

LICENSING SUB COMMITTEE

Tuesday, 5 May 2020 at 5.30 p.m.

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

This meeting is open to the public to attend.

Contact for further enquiries:

Simmi Yesmin, Senior Democratic Services Officer
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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.

	PAGE NUMBER(S)	WARD(S) AFFECTED
3. ITEMS FOR CONSIDERATION		
3 .1 Application for a New Premises Licence for Tian Tian Market Ltd, 48 Lanterns Way, London E14 9JP	21 - 78	Canary Wharf
Licensing Objectives: <ul style="list-style-type: none"> • Public Nuisance Representations by: <ul style="list-style-type: none"> • Local Resident(s) 		
3 .2 Application for a New Premises Licence for Ranna, Unit 46 Bow Triangle, Eleanor Street, London E3 4UR	79 - 150	Bromley North
Licensing Objectives: <ul style="list-style-type: none"> • Public Nuisance • Crime & Disorder • Public Safety • Prevention of Children from harm Representations by: <ul style="list-style-type: none"> • Licensing Authority 		

**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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Agenda Item 1

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

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

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 - '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 **Page 17** 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				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 :	Date	Classification	Report No.	Agenda Item No.
Licensing Sub Committee	5 th May 2020	Unclassified		

Report of : David Tolley Head of Environmental Health & Trading Standards	Title: Licensing Act 2003 Application for a new Premise Licence for Tian Tian Market Ltd, 48 Lanterns Way, London, E14 9JP
Originating Officer: Corinne Holland Licensing Officer	Ward affected: Canary Wharf

1.0 Summary

Applicant:	LC Market Ltd
Name and Address of Premises:	Tian Tian Market 48 Lanterns Way London E14 9JP
Licence sought:	Licensing Act 2003 Sale by retail of Alcohol
Objectors:	Residents Resident petition

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 new Premise Licence for 48 Lanterns Way, London, E14 9JP.
- 3.2 The applicant has described the premises as: *An oriental supermarket.*
- 3.3 A copy of the application is shown in **Appendix 1**.
- 3.4 The hours that have been applied for are as follows:-

Sale of Alcohol (off sales)

Monday – Sunday 10:00 – 22:00 hours

Hours premise is open to the public

Monday – Sunday 10:00 – 22:00 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 1st 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. 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.
- A. Hasan/A. Begum – **Appendix 6**
 - Hoover Tower residents petition – **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 LFEP (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 relate to:
- Public nuisance
- 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.
- 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 (submitted separately)

1. Alcohol sold for consumption off the premises will be supplied in sealed containers.
2. All staff will be suitably trained under the Licensing Act 2003.

8.0 Conditions Agreed/Requested by Responsible Authority

Conditions agreed with the police – Appendix 8

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the

premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

3. An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following:
 - a) all crimes reported to the venue;
 - b) all ejections of patrons;
 - c) any complaints received concerning crime and disorder
 - d) any incidents of disorder;
 - e) all seizures of drugs or offensive weapons;
 - f) any faults in the CCTV system, searching equipment or scanning equipment;
 - g) any refusal of the sale of alcohol;
 - h) any visit by a relevant authority or emergency service.
4. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

Conditions agreed with the Environmental Health – Appendix 9

5. Loudspeakers shall not be located in the entrance lobby or outside the premise building.
6. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
7. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises, which gives rise to a nuisance.

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 10 - 13** 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

Appendix 1	A copy of the application
Appendix 2	Site Plan
Appendix 3	Maps of the surrounding area
Appendix 4	Other licensed venues in the area
Appendix 5	Section 182 Advice by the DCMS- Relevant, vexatious and frivolous representations
Appendix 6	Representations from A.Hasan/A.Begum
Appendix 7	Representation from Hoover Tower (petition)
Appendix 8	Conditions agreed with the police
Appendix 9	Conditions agreed with EH
Appendix 10	Licensing Officer comments on Public Nuisance
Appendix 11	S182 advice on Public Nuisance
Appendix 12	Licensing Policy relating to hours of trading
Appendix 13	Planning

Appendix 1



Receipt NO. 257335
T T Super Ltd

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 AI HWA TAI
(Insert name(s) of applicant)

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 48 LANTERNS WAY LONDON			
Post town	LONDON	Postcode	E14 9JP.

Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	£146,000



Part 2 - Applicant details

Please state whether you are applying for a premises licence as appropriate

Please tick as

- | | | | |
|-----|---|-------------------------------------|-----------------------------|
| a) | an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) | a person other than an individual * | | |
| | i) as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| | ii) as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| | iii) as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| | iv) other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) | a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) | a charity | <input type="checkbox"/> | please complete section (B) |
| e) | the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) | a health service body | <input type="checkbox"/> | please complete section (B) |
| g) | a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales | <input type="checkbox"/> | please complete section (B) |
| ga) | a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England | <input type="checkbox"/> | please complete section (B) |
| h) | the chief officer of police of a police force in England and Wales | <input type="checkbox"/> | please complete section (B) |


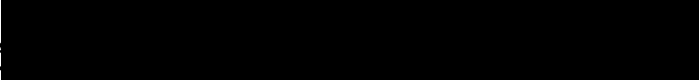
* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- | | |
|---|--------------------------|
| I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or | <input type="checkbox"/> |
| I am making the application pursuant to a | |
| statutory function or | <input type="checkbox"/> |
| a function discharged by virtue of Her Majesty's prerogative | <input type="checkbox"/> |

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	LC MARKET LTD
Address	48 LANTERNS WAY London E14 9JP
Registered number (where applicable)	122 93834
Description of applicant (for example, partnership, company, unincorporated association etc.)	Company
Telephone number (if any)	
E-mail address (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start?

DD MM YYYY

1	7	0	2	2	0	2	0
---	---	---	---	---	---	---	---

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




DD MM YYYY

±	±	±	±	±	±	±	±
---	---	---	---	---	---	---	---

Daytime contact telephone number	N/A
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	AI HWA TAI
Address	
Registered number (where applicable)	12293834
Description of applicant (for example, partnership, company, unincorporated association etc.)	Company
Telephone number (if any)	
E-mail address (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start?

DD MM YYYY

2	0	0	2	2	0	2	0
---	---	---	---	---	---	---	---

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

DD MM YYYY

1	1	1	1	1	1	1	1
---	---	---	---	---	---	---	---

Please give a general description of the premises (please read guidance note 1)

ORIENTAL SUPERMARKET.

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

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 (please read guidance note 2)

Please tick all that apply

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

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	10:00	22:00			
Tue	10:00	22:00			
Wed	10:00	22:00			
Thur	10:00	22:00			
Fri	10:00	22:00			
Sat	10:00	22:00			
Sun	10:00	22:00			
			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 (please read guidance note 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	MOHIBUR RAHMAN
Date of birth	[REDACTED]
Address	[REDACTED]
Postcode	[REDACTED]
Personal licence number (if known)	[REDACTED]
Issuing licensing authority (if known)	HIGHFIELD QUALIFICATIONS

K

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

None

b) The prevention of crime and disorder

None

c) Public safety

None

d) The prevention of public nuisance

None

e) The protection of children from harm

None

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.




- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated 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 or my share code issued by the Home Office online right to work checking service (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.**

Declaration	<ul style="list-style-type: none"> • [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, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	15/1/2020.

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

- ① All staff will be suitably trained under the Licensing Act 2003.
- ② All staff will work closely with the police and Licensing Authority in relation to any incidents.

b) The prevention of crime and disorder

Alcohol sold for consumption off the premise will be supplied in sealed containers.
A CCTV system which cover all premise in and out of 60 cameras. It will record all images 24 hours and ~~keep it~~ retain for 40 days. These images will be made available to Police and other authorised officers upon reasonable request. A person who is able to produce such images will be working all the time.
Also will have door supervisor busy period.

c) Public safety

All exit doors shall be easily operable and shall not require the use of keys or codes. Doors at exits shall be regularly checked to ensure that they functions.
Clear gangways to exit will be maintained.
Premise have disabled toilet.

d) The prevention of public nuisance

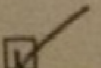
Noise escape from the premises should not be an issue due to the operations hours. But the premises licence holder shall take all necessary steps to ensure that noise or vibration is not noticeable at the premises nearest residential property.

e) The protection of children from harm

The Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of I.D. are recognised photographic I.D. cards as per the current home office guidance.
Challenge 25 signage will be displayed.
A log shall be kept detailing of all refused sales of alcohol.

Checklist:

Please tick to indicate agreement



Appendix 2

LBTH
TRADING STANDARDS
LICENSING
21 JAN 2020

Name	Date	By	Check	Appr

Client
Tian Tian

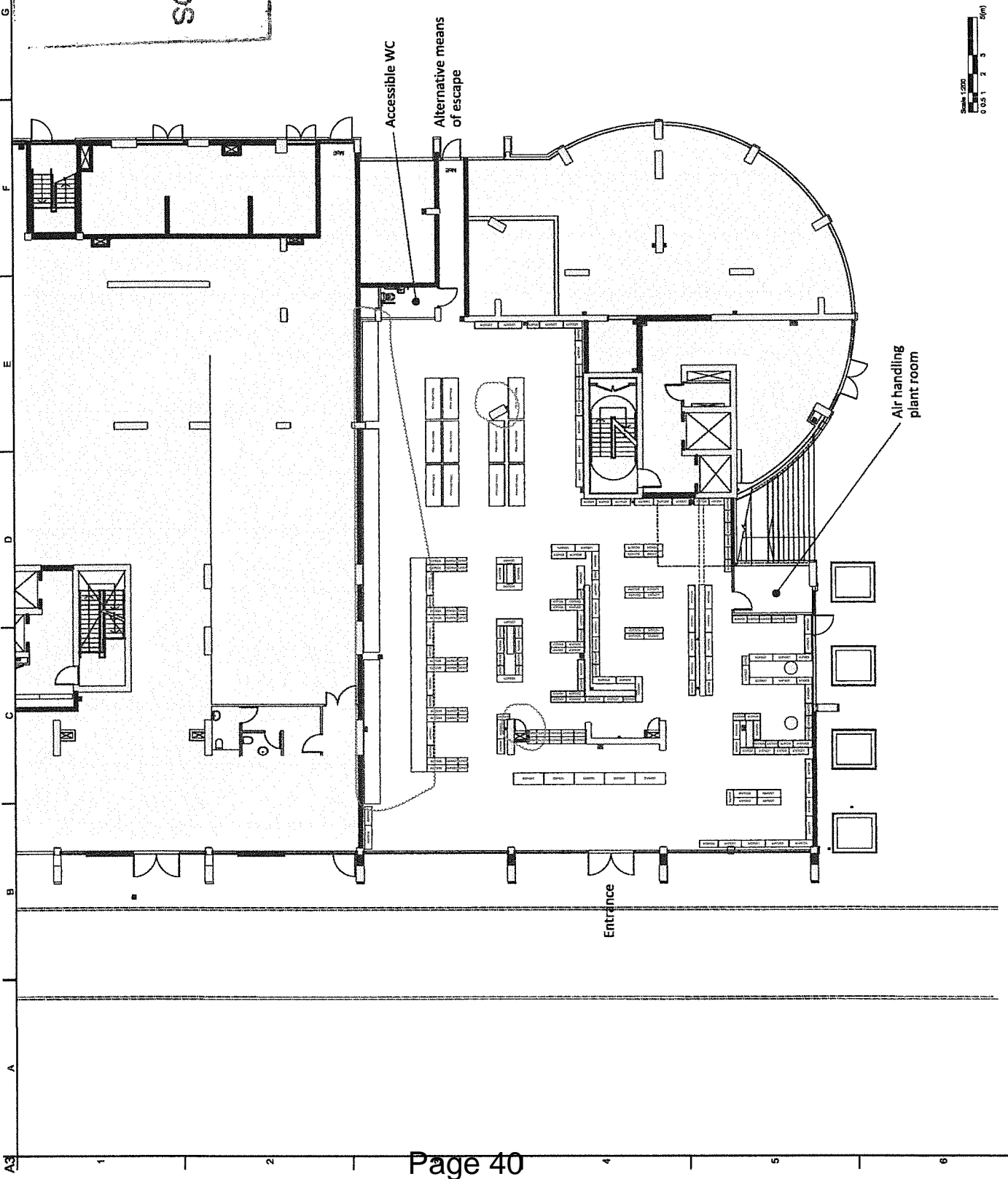
Job Title
Supermarket - Lanterns Way

- Key Plan
 → Indicative escape route and distance
- Unit Detritice
 - Heat Detector
 - Smoke Detector
 - Emergency Exit Lights (Luminous Men)
 - Fire Alarm Panel

Proposed Plan - Building Control

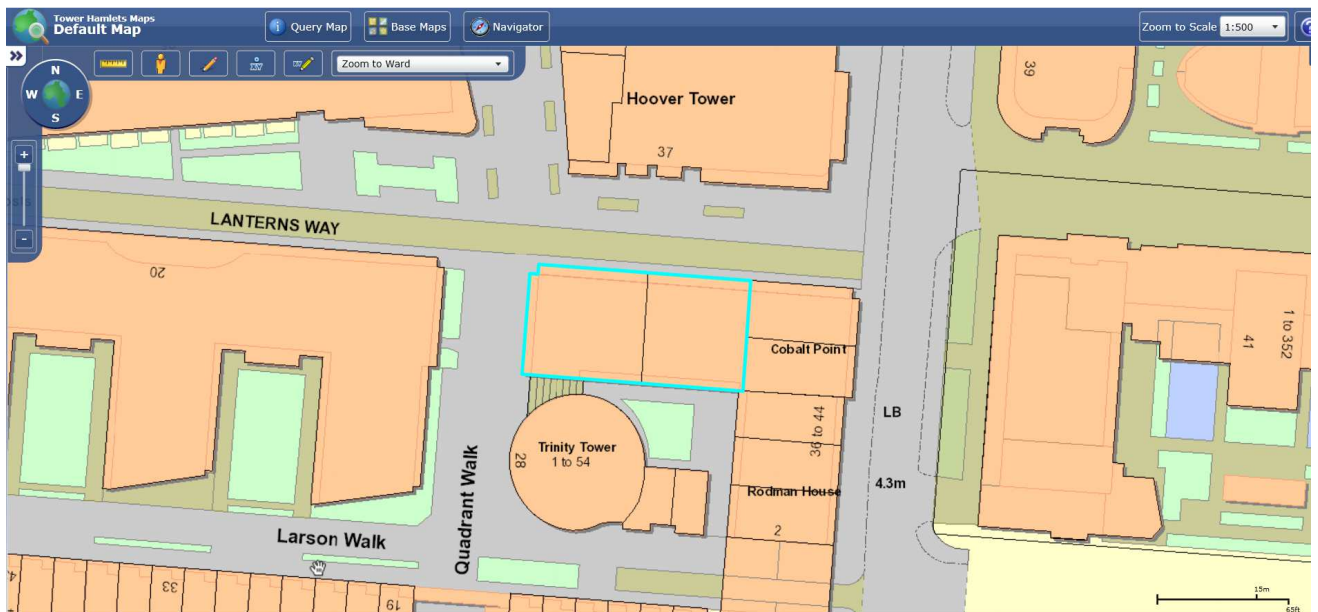
Scale at A3
1:200

Job No 134	Drawing Status Building Control
Drawing No 134_LW_TT_GA_BC_001	Issue -



Appendix 3

Tian Tian Market 48 Lanterns Way



Appendix 4

Tian Tian Market, 48 Lanterns Way - Nearby licensed premises

Name of Premises	Licensing Activities	Opening Times
Tesco Express 41B Millharbour	<p><u>The off sale of alcohol,</u></p> <ul style="list-style-type: none"> Monday to Saturday, 06.00am to midnight. Sunday, 06.00am to 23.00pm. 	<ul style="list-style-type: none"> Monday to Saturday, 06.00am to midnight. Sunday, 06.00am to 23.00pm.
(Byblos Harbour Ltd) Ground Floor Waterside Commercial Unit 41 Millharbour	<p><u>Alcohol</u></p> <ul style="list-style-type: none"> Monday to Saturday, from 11:00 hours to 23:00 hours Sunday, from 11:00 hours to 22:30 hours <p><u>Regulated Entertainment (Live music)</u></p> <ul style="list-style-type: none"> Friday and Saturday, from 20:00 hours to 23:00 hours 	<ul style="list-style-type: none"> Monday to Saturday, from 11:00 hours to 23:00 hours Sunday, from 11:00 hours to 22:30 hours
(TapaVino) Ground Floor 6 Lincoln Plaza	<p><u>Sale by retail of alcohol (on and off sales)</u></p> <ul style="list-style-type: none"> Monday to Sunday from 10:00 hrs to 00:00 hrs (midnight) <p><u>The provision of regulated entertainment – Indoors</u> <u>Films, Indoor Sporting Events. Live Music, Recorded Music and Performance of Dance</u></p> <ul style="list-style-type: none"> Monday to Sunday from 10:00 hrs to 00:00 hrs (midnight) <p><u>Provision of late night refreshment</u></p> <ul style="list-style-type: none"> Monday to Sunday from 23:00 hrs to 00:00 hrs (midnight) <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> On New Year’s Eve from 10:00 hours to 00:00 hours (midnight) on the 2nd January 	<ul style="list-style-type: none"> Monday to Sunday from 07:00 hrs to 00:30 hrs the following day

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

To
Licensing section
John onslow House
1 Ewart place
London,E3 5EQ

Dear sir/madam

We do not want for there to be a super market because it's in our residential area and we do not want for it to be super busy as it is a disturbance. Especially as they are being granted late night hours and selling alcohol. Also we do not want them to serve hot foods or do deliveries because the sound of vehicles is an annoyance and disturbs our 2 babies who sleep throughout the daytime. Also the recent uprising in corona virus is of concern because their exports will be coming from China or other countries affected.also all major China's food many kinds of animals ingredients this kinds of foods very strong unacceptable smell. And this is a very clean residential area from main roads to different. It suitable for without any kind of Food shop all others Business.

I'm strongly not agree this kind business in Sid this residential area.

Thank you

Abul Hasan And Ayesha Begum.

[REDACTED]

[REDACTED]

Appendix 7

125925

Kathy Drive
Principal Licensing Office
Licensing Section
John Onslow House
1 Ewart Place
London, E3 5EQ

Dear sir/madam

RE: LC Market Ltd, 48 Lanterns Way, London E14 9JP
Your reference: CLC/EHTS/LIC/125925

We the undersign are residents on Hoover Tower, 37 Lanterns Way, London, E14.

Hoover Tower which consists of 123 flats and is directly opposite of the premises which has applied for a licence to operate at 48 Lanterns way, London E14 9JP, license applied in the name of LC Market Ltd.

Hoover Tower is a residential property and over 300 people reside at the property consisting of, single occupiers, young families and elderly.

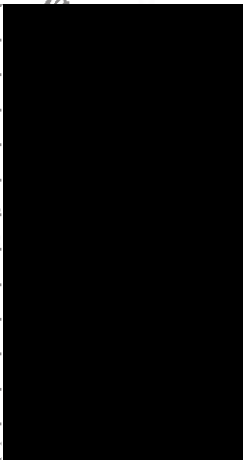
We strongly object to the license application submitted for premises which can be used for sale of alcohol, entertainment, late night refreshments including hot food after 11pm. We are concerned with level of ASB in the vicinity of Hoover Tower will escalate further and the granting of the license will hinder our rights as residents to live in a peaceful location without noise and large number of foot traffic that can be expected with such licensing.

Therefore, we would strongly request the licence be rejected. Should you have any question then please contact our TRA Chair Saddek Ahmed by e-mail [REDACTED] who will be point of contact on behalf of the residents in the building.

No.	Flat Number	Name	Signed
1	201	NAZMA	
2	202		
3	203		
4	204		
5	205	Fahmida	
6	206		
7	207		
8	208	SAMSU ZEAMAN	
9	301	Chuan	
10	302	TASYMA KHANOM	
11	303	Ruhina Begum	
12	304	Khudija Ahmad goli	
13	305	↑ Fatima Calm	
14	306	↓ ABDEL	
15	307		
16	308		
17	401	MANUWEL RAHMA	
18	402		

LBTH
TRADING STANDARDS
02 FEB 2020
LICENSING

19	403		
20	404		
21	405	NASIH	
22	406		
23	407		
24	408		
25	501	Safia	
26	502		
27	503		
28	504	NILUFAY.	
29	505	GEYAS MITHA	
30	506	Bukhter Ahmeed	
31	507		
32	508		
33	601	MIR SAMINA NIMED	
34	602	MD RIAZ UDDIN	
35	603		
36	604		
37	605	SURMA CHOWDHURY	
38	606		
39	607	Jasmin	
40	608		
41	701	Mahkuba Islam	
42	702		
43	703	K. Shoaib Khan	
44	704	RAJ RENA ZAHRAH	
45	705	LOTIFA KHATUN	
46	706	P. Key	
47	707	SI. ELIJAH BEGUM	
48	708	SUKINGA YEASMIN	
49	801	M. YEASMIN	
50	802		
51	803	F. RAHMAN	
52	804	JAHANIYAH BEGUM	
53	805	NAZMA KHATUN	
54	806		
55	807		
56	808		
57	809	YESSICA DOMINGUEZ	
58	901	Shuhinaz Rahman	
59	902		
60	903		
61	904		
62	905	Muhammad	
63	906		
64	907		
65	908		
66	909		
67	1001		
68	1002		

69	1003		
70	1004		
71	1005		
72	1006		
73	1007	Suleman Ahmed	
74	1008		
75	1009		
76	1010		
77	1011		
78	1101		
79	1102	Jahanara.	
80	1103		
81	1104	Nadha	
82	1105		
83	1106		
84	1107	Marzina Choudhury	
85	1108	Iasmia Tabassum	
86	1109		
87	1110		
88	1111		
89	1201		
90	1202		
91	1203		
92	1204	Ahlam Ali	
93	1205	Naseema	
94	1206		
95	1207		
96	1208	Tanisha Tanis	
97	1301		
98	1302		
99	1303		
100	1401		
101	1402		
102	1403		
103	1501		
104	1502	Saddek Ahmed	
105	1503		
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114	1803		
115	1901		
116	1902		
117	1903		
118	2001		

LBTH
 TRADING STANDARDS
 02 FEB 2020
 LICENSING

119	2002		
120	2003		
121	2101		
122	2102		
123	2103		

Corinne Holland

From: Corinne Holland
Sent: 23 March 2020 16:37
To: 'Hoover Tower'
Subject: RE: Petition Objection - 48 Lanterns Way

Dear Saddek

Thank you for your email, the contents of which are noted. Some of the residents assurances are not something which can be controlled through the premises licence.

This matter will be dealt with by way of a Licensing Hearing.

Please note that the applicant is entitled to a full, un-redacted copy of your representation. They may wish to contact you to mediate an amendment of their application, in order to address your concerns; with a view to you potentially withdrawing your objection. Should you wish to withdraw, please advise in writing to this email address.

Alternatively, your representation will be added to the final Licensing Sub Committee report and you will be written to by Democratic Services to be advised as to the time and date of the Hearing, which you will be invited to attend. If you do not attend the Hearing, the decision may still be made in your absence. Should you wish to make additional comments to the Committee in your absence, please advise Democratic Services directly.

Kind regards

Corinne Holland - Licensing Officer

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

☎:020 7364 3986 | ☎:020 7364 5008 | 💻: [REDACTED]

✉: Licensing@towerhamlets.gov.uk

From: Hoover Tower [mailto:[REDACTED]]
Sent: 17 March 2020 16:44
To: Corinne Holland
Subject: Re: Petition Objection - 48 Lanterns Way

Hi Corinne

I have communicated with the residents your reply from our last email.

I have only been asked that could we get assurances that

- 1) No cooked food will be sold.
- 2) Opening time will not be beyond 10pm and Sunday trading hours be respected.
- 3) Sale of alcohol will have robust control on age verification.
- 4) Hours of sale of alcohol to be reduced where this cannot be till closing time.
- 5) How can they support the local community, help reduce ASB and make sure their delivery's do not cause any ASB or make way for any unwanted visitors such as Fox, rodents etc.
- 6) The outside light should go off by 11pm as it is at a level that can affect residents living on the second floor of Hoover Tower.

Regards

Saddek

On Tue, 17 Mar 2020 at 15:55, Corinne Holland <[REDACTED]> wrote:

Dear Saddek Ahmed

I didn't hear any further from you so can you confirm if the residents still wish to object to this application having been informed of the details of the application?

Kind regards

Corinne Holland - Licensing Officer

Licensing Team . Environmental Health & Trading Standards . John Onslow House . [1 Ewart Place](#) . London E3 5EQ

:020 7364 3986 | :020 7364 5008 | : [REDACTED] |
:Licensing@towerhamlets.gov.uk

From: Hoover Tower [mailto:[REDACTED]]
Sent: 05 March 2020 12:35
To: Corinne Holland
Subject: Re: Petition Objection - [48 Lanterns Way](#)

Thanks

I have informed the residents on our Whatsapp group and will come back with anything they raise.

Regards

Saddek

On Thu, 5 Mar 2020 at 12:33, Corinne Holland <[REDACTED]> wrote:

Dear Saddek Ahmed

The letter is a standard letter stating 'A premises licence **can** include, the sale of alcohol, regulated entertainment or late night refreshments (which is hot food after 11pm).

You need to then look at the actual application via the website or ask the licensing authority to view the application to see what has been actually applied for.

As stated the application is for the sale of alcohol only between 10:00 – 22:00 hours 7 days a week for off sales only for an oriental supermarket.

For ease I have attached the application.

The cut-off date for any representations is midnight tonight (it needed to be extended by a couple of days).

Kind regards

Corinne Holland - Licensing Officer

Licensing Team . Environmental Health & Trading Standards . John Onslow House . [1 Ewart Place . London E3 5EQ](#)

:020 7364 3986 | :020 7364 5008 | : [REDACTED]

:Licensing@towerhamlets.gov.uk

From: Hoover Tower [mailto:[REDACTED]]

Sent: 05 March 2020 12:17

To: Corinne Holland

Subject: Re: Petition Objection - [48 Lanterns Way](#)

Dear Corinne

Thank you for your email.

The letter that was received by the residents stated the type of license being applied for would allow for hot food and alcohol to be sold after 11pm.

Based on this information the residents have raised the objection.

I will let the residents know, however if you can provide some additional information or assurances to restrict opening time and sale of certain goods. Also what safeguards will the premises have in place to avoid sale to minors.

Regards

Saddek

On Thu, 5 Mar 2020 at 12:10, Corinne Holland <[REDACTED]> wrote:

Dear Saddek Ahmed

Thank you for your petition, the contents of which are noted. I will liaise with you as a point of contact for the residents.

I wish to draw some facts to your attention. The applicant has not applied for the sale of late night refreshments or regulated entertainment as per your petition suggests.

The application is for the sale of alcohol only between 10:00 – 22:00 hours.

Please can you inform the residents who have signed your petition of this fact.

Please note that the applicant is entitled to a full, un-redacted copy of your representation. They may wish to contact you to mediate an amendment of their application, in order to address your concerns; with a view to you potentially withdrawing your objection. Should you wish to withdraw, please advise in writing to this email address.

Alternatively, your representation will be added to the final Licensing Sub Committee report and you will be written to by Democratic Services to be advised as to the time and date of the Hearing, which you

will be invited to attend. If you do not attend the Hearing, the decision may still be made in your absence. Should you wish to make additional comments to the Committee in your absence, please advise Democratic Services directly.

Corinne Holland - Licensing Officer

Licensing Team . Environmental Health & Trading Standards . John Onslow House . [1 Ewart Place](#) . [London E3 5EQ](#)

 :020 7364 3986 |  :020 7364 5008 |  :  |
 : Licensing@towerhamlets.gov.uk

Appendix 8

Corinne Holland

From: Corinne Holland on behalf of Licensing
Sent: 29 January 2020 12:51
To: Corinne Holland
Subject: FW: Licence Application - L C Market Ltd, Lanterns Way, E14

From: Thomas.Ratican@[REDACTED] **On Behalf Of** CEMailbox-[REDACTED]
Sent: 29 January 2020 09:42
To: Licensing
Cc: [REDACTED]
Subject: FW: Licence Application - L C Market Ltd, Lanterns Way, E14

Dear Licensing,

Please see attached agreed conditions for LC MARKET LTD, 48 LANTERNS WAY, E14.

Regards

Tom



PC Tom Ratican
Central East Licensing Unit
Metropolitan Police Service (MPS)
[REDACTED].uk
A: Licensing Office, 2nd Floor Bethnal Green Police Station E2 9NZ

From: Tian Tian Jack [REDACTED]
Sent: 29 January 2020 09:35
To: CE Mailbox - Tower Hamlets Licensing <[REDACTED]>
Subject: Re: Licence Application - L C Market Ltd, Lanterns Way, E14

Dear Sir/ Madam,

I am agree all the conditions, and happy to process please. Thank you very much.

Regards

Jack

[REDACTED]



Hello,


I have been processing your application for a premises licence, if you are happy to agree to the below conditions then I can send my approval to the council:

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

- I also noted on your application, that when you were asked about the four licensing objectives you wrote 'none' in every box. If you are applying to sell alcohol, you need to know and uphold the 4 licensing objectives which are: prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. If you end up with a premises licence it is then your responsibility to uphold those conditions and if you are seen not to do this, your licence can then be reviewed and ultimately taken away. So please take them very seriously.

If you are happy to agree to these conditions can you please reply by 4th February so I can send my approval to the council.

Many Thanks,

Bethany Ward 3433CE | Police Constable | Licensing Unit | Central East (CE)
 Email:  | Address: Bethnal Green Police Station, 12 Victoria Park Square, E2 9NZ.

Appendix 9

Corinne Holland

From: Nicola Cadzow
Sent: 10 February 2020 11:01
To: Licensing
Cc: CEMailbox- [REDACTED]
Subject: MAU REPRESENTATION 125925 - L C Markets Ltd 48 Lanterns Way
Follow Up Flag: Follow up
Flag Status: Completed

Dear Licensing,

Further to agreement by the applicant to the noise conditions as follows:-

1. Loudspeakers shall not be located in the entrance lobby or outside the premise building.
2. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
3. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises, which gives rise to a nuisance.

Please take this as withdrawing my representation to the new premises licence for L C Markets Ltd 48 Lanterns Way, ref 125925

regards

Nicola Cadzow
Environmental Protection
Environmental Health Technical Officer
Place Directorate
Public Realm, Environmental Health & Trading Standards
London Borough of Tower Hamlets, John Onslow House, 1 Ewart Place, London E3 5EQ

From: mohibur rahman [REDACTED]
Sent: 07 February 2020 17:29
To: Nicola Cadzow; [REDACTED]
Subject: RE: Fwd: MAU REPRESENTATION 125925 - L C Markets Ltd 48 Lant

Hi there,
Thank you for your email,

We are happy to follow the terms and conditions set as below.
Thank you
Mr M. Rahman

On Fri, 7 Feb 2020 at 14:21, Nicola Cadzow

<Nicola.Cadzow [REDACTED] wrote:

Dear Mr Rahman,

Thank you for a copy of the operating schedule. Unfortunately, the information is general and insufficient to satisfy Environmental Protection, in particularly the licensing objective for the prevention of public nuisance.

I would therefore ask that the following noise conditions apply:-

1. Loudspeakers shall not be located in the entrance lobby or outside the premise building.

2. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave

the area quietly.

3. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises, which gives rise to a

nuisance.

I await your confirmation at your earliest convenience.

Kind regards

Nicola Cadzow

Environmental Protection

Environmental Health Technical Officer

Place Directorate

Public Realm, Environmental Health & Trading Standards

London Borough of Tower Hamlets, John Onslow House, 1 Ewart Place, London E3 5EQ

From: mohibur rahman [REDACTED]

Sent: 07 February 2020 12:37

To: Nicola Cadzow; CEMailbox-[REDACTED]

Subject: Fw: Fwd: MAU REPRESENTATION 125925 - L C Markets Ltd 48 Lanterns Way London E14 9JP

Hi there

Providing information as requested from Licensing authority and police,

Including Premises licensing 5 objectives

and copy of DPS licence certificate

Also we advertised on East London Advertising news paper for this Thursday 6th of February. We just awaiting for premises fire equipment plan to be done as soon, once we get that ready will send a new copy

Thank you for your cooperation

L C MARKET

Mr. M Rahman

[Sent from Yahoo Mail on Android](#)

----- Forwarded message -----

From: "Tian Tian [REDACTED]"

To: "Rahman [REDACTED]" >

Cc:

Sent: Thu, 6 Feb 2020 at 13:48

Subject: Fwd: MAU REPRESENTATION 125925 - L C Markets Ltd 48 Lanterns Way London E14 9JP

[REDACTED] e

[REDACTED] 件 :

发件人: Nicola Cadzow <Nicola.Cadzow [REDACTED]>

日期: 2020年2月6日 GMT 09:58:05

收件人: Licensing <Licensing@towerhamlets.gov.uk>

抄送: "CEMailbox-[REDACTED]" <CEMailbox-[REDACTED]. [REDACTED]k>, "[REDACTED]" <[REDACTED]>

主题: MAU REPRESENTATION 125925 - L C Markets Ltd 48 Lanterns Way London E14 9JP

Dear Licensing,

I have considered the new premise licence for L C Markets Ltd 48 Lanterns Way London E14 9JP 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 applicant has provided no information in their operating schedule to show how they will promote the four licensing objectives, for Environmental Protection, particular attention to the licensing objective for the prevention of public nuisance.

CONCLUSION

Environmental Protection **does not** support the licence application for L C Markets Ltd 48 Lanterns Way London E14 9JP as they have not shown how they will adhere to the four licensing objectives under the Licensing Act 2003.

If the applicant can provide sufficient evidence of how they will promote the four licensing objectives, to the satisfaction of Environmental Protection I will consider withdrawing my objection.

Kind regards

Nicola Cadzow
Environmental Protection
Environmental Health Technical Officer
Place Directorate
Public Realm, Environmental Health & Trading Standards
London Borough of Tower Hamlets, John Onlsow House, 1 Ewart Place, London E3 5EQ

Nicola Cadzow
Environmental Protection
Environmental Health Technical Officer
Place Directorate
Public Realm, Environmental Health & Trading Standards
London Borough of Tower Hamlets, John Onlsow House, 1 Ewart Place, London E3 5EQ

Appendix 10

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 11

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 12

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

Appendix 13

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 of 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.

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Agenda Item 3.2

Committee :	Date	Classification	Report No.	Agenda Item No.
Licensing Sub Committee	5 th May 2020	Unclassified		

Report of : David Tolley Head of Environmental Health & Trading Standards Originating Officer: Corinne Holland Licensing Officer	Title: Licensing Act 2003 Application for a Ranna, Unit 46 Bow Triangle, Eleanor Street, London, E3 4UR Ward affected: Bromley North
---	---

1.0 Summary

Applicant: **Ranna Trading Limited (Abu Mahmood)**

Name and Address of Premises: **Ranna
Unit 46 Bow Triangle
Eleanor Street
London
E3 4UR**

Licence sought: **Licensing Act 2003
Provision of Late Night Refreshments**

Objectors: **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 new premises licence for Ranna, Unit 46 Bow Triangle, Eleanor Street, London, E3 4UR

3.2 The applicant has described the premises as: *An Indian takeaway.*

3.3 A copy of the application is shown in **Appendix 1.**

3.4 The hours that have been applied for are as follows:-

Provision of Late Night Refreshment

Monday to Sunday 23:00 – 00:00 hours (midnight)

Hours premise is open to the public:

Monday to Sunday 07:00 – 00:00 hours (midnight)

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 1st 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. 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**
- 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 crime and disorder
- 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 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 No more than 6 customers to gather at one time at the front counter.
- 7.2 Any nuisance is not accepted or tolerated. Those who cause nuisance will be asked to leave.
- 7.3 No children will be allowed on the premises after 23:00 hours

8.0 Conditions Agreed/Requested by Responsible Authority

Conditions agreed with the police – Appendix 7

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing

of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.

2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following:
 - a) all crimes reported to the venue;
 - b) all ejections of patrons;
 - c) any complaints received concerning crime and disorder
 - d) any incidents of disorder;
 - e) all seizures of drugs or offensive weapons;
 - f) any faults in the CCTV system, searching equipment or scanning equipment;
 - g) any visit by a relevant authority or emergency service.

Conditions agreed with Environmental Protection – Appendix 8

4. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises, which gives rise to a nuisance.
5. No idling of vehicles, being either patron or delivery vehicles outside the premise whilst premise is in operation

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 9 - 12** 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

Appendix 1	A copy of the application
Appendix 2	Site Plan
Appendix 3	Maps of the surrounding area
Appendix 4	Other licensed venues in the area
Appendix 5	Section 182 Advice by the DCMS- Relevant, vexatious and frivolous representations
Appendix 6	Representations from LA
Appendix 7	Conditions agreed with the police
Appendix 8	Conditions agreed with EH
Appendix 9	Licensing Officer comments on Crime & Disorder
Appendix 10	S182 advice on Crime & Disorder
Appendix 11	Licensing Policy relating to hours of trading
Appendix 12	Planning

Appendix 1



* required information

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

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Are you:

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

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

Applicant Business

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

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 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...

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](#)

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.

This is a Indian Takeout and nothing else. We have overspill of order after 11pm whereby we have to wait for delivery drivers or sometime the transaction are done after 11pm. Therefore we would like to play safe and request an 1 hour extension form 11pm to avoid any unnecessary issues or concerns.

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

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

SUNDAY

Start

End

Start

End

Continued from previous page...

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

It just Takeout food delivery service, nothing else

State any seasonal variations

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

no

Non-standard timings. Where the premises will be used for the supply of late night refreshments 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.

no

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

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

Continued from previous page...

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.

non. Its just Indian Takeout service and collection service and theres no space for any seating arrangement

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

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

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.

Continued from previous page...

non

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.

non

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)

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

This is a small take away shop in an arch unit. There will be only few orders that will be served after hours for latecomers and delivery drivers coming to the shop late. This will happen while the shop is getting cleaned.

b) The prevention of crime and disorder

No customers are allowed in the premises unless they are there to purchase food. There is no alcohol in the premises

c) Public safety

The shop is too small for any large crowd to come in, no more than 6 people can gather at one time in front of the counter. There is cctv camera active any concer customers and staff are recorded and are fully aware of that.

d) The prevention of public nuisance

Any nuisance is not acceptable and tolerated. Those who have intension to cause nuisance will be asked to leave or police will be called. Our staff and customers safety are highest priority to us.

e) The protection of children from harm

No Children will be allowed after 11pm.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

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

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 (£)

100.00

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

Abu Mahmood

* Capacity

Manager

* Date

18 / 01 / 2020
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

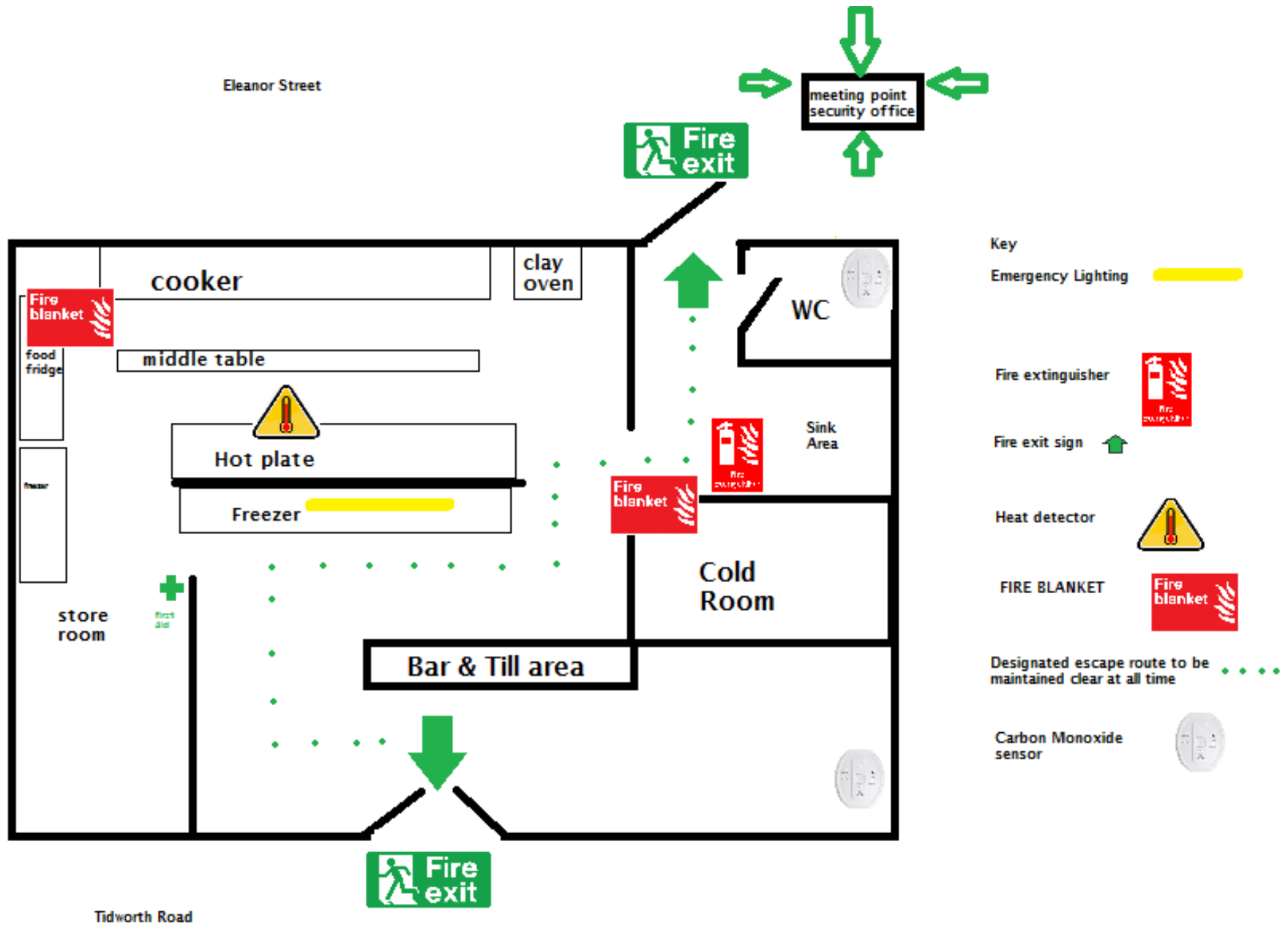
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT 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	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

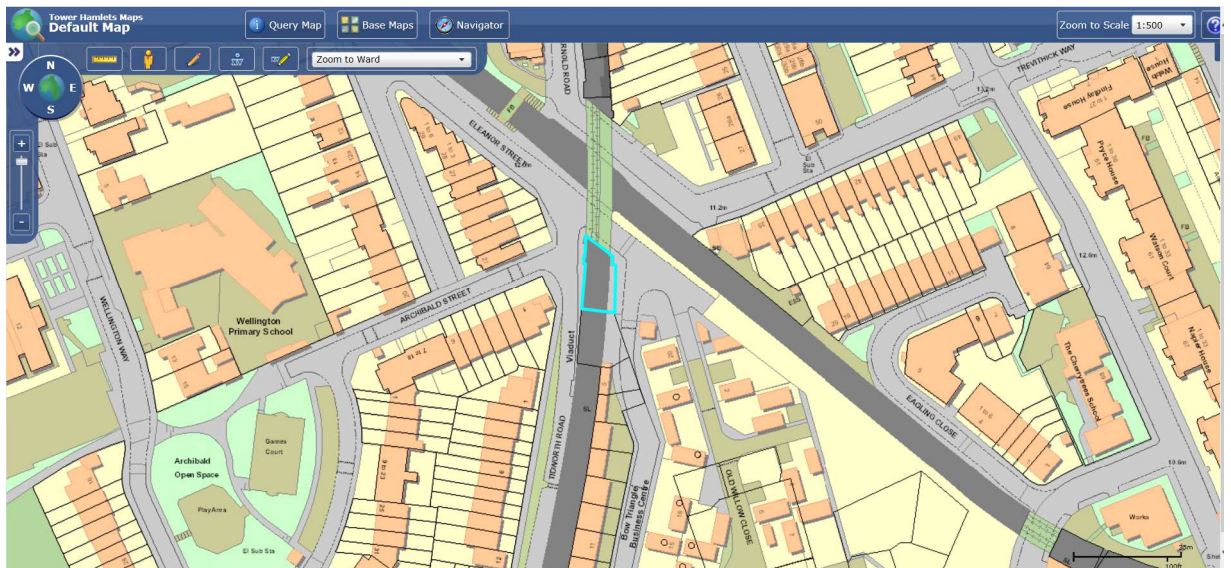
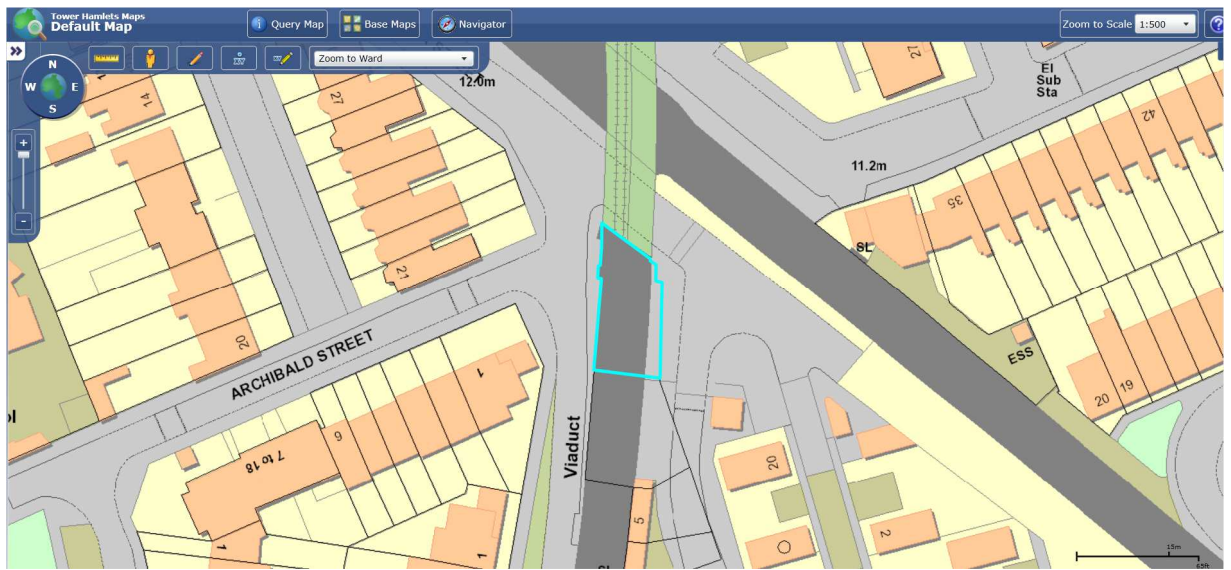
[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) [Next >](#)

Appendix 2



Appendix 3

Maps – Ranna, Unit 46 Bow Triangle



Appendix 4

Ranna, Unit 46 Bow Triangle, Eleanor Street - Nearby licensed premises

Name of Premises	Licensing Activities	Opening Times
(ShadowCast Ltd) Unit 30 Bow Triangle	<u>The sale of alcohol (on sales)</u> Monday – Sunday 12.00 – 2300 hours	Monday to Sunday 12.00 – 23.30 hours
Wagamama Unit 33 Bow Triangle	Sale of Alcohol (off sales) Mon-Thurs 10:00 – 23:00 hrs Fri & Saturday 10:00 – 00:00 hrs Sunday 10:00 – 22:30 Late Night Refreshments: Fri – Sat 23:00 – 00:00 hrs	Mon-Thurs 10:00 – 23:30 hrs Fri & Sat 10:00 – 00:30 hrs Sunday 10:00 – 23:00

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

Corinne Holland

From: Lavine Miller-Johnson
Sent: 13 March 2020 12:06
To: Licensing
Cc: Corinne Holland
Subject: New Premises Licence Application - Ranan Unit 46 Bow Triangle Eleanor Road M/A 126792
Attachments: BowTriangleBusCtre46.Ranna.doc; BowTriangleBusCtre46.Ranna(2).doc; paperwork from 17.01.2020.pdf; paperwork from 23.08.2019.pdf; statement for 17.01.2020.KM.pdf; statement for 17.01.2020.pdf

Dear Licensing,

Further to the application for a new premise licence, the Licensing Authority are making a representation against the above application on the grounds of the following:

Visits have been made to the premises whereby they were caught providing late night refreshments on 3 occasions.

- **On Friday 9th August 2019** - licensing officers were carrying out licensing visits in the Bow Triangle Business Centre area premises was open and cooking food beyond 23:00hrs with customers in the public area. At the time of the initial visit, the officers were not able to establish whether there was a licence however upon return to the office realised that the premises did not hold a premises licence for the provision of late night refreshment.
- **On Friday 23rd August 2019** - at 23:42 hours, council officers visited the premises and saw the premises still operating and motorcycle delivery driver waiting for the orders. One of the officers ordered a portion of chips and a can of Coca Cola. Another officer also noticed a menu (pictured below), where opening times are advertised Sunday to Thursday, from 17:00 hours to 23:30 hours and Friday to Saturday, from 17:00 hours to 00:00 hours (midnight). See warning letter attached.
- **On 17th January 2020** - Council Officers visited the premises to carry out a test purchase on late night refreshments. They successfully purchased hot food at 23:32 hours. They advised the premises that they had broken the law and could face prosecution.

The premises have been issued a warning. Following the visits and warnings this application was applied for to cover them for the extra hour of sales to prevent any further action being taken against them. See officers statement attached.

On viewing the application, the applicant refers to the premises as only for the purposes of takeaways and deliveries and there not being a lot of space for large crowds to congregate. Only enough space for about 6 customers. With this being said it is still a requirement of the Licensing Act to address the four licensing objectives. The applicant has not stated in the operating schedule how they will promote any of these licensing objectives:

- ***The prevention of crime and disorder***
- ***Public safety***
- ***The prevention of public nuisance***
- ***Protection of children from harm***

Great consideration has been given to this application and the applicant must ensure that they meet all the requirements in order to uphold the licensing objectives.

As the applicant continued to flout the laws of licensing and trade past the permitted of 23:00 hours on three occasions, I do not have faith in that they will promote the four licensing objectives.

I do not support the application for the provisions of **Late Night Refreshments** and shall be objecting to the grant of this application.

However, if the committee are of the mind to grant this application I ask that they do so with the following conditions included on the premises licence.

In order for the above objectives to be upheld, I propose the following condition to be added to the premises licence:

1. The premises shall install and maintain a CCTV camera system covering both inside and outside the premises.
2. The CCTV recordings are to be maintained for 31 days and to be provided upon request to either a Police Officer or an officer of any other Responsible Authority. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.
3. At all times when the premises is open, a person who can operate the CCTV system must be present on the premises, who can download the images and present on request by a Police Officer or an officer of any other Responsible Authority.
4. An incident log shall be kept at the premises and record all incidents of crime and disorder associated with the premises. The incident log shall be made available on request to an authorised officer of the Council or the Police.
5. Signs shall be prominently displayed both inside and outside the premises asking customers to respect local residents and be quiet when leaving the premises.
6. Idling of vehicles is not permitted outside of the premises at any time.
7. No Children will be allowed after 11pm.

Kind Regards

Lavine Miller-Johnson

Licensing & Safety Team | Environmental Health and Trading Standards

[London Borough of Tower Hamlets](#) | John Onslow House, 1 Ewart Place, London E3 5EQ

 [REDACTED] |  [REDACTED] | General Enquiries: 020 7364 5008

**Place Directorate
Public Realm**

Environmental Health & Trading Standards

Mr Abu Mahmood

[Redacted]

27th November 2019

My reference LIC/E/075368/SN

Dear Mr Mahmood,

Head Of Service **David Tolley**

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

Tel [Redacted]
Fax **020 7364 0863**

Enquiries to **Samantha Neale**
Email [Redacted]

Licensing Act 2003, Sections 136

Premises: Ranna, Unit 46 Bow Triangle Business Centre, 21 Eleanor Street, London, E3 4UR.

On Friday 9th August 2019, two licensing officers including myself were carrying out licensing visits in the Bow Triangle Business Centre area and noticed that the above mentioned premises was open and cooking food beyond 23:00hrs with customers in the public area. At the time of the initial visit, the officers were not able to establish whether there was a licence however upon return to the office realised that the premises did not hold a premises licence for the provision of late night refreshment.

On Friday 23rd August 2019 at 23:42 hours, two local council officers visited your premises and saw that you were still operating, including a motorcycle delivery driver waiting for the order. One of the officers ordered a portion of chips and a can of Coca Cola. Another officer also noticed your menu (pictured below), where opening times are advertised Sunday to Thursday, from 17:00 hours to 23:30 hours and Friday to Saturday, from 17:00 hours to 00:00 hours (midnight).



The officers were sold hot refreshment by Mr Mohammad Talukder without a licence to do so. One of the officers spoke to you on the telephone of which you explained that you didn't sell food after 23:00 hours and only orders were being collected. The test purchase of hot food by the council officers and the advertisement of opening hours on your menu suggest otherwise. Regardless, the Licensing Act 2003 permits the **Provision** of Late Night Refreshment, therefore if there is a sale before 23:00 hours, you are not permitted to deliver the hot food or drink after this time without the relevant licence.

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;

- the sale by retail of alcohol (on and off sales)
- **the provision of regulated entertainment (with or without a licence to sell alcohol)**
- 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)
- the provision of late night refreshment (selling hot food and drink past 11pm)

A person guilty of an offence under section 136 (1) of the Licensing Act 2003 is liable on a summary conviction to imprisonment for a term not or a fine.

In order to use this space, you will need to apply for the correct licence. If caught carrying out future licensable activities without the correct licence, this department may decide to take further legal action.

Yours sincerely



Samantha Neale
Licensing Officer

CC-

Mr Abu Mahmood

Ranna, Unit 46 Bow Triangle Business Centre, 21 Eleanor Street, London, E3 4UR.

**Place Directorate
Public Realm**

Environmental Health & Trading Standards

Head Of Service **David Tolley**

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

Mr Abu Mahmood
Ranna
Unit 46
Bow Triangle Business Centre
21 Eleanor Street
London
E3 4UR.

Tel [REDACTED]
Fax **020 7364 0863**

Enquiries to **Samantha Neale**
Email [REDACTED]

27th November 2019

My reference LIC/E/075368/SN

Dear Mr Mahmood,

Licensing Act 2003, Sections 136

Premises: Ranna, Unit 46 Bow Triangle Business Centre, 21 Eleanor Street, London, E3 4UR.

On Friday 9th August 2019, two licensing officers including myself were carrying out licensing visits in the Bow Triangle Business Centre area and noticed that the above mentioned premises was open and cooking food beyond 23:00hrs with customers in the public area. At the time of the initial visit, the officers were not able to establish whether there was a licence however upon return to the office realised that the premises did not hold a premises licence for the provision of late night refreshment.

On Friday 23rd August 2019 at 23:42 hours, two local council officers visited your premises and saw that you were still operating, including a motorcycle delivery driver waiting for the order. One of the officers ordered a portion of chips and a can of Coca Cola. Another officer also noticed your menu (pictured below), where opening times are advertised Sunday to Thursday, from 17:00 hours to 23:30 hours and Friday to Saturday, from 17:00 hours to 00:00 hours (midnight).



The officers were sold hot refreshment by Mr Mohammad Talukder without a licence to do so. One of the officers spoke to you on the telephone of which you explained that you didn't sell food after 23:00 hours and only orders were being collected. The test purchase of hot food by the council officers and the advertisement of opening hours on your menu suggest otherwise. Regardless, the Licensing Act 2003 permits the **Provision** of Late Night Refreshment, therefore if there is a sale before 23:00 hours, you are not permitted to deliver the hot food or drink after this time without the relevant licence.

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;

- the sale by retail of alcohol (on and off sales)
- **the provision of regulated entertainment (with or without a licence to sell alcohol)**
- 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)
- the provision of late night refreshment (selling hot food and drink past 11pm)

A person guilty of an offence under section 136 (1) of the Licensing Act 2003 is liable on a summary conviction to imprisonment for a term not or a fine.

In order to use this space, you will need to apply for the correct licence. If caught carrying out future licensable activities without the correct licence, this department may decide to take further legal action.

Yours sincerely



**Samantha Neale
Licensing Officer**

CC-
Mr Abu Mahmood



LONDON BOROUGH OF TOWER HAMLETS:
LICENSING ACT 2003 RECORD OF CONTACT

0708 26 2000
to apply for a
late night refreshment licence
call 020 7364 5008



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

Premises / Business Name: Renna

Licence Holder/DPS (where known):

Address: 21 Eleanor Street

Tel. No: [REDACTED]

Email: [REDACTED]

Intelligence Lead Visit (1L)

Compliance Visit (Proactive 1L)

Revisit (1R)

Notice Check (1N)

Visiting Officer: Kamal Malik

App Officer Initials: KAM

Position: EDS

Signature: [REDACTED]

Tel: 020 7364 5008 Email: licensing@towerhamlets.gov.uk

Offence of Licensing Act 2003	Section	Action Required
<input type="checkbox"/> Unauthorised sale of alcohol [no licence] [suspended licence] *strikeout as appropriate	136	<input type="checkbox"/> Cease sale by retail of alcohol with immediate effect
<input checked="" type="checkbox"/> Unauthorised provision of late night refreshment (hot food or drink between 23:00 and 05:00 hours) [no licence] [suspended licence] *strikeout as appropriate	136	<input checked="" type="checkbox"/> Cease the provision of late night refreshment with immediate effect
<input type="checkbox"/> Unauthorised regulated entertainment [no licence] [suspended licence] *strikeout as appropriate	136	<input type="checkbox"/> Cease regulated entertainment with immediate effect
<input type="checkbox"/> Sale of alcohol outside licensed hours	136	<input type="checkbox"/> Remove all alcohol from sale
<input type="checkbox"/> Provision of late night refreshment (hot food or drink between 23:00 and 05:00 hours) outside licence hours	136	<input type="checkbox"/> Display part 2 summary of the premises licence
<input type="checkbox"/> Alcohol displayed for unauthorised sale [no licence] [suspended licence] [outside licensed hours] *strikeout as appropriate	137	<input type="checkbox"/> Ensure a copy of the full premises licence is available for inspection on the premises
<input type="checkbox"/> Keeping alcohol on the premises for unauthorised sale [no licence] [suspended licence] [outside licensed hours] *strikeout as appropriate	138	<input type="checkbox"/> Ensure a letter of authorisation signed by the DPS is on the premises to enable staff to sell alcohol on their behalf
<input type="checkbox"/> Breach of licence condition(s) (specify condition text box below)	136	<input type="checkbox"/> Licensable activity must only be carried out within the hours detailed on your premises licence
<input type="checkbox"/> Selling alcohol with no authorisation from DPS/no DPS present	136	<input type="checkbox"/> Alcohol must only be displayed for sale within the licence hours detailed on your premises licence
<input type="checkbox"/> Failure to display premises licence summary	57	<input type="checkbox"/> Cease the sale by retail of alcohol until a DPS is in place and named on the premises licence
<input type="checkbox"/> Failure to produce the full premises licence	57	<input type="checkbox"/> Comply with all conditions stated on the premises licence, in particular ones found to be in breach detailed on second sheet
<input type="checkbox"/> Sale of alcohol to a person who is drunk	141	<input type="checkbox"/> See action detailed on second sheet
<input type="checkbox"/> Allowing disorderly conduct on licensed premises	140	
Other offences not Licensing Act 2003 (please insert legislation here)		

Action taken by LBTH

No further action Advice Warning issued by way of this report Revisit needed Alcohol seized

Licence holder/DPS cautioned [REDACTED]

Person seen: Mr. Abu Mahmood

Signature: [REDACTED]

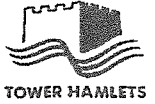
Position in business: owner

Date: 12/01/2020

This report only covers those areas checked at the time of the visit. It does not indicate compliance with any provision of the Licensing Act 2003 or any associated legislation. If you have any queries regarding this report, please contact the Licensing and Safety Team or write to Environmental Health and Trading Standards, John Onslow House, Ewart Place, London E3 5EQ or visit www.towerhamlets.gov.uk/licensing

Mr Mahmood said he tried to complete a form for late night refreshment before but became confused. He wants help for this and ^{wants to know} how much \$ for fee is.

LONDON BOROUGH OF TOWER HAMLETS:
LICENSING ACT 2003 RECORD OF CONTACT



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

Premises / Business Name: Ranna

Licence Holder/DPS (where known):

Address: Unit 46, Eleanora Street
E2 4UN

Tel. No: [REDACTED]

Email:

Intelligence Lead Visit (1L)

Compliance Visit (Proactive 1L)

Revisit (1R)

Notice Check (1N)

Visiting Officer: Kalaha Morati

App Officer Initials: Noted

Position: Senior Trade Stds Officer

Signature: [REDACTED]

Tel: 020 7364 5008 Email: licensing@towerhamlets.gov.uk

Offence of Licensing Act 2003	Section	Action Required
<input type="checkbox"/> Unauthorised sale of alcohol [no licence] [suspended licence] *strikeout as appropriate	136	<input type="checkbox"/> Cease sale by retail of alcohol with immediate effect
<input type="checkbox"/> Unauthorised provision of late night refreshment (hot food or drink between 23:00 and 05:00 hours) [no licence] [suspended licence] *strikeout as appropriate	136	<input checked="" type="checkbox"/> Cease the provision of late night refreshment with immediate effect
<input type="checkbox"/> Unauthorised regulated entertainment [no licence] [suspended licence] *strikeout as appropriate	136	<input type="checkbox"/> Cease regulated entertainment with immediate effect
<input type="checkbox"/> Sale of alcohol outside licensed hours	136	<input type="checkbox"/> Remove all alcohol from sale
<input type="checkbox"/> Provision of late night refreshment (hot food or drink between 23:00 and 05:00 hours) outside licence hours	136	<input type="checkbox"/> Display part 2 summary of the premises licence
<input type="checkbox"/> Alcohol displayed for unauthorised sale [no licence] [suspended licence] [outside licensed hours] *strikeout as appropriate	137	<input type="checkbox"/> Ensure a copy of the full premises licence is available for inspection on the premises
<input type="checkbox"/> Keeping alcohol on the premises for unauthorised sale [no licence] [suspended licence] [outside licensed hours] *strikeout as appropriate	138	<input type="checkbox"/> Ensure a letter of authorisation signed by the DPS is on the premises to enable staff to sell alcohol on their behalf
<input type="checkbox"/> Breach of licence condition(s) (specify condition text box below)	136	<input type="checkbox"/> Licensable activity must only be carried out within the hours detailed on your premises licence
<input type="checkbox"/> Selling alcohol with no authorisation from DPS/no DPS present	136	<input type="checkbox"/> Alcohol must only be displayed for sale within the licence hours detailed on your premises licence
<input type="checkbox"/> Failure to display premises licence summary	57	<input type="checkbox"/> Cease the sale by retail of alcohol until a DPS is in place and named on the premises licence
<input type="checkbox"/> Failure to produce the full premises licence	57	<input type="checkbox"/> Comply with all conditions stated on the premises licence, in particular ones found to be in breach detailed on second sheet
<input type="checkbox"/> Sale of alcohol to a person who is drunk	141	<input type="checkbox"/> See action detailed Exhibit Number <u>KM/02</u>
<input type="checkbox"/> Allowing disorderly conduct on licensed premises	140	Signed [REDACTED]
Other offences not Licensing Act 2003 (please insert legislation here)		I identify the exhibit above as that referred to in the statement signed by me

Action taken by LBTH

No further action Advice Warning issued by way of this report Revisit needed Alcohol seized

Licence holder/DPS cautioned

Person seen: MOHAMMED TALUKER

Signature: [REDACTED]

Position in business: WORKER/SALES PERSON

Date: 23/8/19

This report only covers those areas checked at the time of the visit. It does not indicate compliance with any provision of the Licensing Act 2003 or any associated legislation. If you have any queries regarding this report, please contact the Licensing and Safety Team or write to Environmental Health and Trading Standards, John Onslow House, Ewart Place, London E3 5EQ or visit www.towerhamlets.gov.uk/licensing

Premises Business Name/Address:

Room Unit 46 Eglinton Street



If you feel the action is not justified you should contact the Team Leader of the Licensing and Safety Team within 14 days of this report.

Action:

Sale of portion of hot food - chips - at 11.47 to a customer from LB Tower Hamlets without having a late night refreshment licence by employee Mohammed Talukder.

- Imposes cease of provision of late night refreshments must take place between hours of 23:00 and 05:00.

This visit report is to inform you of any offences under the Licensing Act 2003, or any associated legislation, and what action must be taken in light of the offences. You must take steps to ensure these offence(s) do not reoccur. The absence of any comments on this report does not indicate compliance with the Licensing Act 2003 and any associated legislation. Failure to comply with the Licensing Act 2003, which includes the conditions and hours detailed on any licence, may result in prosecution.

Visiting Officer:

[Redacted]

Date: 23/8/19

Signature of Licensee / DPS / Person Seen

*Circle as appropriate

M. Talukder (circled)

Date: 23/8/19

ACTION TAKEN BY LBTH:

- No further action Advice Warning issued by way of this report Revisit needed Alcohol seized
- Licence holder/DPS cautioned

**ENVIRONMENTAL HEALTH AND TRADING STANDARDS
Witness Statement**

Criminal Justice Act 1967, s 9; Magistrates Court Act 1980, ss 5A and 5B; and Criminal Procedure Rules 2015, r 16.2

REF:

Statement of: Kamal Miah

Age if under 18 (if over insert "over 18"): OVER 18

Occupation:
Environmental
Health
Officer

This statement (consisting of Pages(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Name / Signature: _____

Date: 4th February 2020 _____**Statement**

I am an Environmental Health Officer employed by the London Borough of Tower Hamlets Environmental Services. I qualified as an Environmental Health Officer in November 2010 and hold a MSc postgraduate degree in Environmental Health. I am registered with the Board of Environmental Health Officers (EHORB). My duties include enforcing the provisions of the Health and Safety at Work etc. Act 1974. My duties include carrying out inspections in commercial premises to assess compliance with health and safety legislation as well as investigating accidents and complaints. In addition, I also licence businesses that carry out special treatments in their premises.

On the 17th January 2020 at 11.32pm I visited Ranna, 21 Eleanor Street, London E3 4UR... accompanied by my colleague Amran Ali as part of an operation to check if the business was selling hot food after 11.00pm.

When we entered, I saw three men standing in front of the counter and several men working behind the counter mostly cleaning. Shortly after we entered, a man came to the counter to serve us. I asked for some chips and also took a can of coke from the nearby fridge to add to the order. I paid £3.50 in cash for this order.

After I was handed the chips which were hot, Amran and I announced to the man behind the counter who had just served me that we were council officers and would like to speak to the manager. At this point one of the three men chatting in front of the counter near us came forward and said he was the owner. He said his name was Abu Mahmoud.

Name / Signature: _____

Date: 4th February 2020 _____

ENVIRONMENTAL HEALTH AND TRADING STANDARDS

Witness Statement

Criminal Justice Act 1967, s 9; Magistrates Court Act 1980, ss 5A and 5B; and Criminal Procedure Rules 2015, r 16.2

Statement

Amran and I explained to Mr Mahmoud that it was against the law to serve hot food after 11pm unless there was a late night refreshment licence in place. Mr Mahmoud said that he intended to apply for one in the past but became confused about some of the questions in the form. We advised him to contact the council's licensing team for help and clarification on such matters. Mr Mahmoud said that they only served us because he thought I was his friend's younger brother.

I wrote and handed him a visit report and took the carbon copy with me (see exhibit KAM/RANNA/DOC/001). Amran and I left the premises at 12.07am.

URN:

--	--	--	--

Statement of: Amran Ali

Age if under 18 (if over insert "over 18"): Over 18

Occupation: Health and Safety Officer

This statement (consisting of Pages(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Name / Signature:



Date:

29th January 2020

Tick if witness evidence is visually recorded:

(Supply witness details on last page)

Statement

I am employed by the London Borough of Tower Hamlets Council as a Health and Safety Officer within the Environmental Health and Trading Standards Service. I am an authorised inspector as designated by the Health and Safety at Work etc. Act 1974. My day to day duties include carrying out inspections in commercial premises to assess compliance with Health and Safety legislation as well as investigating accidents and complaints. I also licence businesses that carry out special treatments and deal with cases of infectious diseases. On occasions I work with the licensing team to undertake surveillance and test purchase visits during late night and early mornings to check whether businesses are compliant with licensing legislation. These mainly relate to Late Night Refreshment Licences and checking conditions of Premises Alcohol Licence.

On the 17th of January 2020, I was on shift with my colleague Kamal Miah, an Environmental Health Officer, to check and carry out test purchases from a number of premises in the Borough. At 11:32pm we entered the premises known as **Ranna, 21 Eleanor Street, London, E3 4UR**. The business is essentially an Indian takeaway that mainly does home delivery of food but also accepts walk in customers. There were three men standing at the counter area and another 3-4 behind the counter and kitchen area. The kitchen staff appeared to be cleaning and tidying up while one of the members of staff presented himself at the counter to take our order. At this point Kamal ordered a portion of chips and a can of diet coke. The total cost came to £3.50 which I paid in cash. I did not order anything separate.

We waited a short moment before the portion of chips was served in a paper bag. Kamal and I felt that the chips were hot. Thereafter we revealed ourselves to be Council Officers and asked to speak with the owner or manager. One of the men standing around the counter area came forward and identified himself as the owner and gave his name as Abu Mahmood.

We informed Mr Mahmood that an offence has been committed as the business does not have a late night refreshment licence to sell hot food after 11.00pm. He stated that he intended to submit an application form but found it difficult to complete. Kamal and I gave him some advice and instructed him to contact the Licensing team for further advice. We instructed Mr Mahmood to ensure the shop is closed by 11.00pm as he does not have a valid late night refreshment licence.

Mr Mahmood attempted to pay the £3.50 back to me to undo the transaction but I refused. He also claimed that the only reason we were served is because Kamal appeared to look like his friend's younger brother and that he would not serve to other customers.

Kamal wrote a hand written visit report and gave it to Mr Mahmood. We then left the premises at 00.07am. I later wrote my notes in my note book which I have exhibited as **AMA.RANNA.001**.

AMA. RANNA.
001

17/01/2022

At 11:32pm I entered the premises known as Ranna, 21 Eleanor Street, with colleague Kamal Miah to carry out a test purchase. There were 3 men standing at the reception area and 3-4 men behind the counter and kitchen area. Kitchen staff were mainly cleaning and there were no other customers in the shop. The member of staff at the counter presented himself to take the order. At this point Kamal ordered a portion of chips

and a can of diet Coke. The cost of this order was \$3.50 of which I paid in cash. I did not make a separate order. When the chips were served in a paper bag, I and Kamal could feel it was hot. We both then revealed ourselves and asked to speak to the owner/manager. One of the men at the reception area came forward and identified himself as the owner and gave his name as Abu Mahmood. We informed

him that an offence has been committed as he does not have a late night refreshment licence to sell hot food after 11pm. He stated that he intended to submit an application form but found it difficult to complete. We advised him accordingly but also instructed him to contact the licensing team on Monday for further advice. We instructed him to ensure the shop is closed by 11.00pm as he does not have a valid late night refreshment licence.

He attempted to pay the £3.50 back and pretend the sale did not occur. I refused we then left the premises at 00.07am after leaving a site visit report to Mr. Abu Mahmood.

Appendix 7

Corinne Holland

From: Corinne Holland
Sent: 27 February 2020 14:20
To: Police
Cc: 'Ranna Finance'
Subject: FW: Licence Application - Ranna, 46 Bow Triangle Business Centre, E3

Dear Bethany/Mr Mahmood

Application M/125883 was deemed invalid due to incorrect advertising and therefore M/126792 has replaced this application. The application is the same as previously.

As these conditions were agreed with the applicant I will transfer the agreed conditions over to the new application if agreed by both parties.

Kind regards

Corinne Holland - Licensing Officer

Licensing Team . Environmental Health & Trading Standards . John Onslow House . 1 Ewart Place . London E3 5EQ
☎:020 7364 3986 | ☎:020 7364 5008 | 💻:[\[REDACTED\]](#) |
✉:Licensing@towerhamlets.gov.uk

From: Bethany.Ward [mailto:[Bethany.Ward \[REDACTED\]](mailto: Bethany.Ward [REDACTED])] **On Behalf Of** CEMailbox-
[REDACTED]
Sent: 03 February 2020 13:06
To: Licensing
Cc: [REDACTED]
Subject: FW: Licence Application - Ranna, 46 Bow Triangle Business Centre, E3

Licensing,

Police see the below agreed conditions - police licensing have no objection to Ranna, 46 Bow Triangle Business Centre, E3.

Many Thanks,

Bethany Ward 3433CE | Police Constable | Licensing Unit | Central East (CE)
Email: [\[REDACTED\]](mailto: [REDACTED]) | Address: Bethnal Green Police Station, 12 Victoria Park Square, E2 9NZ.

From: Ranna Finance <[\[REDACTED\]](mailto: [REDACTED])>
Sent: 03 February 2020 12:58
To: Ward Beth - CE-CU <[Bethany.Ward \[REDACTED\]](mailto: Bethany.Ward [REDACTED])>
Subject: Re: Licence Application - Ranna, 46 Bow Triangle Business Centre, E3

Hi Beth,

As discussed earlier, I can confirm we meet all the condition from 1 to 3 mentioned below and we will adhere by it.

Kind Regards,

Afzal Mahmood

On 28 Jan 2020, at 10:09, [Bethany.Ward](#) wrote:

Hello Abu,

I have been processing your application for late night refreshment, if you are happy to agree to the below conditions then I can send my approval to the council:

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following:
 - a) all crimes reported to the venue;
 - b) all ejections of patrons;
 - c) any complaints received concerning crime and disorder
 - d) any incidents of disorder;
 - e) all seizures of drugs or offensive weapons;
 - f) any faults in the CCTV system, searching equipment or scanning equipment;
 - g) any visit by a relevant authority or emergency service.

If you are happy to agree to these conditions can you please reply by 4th February so I can send my approval to the council.

Many Thanks,

Bethany Ward 3433CE | Police Constable | Licensing Unit | Central East (CE)

Email: [REDACTED] | Address: Bethnal Green Police Station, 12 Victoria Park Square, E2 9NZ.

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Appendix 8

Corinne Holland

From: Nicola Cadzow
Sent: 18 March 2020 10:59
To: Licensing
Cc: 'CEMailbox-[REDACTED]'; 'Ranna [REDACTED]'
Subject: RE: New premises licence application for Ranna Unit 46, Bow Triangle Business Centre, 21 Eleanor Street, London - ref 125883

Follow Up Flag: Follow up
Flag Status: Completed

Dear Licensing,

I have no objections to the new premises licence application for Ranna Unit 46, Bow Triangle Business Centre, 21 Eleanor Street, London - ref 125883 following confirmation by the applicant to the following noise conditions (see email trail):-

1. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises, which gives rise to a nuisance.
2. No idling of vehicles, being either patron or delivery vehicles outside the premise whilst premise is in operation.

Kind regards

Nicola Cadzow
Environmental Protection
Environmental Health Technical Officer
Place Directorate
Public Realm, Environmental Health & Trading Standards
London Borough of Tower Hamlets, John Onlsow House, 1 Ewart Place, London E3 5EQ

From: Nicola Cadzow
Sent: 18 March 2020 10:56
To: 'Ranna [REDACTED]'
Cc: [CEMailbox-\[REDACTED\]](#)
Subject: RE: New premises licence application for Ranna Unit 46, Bow Triangle Business Centre, 21 Eleanor Street, London - ref 125883

Dear Mr Mahmood,

Thank you for your confirmation to the additional conditions.

Regards

Nicola Cadzow
Environmental Protection
Environmental Health Technical Officer
Place Directorate
Public Realm, Environmental Health & Trading Standards
London Borough of Tower Hamlets, John Onlsow House, 1 Ewart Place, London E3 5EQ

From: Ranna [REDACTED]
Sent: 03 February 2020 12:46

To: Nicola Cadzow

Cc: [CEMailbox-](#) [REDACTED]

Subject: Re: New premises licence application for Ranna Unit 46, Bow Triangle Business Centre, 21 Eleanor Street, London - ref 125883

Dear Nichola,

I can confirm following,

1. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises, which gives rise to a nuisance.
2. No idling of vehicles, being either patron or delivery vehicles outside the premise whilst premise is in operation.

Kind Regards,

Afzal Mahmood

On 3 Feb 2020, at 11:54, Nicola Cadzow <[REDACTED]> wrote:

Dear Mr Mahmood,

I am looking at your new premises licence application for Ranna Unit 46, Bow Triangle Business Centre, 21 Eleanor Street, London - ref 125883, with particular consideration of the licensing objective for the prevention of public nuisance.

I would ask that the following noise conditions be included as follows:

1. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises, which gives rise to a nuisance.
2. No idling of vehicles, being either patron or delivery vehicles outside the premise whilst premise is in operation.

I look forward to your confirmation in due course.

Kind regards

Nicola Cadzow
Environmental Protection
Environmental Health Technical Officer
Place Directorate
Public Realm, Environmental Health & Trading Standards
London Borough of Tower Hamlets, John Onlsow House, 1 Ewart Place, London E3 5EQ

Appendix 9

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 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

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

Appendix 12

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 of 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.

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