering the sale of food, hot and cold drinks, and alcohol ,during the hours proposed”.*

3.3 A copy of the premises licence application form is enclosed as **Appendix 1.**

3.4 The applicant has applied for the following licensable activities and timings:-

**The sale by retail of alcohol – On sales only**

- Monday to Sunday, from 12:00 hrs to 22:30 hrs

**The opening hours of the premises**

- Monday to Sunday, from 08:00 hrs to 23:00 hrs

### 4.0 Location and Nature of the premises

4.1 The site plan of the venue is included as **Appendix 2.**

4.2 Maps showing the vicinity are included as **Appendix 3.**

4.3 Details of the nearest licensed venues are included as **Appendix 4.**

### 5.0 Licensing Policy and Government Advice

5.1 The Council has adopted a licensing policy and this is available from the Licensing Section, and at the hearing. The revised policy came into effect on the 1<sup>st</sup> November 2018.

5.2 Relevant Sections of the policy are brought to the attention of Members within the Licensing Officers report.

5.3 The Home Secretary has issued Guidance under Section 182 of the Licensing Act 2003. This is available on the Government’s website, [www.homeoffice.gov.uk](http://www.homeoffice.gov.uk). It was last revised in April 2018.

5.4 Relevant Sections of this advice are brought to Members attention within the Licensing Officers report. Members should note however, than in



some areas Tower Hamlets, after a proper consideration of local circumstances, has not followed the Government's advice, or has developed it further.

## 6.0 Representations

- 6.1 All representations have to meet basic legal and administrative requirements. If they fail to do so they cannot be accepted. When rejected the person sending in the representation must be written to, and an explanation for rejection given in writing
- 6.2 A responsible authority or other person can make a representation. There are two tests for other persons and only one for a responsible authority. The two tests are contained in Section 18 of the Act.
- 6.3 All representations must be "about the likely effect of the grant of the premises licence on the promotion of the licensing objectives." Likely means something that will probably happen, i.e. on balance more likely than not.
- 6.4 Representations by responsible authorities do not have to meet the second test of not being vexatious and frivolous. Other persons have to meet this test.
- 6.5 The Home Office recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation.
- 6.6 Section 182 Advice by the Home Office concerning relevant, vexatious and frivolous representations is attached as **Appendix 5**.
- 6.7 All the representations in this report have been considered by the relevant officer (Team Leader Licensing & Safety) and determined to have met the requirements of the Licensing Act 2003.
- 6.8 This hearing is required by the Licensing Act 2003, because a relevant representation has been made by a local resident (See **Appendix 6**).
- 6.9 The applicant has responded to the allegations made in the resident's representation and this communication is included as **Appendix 7**.
- 6.10 All of the responsible authorities have been consulted about this application. They are as follows:
  - The Licensing Authority
  - The Metropolitan Police
  - London Fire Brigade
  - Planning
  - Health and Safety
  - Environmental Health Noise Team
  - Trading Standards
  - Child Protection
  - Public Health

- Home Secretary (Home Office Immigration Enforcement)
- 6.11 In addition the application was required to be advertised in a local newspaper and by a blue poster. Only representations that relate to the following licensing objectives are relevant:
- the prevention of crime and disorder
  - public safety
  - the prevention of public nuisance
  - the protection of children from harm
- 6.12 Essentially, the relevant party opposes the application because in their opinion, the applicant has not explained how within the context of the application they will meet the licensing objective of the prevention of the prevention of public nuisance.
- 6.13 There are strict time limits to any representations. The time limits are contained in The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005.
- 6.14 The applicant has offered measures in the operating schedule of the application that address the promotion of the Licensing Objectives. If there were no representations, the Licensing Authority would grant the licence, with conditions consistent with the operating schedule, which are relevant, proportionate and enforceable. Members are asked to consider the schedule and incorporate any conditions as necessary to address the licensing objectives.
- 7.0 Conditions consistent with Operating Schedule (as offered by the applicant)**
- 7.1 *The designated premises supervisor shall ensure that all members of staff involved in the sale of alcohol receive training in the essentials of licensing law and the specific conditions of the Premises Licence before being given permission to sell alcohol. This training will include the following:*
- a) *Explanation of the four licensing objectives.*
  - b) *The Premises Licence conditions for Make it Bow*
  - c) *Understanding and implementation of Challenge 25 and appropriate forms of identification.*
  - d) *Use of the premises' incident book, and what must be recorded*
- 7.2 *Training must be documented, signed by any person involved in the sale of alcohol on site to state that they understand the training, and will do their utmost to support the licensing objectives and comply with the conditions of the Premises Licence when on duty.*
- 7.3 *Training records will be retained on the premises and refresher training provided at least every six months.*

- 7.4 *An incident log shall be kept at the premises, and made available on request to the police or an authorised officer, which will record the following:*
- a) *All crimes reported to the venue*
  - b) *Any complaints received*
  - c) *Any incidents of disorder*
  - d) *Any faults in the CCTV system*
  - e) *Any visit by a relevant authority or emergency service*
  - f) *All ejections from the premises*
  - g) *All seizures of drugs or offensive weapons*
  - h) *Any refusal of the sale of alcohol*
- 7.5 *The premises will install and maintain a comprehensive CCTV system to cover all public areas of the ground floor and first floor and the areas immediately outside the premises. 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 guests remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of police or authorised officer in accordance with the Data Protection Act 1998 throughout the preceding 31 day period.*
- 7.6 *A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open for licensable activities. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.*
- 7.7 *No super-strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises.*
- 7.8 *A pre-opening check will be conducted every morning before licensable activities commence, ensuring fire exits are clear, fire extinguishers in position, no slipping or tripping hazards exist, and the CCTV system is in full working order.*
- 7.9 *Throughout the time, either floor of the premises is being used for licensable activities, an hourly patrol will take place covering both floors, public toilets and the immediate area outside the premises, to ensure there is no instance of compromise to public safety, and that other licensing objectives are also being supported as a matter of routine.*
- 7.10 *Notices shall be prominently displayed at all exits requesting guests to respect the needs of local residents and leave the area quietly.*
- 7.11 *No rubbish, including bottles, shall be disposed of in outside receptacles or outside areas between 22.00 hours and 08.00 hours.*

- 7.12 *No deliveries may be made to the premises between 22.00 hours and 08.00 hours.*
- 7.13 *The departure and dispersal of guests will be supervised from 23:00 until the last guest has departed, including collections by taxis, to ensure no nuisance is caused to local residents.*
- 7.14 *A designated smoking area will be established outside the main entrance to the premises, with the number of people using the facility at any one time restricted to 10 persons, with signage to explain this condition clearly displayed both inside and outside the entrance.*
- 7.15 *All windows will be kept closed after 21:00 to avoid noise escape.*
- 7.16 *The Premises will implement a “Challenge 25” policy whereby all guests requesting alcohol who appear to be under 25 must produce photographic identification in the form of a valid passport, driving licence or photographic Proof of Age card, with an immediately recognisable photograph of the bearer, date of birth proving he or she is over the age of 18, and an appropriate holographic mark.*
- 7.17 *Signage advising guests that Challenge 25 is in operation shall be prominently displayed at the public entrance and all points of sale/service.*
- 7.18 *Anyone under the age of 18 on the premises, must be accompanied by an adult after 21.00.*

## **8.0 Conditions in consultation with the Responsible Authorities**

None

## **9.0 Licensing Officer Comments**

- 9.1 The Live Music Act removed licensing requirements for the following:
- amplified live music and recorded music between 8am and 11pm before audiences of no more than 500 people on premises authorised to sell alcohol for consumption on the premises;
  - unamplified live music between 8am and 11pm in all venues.
  - Further exemptions apply see Section 16.5-16.6 of Section 182 Guidance.
- 9.2 The following is intended simply to advise Members of the relevant aspects of the Boroughs Licensing Policy, guidance from the Secretary of State, legislation and good practice. Members may depart from the Council's Licensing Policy and/or Government advice, provide they

consider it appropriate to do so, and have clear reasons for their decision.

### 9.3 Guidance issued under section 182 of the Licensing Act 2003

- ❖ As stated in the guidance it is “provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act.” It is a key medium for promoting best practice, ensuring consistent application and promoting fairness equal treatment and proportionality (1.7).
- ❖ Also “as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons. Departure from this Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.” Therefore licensing authorities will need to give full reasons for their actions (1.9).
- ❖ Also Members should note “A Licensing Authority may depart from its own policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the licensing objectives.” (1.12)
- ❖ Also, “The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives.” Therefore, conditions may not be imposed for the purpose other than promoting the licensing objectives and in some cases no additional conditions will be appropriate. (10.8)
- ❖ Necessary conditions should emerge from a risk assessment by the applicant, which should then be reflected in the operating schedule (10.4).
- ❖ The Guidance states: “Where there are objections to an application to extend the hours during which licensable activities are to be carried on and the licensing authority determines that this would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.” (10.14)
- ❖ Mandatory conditions must be imposed (10.25) and censorship avoided (10.17).
- ❖ The Guidance states: “It is still permitted to sell alcohol using promotions (as long as they are compatible with any other licensing condition that may be in force), and the relevant person should ensure that the price of the alcohol is not less than the permitted price. Detailed guidance on the use of promotions is given in the guidance

document available on the Gov.uk website.” (10.58) Also, “Licensing authorities should not attach standardised blanket conditions promoting fixed prices for alcoholic drinks to premises licences or club licences or club premises certificates in an area.” (10.21)

- 9.4 The Licensing Act 2003 permits children of any age to be on the premises which primarily sells alcohol providing they are accompanied by an adult. It is not necessary to make this a condition.
- 9.5 In all cases the Members should make their decision on the civil burden of proof, that is “the balance of probability.”
- 9.6 In all cases Members should consider whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.
- 9.7 The Government has advised that conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. Conditions cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff and standardised conditions should be avoided where they cannot be shown to be appropriate. (1.16/1.17)
- 9.8 The Council’s Licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.
- 9.9 In **Appendices 9 - 11** Members are given general advice, and also have explanations of the Council’s Licensing Policy, Government advice and other legislation relating to the matters previously identified.

#### **10.0 Legal Comments**

- 10.1 The Council’s legal officer will give advice at the hearing.

#### **11.0 Finance Comments**

- 11.1 There are no financial implications in this report.

## 12.0 Appendices

<b>Appendix 1</b>	A copy of the current application
<b>Appendix 2</b>	Site Plan
<b>Appendix 3</b>	Maps of the surrounding area
<b>Appendix 4</b>	Other licensed venues in the area
<b>Appendix 5</b>	Section 182 Guidance by the Home Office
<b>Appendix 6</b>	Representation of resident
<b>Appendix 7</b>	Applicant's response to resident's allegations
<b>Appendix 8</b>	Licensing Officer comments on noise while the premise is in use
<b>Appendix 9</b>	Licensing Officer comments on access/egress Problems
<b>Appendix 10</b>	Planning
<b>Appendix 11</b>	Licensing Policy relating to hours of trading

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# Appendix 1

## Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference	<input type="text" value="Not Currently In Use"/>	This is the unique reference for this application generated by the system.
Your reference	<input type="text" value="MIB/CD/PL"/>	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?		Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.
<input checked="" type="radio"/> Yes <input type="radio"/> No		

### Applicant Details

* First name	<input type="text" value="Barnaby"/>	
* Family name	<input type="text" value="Sutton"/>	
* E-mail	<input type="text" value=""/>	
Main telephone number	<input type="text" value=""/>	Include country code.
Other telephone number	<input type="text" value=""/>	
<input checked="" type="checkbox"/> 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.

### Applicant Business

Is the applicant's business registered in the UK with Companies House?	<input checked="" type="radio"/> Yes <input type="radio"/> No	Note: completing the Applicant Business section is optional in this form.
Registration number	<input type="text" value="11776978"/>	
Business name	<input type="text" value="Make It Group Ltd"/>	If the applicant's business is registered, use its registered name.
VAT number	<input type="text" value="GB"/> <input type="text" value="322767401"/>	Put "none" if the applicant is not registered for VAT.
Legal status	<input type="text" value="Private Limited Company"/>	

*Continued from previous page...*

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Agent 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:

- ☒ 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

*Continued from previous page...*

Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent 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 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address    ☐ OS map reference    ☐ Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

## Section 3 of 21

### APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- ☐ An individual or individuals
- ☒ A limited company / limited liability partnership
- ☐ A partnership (other than limited liability)
- ☐ An unincorporated association
- ☐ Other (for example a statutory corporation)
- ☐ A recognised club
- ☐ A charity
- ☐ The proprietor of an educational establishment
- ☐ A health service body
- ☐ A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- ☐ A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- ☐ The chief officer of police of a police force in England and Wales

### Confirm The Following

- ☒ I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- ☐ I am making the application pursuant to a statutory function
- ☐ I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

## Section 4 of 21

### NON INDIVIDUAL APPLICANTS

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

#### Non Individual Applicant's Name

Name

#### Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

*Continued from previous page...*

Private Limited Company

### Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

### Contact Details

E-mail

Telephone number

Other telephone number

\* Date of birth  /  /   
dd mm yyyy

\* Nationality  [Documents that demonstrate entitlement to work in the UK](#)

Add another applicant

## Section 5 of 21

### OPERATING SCHEDULE

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

"Make It Bow" is a converted warehouse occupying two floors, offering flexible space for tenants both for short to medium term occupation or single day or short term hire. As a result it is expected to be used for product launches, exhibitions, fashion shows, and photo shoots, when the sale of alcohol by retail will from time to time be required. There will be a relaxation area on the first floor for tenants to use when they and their guests are on the premises, offering the sale of food, hot and cold drinks, and alcohol, during the hours of operation.

*Continued from previous page...*

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

## Section 6 of 21

### PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

☐ Yes ☒ No

## Section 7 of 21

### PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

☐ Yes ☒ No

## Section 8 of 21

### PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

☐ Yes ☒ No

## Section 9 of 21

### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

## Section 10 of 21

### PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

☐ Yes ☒ No

## Section 11 of 21

### PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

☐ Yes ☒ No

## Section 12 of 21

### PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Continued from previous page...

## Section 13 of 21

### PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

☐ Yes ☒ No

## Section 14 of 21

### LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes ☒ No

## Section 15 of 21

### SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes ☐ No

### Standard Days And Timings

#### MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

#### TUESDAY

Start

End

Start

End

#### WEDNESDAY

Start

End

Start

End

#### THURSDAY

Start

End

Start

End

#### FRIDAY

Start

End

Start

End

#### SATURDAY

Start

End

Start

End



*Continued from previous page...*

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

☒ On the premises    ☐ Off the premises    ☐ Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

**Name**

First name

Family name

Date of birth  /  /

Continued from previous page...

Enter the contact's 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"/>
Personal Licence number (if known)	<input type="text"/>
Issuing licensing authority (if known)	<input type="text"/>

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- ☐ Electronically, by the proposed designated premises supervisor
- ☒ As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

*Continued from previous page...*

**TUESDAY**

Start  End

Start  End

**WEDNESDAY**

Start  End

Start  End

**THURSDAY**

Start  End

Start  End

**FRIDAY**

Start  End

Start  End

**SATURDAY**

Start  End

Start  End

**SUNDAY**

Start  End

Start  End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

--

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

--

**Section 18 of 21**

**LICENSING OBJECTIVES**

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

*Continued from previous page...*

List here steps you will take to promote all four licensing objectives together.

The designated premises supervisor shall ensure that all members of staff involved in the sale of alcohol receive training in the essentials of licensing law and the specific conditions of the Premises Licence before being given permission to sell alcohol. This training will include the following:

- a. Explanation of the four licensing objectives.
- b. The Premises Licence conditions for Make it Bow
- c. Understanding and implementation of Challenge 25 and appropriate forms of identification.
- d. Use of the premises' incident book, and what must be recorded.

Training must be documented, signed by any person involved in the sale of alcohol on site to state that they understand the training, and will do their utmost to support the licensing objectives and comply with the conditions of the Premises Licence when on duty.

Training records will be retained on the premises and refresher training provided at least every six months.

An incident log shall be kept at the premises, and made available on request to the police or an authorised officer, which will record the following:

- a. All crimes reported to the venue
- b. Any complaints received
- c. Any incidents of disorder
- d. Any faults in the CCTV system
- e. Any visit by a relevant authority or emergency service
- f. All ejections from the premises
- g. All seizures of drugs or offensive weapons
- h. Any refusal of the sale of alcohol

b) The prevention of crime and disorder

The premises will install and maintain a comprehensive CCTV system to cover all public areas of the ground floor and first floor and the areas immediately outside the premises. 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 guests remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of police or authorised officer in accordance with the Data Protection Act 1998 throughout the preceding 31 day period.

A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open for licensable activities. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.

No super-strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises.

c) Public safety

A pre-opening check will be conducted every morning before licensable activities commence, ensuring fire exits are clear, fire extinguishers in position, no slipping or tripping hazards exist, and the CCTV system is in full working order.

Throughout the time, either floor of the premises is being used for licensable activities, an hourly patrol will take place covering both floors, public toilets and the immediate area outside the premises, to ensure there is no instance of compromise to public safety, and that other licensing objectives are also being supported as a matter of routine.

d) The prevention of public nuisance

*Continued from previous page...*

Notices shall be prominently displayed at all exits requesting guests to respect the needs of local residents and leave the area quietly.

No rubbish, including bottles, shall be disposed of in outside receptacles or outside areas between 22.00 hours and 08.00 hours.

No deliveries may be made to the premises between 22.00 hours and 08.00 hours.

The departure and dispersal of guests will be supervised from 23:00 until the last guest has departed, including collections by taxis, to ensure no nuisance is caused to local residents.

A designated smoking area will be established outside the main entrance to the premises, with the number of people using the facility at any one time restricted to 10 persons, with signage to explain this condition clearly displayed both inside and outside the entrance.

All windows will be kept closed after 21:00 to avoid noise escape.

e) The protection of children from harm

The Premises will implement a "Challenge 25" policy whereby all guests requesting alcohol who appear to be under 25 must produce photographic identification in the form of a valid passport, driving licence or photographic Proof of Age card, with an immediately recognisable photograph of the bearer, date of birth proving he or she is over the age of 18, and an appropriate holographic mark.

Signage advising guests that Challenge 25 is in operation shall be prominently displayed at the public entrance and all points of sale/service.

Anyone under the age of 18 on the premises, must be accompanied by an adult after 21.00.

## **Section 19 of 21**

### **NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

*Continued from previous page...*

**Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

**Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is A British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

*Continued from previous page...*

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

*Continued from previous page...*

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

### **Home Office online right to work checking service**

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

## **Section 20 of 21**

### **NOTES ON REGULATED ENTERTAINMENT**



*Continued from previous page...*

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

*Continued from previous page...*

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

## Section 21 of 21

### 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.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4,300 = £100.00

Band B - £4,301 to £33,000 = £190.00

Band C - £33,001 to £8700 = 315.00

Band D - £87001 to £12500 = £450.00\*

Band E - £125001 and over = 635.00\*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £7001 to £12500 = £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment only where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 = £1,000.00

Capacity 10000 -14999 = £2,000.00

Capacity 15000-19999 = £4,000.00

Capacity 20000-29999 = £8,000.00

Capacity 30000-39000 = £16,000.00

Capacity 40000-49999 = £24,000.00

Capacity 50000-59999 = £32,000.00

Capacity 60000-69999 = £40,000.00

Capacity 70000-79999 = £48,000.00

Capacity 80000-89999 = £56,000.00

Capacity 90000 and over = £64,000.00

NOTE: From 1st January 2018 Licences if you are granted a Licence to permit the sale/supply of alcohol between midnight and 6am (00:00 and 06:00 hours) on any day you will be liable to pay the Late Night Levy charge. The charge must be paid 14 days after the grant of your Licence, unless you fall within one of the exemption categories. Non-payment of the levy can result in suspension of your licence, as per sections 55A and 92A of the Licensing Act 2003, as amended and section 229(6) of the Police and Social Responsibility Act 2011. For more information below visit <https://www.towerhamlets.gov.uk/latenightlevy>

Continued from previous page...

\* Fee amount (£)

635.00

## DECLARATION

\* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

[APPLICABLE TO INDIVIDUAL APPLICANTS ONLY, INCLUDING THOSE IN A PARTNERSHIP WHICH IS NOT A LIMITED LIABILITY PARTNERSHIP] I UNDERSTAND I AM NOT ENTITLED TO BE ISSUED WITH A LICENCE IF I DO NOT HAVE THE ENTITLEMENT TO LIVE AND WORK IN THE UK (OR IF I AM SUBJECT TO A CONDITION PREVENTING ME FROM DOING WORK RELATING TO THE CARRYING ON OF A LICENSABLE ACTIVITY) AND THAT MY LICENCE WILL BECOME INVALID IF I CEASE TO BE ENTITLED TO LIVE AND WORK IN THE UK (PLEASE READ GUIDANCE NOTE 15). THE DPS NAMED IN THIS APPLICATION FORM IS ENTITLED TO WORK IN THE UK (AND IS NOT SUBJECT TO CONDITIONS PREVENTING HIM OR HER FROM DOING WORK RELATING TO A LICENSABLE ACTIVITY) AND I HAVE SEEN A COPY OF HIS OR HER PROOF OF ENTITLEMENT TO WORK, IF APPROPRIATE (PLEASE SEE NOTE 15).

☒ 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

Charles Denny

\* Capacity

Licensing Consultant

\* Date

03 / 07 / 2019  
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/premises-licence/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.

**IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED**

OFFICE USE ONLY

Applicant reference number	MIB/CD/PL
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

# MAKE IT BOW



## KEY

- licensable area
- Fire escape route
- Fire exit

## FIRE SAFETY

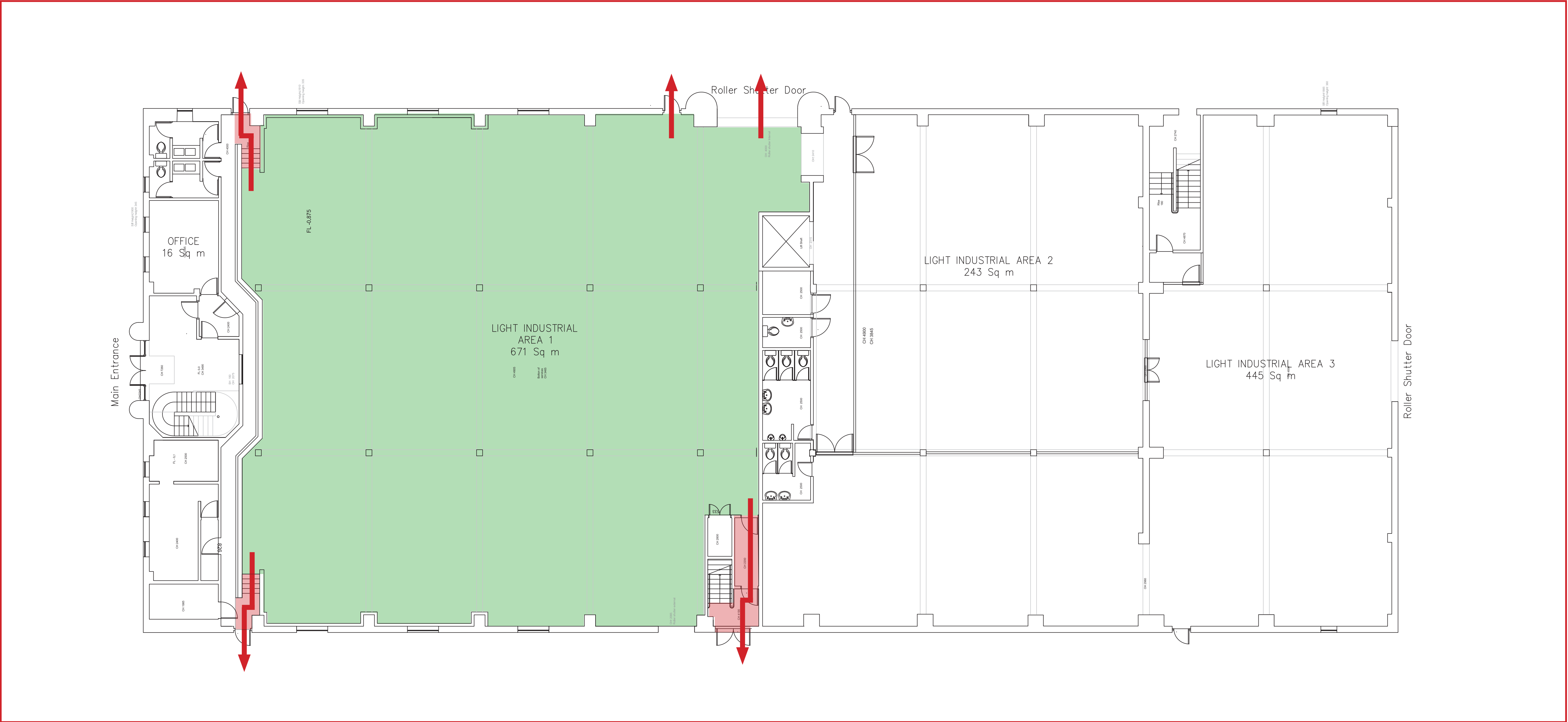
Delta Tech have supplied the premises with the necessary fire extinguishing equipment and they will be placed in accordance with advise given by ATC Fire Safety who are conducting a fire risk assessment on 4 July 2019.






CONSTRUCTION NOTE: DO NOT SCALE FROM THIS DRAWING. DO NOT USE ANY AREAS INDICATED FOR OTHER VALUATION, PURCHASE, SALE OR ANY OTHER FORM OF LEGALLY BINDING CONTRACT. DO NOT REPRODUCE ANY PART OF THIS DRAWING WITHOUT PRIOR WRITTEN CONSENT.	Project MAKE IT 5 Hancock Road, Bow		Dwg Title 1:100@A1	First floor licensable area & escape routes	
	Drawn	Date July 19	Current Stage Licence application	Dwg No.	Rev. D

# MAKE IT BOW

Page 211



**KEY**

-  licensable area
-  Fire escape route
-  Fire exit

**FIRE SAFETY**

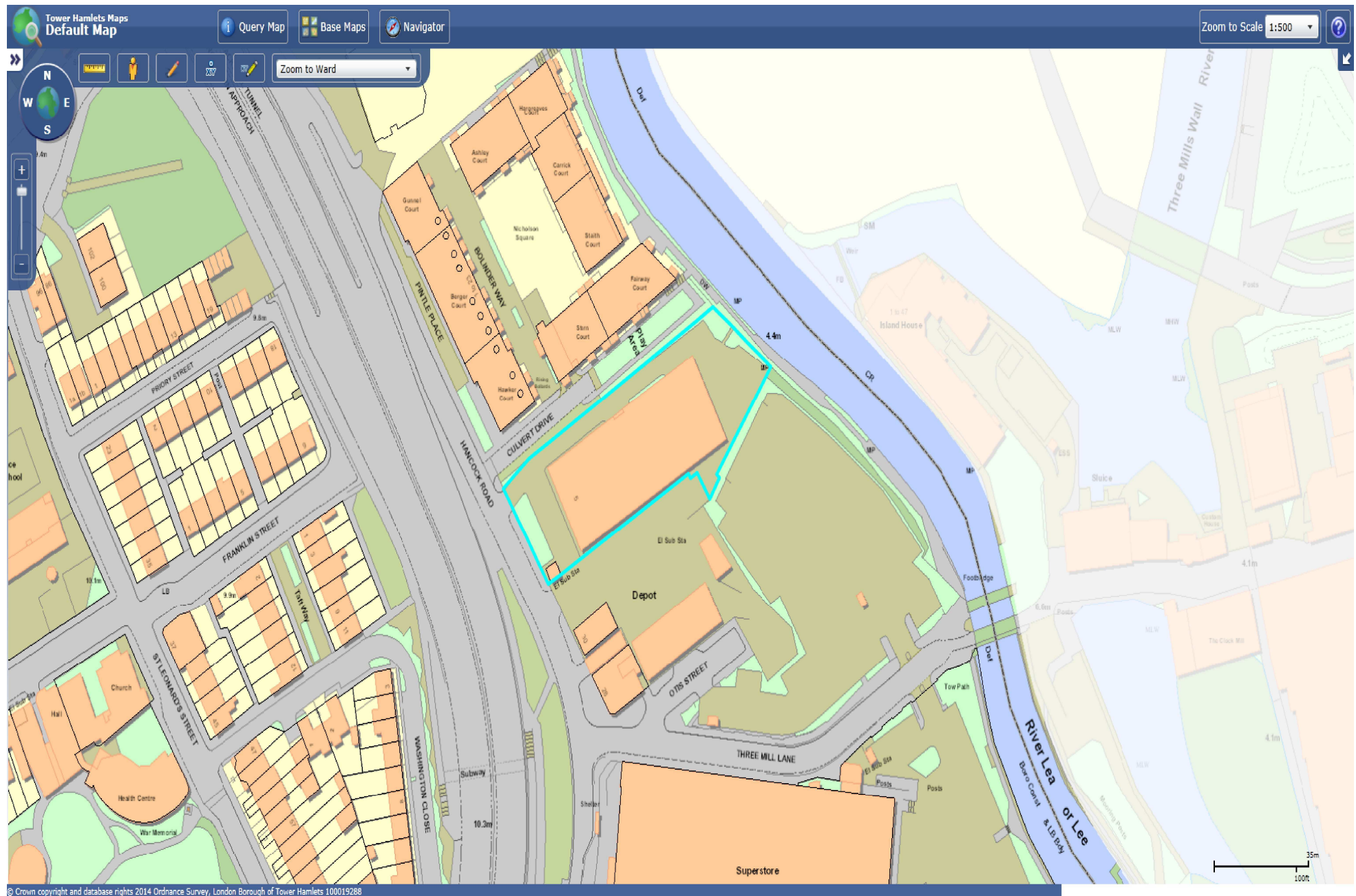
Delta Tech have supplied the premises with the necessary fire extinguishing equipment and they will be placed in accordance with advise given by ATC Fire Safety who are conducting a fire risk assessment on 4 July 2019.

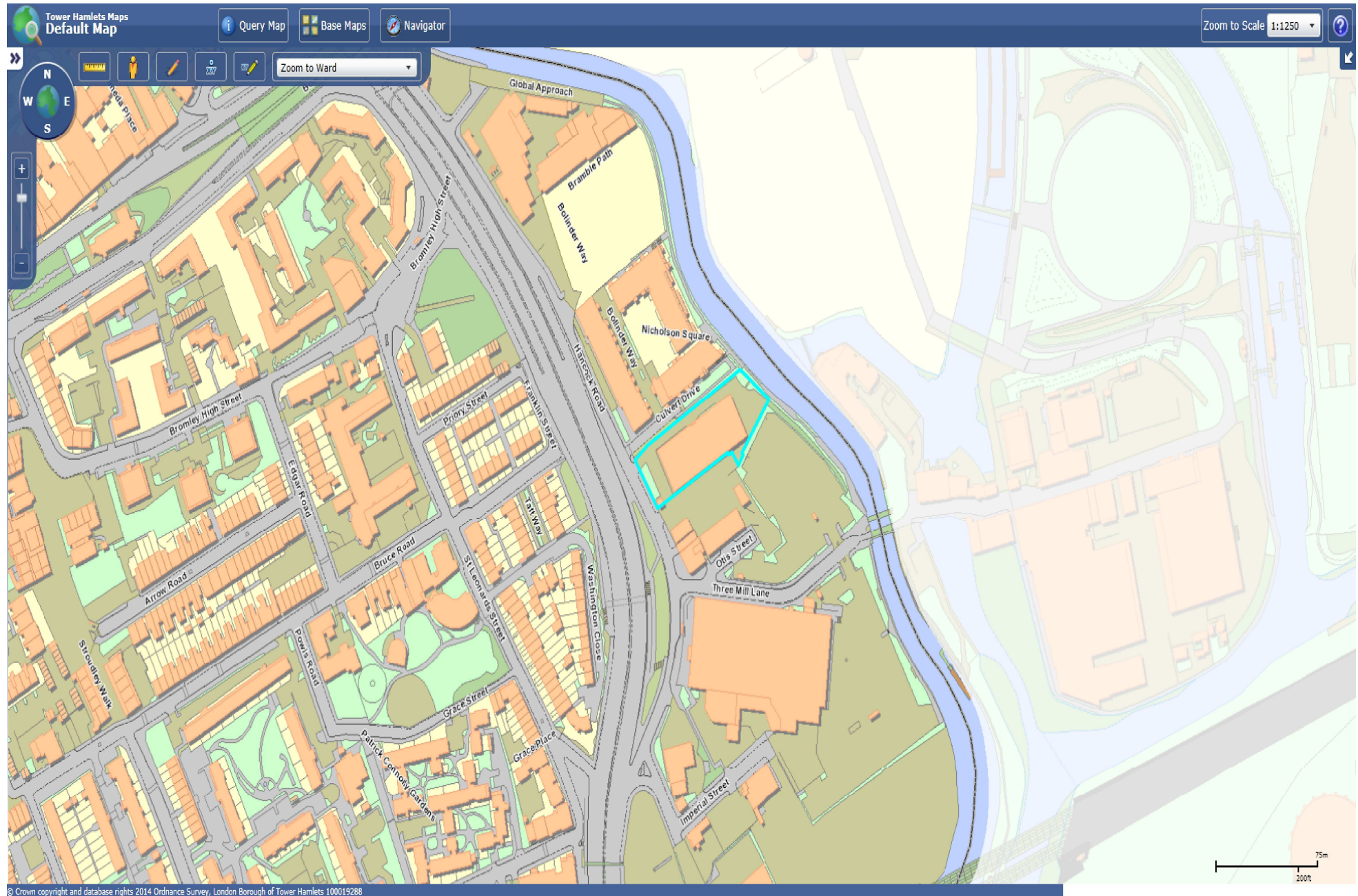


CONSTRUCTION NOTE: DO NOT SCALE FROM THIS DRAWING. DO NOT USE ANY AREAS INDICATED FOR EITHER VALUATION, PURCHASE SALE OR ANY OTHER FORM OF LEGALLY BINDING CONTRACT. DO NOT REPRODUCE ANY PART OF THIS DRAWING WITHOUT THE WRITTEN CONSENT.	Project MAKE IT 5 Hancock Road, Bow		Dwg Title Ground Floor licensable area & escape routes	
	Scale 1:100@A1		Dwg No.	
	Drawn	Date July 19	Current Stage Licence application	Revision Notes:

# Appendix 3







# Appendix 4

**Nearest licences: (Make It Bow) 5 Hancock Road, London E3 3DA**

Name and address	Licensable activities and hours	Opening hours
<b>(Club Paisa)</b> <b>28 Hancock Road</b> <b>London</b> <b>E3 3DA</b>	<p><b><u>Sale of Alcohol (On sales only)</u></b>  Sunday to Wednesday, 10.00 hours to 02.30 hours the next day  Thursday to Saturday, 10.00 hours to 05.30 hours the next day</p> <p><b><u>Live Music, Recorded Music, Performances of Dance, Provision of Anything of a Similar Description to Live Music, Recorded Music, or Performance of Dance</u></b></p> <p>Sunday to Wednesday, 10.00 hours to 02.30 hours the next day</p> <p>Thursday to Saturday, 10.00 hours to 05.30 hours the next day</p> <p><b><u>Provision of Late Night Refreshment</u></b>  Sunday to Wednesday, 10.00 hours to 03.00 hours the next day  Thursday to Saturday, 10.00 hours to 06.00 hours the next day</p>	<p>Sunday to Wednesday, 10.00 hours to 03.00 hours the next day</p> <p>Thursday to Saturday, 10.00 hours to 06.00 hours the next day</p>
<b>(Tesco Bromley By Bow)</b> <b>Hancock Road</b> <b>Bow</b> <b>London</b> <b>E3 3DA</b>	<p><b><u>The sale by retail of alcohol: (Off sales only)</u></b></p> <ul style="list-style-type: none"> <li>Monday to Friday, from 06:00 hours to 00:30 hours the following day</li> <li>Saturday, from 06:00 hours to midnight</li> <li>Sunday from 10:00 hours to midnight</li> </ul>	<p>Monday to Friday, from 06:00 hours to 00:30 hours the following day</p> <p>Saturday, from 06:00 hours to midnight</p> <p>Sunday from 10:00 hours to midnight</p>



# Appendix 5

## **Section 182 Advice by the Home Office Updated on April 2018**

### Relevant, vexatious and frivolous representations

- 9.4 A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.
- 9.5 It is for the licensing authority to determine whether a representation (other than a representation from responsible authority) is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. A representation may be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification. Vexatious circumstances may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Licensing authorities can consider the main effect of the representation, and whether any inconvenience or expense caused by it could reasonably be considered to be proportionate.
- 9.6 Frivolous representations would be essentially categorised by a lack of seriousness. Frivolous representations would concern issues which, at most, are minor and in relation to which no remedial steps would be warranted or proportionate.
- 9.7 Any person who is aggrieved by a rejection of their representations on either of these grounds may lodge a complaint through the local authority’s corporate complaints procedure. A person may also challenge the authority’s decision by way of judicial review.
- 9.8 Licensing authorities should not take decisions about whether representations are frivolous, vexatious or relevant to the licensing objectives on the basis of any political judgement. This may be difficult for councillors who receive complaints from residents within their own wards. If consideration is not to be delegated, contrary to the recommendation in this

Guidance, an assessment should be prepared by officials for consideration by the sub-committee before any decision is taken that necessitates a hearing. Any councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.

9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.

9.10 Licensing authorities should consider providing advice on their websites about how any person can make representations to them.

# Appendix 6



## Mohshin Ali

---

**From:** Stewart Jordan-Tubbs [REDACTED]  
**Sent:** 10 July 2019 15:38  
**To:** Mohshin Ali  
**Subject:** Re: Make It Bow, 5 Hancock Rd, E3 3DA

Dear Mr Ali

My representation is in relation to the prevention of public nuisance. Last week there was a (presumably unlicensed) event at the premises, with very loud, bass heavy music. I note that they have not applied for a licence that includes playing recorded music. Also, the roller-door was open the entire evening, which mean that the noise easily travelled.

My address is:

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Regards

Stewart

On Wed, 10 Jul 2019 at 15:11, Mohshin Ali [REDACTED] > wrote:

Dear Sir,

### **Licensing Act 2003**

New premises licence application: Make it Group Ltd, 5 Hancock Road, London E3 3DA

Thank you for your email. I acknowledge your comments in relation to the above premises.

Under the Licensing Act 2003, one of the criteria for your representation to be valid is that we require the full address of anyone making a representation. Also, all representations must be about the likely effect of varying the licence on the promotion of at least one of the four licensing objectives. It would be wise, therefore, to explicitly link any representation to one or more of the objectives.

- the prevention of crime and disorder
- the prevention of public nuisance
- public safety

- the protection of children from harm

If you do make a valid representation by providing your address, the application (attached) will be decided by way of a public hearing by the Tower Hamlets Licensing Sub-Committee. The council's Democratic Services will write to you and invite you to the hearing. Also, please note that your representation will become a public document and the applicant is entitled to a full, un-redacted copy of your representation.

Please note that the last date for the Licensing Authority to receive representations is **31<sup>st</sup> July 2019** (before midnight).

Regards

**Mohshin Ali - Senior Licensing Officer**

Licensing Team, Environmental Health & Trading Standards, John Onslow House, 1 Ewart Place, London E3 5EQ

[REDACTED]



*Please consider the environment - do you really need to print this email?*



---

**From:** Stewart Jordan-Tubbs [REDACTED]  
**Sent:** 05 July 2019 13:50  
**To:** Licensing  
**Subject:** Make It Bow, 5 Hancock Rd, E3 3DA

Good afternoon

It appears a licensing application has been made to open a bar at 5 Hancock Rd, E3 3DA. The sound system that they have there is completely inappropriate for a residential area and the large roller door was open all evening yesterday.

I was surprised to hear loud, bass heavy music coming from the converted warehouse next door last night, as I thought it had been converted to office space. I could hear it with my windows closed, over the TV!

The noise is unacceptable and I don't trust the owners to limit this in future, so I would like to register my objection to the licence.

Thanks

Stewart

--

**Stewart Jordan-Tubbs**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

\*\*\*\*\*

Working Together for a Better Tower Hamlets

Web site : <http://www.towerhamlets.gov.uk>

London Borough of Tower Hamlets E-Mail Disclaimer.

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If your request relates to a Freedom of Information enquiry, please resend this to [foi@towerhamlets.gov.uk](mailto:foi@towerhamlets.gov.uk)

\*\*\*\*\*

Please consider your environmental responsibility: Before printing this e-mail or any other document , ask yourself whether you need a hard copy.

--

**Stewart Jordan-Tubbs**  
**Head of Network**

# Appendix 7

## Mohshin Ali

---

**From:** Ian M Hale [REDACTED]  
**Sent:** 12 July 2019 16:18  
**To:** Mohshin Ali  
**Cc:** Nicola Cadzow; MARK.J.Perry [REDACTED]; Charles Innpacked; HT-LicensingOffice [REDACTED] Hannah Briley; Timmy Sampson; Barney Sutton  
**Subject:** Re: New premises licence application: Make it Group Ltd, 5 Hancock Road, London E3 3DA  
  
**Categories:** Red Category

Hi Mohshin,

Thank you for your recent email.

I am the general manager here at Make It Bow and am very concerned both by our neighbours discomfort and also by how our operations on July 4th have been slightly misinterpreted and recounted inaccurately. We take this very seriously.

Following months of renovation, Make It Bow had a private event on July 4th to celebrate the opening of our new business.

On this evening...

- Make It Bow was not open to the general public. It was an invite only event and the invitation list did not exceed 100 people. The LLDC (our landlords) were also invited.
- Amplified music was turned off at 23:00
- The roller shutter mentioned is actually on the ground floor and is an access point for one of our tenants, a 24 hour business <https://beryl.cc/>- (the amplified music in question was contained within the building on the 1st floor)

All this being said, myself and our team here are very upset to have gotten off to a bad start with the residents of Bow River Village. It is very much our intention to have a peaceful and transparent relationship with our neighbours, and when applicable incorporate them within community focused events. We have since made contact with the neighbour and expressed our sincere apologies and exchanged personal contact details for the future.

Our DPS Barnaby Sutton and our management team have another licenced premises in Tower Hamlets, (Swan Wharf - 60 Dace Road E3 2NQ) where we have never received an official complaint from the council throughout the 5 years we have been operating there. I am very confident we can achieve this moving forward at No 5 Hancock Road.

Our licence application is advertised within the Docklands and East London Advertiser and notification of our application is viewable 24 hours a day on numerous laminated blue sheets of A4 paper both on the entrance of the property and the surrounding areas. (see below)

Please let me know if there is any other information that you need. I look forward to meeting you all next week.

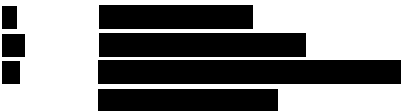
Many thanks

Ian



Ian Hale

Make It London



On 12 Jul 2019, at 11:26, Barney Sutton [REDACTED] wrote:

Hi Mark, Hi Nicola

Barney here, director at Make It and also DPS.

Really looking forward to meeting you all next Thursday and showing you around our newly developed building.

I just wanted to introduce you to Ian, our general manager and also Hannah our ops director.

Ian is currently drafting an official reply to the complaint and will be with you shortly.

Thanks for your time & have a lovely weekend

Kind regards

Barney

On 12 Jul 2019, at 11:20, Nicola Cadzow [REDACTED] wrote:

Hi Mark

I am happy to attend. Will the meeting be at 5 Hancock Road?

Regards

Nicola

---

**From:** [MARK.J.Perry](#) [REDACTED]  
**Sent:** 12 July 2019 10:50  
**To:** Mohshin Ali; [barney](#) [REDACTED]; [charles](#) [REDACTED]  
**Cc:** Nicola Cadzow; [HT-LicensingOffice](#) [REDACTED]  
**Subject:** RE: New premises licence application: Make it Group Ltd, 5 Hancock Road, London E3 3DA

Meeting them next Thursday at 10 if anyone wants to come along?

---

**From:** Mohshin Ali [REDACTED] >  
**Sent:** 10 July 2019 16:06  
**To:** 'barney' [REDACTED] <[REDACTED]>  
<[charles](#) [REDACTED]>  
**Cc:** Nicola Cadzow [REDACTED] HT - Licensing Office <[HT-LicensingOffice](#) [REDACTED]>  
**Subject:** New premises licence application: Make it Group Ltd, 5 Hancock Road, London E3 3DA  
**Importance:** High

Dear Sir/Madam,

### **Licensing Act 2003**

New premises licence application: Make it Group Ltd, 5 Hancock Road, London E3 3DA

I am the case officer dealing with this application. The application is subject to a 28 day consultation period. The end date of the consultation must appear on both the external blue notice and the newspaper advert and must be the same date. Please be advised that the public notice must remain on display to the public 24hours a day during the consultation. Please also write back advising which local newspaper will publish your advert (If you can forward a scan/copy, that would be helpful).

Please be advised that objections to the granting of your premises licence has been received. The matter will be dealt with by way of a public hearing by the Tower Hamlets Licensing Sub-Committee. The objection(s) will be put into a committee report and forwarded to the Democratic Services section who will arrange a date for the hearing. You will be sent a copy of the report which will include details of the representations; you will also be notified at this point of the date and time of the Licensing subcommittee hearing. I will send you the representation (s) after the consultation period ends on the **31<sup>st</sup> July 2019**.

In the meantime, I am advising you that we have received the following complaint on the 5<sup>th</sup> July 2019:

***“It appears a licensing application has been made to open a bar at 5 Hancock Rd, E3 3DA. The sound system that they have there is completely inappropriate for a residential area and the large roller door was open all evening yesterday.***

***I was surprised to hear loud, bass heavy music coming from the converted warehouse next door last night, as I thought it had been converted to office space. I could hear it with my windows closed, over the TV!***

***The noise is unacceptable and I don't trust the owners to limit this in future, so I would like to register my objection to the licence...”***

The complainant further adds:

***“...My representation is in relation to the prevention of public nuisance. Last week there was a (presumably unlicensed) event at the premises, with very loud, bass heavy music. I note that they have not applied for a licence that includes playing recorded music. Also, the roller-door was open the entire evening, which mean that the noise easily travelled..”***

According to the Council records you do not currently hold a licence under 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 hot drinks between 11pm to 5am)

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.

The authority appreciates that not all complaints are justified when they are made but it is our procedure to bring them to your attention and invite you to make any comments you consider appropriate. I look forward to hearing from you.


Regards

**Mohshin Ali - Senior Licensing Officer**

Licensing Team, Environmental Health & Trading Standards, John Onslow House, 1 Ewart Place, London E3 5EQ

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# Appendix 8

## Noise while the premise is in use

### General Advice

If they conclude this is a problem Members should consider whether it is possible to carry out suitable and proportionate noise control measures so that noise leakage is prevented. In addition Members may consider that only certain activities are suitable.

The hours of operation also need to be considered (see below).

If Members believe that there is a substantial problem of noise while the premises are in use and it cannot be proportionately address by licensing conditions they should refuse the application.

### Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. **(See Sections 9.1 of the Licensing Policy)**. While all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. **(See Section 14.10)**.

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. **(See Section 9.2 of the Licensing Policy)**.

The Licensing Authority will consider attaching conditions to prevent nuisance. In particular Members may wish to consider (this list is not exhaustive):

- hours of opening (this needs to be balanced against potential disorder caused by artificially early closing times)
- Whether certain parts should close earlier than the rest (for example a "beer garden", or restricted in their use)
- Whether or not certain activities should have to close at an early hour, for example live music
- Conditions controlling noise or vibration (for example, noise limiters, keeping doors and windows closed).
- Prominent clear and legible notices at all exits requesting the public to respect the needs of local residents and leave the premises and area quietly
- Conditions controlling the use of explosives, pyrotechnics and fireworks
- Conditions controlling the placing of refuse
- Conditions controlling noxious smells
- Conditions controlling lighting (this needs to be balanced against potential crime prevention benefits)

### Police Powers

Part 8 of the Licensing Act 2003 enables a senior police officer to close down a premises for up to 24 hrs where public nuisance is being caused by noise coming from the premises and the closure of the premises is necessary to prevent that nuisance.

### Guidance Issued under Section 182 of the Licensing Act 2003

The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community (2.15).

Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.19) and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder.

### Other Legislation

The Environmental Protection Act 1990, Part 111 gives Environmental Health Officers the power to deal with statutory nuisances.

The Anti-social Behaviour Act 2003, Sections 40 and 41 give Environmental Health Officers the power of closure up to 24 hours in certain circumstances.

# Appendix 9

## **Access and Egress Problems**

Such as:

- Disturbance from patrons arriving/leaving the premises on foot
- Disturbance from patrons arriving/leaving the premises by car
- Lack of adequate car parking facilities
- Close proximity to residential properties

### Comment

The above have been grouped together as egress problems. Of course the particular facts will be different for each alleged problem.

Egress only is referred to-if necessary access can be added or substituted in.

### General Advice

In considering concerns relating to disturbance from egress, Members need to be satisfied that the premises under consideration has been identified as the source of the actual or potential disturbance. If they are satisfied that this is a problem, then proportionate conditions should be considered.

The hours of operation also need to be considered.

If Members believe that there is a substantial problem concerning egress and it cannot be proportionately addressed by licensing conditions, they should refuse the application.

### Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. (**See Section 10 of the Licensing Policy**).

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. (**See Section 10.2 of the Licensing Policy**).

The policy also recognises that staggered closing can help prevent problems at closure time (**See Section 15.1**).

However, while all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. (**See Section 15.5**)

The Council has adopted a set of framework hours (**See 15.8 of the licensing policy**). This relates to potential disturbance caused by late night trading.

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Pool of Conditions relating to the prevention of Public Nuisance. (**See Annex G of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- hours of opening (this needs to be balanced against potential disorder caused by artificially early closing times)
- Whether certain parts should close earlier than the rest (for example a “beer garden”, or restricted in their use)
- Whether or not certain activities should have to close at an early hour, for example live music
- Conditions controlling noise or vibration (for example, noise limiters, keeping doors and windows closed).
- Prominent clear and legible notices at all exits requesting the public to respect the needs of local residents and leave the premises and area quietly

#### Guidance Issued under Section 182 of the Licensing Act 2003

The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community. (2.15).

Licence conditions should not duplicate other legislation (1.16).

Any conditions should be tailored to the type, nature and characteristics of the specific premises. Licensing authorities should be aware of the need to avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues. (2.19)

Measures can include ensuring the safe departure of customers, these can include:

- Providing information on the premises of local taxi companies who can provide safe transportation home; and
- Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.19) and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder.

# Appendix 10

## **Planning**

An application for a Premises Licence can be made in respect of a premises even where the premises does not have relevant Planning Permission. That application has to be considered and Members can only refuse the application where the application itself does not promote one or more of the Licensing Objectives. Members cannot refuse just because there is no planning permission. Where a Premises Licence is granted and which exceeds what is allowed by the Planning Permission and that Premises then operates in breach of planning then the operator would be liable to enforcement by Planning.



# Appendix 11

### **Licensing Policy Relating to Hours of Trading**

All applications have to be considered on their own merits.

The Council has however adopted a set of framework hours as follows:

- Monday to Thursday, from 06:00 hrs to 23:30 hrs
- Friday and Saturday, from 06:00 hrs to 00:00 hrs (midnight)
- Sunday, from 06:00 hrs to 22:30 hrs

(see 14.8 of the Licensing Policy)

In considering the applicability of frame work hours to any particular application regard should be had to the following

- Location
- Proposed hours of regulated activities, and the proposed hours the premises are open to the public
- The adequacy of the applicant's proposals to deal with issues of crime and disorder and public nuisance
- Previous history
- Access to public transport
- Proximity to other licensed premises, and their hours

(See 14.9 of the licensing policy)

Subject to any representations to the contrary in individual cases the following premises are not generally considered to contribute to late night anti-social behaviour and will therefore generally have greater freedom

- Theatres
- Cinemas
- Premises with club premises certificates