

LICENSING SUB COMMITTEE

Tuesday, 29 September 2020 at 2.00 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:

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agenda



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Attendance at meetings.

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QR code for smart phone users.

APOLOGIES FOR ABSENCE

To receive any apologies for absence.

1. DECLARATIONS OF INTEREST (Pages 7 - 8)

Members are reminded to consider the categories of interest, identified in the Code of Conduct for Members to determine: whether they have an interest in any agenda item and any action they should take. For further details, see the attached note from the Monitoring Officer.

Members are also reminded to declare the nature of the interest at the earliest opportunity and the agenda item it relates to. Please note that ultimately it is the Members' responsibility to identify any interests and also update their register of interest form as required by the Code.

If in doubt as to the nature of an interest, you are advised to seek advice prior the meeting by contacting the Monitoring Officer or Democratic Services.

2. RULES OF PROCEDURE (Pages 9 - 18)

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 (Brand Events Ltd/Veg in the Park), Victoria Park, Grove Road, London E3 5TB	19 - 94	Bow East

Licensing Objectives:

- Public Nuisance
- Public Safety
- Prevention of Children from harm

Representations by:

- Local Resident

3 .2 Application for a Variation of a Premises Licence for (Dirty Bones) 1 Club Row, London E1 6JX 95 - 208 Weavers

Licensing Objectives:

- Public Nuisance
- Crime & Disorder

Representations by:

- Licensing Authority
- Environmental Health

3 .3 Application for a New Premises Licence for (Alcotraz), 212 Brick Lane, London E1 6SA 209 - 300 Weavers

Licensing Objectives:

- Public Nuisance
- Crime & Disorder

Representations by:

- Licensing Authority
- Environmental Health
- Local Resident

**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 AT MEETINGS– NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Code of Conduct for Members at Part C, Section 31 of the Council's Constitution

(i) Disclosable Pecuniary Interests (DPI)

You have a DPI in any item of business on the agenda where it relates to the categories listed in **Appendix A** to this guidance. Please note that a DPI includes: (i) Your own relevant interests; (ii) Those of your spouse or civil partner; (iii) A person with whom the Member is living as husband/wife/civil partners. Other individuals, e.g. Children, siblings and flatmates do not need to be considered. Failure to disclose or register a DPI (within 28 days) is a criminal offence.

Members with a DPI, (unless granted a dispensation) must not seek to improperly influence the decision, must declare the nature of the interest and leave the meeting room (including the public gallery) during the consideration and decision on the item – unless exercising their right to address the Committee.

DPI Dispensations and Sensitive Interests. In certain circumstances, Members may make a request to the Monitoring Officer for a dispensation or for an interest to be treated as sensitive.

(ii) Non - DPI Interests that the Council has decided should be registered – (Non - DPIs)

You will have 'Non DPI Interest' in any item on the agenda, where it relates to (i) the offer of gifts or hospitality, (with an estimated value of at least £25) (ii) Council Appointments or nominations to bodies (iii) Membership of any body exercising a function of a public nature, a charitable purpose or aimed at influencing public opinion.

Members must declare the nature of the interest, but may stay in the meeting room and participate in the consideration of the matter and vote on it **unless:**

- A reasonable person would think that your interest is so significant that it would be likely to impair your judgement of the public interest. **If so, you must withdraw and take no part in the consideration or discussion of the matter.**

(iii) Declarations of Interests not included in the Register of Members' Interest.

Occasions may arise where a matter under consideration would, or would be likely to, **affect the wellbeing of you, your family, or close associate(s) more than it would anyone else living in the local area** but which is not required to be included in the Register of Members' Interests. In such matters, Members must consider the information set out in paragraph (ii) above regarding Non DPI - interests and apply the test, set out in this paragraph.

Guidance on Predetermination and Bias

Member's attention is drawn to the guidance on predetermination and bias, particularly the need to consider the merits of the case with an open mind, as set out in the Planning and Licensing Codes of Conduct, (Part C, Section 34 and 35 of the Constitution). For further advice on the possibility of bias or predetermination, you are advised to seek advice prior to the meeting.

Section 106 of the Local Government Finance Act, 1992 - Declarations which restrict Members in Council Tax arrears, for at least a two months from voting

In such circumstances the member may not vote on any reports and motions with respect to the matter.

Further Advice contact: Asmat Hussain, Corporate Director, Governance and Monitoring Officer,
Tel: 0207 364 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	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. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	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— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
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	Any tenancy where (to the Member's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (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.

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 15** 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	29 September 2020	Unclassified		

Report of: David Tolley Head of Environmental Health & Trading Standards	Title: Licensing Act 2003 Application for a Premises Licence for (Brand Events Ltd/Veg in the Park), Victoria Park, Grove Road, London E3 5TB
Originating Officer: Mohshin Ali Senior Licensing Officer	Ward affected: Bow East

1.0 Summary

Applicant: **Brand Events Ltd**

Name and Address of Premises: **Veg in the Park**
Victoria Park
Grove Road
Bow
London
E3 5TB

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

- **The sale by retail of alcohol**
- **The provision of regulated entertainment**

Representation (s): **One resident**

2.0 Recommendations

2.1 That the Licensing Committee considers the application and representations then adjudicate accordingly.

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

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

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

Mohshin Ali
020 7364 5498

3.0 **Background**

3.1 This is an application for a premises licence for (Brand Events Ltd/Veg in the Park), Victoria Park, Grove Road, London E3 5TB.

3.2 The applicant has described the premises as follows:
“Veg in the Park (working title) is a brand extension of the successful tour of events, 'Tom Kerridge presents Pub in the Park'. It is a three-day food and music festival celebrating high-end vegan and vegetarian food from the nation's leading chefs”.

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

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

The sale by retail of alcohol (On and off sales)

- Friday, from 17:00 hrs to 22:30 hrs
- Saturday, from 11:00 hrs to 22:30 hrs
- Sunday, from 11:00 hrs to 20:00 hrs

The provision of regulated entertainment – Indoors and outdoors (Films, Live music, recorded music, performance of dance and anything of a similar description)

- Friday, from 17:00 hrs to 22:45 hrs
- Saturday, from 11:00 hrs to 22:45 hrs
- Sunday, from 11:00 hrs to 20:00 hrs

The opening hours of the premises

- Monday to Friday, from 17:00 hrs to 23:00 hrs
- Saturday, from 11:00 hrs to 23:00 hrs
- Sunday, from 11:00 hrs to 19:30 hrs

LICENSING OFFICER COMMENTS:

Members should note that for Sundays, the applicant has proposed the sale of alcohol to continue until 20:00 hours. However, the opening (closing) times of the premises for Sundays are being proposed at an earlier time of 19:30 hours. The applicant may wish to clarify this inconsistency.

4.0 **Location and Nature of the premises**

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

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

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

5.0 Licensing Policy and Government Advice

- 5.1 The Council has adopted a licensing policy and this is available from the Licensing Section, and at the hearing. The revised policy came into effect on the 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 a relevant representation has been made by the following:
 - Irina Filatova - **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
 - London Fire Brigade
 - Planning
 - Health and Safety
 - Environmental Health Noise Team
 - Trading Standards
 - Child Protection
 - Public Health
 - Home Secretary (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 representations that relate to the following licensing objectives are relevant:
- the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm
- 6.11 Essentially, the relevant party opposes the application because in their opinion, the applicant has not explained how within the context of the application they will meet the licensing objective of the prevention of public nuisance, public safety and the protection of children.
- 6.12 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.
- 6.13 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.
- 6.14 The applicant has tried to resolve the representation with the objector. However, the objector has not withdrawn the representation.

7.0 **Conditions consistent with Operating Schedule**

- 7.1 See conditions agreed with responsible authorities.

- 8.0 **Conditions in consultation with the Responsible Authorities**
(Licensing Authority conditions agreed – See Appendix 7)
- 8.1 *The licence shall only be used on three consecutive days per year.*
- 8.2 *An Event Safety Management Plan (ESMP) containing detail appropriate to each year's Event will be produced and implemented in consultation with and with the agreement of the Responsible Authorities through multi-agency or Event Planning Group meetings;*
- 8.3 *The first draft of the ESMP, including a detailed plan of the site, will be submitted to the Licensing Authority, the Responsible Authorities and other members of the Event Planning Group for consideration at least three months prior to the event;*
- 8.4 *For each event the Premises Licence holder will produce a final ESMP (including the plan of the site) which must be agreed by the Licensing Authority prior to the event taking place;*
- 8.5 *The licence holder must produce an alcohol management plan of which must be agreed with the Licensing Authority prior to the event taking place.*
- 8.6 *A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.*
- 8.7 *A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer.*
- 8.8 *No open containers of alcohol shall be taken off the licensed area.*
- 8.9 *Any mobile dispensing servers (MDS) will be accompanied by persons not involved directly in serving alcohol. These other persons ('shepherds') will be responsible, jointly with the sellers and security personnel, for ensuring that mobile units comply with the Challenge 21 policy used on site, including preventing proxy sales; and for the prevention of sales to intoxicated customers;*
- 8.10 *The licensee must ensure that all staff involved in MDS operations are fully aware of and understand the requirements of the Licensing Act 2003 and all related conditions applicable to the event.*
- 8.11 *MDS operators must carry a clear indication that a Challenge 25 protocol is in operation.*

(Environmental Health Noise conditions agreed – See Appendix 8)

8.12 *For Events, the “Music Noise Level” (MNL) measured as an LAeq over any 15- minute period from an agreed permanent noise monitoring position shall not exceed 70 dBLAeq 15-minutes for the last two acts on each day.*

8.13 *For music throughout the early part of the day prior to the two main acts, the “Music Noise Level” (MNL) measured as a LAeq over any 15- minute from an agreed permanent noise monitoring position shall not exceed 65dBLAeq*

9.0 **Licensing Officer Comments**

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

- amplified live music and recorded music between 8am and 11pm before audiences of no more than 500 people on premises authorised to sell alcohol for consumption on the premises;
- unamplified live music between 8am and 11pm in all venues.
- Further exemptions apply see Section 16.5-16.6 of Section 182 Guidance.

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

9.3 Guidance issued under section 182 of the Licensing Act 2003

- ❖ As stated in the guidance it is “provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act.” It is a key medium for promoting best practice, ensuring consistent application and promoting fairness equal treatment and proportionality (1.7).

- ❖ Also “as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons. Departure from this Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.” Therefore licensing authorities will need to give full reasons for their actions (1.9).
- ❖ Also Members should note “A Licensing Authority may depart from its own policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the licensing objectives.” (1.12)
- ❖ Also, “The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives.” Therefore, conditions may not be imposed for the purpose other than promoting the licensing objectives and in some cases no additional conditions will be appropriate. (10.8)
- ❖ Necessary conditions should emerge from a risk assessment by the applicant, which should then be reflected in the operating schedule (10.4).
- ❖ The Guidance states: “Where there are objections to an application to extend the hours during which licensable activities are to be carried on and the licensing authority determines that this would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.” (10.14)
- ❖ Mandatory conditions must be imposed (10.25) and censorship avoided (10.17).
- ❖ The Guidance states: “It is still permitted to sell alcohol using promotions (as long as they are compatible with any other licensing condition that may be in force), and the relevant person should ensure that the price of the alcohol is not less than the permitted price. Detailed guidance on the use of promotions is given in the guidance document available on the Gov.uk website.” (10.58) Also, “Licensing authorities should not attach standardised blanket conditions promoting fixed prices for alcoholic drinks to premises licences or club licences or club premises certificates in an area.” (10.21)

9.4 The Licensing Act 2003 permits children of any age to be on the premises which primarily sells alcohol providing they are accompanied by an adult. It is not necessary to make this a condition.

- 9.5 In all cases the Members should make their decision on the civil burden of proof, that is “the balance of probability.”
- 9.6 In all cases Members should consider whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.
- 9.7 The Government has advised that conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. Conditions cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff and standardised conditions should be avoided where they cannot be shown to be appropriate. (1.16/1.17)
- 9.8 The Council’s Licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.
- 9.9 In **Appendices 9 - 20** 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 from
Appendix 2	Site Plan
Appendix 3	Maps of the surrounding area
Appendix 4	Other licensed venues in the area
Appendix 5	Section 182 Guidance by the Home Office
Appendix 6	Representations of resident
Appendix 7	Agreement with Licensing Authority
Appendix 8	Agreement with EH Noise Team
Appendix 9	Licensing Officer comments on noise while the premise is in use
Appendix 10	Licensing Officer comments on access/egress Problems
Appendix 11	Licensing Officer comments on crime and disorder on the premises
Appendix 12	Licensing Officer comments on crime and disorder from patrons leaving the premises
Appendix 13	Public safety
Appendix 14	Planning
Appendix 15	Licensing Policy relating to hours of trading

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Appendix 1



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 BRAND EVENTS TM LTD

(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			
Victoria Park Grove Road			
Post town	Bow	Postcode	E3 5TB
Telephone number at premises (if any)		n/a	
Non-domestic rateable value of premises		£ 0	

Part 2 - Applicant details

- Please state whether you are applying for a premises licence as **Please tick as appropriate**
- | | | |
|---|--------------------------|-----------------------------|
| 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 | X | 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
- I am making the application pursuant to a
- statutory function or
- a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other Title (for example, Rev)			
Surname		First names	
Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes	
Nationality			
Current residential address if different from premises address			
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)			

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other Title (for example, Rev)			
Surname		First names	
Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes	
Nationality			
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)			
Current residential address if different from premises address			
Post town		Postcode	
Daytime contact telephone number			

E-mail address (optional)	
----------------------------------	--

(B) OTHER APPLICANTS

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

Name BRAND EVENTS ™ LTD
Address 4 VENCOURT PLACE LONDON W6 9NU
Registered number (where applicable) 08742448
Description of applicant (for example, partnership, company, unincorporated association etc.) LIMITED COMPANY
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
20	07	2020

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

DD	MM	YYYY

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

Victoria Park is one of London's most important historic parks and its oldest public park, visited by millions of Londoners each year as a place of healthy recreation, sports, play and relaxation.

The park is the largest in Tower Hamlets at 86.18 hectares and has one of the highest visitor numbers of all the London parks with around 9 million visits per year. A wide range of formal and informal sports, sponsored activities, events and festivals take place throughout the year.

The park has a history of festivals much larger in scale than proposed here. This lifestyle event is very suited to the local area and nearby residents, , and similar concepts have successfully taken place in near identical situations throughout the UK.

Veg in the Park (working title) is a brand extension of the successful tour of events, 'Tom Kerridge presents Pub in the Park'. It is a three-day food and music festival celebrating high-end vegan and vegetarian food from the nation's leading chefs. Under an invitation from Tom Kerridge, Michelin-starred and celebrity chefs will be producing samples of their award-winning food replicating dishes from their restaurants whilst the audience enjoys food content, shopping and live music

The first Pub in the Park took place in Marlow in May 2017. In 2018 we took this unique concept to four towns - Marlow, Bath, Tunbridge Wells and Knutsford, drawing in 67,000 people across the four shows. In 2019 we expanded into eight towns adding Leeds, Warwick, Chiswick and St Albans and we attracted a total of 120,000 visitors across the tour.

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

In all cases complete boxes K, L and M

A

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

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Wed					
Thur					
Fri	17:00	22:45	<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	11:00	22:45			
Sun	11:00	20:00			

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

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

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon			We will programme our music to end at 22:30 on Friday and Saturday and 19:00 on Sunday. Live music performances will be limited to the second half of each session and will not exceed 135 minutes per session for the first three sessions (Friday 18:00 – 22:30 / Saturday 11:30 – 16:30 and 18:00 – 22:30) and 190 minutes on the final session (Sunday 13:00 – 19:00)		
Tue					
Wed					
Thur			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Fri	17:00	22:45	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	11:00	22:45			
Sun	11:00	20:00			

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4) The provision of playback of amplified / recorded music will provide patrons with the opportunity to enjoy music accompanying the main event(s). This may take the form of background / incidental music to accompany a meal or background music played across the site throughout the day to provide gentle ambience. Recorded / incidental music may be played throughout the event live period. <u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5) <u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Mon					
Tue					
Wed					
Thur					
Fri	17:00	22:45			
Sat	11:00	22:45			
Sun	11:00	20:00			

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri	17:00	22:45			
Sat	11:00	22:45			
Sun	11:00	20:00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri	17:00	22:45			
Sat	11:00	22:45	Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun	11:00	20:00			

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur					
Fri	17:00	22:30			
Sat	11:00-	22:30			
Sun	11:00	20:00			
			<u>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</u> (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 Neil Levene	
Date of birth [REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) [REDACTED]	

K

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

There is no planned adult entertainment - all entertainment will be suitable for a family audience

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri	17:00	23:00	
Sat	11:00	23:00	
Sun	11:00	19:30	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6) Our planned opening hours are Friday: 18:00 - 22:30 Saturday 11:30 - 16:30 and 18:00 - 22:30 Sunday 13:00 - 19:00 We have applied for an additional 30minsn to allow for the egress of public following the end of each session.

M

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

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

The licensee will take all steps to ensure all four licensing objectives are complied with.

This licence is to cover one consecutive event running for no more than three days per year, to be either Friday, Saturday and Sunday or Saturday, Sunday and Bank Holiday Monday. Event dates each year, and use of the park, subject to contract via LB Tower Hamlets Arts, Parks and Events team.

Detailed planning in full consultation with the Local Authority and Responsible Authorities will be undertaken, including attendance at SAG meetings and submitting detailed documents, plans and risk assessments in accordance with any licence conditions and operating schedule requirements.

Event Overview:

Brand Events are planning a brand-new addition to the British food festival scene. The event will be a high-end gourmet vegetarian and vegan food festival. We will be curating a line-up of the nation's most-loved chefs to cook samples of their signature vegan and vegetarian dishes. Alongside the eating there will be activities such as Q&A's, chef demonstrations and tasting masterclasses. There will also be musical entertainment throughout the weekend alongside the food activities.

Festival Content Summary:

- * Pop up restaurants
- * Chef cooking demonstrations
- * Speeches, Q&A's
- * Tastings and Pairings
- * Shopping from artisanal food producers
- * Live music and entertainment from a central festival music stage

The event is targeted at couples, groups of friends and families who are food enthusiasts. Based on our audiences at similar events, we expect the age range to be 30-50 with a 50/50 male / female split. Tickets will be sold and distributed by a reputable ticket agency.

A detailed Event Safety Management Plan (ESMP) will be submitted in accordance with licence conditions and will include the following key plans:

- Alcohol Management
- Traffic Management Plan
- Security and Stewarding Management Plan
- Noise Management Plan
- Major Incident and Emergency Planning
- Safeguarding Policy - including Lost Children Policy

- Health and Safety Policy including Risk Assessments and Method Statements.

- Medical Provision

The first draft of these plans will be submitted to the Licensing Authority 90 days in advance of the event. A final version will be submitted to the Licensing Authority 30 days in advance of the event. The deadlines for submission of Event Management Plans may be altered in writing by the Head of Licencing following written request by the Licensee.

The ESMP will be to the satisfaction of the Licensing Authority (after the periods stated above) and the event will be run in full accordance with the Event Safety Management Plan submitted.

It is recognised that close partnership working is essential to the delivery of the event and appropriate consultation and discussion with relevant authorities and partners will be undertaken.

A team of suitably qualified professionals will be employed to deliver the Operational management of the event. Details of appointed contractors and defined roles and responsibilities will be included in the ESMP.

These include (but are not limited to)

- Licensee
- Designated Premises Supervisor (DPS)
- Operations Manager
- Site Manager
- Security Provider
- H&S Consultant
- Transport and Traffic Management Company
- Acoustic Noise Consultant
- Medical Provider

A detailed programme of all licenced and operational timings and venues will be included as part of the Event Management Plan.

The Premises Licence Holder shall ensure compliance with all aspects of the Noise Management and Community Liaison Plan. The Premises Licence Holder shall appoint a competent noise consultant to monitor and record on site and off site noise throughout the event, to ensure compliance with noise levels. All monitoring performed shall be logged and made available to the Licensing Authority upon request.

At least 7 days prior to an event the Premises Licence Holder shall provide to the Licensing Authority a telephone number for contacting the Premises Licence Holder or a nominated representative during the course of an event.

The Premises Licence Holder shall ensure compliance with all aspects of the Noise Management and Community Liaison Plan.

Between the hours of 11:00 and 22:45 noise levels from music shall not exceed 70dB LAeq (15 minutes). All noise levels from music shall be measured in free field conditions, in the absence of other significant local noise sources, at locations to be agreed in writing with the Licensing Authority no later than 28 days in advance of the event.

The final NMP shall contain the methodology which shall be employed to control the sound produced on the premises, in order to comply with the premises licence. The NMP must include all of the arrangements for preventing public nuisance and consultation with the local community and shall include:

- a) An inventory and location of all sound systems to be used on the site.
- b) Management command and communication structure/methods for ensuring that permitted sound system output and finish times are not exceeded.
- c) Publication and dissemination of information to the public and arrangements for provision and staffing of a hotline number for dealing with complaints.
- d) Action to be taken by the Event Organiser following complaints, which shall be logged and made available to the Licensing Authority upon request.

Site Management Plans will be fully finalised in accordance with industry guidelines including

- Temporary communications infrastructure - including landline, radio and internet based communications will be installed to facilitate communications and information dissemination across the site
- Service routes and scheduling to ensure pedestrian and vehicle segregation
- Suitable means of ingress and egress, including emergency routes.

Alcohol Management Plan will be submitted within the ESMP and will include:

- * Details around documented training for all persons involved with alcohol sales
- * Provision of a documented Ejections Policy, including who will be trained in its content
- * Provision of a documented Welfare Policy including who will be trained in its content
- * Provision of a Glass Policy
- * Confirmation of a personal licence holder present at all bars during operation
- * Details around airwaves / radio communication for all bars to communicate with SIA and Event Control
- * Details of Refusals Register from all bars and vendors

b) The prevention of crime and disorder

- Engagement of competent and experienced security company who shall provide a crowd management plan
- Provision of event control operation to oversee the safe management of the event and to coordinate resources and contingencies in the event of an incident.
- Provision of competent and experienced stewarding and security personnel.
- Provision of SIA accredited staff at key points to carry out specific jobs, namely bar areas, eviction etc

- Removal of any items of contraband from patrons and agree chain of custody with local police.
- Advance liaison with police to identify any trends / intelligence which may surround a particular group or audience profile.
- A list of all persons evicted from the event site will be logged and handed over to the police if required.
- Brand Events TM Ltd has produced specific Alcohol and Drugs policies. These will be communicated out to all relevant staff.

c) Public safety

- A general assessment of the site has been carried out and its suitability as a venue confirmed.
- There are numerous escape routes afforded throughout the event site and into places of relative safety.
- Enclosed venues shall be subject to specific fire risk assessments.
- Engagement of competent suppliers and service providers.
- Engagement of experienced event safety advisors.
- The proposed site provides ample footprint for the proposed content and activities.
- Seating will be provided though a mixture of temporary seating installations (plastic furniture and or picnic bench style provisions)
- All temporary structures and other major infrastructure elements will be subject to formal sign off by a competent person prior to use or opening.
- Installation, distribution and sign off of temporary electrical systems to be carried out by a competent professional contractor
- Provision of appropriate medical and welfare facilities, which are clearly signed and staffed for the duration of the event.
- Access to fresh and tested drinking water for working personnel and members of the public.
- Production of detailed fire safety assessments will ensure all necessary controls are in place and monitored throughout the event period.
- Access to potentially hazardous areas will be restricted to members of the public and unauthorised personnel.
- The location of significant buried services will be established and communicated to relevant personnel.
- Generators and other electrical / technical areas shall only be accessible by technical crew, contractors and event staff.
- Appropriate warning signage will be prominently displayed to advise of potential hazards on site.
- A suitable and sufficient front of stage barrier will be installed and signed off by a competent person.

- Lighting levels throughout the event site will be set to allow patrons to clearly navigate their way around the site.

Non-essential vehicle movement shall not be permitted on site during the public opening period. Any essential vehicle movement shall be carried out using a banksman.

- Production and/or servicing vehicles shall use the back of house/production roads SFARP.
- No alcohol shall be served in glass vessels* and patrons shall not be permitted to bring glass onto site.

** With the exception of managed taster sessions, master classes, and VIP Enclosures. These areas will have security positioned at each exit to ensure no patron leaves said area with glass. There is a glass policy in place for sales of alcohol for off-site consumption wherein exhibitors must hold bottles on their stand until the end of each session where the patron can collect their pre-paid bottle of alcohol to take home with them. If any exhibitor is found to be in breach of these rules their stall will be shut down*

Weather monitoring shall take place during the build, event and break periods and appropriate contingency plans (predominantly for high winds, lightning and heavy rains) shall be in place.

d) The prevention of public nuisance

- Limited work outside standard hours for work shall be carried out during the build or break periods and subject to approval by the Council's Environmental Protection team.
- The position of direct lighting (e.g. tower lights) shall not be in such a way which affects local residents but must be balanced to provide adequate / suitable lighting levels for navigation in and around the site.
- No build-up of litter or waste will be permitted anywhere out of the event site or on local highways.
- The event shall minimise the effect on the environment where possible
- Patrons will be encouraged to share transport to minimise disruption and environmental impact SFARP.
- Traffic Management Plan to minimise impact on local environs and facilitate ready access to and from the event site.
- Every effort will be made to prevent pollution of any watercourse

The continuous noise level will not exceed levels specified and agreed with the London Borough of Tower Hamlets Environmental Health Team. The sound system and other noise source will be orientated to minimise sound spill to neighbouring properties. The principle noise limit for the event will be adhered to. Low frequency noise will also be monitored and remedial action will take place if necessary. A noise management plan and propagation tests shall be produced and carried out for each event. Noise monitoring positions to be agreed with Environmental Protection and monitored throughout the live period of the tenancy.

Generators used in the build up to, during, and after will be suitable silenced types, sensibly positioned to avoid disturbance. Limiters will be fitted to PA outputs to enable the overall level to be controlled. In order to ensure control and management of the noise levels, these will be inaccessible to artists sound engineers.

Persons operating and using sound systems, including public address systems, shall comply without delay with any reasonable instructions from London Borough of Tower Hamlets Environmental Health Team for requests for reductions in the noise levels. A sound pressure meter will be available for use by the PA system engineer and Event Health & Safety Manager.

Any noise complaints will be directed to the event organisers who will take immediate steps to ensure that PA system is operating within agreed limits. More details can be found in the Noise Management Plan.

Work on site will only take place within hours specified within LBTH environmental section guidance. Any variance will be agreed as part the Production Plan and Dispensation Form submitted to Environmental Protection for approval.

The event organisers will be available to liaise with London Borough of Tower Hamlets Environmental Protection Team at any time during, sound checks, and throughout the event.

As the event may affect residents in some areas surrounding the park, the event organiser will undertake a door to door letter drop including details of the event and contact number on site to all affected residents and business for further information. Information will also be made available on the council's arts and events web page.

e) The protection of children from harm

- There will be a dedicated Welfare Point onsite. The Welfare point will be managed by DBS checked staff. There will be a clearly written procedure for lost / found children and vulnerable adults.
- No under 16's are permitted on site without a responsible adult.
- No under 16's shall work at the licensed site unless a suitable and sufficient Risk Assessment has been carried out and all control measures effectively implemented.
- Provision of DBS accredited personnel on site.
- Challenge 25 rule for the sale of alcohol shall be adopted for the event.
- Any films shown shall have appropriate age certification or theatre shows etc with adult content will be clearly advertised.
- Any persons believed to be drinking under-age shall be intercepted by security personnel and | alcohol disposed of.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. X
- I have enclosed the plan of the premises. X
- I have sent copies of this application and the plan to responsible authorities and others where applicable. X
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. X
- I understand that I must now advertise my application. X
- I understand that if I do not comply with the above requirements my application will be rejected. X
- [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

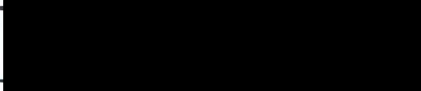
share code issued by the Home Office online right to work checking service (please read note 15).

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	12.03.2020
Capacity	OPERATIONS DIRECTOR

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

Signature	
Date	
Capacity	

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

Post town

Postcode

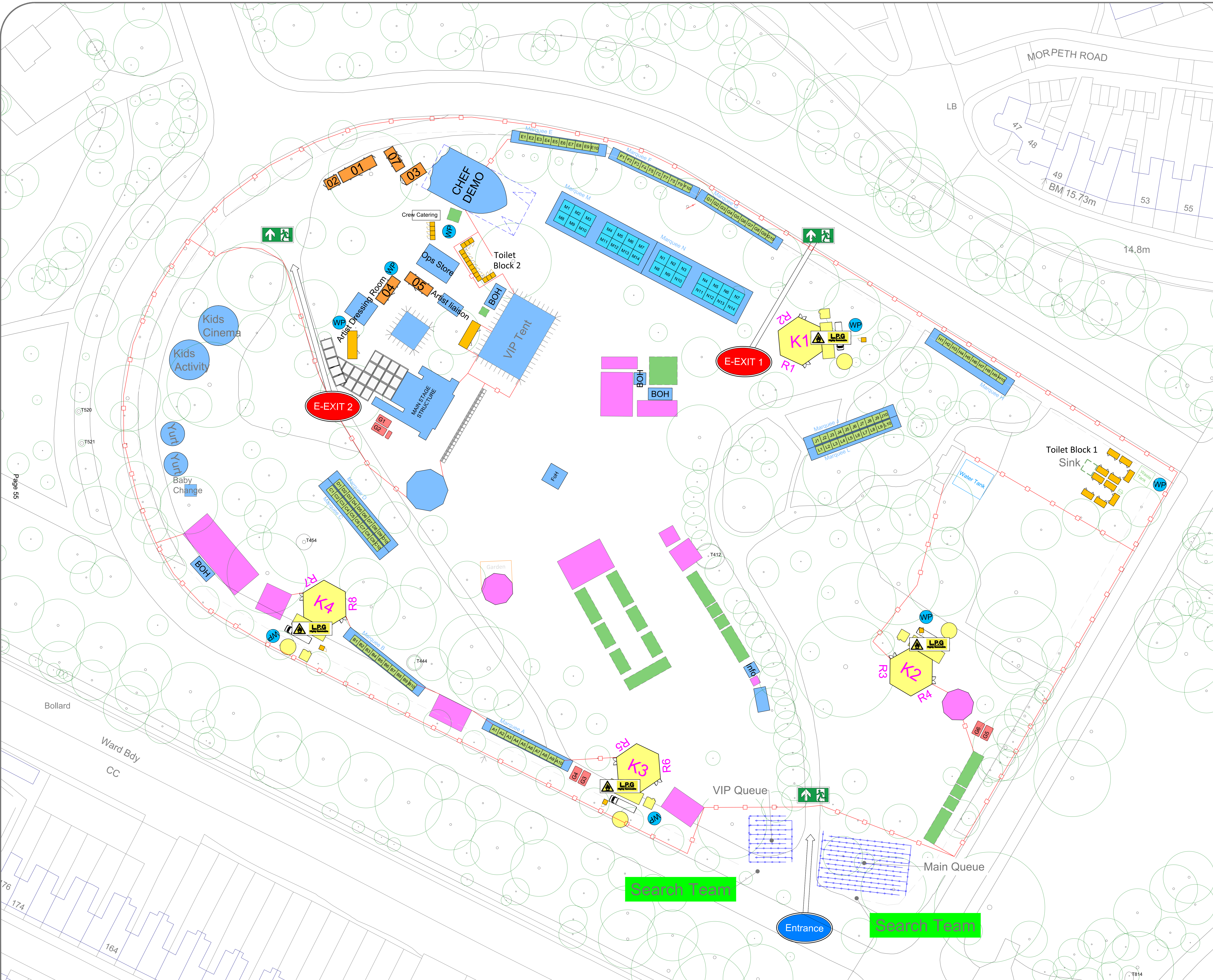
Telephone number (if any)

If you would prefer us to correspond with you by email, please provide an email address (optional)

Appendix 2

LEGEND

- Cabins
- Kitchen
- Artisan Stall
- Shopping Village
- Marquee
- Saddlespan
- Space Only
- Bar
- Stage
- FAF
- Toilet Block / PJ
- Generator
- Trackway
- Fencing
- Water
- Main Entrance
- Emergency Exit
- LPG Gas Bottle Location
- Emergency Exit

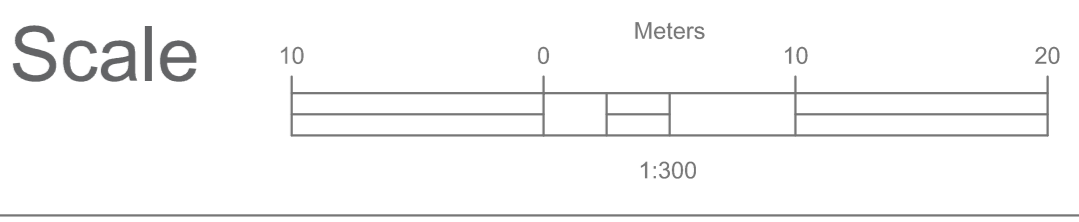


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Event
VitP2020 Victoria Park

Plan Title
Site Overview

Date & Version
v2.1 | 26.02.20



Drawn By
 EVENT SITE DESIGN

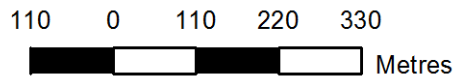
Appendix 3



Victoria Park



Scale 1:12298



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Appendix 4

New premises licence: Brand, Victoria Park

Name and address	Licensable activities and hours	Opening hours
<p>(The Crown) 223 Grove Road London E3 5SN</p>	<p>The Sale by retail of alcohol: (On and off sales) Sunday to Wednesday from 10:00 hrs to 23:00 hrs Thursday to Saturday from 10:00 hrs to 00:00 hrs (midnight) Late Night Refreshment: Sunday to Wednesday until 23:30 hrs Regulated Entertainment consisting of Live Music only: Monday to Sunday from 12:00 hrs to 22:30 hrs</p> <p>On New Year's Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).</p> <p>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.</p>	<p>Sunday to Wednesday from 10:00 hrs to 23:30hrs Thursday to Saturday from 10:00 hrs to 00:30 hrs</p> <p>On New Year's Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).</p> <p>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.</p>
<p>(East London Liquor Company) 221 Grove Road London E3 5SN</p>	<p><u>The Supply of Alcohol (both on and off sales)</u></p> <ul style="list-style-type: none"> Monday to Sunday from 09:00hrs to 00:00hrs (midnight) <p><u>The Provision of Late Night Refreshment (both indoors and outdoors)</u></p> <ul style="list-style-type: none"> Monday to Sunday from 23:00hrs to 00:00hrs (midnight) <p><u>The Provision of Regulated Entertainment in the form of Films and Recorded Music (indoors)</u></p> <ul style="list-style-type: none"> Monday to Sunday from 09:00hrs to 00:00hrs (midnight) <p><u>Non-Standard Hours</u></p> <ul style="list-style-type: none"> From the end of hours on New Year's Eve to the start of hours on New Year's Day 	<ul style="list-style-type: none"> Monday to Sunday from 09:00hrs to 00:30hrs (the following day) <p><u>Non-Standard Hours</u></p> <ul style="list-style-type: none"> From the end of hours on New Year's Eve to the start of hours on New Year's Day
<p>(The Eleanor Arms) 460 Old Ford Road London E3 5JP</p>	<p>Supply by retail of alcohol (On and off sales). Monday, Tuesdays, Wednesdays, Thursdays, and Sundays: 10am to 12 midnight Fridays and Saturdays : 10am to 1am</p>	<p>Monday, Tuesdays, Wednesdays, Thursdays, and Sundays: 10am to 12.30am Fridays and Saturdays : 10am</p>

New premises licence: Brand, Victoria Park

	<p>Late night refreshment Monday – Sunday: 11pm to 12 midnight Regulated Entertainment: Films: Monday – Sunday: 10am to 11.00pm Indoor sporting events: Monday – Sunday: 10am to 12 midnight Live music and performance of dance: Monday, Tuesdays, Wednesdays, Thursdays, and Sundays: 10am to 11.00pm Fridays and Saturdays :10am to 12 midnight Recorded music: Monday – Sunday:10am to 12.30am</p> <p>The terminal hour for these activities is extended to 12 midnight for regulated entertainment, and to 1am for supply by retail of alcohol or late night refreshment, on the following days:</p> <p>Christmas Eve, Boxing Day, Valentines Day, St Patricks Day, St Georges Day, Easter Friday, Easter Saturday, Easter Sunday, Easter Monday, May Bank Holiday Saturday, May Bank Holiday Sunday, May Bank Holiday Monday, Spring Bank Holiday Saturday, Spring Bank Holiday Sunday, Spring Bank Holiday Monday, August Bank Holiday Saturday, August Bank Holiday Sunday, August Bank Holiday Monday and Halloween.</p> <p>The premises may remain open for the above licensable activities from the usual terminal hour on New Year’s Eve to the start time on New Years Day.</p>	<p>to 1.30am</p> <p>The closing time shall be 1.30 am on the following days: Christmas Eve, Boxing Day, Valentines Day, St Patricks Day, St Georges Day, Easter Friday, Easter Saturday, Easter Sunday, Easter Monday, May Bank Holiday Saturday, May Bank Holiday Sunday, May Bank Holiday Monday, Spring Bank Holiday Saturday, Spring Bank Holiday Sunday, Spring Bank Holiday Monday, August Bank Holiday Saturday, August Bank Holiday Sunday, August Bank Holiday Monday and Halloween.</p> <p>The premises may remain open from the usual terminal hour on New Year’s Eve to the start time on New Years Day.</p>
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New premises licence: Brand, Victoria Park

<p>(Lord Morpeth) 402 Old Ford Road London E3 5NR</p>	<p><u>Supply of Alcohol (both on and off sales)</u></p> <ul style="list-style-type: none"> • Sunday to Thursday from 11:00hrs to 23:30hrs • Friday and Saturday from 11:00hrs to 01:00hrs (the following day) <p><u>Late Night Refreshment</u></p> <ul style="list-style-type: none"> • Sunday to Thursday from 11:00hrs to 00:00hrs (midnight) • Friday and Saturday from 23:00hrs to 01:30hrs (the following day) <p><u>Regulated Entertainment, in the form of recorded music</u></p> <ul style="list-style-type: none"> • Monday to Sunday 11:00 hours to 23:00 hours <p>Note: However, New Year's Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 23:00hrs on New Year's Eve and 11:00hrs on New Year's Day.</p>	<ul style="list-style-type: none"> • Sunday to Thursday from 11:00hrs to 00:00hrs (midnight) • Friday and Saturday from 23:00hrs to 01:30hrs (the following day) <p>New Year's Eve from 11:00hrs to New Year's Day 00:00hrs (midnight)</p>
<p>(Old Ford Mini Market) 389 Old Ford Road London E3 2LU</p>	<p>Monday – Thursday from 08:00 hours – 00:00 hours (midnight) Friday and Saturday from 08:00 hours – 01:00 hours Sunday from 09:00 hours – 00:00 hours (midnight)</p>	<p>Monday to Thursday from 08:00 hours to 00:00 hours (midnight) Friday & Saturday from 08:00 hours to 01:00 hours Sunday from 09:00 hours to 00:00 hours</p>

Appendix 5

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

Relevant, vexatious and frivolous representations

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

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

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

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

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

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

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

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

Appendix 6

Mohshin Ali

From: Mohshin Ali on behalf of Licensing
Sent: 24 March 2020 16:45
To: Mohshin Ali
Subject: FW: your ref. CLC/EHTS/LIC/127357_representation

Follow Up Flag: Follow up
Flag Status: Flagged

From: Irina filatova [REDACTED]
Sent: 24 March 2020 11:09
To: Licensing
Subject: your ref. CLC/EHTS/LIC/127357_representation

From: Irina Filatova
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

24th March 2020

Dear Sirs,

Re.: Brand Event Ltd, Victoria Park Grove Road London E3 5TB

I am writing with regard to the application for a premises licence at the above address.

First of all, there are no dates mentioned in the application. It is not clear from the application whether it is going to be one weekend. It is not clear either whether the area is going to be fenced and whether we are able to enjoy our park or we will have to be satisfied with a small square somewhere far, sharing it with dogs and babies. If the area is going to be fenced then we will lose our view from the windows. We bought the flat to have the view on the park and not a fence.

In the following paragraphs I am going to make it clear how granting this application will have an impact and is relevant to three objectives which you provided on your website:

- The prevention of public nuisance
- Public safety
- Protection of children from harm.

The prevention of public nuisance and protection of children from harm.

Granting this application will have an impact to many aspects of our lives. As we live in the vicinity of Victoria Park (right behind the canal) any performance is quite audible in the flat. It disrupts our daily life and prevents us from enjoying not only the park but our accommodation as well. Residents of flats 1 and 2 have small babies who have sleep schedules which they won't be able to apply. We have enough nuisance coming from All Points East festival where we are forced to go away for two weekends and pay a lot of money for this time staying away in hotels and eating in restaurants. This extra event is a burden to our wallet if we want to escape it. If we stay it brings a lot of discomfort and nuisance which means we cannot enjoy our properties, i.e. watch TV, listen to our music, enjoy the terraces (we paid extra for the location when we bought our flat). Last year during the festival our babies were very agitated and cried all the time while there was music outside. As a mother I was very concerned and stressed. We had to make urgent arrangements to leave the flat just to find a quiet place to stay. I am sure this concerns many other mums in the area.

The festival finishes quite late, far behind not only the baby's but also our sleeping schedule. If the child does not have enough sleep he gets stressed and frustrated. These music events in residential areas bring disturbance to small babies and their carers. When should they sleep?

If the government is so concerned about psychological health of people, about their wellbeing, why not have the festivals away from housing, away from residential areas? Or grant the residents who live in the vicinity some money so that they can go away for three days.

Public safety. Coronavirus.

How does this festival go along with the prime minister's guidance to stay at home during this difficult time for the UK when coronavirus is getting a grip over the country? Many festivals get cancelled due to safety measures. Tower Hamlets should think about health and safety of their residents, too. As the festival is almost on our doorstep, it would be unwise to agree to have it.

It is understandable that Tower Hamlets want to make money but their commercial ventures should not be at the expense of the residents who suffer during these events and in the current circumstances are at risk of getting infected.

Sincerely yours,

Kind regards,
Irina Filatova.

Appendix 7

Mohshin Ali

From: Neil Levene <[REDACTED]>
Sent: 20 April 2020 14:47
To: Kathy Driver
Cc: Licensing; Mohshin Ali
Subject: RE: Brand Event - Victoria park 127357

Hi Kathy

Thank you very much for your email. I have reviewed the proposed conditions below and deem them wholly appropriate and therefore we are happy to formal accept the conditions.

If we require any discussions let me know.

Many thanks

Neil

Neil Levene

Operations Director

brand·events

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

From: Kathy Driver <[REDACTED]>
Sent: 09 April 2020 18:10
To: [REDACTED] <[REDACTED]>; Neil Levene <[REDACTED]>
Cc: Licensing <[REDACTED]>; Mohshin Ali <[REDACTED]>
Subject: Brand Event - Victoria park 127357

I am acting as Responsible Authority in respect of the Licensing Authority and wish to make representation to the application made due to concerns of Prevention of Public Nuisance, Protection of Children from Harm and Public Safety.

The application submitted does not give sufficient detail to establish the event management and safety of the event. I realise during the current climate, this years event has been cancelled however the licence applied is for three day event to take place every year for unlimited period.

In light of the above objectives I would request the following conditions to be added to the licence to go some way in meeting those objectives:

1. The licence shall only be used on three consecutive days per year.
2. An Event Safety Management Plan (ESMP) containing detail appropriate to each year's Event will be produced and implemented in consultation with and with the agreement of the Responsible Authorities through multi-agency or Event Planning Group meetings;

3. The first draft of the ESMP, including a detailed plan of the site, will be submitted to the Licensing Authority, the Responsible Authorities and other members of the Event Planning Group for consideration at least three months prior to the event;
4. For each event the Premises Licence holder will produce a final ESMP (including the plan of the site) which must be agreed by the Licensing Authority prior to the event taking place;
5. The licence holder must produce an alcohol management plan of which must be agreed with the Licensing Authority prior to the event taking place.
6. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
7. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer.
8. No open containers of alcohol shall be taken off the licensed area.
9. Any mobile dispensing servers (MDS) will be accompanied by persons not involved directly in serving alcohol. These other persons ('shepherds') will be responsible, jointly with the sellers and security personnel, for ensuring that mobile units comply with the Challenge 21 policy used on site, including preventing proxy sales; and for the prevention of sales to intoxicated customers;

10. The licensee must ensure that all staff involved in MDS operations are fully aware of and understand the requirements of the Licensing Act 2003 and all related conditions applicable to the event.

11. MDS operators must carry a clear indication that a Challenge 25 protocol is in operation.

This Licensing Authority are objecting to the application. Should the above conditions be agreed with the applicants, the Authority we may consider withdrawing our objection.

Kind Regards,

Kathy Driver
Principal Licensing Officer

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

**Please note:
Meetings with Licensing Officers are by prearranged appointment only.**



Please visit our web page for application forms and guidance
at www.towerhamlets.gov.uk/licensing



Appendix 8

Mohshin Ali

From: Mohshin Ali on behalf of Licensing
Sent: 12 May 2020 12:37
To: Mohshin Ali
Subject: FW: New premises licence application for Brands Limited - Veg in the Park - ref M/127357
Attachments: Veg in the Park - Agreement bt the Applicant.docx
Follow Up Flag: Follow up
Flag Status: Completed
Categories: Red Category

From: Nicola Cadzow
Sent: 12 May 2020 12:28
To: Licensing; Kathy Driver
Cc: 'c [REDACTED]'
Subject: New premises licence application for Brands Limited - Veg in the Park - ref M/127357

Dear Licensing,

Further to agreement with the applicant for new premises licence application for Brands Events Limited Victoria Park - ref M/127357 (see attached email correspondence) regards the noise levels under the condition on the operating schedule under the licensing objective for the prevention of public nuisance which states the following:-

“ the continuous noise levels will not exceed levels specified and agreed with the London Borough of Tower Hamlets Environmental Health Team”.

It has been agreed by Environmental Protection with the applicant the following noise conditions to apply:-

- 1. For Events, the “Music Noise Level” (MNL) measured as an LAeq over any 15- minute period from an agreed permanent noise monitoring position shall not exceed 70 dBLAeq 15-minutes for the last two acts on each day.***
- 2. For music throughout the early part of the day prior to the two main acts, the “Music Noise Level” (MNL) measured as a LAeq over any 15- minute from an agreed permanent noise monitoring position shall not exceed 65dBLAeq***

Please take this as withdrawing the holding objection.


Kind regards

Nicola Cadzow
Environmental Health Technical Officer
Environmental Protection Team
Place Directorate

London Borough of Tower Hamlets
John Onslow House
London E3 5EQ


www.towerhamlets.gov.uk

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From: Nicola Cadzow
Sent: 08 April 2020 10:12
To: Licensing
Cc: 
Subject: New premises licence application for Brands Events Limited Victoria Park - ref M/127357

Dear Licensing,

The noise team have been corresponding with the applicant and their acoustic consultant regards the new premise licence application for Brands Events Limited Victoria Park - ref M/127357 and how they will adhere and promote the four licensing objectives with particular attention to the licensing objective for the prevention of public nuisance.

A condition on the operating schedule of the license application under the prevention of public nuisance includes “ *the continuous noise levels will not exceed levels specified and agreed with the London Borough of Tower Hamlets Environmental Health Team*”.

Unfortunately the Environmental Health Noise Team has been unable to come to a confirmed agreement at this time, with regards to the music noise levels.

Therefore please take this as a holding objection to the premises licence application for Brands Events Limited Victoria Park - ref M/127357

If the applicant can provide details as requested from the acoustic consultant by my colleague, in relation to similar locations with adjacent residential properties including the noise data, we will review this data and may consider withdrawing our representation.

Kind regards

Nicola Cadzow
Environmental Health Technical Officer
Environmental Protection Team
Place Directorate
London Borough of Tower Hamlets
John Onslow House
London E3 5EQ


www.towerhamlets.gov.uk

Appendix 9

Noise while the premise is in use

General Advice

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

The hours of operation also need to be considered (see below).
If Members believe that there is a substantial problem of noise while the premises are in use and it cannot be proportionately address by licensing conditions they should refuse the application.

Licensing Policy

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

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

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

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

Police Powers

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

Licence conditions should not duplicate other legislation (1.16).

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

Other Legislation

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

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

Appendix 10

Access and Egress Problems

Such as:

Disturbance from patrons arriving/leaving the premises on foot

Disturbance from patrons arriving/leaving the premises by car

Lack of adequate car parking facilities

Close proximity to residential properties

Comment

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

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

General Advice

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

The hours of operation also need to be considered.

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

Licensing Policy

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

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

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

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

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

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

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

Licence conditions should not duplicate other legislation (1.16).

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

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

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

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

Appendix 11

Anti-Social Behaviour on the Premises

Licensing Policy

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. (**See Section 6 of the Licensing Policy**)

The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. (**See Appendix 3 of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- Methods of management communication
- Use of registered Door Supervisors
- Bottle Bans
- Plastic containers
- CCTV
- Restrictions on open containers for “off sales”
- Restrictions on drinking areas
- Capacity
- Proof of Age scheme
- Crime prevention notices
- Drinks promotions-aimed at stopping irresponsible promotions
- Signage
- Seating plans
- Capacity

If Members believe that there is a substantial problem of anti-social behaviour and it cannot be proportionately addressed by licensing conditions they should refuse the application.

Police Powers

The Licensing Act 2003, Part 8 gives a senior police officer the power to close a premises for up to 24 hours where the officer believes there is, or is likely to be disorder on or in the vicinity and closure is necessary in the interests of public safety.

Guidance Issued under Section 182 of the Licensing Act 2003

The pool of conditions, adopted by the Council is recommended (Annexe D).

The key role of the Police and SIA is acknowledged (2.1-2.2).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder

and their staff or agents, but can directly impact on the behaviour of customers in the immediate vicinity of the premises as they seek entry or leave (1.16).

Conditions are best targeted on deterrence and preventing crime and disorder (2.3) communication, CCTV, police liaison, no glasses, capacity limits are all relevant (2.3 - 2.6).

The Guidance recognises working with Home Office Immigration Enforcement in the prevention of immigration crime. 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.

Guidance Issued under Section 182 of the Licensing Act 2003

Conditions can be imposed for large capacity “vertical consumption” premises (10.23 – 10.24).

Guidance Issued by the Office of Fair Trading

This relates to attempts to control minimum prices.

Other Legislation

- The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder

Appendix 12

Anti-Social Behaviour from Patrons Leaving the Premises

General Advice

Members need to bear in mind that once patrons have left a premises they are no longer under direct control. Members will need to be satisfied that there is a link between the way the premises is operating and the behaviour that is complained of. An example of this would be that irresponsible drinking is being encouraged. Before deciding that any particular licensing conditions are proportionate, Members will also need to be satisfied that other legislation is not a more effective route. For example, if the problem is drinking in the street it may be that the Council should designate the area as a place where alcohol cannot be consumed in public.

Members may also wish to consider whether the hours of opening relate to any problems of anti-social behaviour.

If Members believe that there is a substantial problem of anti-social behaviour and it cannot be proportionately addressed by licensing conditions they should refuse the application.

Licensing Policy

The policy recognises that other legislation or measures may be more appropriate but also states that licensing laws are “a key aspect of such control and will always be part of an overall approach to the management of the evening and night time economy” (**see Section 4.15 and 4.16 of the Licensing Policy**).

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. (**See Sections 6.2 of the Licensing Policy**)

The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include Conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. (**See Appendix 3 of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- Bottle Bans
- Plastic containers
- CCTV (outside the premises)
- Restrictions on open containers for “off sales”
- Proof of Age scheme
- Crime prevention notices
- Drinks promotions-aimed at stopping irresponsible promotions
- Signage

Cumulative Impact

There is a process by which the Licensing Authority can determine that an area is saturated following representations. However, the process for this involves wide consultation and cannot come from representations about a particular application. (**See Section 8 of the Licensing Policy**).

Police Powers

The Licensing Act 2003, Part 8 gives a senior police officer the power to close a premises for up to 24 hours where the officer believes there is, or is likely to be disorder on or in the vicinity and closure is necessary in the interests of public.

Guidance Issued under Section 182 of the Licensing Act 2003

The key role of the Police is acknowledged (2.1).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder, but can relate to the immediate vicinity of the premises as they seek entry or leave (1.16).

Conditions are best targeted on deterrence and preventing crime and disorder (2.3) CCTV inside & out, communication, police liaison, no glasses are all relevant

There is also guidance issued around public nuisance (2.15 – 2.21).

The pool of conditions, adopted by the Council is recommended (see Appendix 3 of the Licensing Policy). Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder (2.18/2.21).

Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned (14.13).

Other Legislation

Crime and Disorder Act 1998

The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder.

The Act also introduced a wide range of measures designed to address anti-social behaviour committed by adults and young people. These include:

- Anti-Social Behaviour Orders
- Child Curfew Schemes
- Truancy
- Parenting Orders
- Reparation Orders
- Tackling Racism

Appendix 13

Safety Problems

General Advice

Members need to bear in mind the substantial amount of primary legislation in this area, and to only impose conditions where they are both proportionate to identified problems and not adequately covered by primary legislation.

The larger and more complex a premises before Members, the more likely it is that specific conditions will be proportionate and necessary.

Licensing Policy

Premises should be constructed so as to minimise public safety risks. (See 7.1).

The Licensing Authority expects applicants to seek advice from both the relevant Health and Safety body and also the Fire and Emergency Planning Authority. (See 7.2). The applicant should identify where existing legislation is not adequate. (See 7.3).

The Licensing Authority will consider attaching conditions to ensure public safety and these may include Conditions drawn from the Model Pool of Conditions relating to public safety. (See Appendix 2 Annex E, F and J of the Licensing Policy). In particular Members may wish to consider the following headings: (this list is not exhaustive):

Annex E

- Adequate arrangements for people with disabilities, inc. their awareness of them.
- Escape routes
- Safety checks
- Curtains, hangings, decorations, upholstery etc.
- Accommodation limits
- Fire action notices
- Emergency procedures
- Water
- Emergency vehicle access
- First aid
- Lighting
- Temporary electrical installations
- Alterations to the premises
- Special effects

Annex F

This concerns Theatres and Cinemas

Annex J

The safe clubbing checklist

Guidance Issued under Section 182 of the Licensing Act 2003

The public safety objective “Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using a relevant premises rather than public health, which is addressed in other legislation” (2.6). For example, conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.

2.7, A number of matters should be considered in relation to public safety.

These may include:

- Fire safety;
- Ensuring appropriate access for emergency services such as ambulances;
- Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4 above);
- Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;
- Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);
- Ensuring appropriate and frequent waste disposal, particularly of glass bottles;
- Ensuring appropriate limits on the maximum capacity of the premises (see paragraphs 2.11-2.12, and Chapter 10; and
- Considering the use of CCTV in and around the premises (as noted in paragraph 2.3 above, this may also assist with promoting the crime and disorder objective).

Safe capacities “should only be imposed where necessary for the promotion of public safety or the prevention of disorder.” (2.11). Therefore, conditions of a fire certificate must not be reproduced.

Other Legislation

- The Health and Safety at Work Act 1974, and various Regs.
- The Regulatory Reform Order (Fire Safety) 2005.

Other Guidance

- Model National and Standard Conditions for Places of Public Entertainment and Assoc. Guidance
- The Event Safety Guide
- Managing Crowds Safely
- 5 Steps to Risk Assessment
- Safer Clubbing
- Safety Guidance for Street Art etc.
- Various BS and ISO standards

Appendix 14

Planning

An application for a Premises Licence can be made in respect of a premises even where the premises does not have relevant Planning Permission. That application has to be considered and Members can only refuse the application where the application itself does not promote one 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.

Appendix 15

Licensing Policy Relating to Hours of Trading

All applications have to be considered on their own merits.

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

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

(see 14.8 of the Licensing Policy)

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

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

(See 14.9 of the licensing policy)

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

- Theatres
- Cinemas
- Premises with club premises certificates

Agenda Item 3.2

Committee : Licensing Sub-Committee	Date 29 September 2020	Classification Unclassified	Report No.	Agenda Item No.
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Report of: David Tolley Head of Environmental Health and Trading Standards Originating Officer: Mohshin Ali Senior Licensing Officer	Title: Licensing Act 2003 Application for a Variation of a Premises Licence for (Dirty Bones) 1 Club Row, London E1 6JX Ward affected: Weavers
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1.0 Summary

Applicant:	DB Prop Ltd
Name and Address of Premises:	Dirty Bones 1 Club Row London E1 6JX
Licence sought:	Licensing Act 2003 - variation <ul style="list-style-type: none">• To extend the times for the sale by retail of alcohol• To extend the times for the provision of late night refreshment• Remove existing conditions
Representations:	Licensing Authority (Responsible Authority) Environmental Health Noise Team

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
<ul style="list-style-type: none">• Guidance Issued under Section 182 of the Licensing Act 2003• Tower Hamlets Licensing Policy• File		Mohshin Ali 020 7364 5498

3.0 Background

- 3.1 This is an application for a variation of a premises licence for (Dirty Bones) 1 Club Row, London E1 6JX.
- 3.2 There are currently two licences on the Council's system which is causing a confusing. A copy of the first existing licence is enclosed as **Appendix 1**. It should be noted that the annual fee for March 2020 has not been paid. The timings of the existing licence (Resam London BV, dated 10th March 2016) are detailed below:

The basement floor, ground floor, first floor, second floor and third floor

Sale by retail of alcohol (On sales only)

- Monday to Thursday, from 10:00 hours to 23:30 hours
- Friday and Saturday, from 10:00 hours to 00:00 hours (midnight)
- Sunday, from 10:00 hours to 22:30 hours

The provision of late night refreshment - Indoors

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

Non-standard timings

- New Years, from 00:00 hours until the start of permitted hours the following day

The opening hours of the premises

- Monday to Thursday, from 09:00 hours to 00:00 hours (midnight)
- Friday and Saturday, from 09:00 hours to 00:30 hours (the following day)
- Sunday, from 09:00 hours to 23:00 hours

- 3.3 A copy of the second existing licence is enclosed as **Appendix 2**. The timings of the existing licence (Dirty Bones, dated 30th November 2005) are detailed below:

Alcohol shall not be sold or supplied except during permitted hours. In this condition, permitted hours means: (On and off sales)

- a. On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10 a.m. to 11 p.m.
- b. On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30 p.m.
- c. On Good Friday, 12 noon to 10.30 p.m.
- d. On Christmas Day, 12 noon to 10 30 pm
- e. On New Year's Eve, except on a Sunday, 11 a.m. to 11 p.m.
- f. On New Year's Eve on a Sunday, 12 noon to 10.30 p.m.
- g. On New Year's Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

Alcohol may be sold or supplied for one hour following the hours set out above to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

The opening hours of the premises (includes recorded music)

There are no restrictions on the hours during which this premises is open to the public

- 3.4 Although, there is nothing stopping the licensee having two licences, it will be wise to surrender one of them to avoid any future confusion in terms of enforcement.
- 3.5 A copy of the variation application is enclosed as **Appendix 3**. The applicant has described the variation as follows:
“1) Vary the terminal hour for the sale of alcohol and late night refreshment to 01:00 Monday to Sunday, closing 30 minutes thereafter at 01:30;
2) Include the sale of alcohol for consumption off the premises, subject to the following condition:-
- All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
3) Amend the existing non-standard timing to read as:-
- From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day”.
- 3.6 The licensable activities and timings that have been applied for are clarified as follows:

Sale by retail of alcohol (On and off sales)

- *Monday to Sunday, from 10:00 hrs to 01:00 hrs the following day*

The provision of late night refreshment - Indoors

- *Monday to Sunday, from 23:00 hrs to 01:00 hrs the following day*

Non-standard timings

- *From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.*

The opening hours of the premises

- *Monday to Sunday, from 09:00 hrs to 01:30 hrs the following day*

The following conditions to be removed

1. *There shall be no off sales*
2. *No drinks shall be taken outside the premises.*

4.0 **Location and Nature of the premises**

- 4.1 The site plan of the venue is included as **Appendix 4**.
- 4.2 Maps and photographs showing the vicinity are included as **Appendix 5**.
- 4.3 Details of the nearest licensed venues are included as **Appendix 6**.

5.0 **Licensing Policy and Government Advice**

- 5.1 The Council has adopted a licensing policy and this is available from the Licensing Section, and at the hearing. The revised policy came into effect on the 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 This hearing is required by the Licensing Act 2003, because relevant representations have been made by the following:
 - Licensing Authority (RA) - **(Appendix 7)**
 - Environmental Health Noise Team - **(Appendix 8)**
- 6.2 All of the responsible authorities have been consulted about this application. They are as follows:
 - The Licensing Authority
 - The Metropolitan Police
 - London Fire Brigade
 - Planning Department
 - Health and Safety
 - Environmental Health Noise Team
 - Trading Standards
 - Child Protection
 - Public Health
 - Home Secretary (Home Office Immigration Enforcement)

- 6.3 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
- 6.4 Essentially, the relevant parties oppose the application because the applicant has not explained how within the context of the application they will meet the licensing objectives, particularly the prevention of crime and disorder and the prevention of public nuisance.
- 6.5 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.
- 6.6 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 Save for the additional proposed condition and removal of existing conditions 1 and 2 at annex 3, the remaining conditions address all four licensing objectives.

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

Conditions attached following the Licensing subcommittee hearing of 10th March 2016

- 3. There shall be no off sales (to be removed)*
- 4. No drinks shall be taken outside the premises (to be removed).*
- 5. The number of smokers shall be limited to five at any one time.*
- 6. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly. Notices restricting the number of smokers to also be displayed at all exits;*
- 7. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the LBTH Police Licensing Team.*

- a. *All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.*
 - b. *The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises.*
 - c. *All recordings shall be stored for a minimum period of 31 days with date and time stamping.*
 - d. *Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.*
8. *A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. 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.*
 9. *The Licence Holder shall ensure that the details of all complaints are recorded in an occurrence book and such book shall be available for police inspection.*
 10. *The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and/or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.*
 11. *Non-intoxicating beverages, including drinking water, shall be available to patrons throughout the permitted hours for the sale or supply of alcohol.*
 12. *No music or amplified sound shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance at the nearest noise sensitive premises.*
 13. *Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.*
 14. *A dedicated telephone number for the Designated Premises Supervisor or the duty manager shall be maintained for use by any person who may wish to make a complaint and shall be advertised at the premises or on its website.*
 15. *The premises shall operate a Challenge 21 Policy”.*

8.0 Conditions in consultation with the responsible authorities/other person (Agreed with Police Licensing Team – See Appendix 9)

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. *In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:*
 - a. *the police (and, where appropriate, the London Ambulance Service) are called without delay;*
 - b. *all measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;*
 - c. *the crime scene is preserved so as to enable a full*
 - d. *forensic investigation to be carried out by the police; and*
 - e. *such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.*
5. *There must be at the premises a lockable drugs box to which no member of staff, save the DPS and /or XX, shall have access. All controlled drugs (or items suspected to be controlled drugs or contain controlled drugs) found at the premises must be placed in this box as soon as practicable. Whenever this box is emptied, all of its contents must be given to the Police for appropriate disposal.*

6. *A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.*
7. *A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer at all times whilst the premises is open.*
8. *The Premises shall adopt Central East Licensing drugs policy which is attached.*
9. *The premises shall have a written risk assessment for all licensable activities and events taking place at the venue which will be made available to Police upon request.*

9.0 **Licensing Officer Comments**

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

- amplified live music and recorded music between 8am and 11pm before audiences of no more than 500 people on premises authorised to sell alcohol for consumption on the premises;
- unamplified live music between 8am and 11pm in all venues.
- Further exemptions apply see Section 16.5-16.6 of Section 182 Guidance.

9.2 The following is intended simply to advise Members of the relevant aspects of the Boroughs Licensing Policy, guidance from the Secretary of State, legislation and good practice (See 6.2). Members may depart from the Council's Licensing Policy and/or Government advice, provide they consider it appropriate to do so, and have clear reasons for their decision.

9.3 Guidance issued under section 182 of the Licensing Act 2003

- ❖ As stated in the guidance it is “provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act.” It is a key medium for promoting best practice, ensuring consistent application and promoting fairness equal treatment and proportionality (1.7).
- ❖ Also “as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons. Departure from this Guidance could give

rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.” Therefore licensing authorities will need to give full reasons for their actions (1.9).

- ❖ Also Members should note “A Licensing Authority may depart from its own policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the licensing objectives.” (1.12)
 - ❖ Also, “The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives.” Therefore, conditions may not be imposed for the purpose other than promoting the licensing objectives and in some cases no additional conditions will be appropriate. (10.8)
 - ❖ Necessary conditions should emerge from a risk assessment by the applicant, which should then be reflected in the operating schedule (10.4).
 - ❖ The Guidance states: “Where there are objections to an application to extend the hours during which licensable activities are to be carried on and the licensing authority determines that this would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.” (10.14)
 - ❖ Mandatory conditions must be imposed (10.25) and censorship avoided (10.17).
 - ❖ The Guidance states: “It is still permitted to sell alcohol using promotions (as long as they are compatible with any other licensing condition that may be in force), and the relevant person should ensure that the price of the alcohol is not less than the permitted price. Detailed guidance on the use of promotions is given in the guidance document available on the Gov.uk website.” (10.58) Also, “Licensing authorities should not attach standardised blanket conditions promoting fixed prices for alcoholic drinks to premises licences or club licences or club premises certificates in an area.” (10.21)
- 9.4 The Licensing Act 2003 permits children of any age to be on the premises which primarily sells alcohol providing they are accompanied by an adult. It is not necessary to make this a condition.
- 9.5 In all cases the Members should make their decision on the civil burden of proof, that is “the balance of probability.”

- 9.6 In all cases Members should consider whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.
- 9.7 The Government has advised that conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. Conditions cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff and standardised conditions should be avoided where they cannot be shown to be appropriate. (1.16/1.17)
- 9.8 The Council's Licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.
- 9.9 In **Appendices 10 - 16** 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 existing licence (Resam)
Appendix 2	A copy of the existing licence (Dirty Bones)
Appendix 3	A copy of the variation application
Appendix 4	Site plan of the venue
Appendix 5	Maps and photographs showing vicinity of the venue
Appendix 6	Details of nearest licensed venues
Appendix 7	Representation of Licensing Authority (RA)
Appendix 8	Representation of Environmental Health Noise Team
Appendix 9	Agreement with Police Licensing
Appendix 10	Licensing Officer comments on noise while the premise is in use
Appendix 11	Licensing Officer comments on access/egress Problems
Appendix 12	Licensing Officer comments on crime and disorder on the premises
Appendix 13	Licensing Officer comments on crime and disorder from patrons leaving the premises
Appendix 14	Planning
Appendix 15	Licensing Policy relating to hours of trading
Appendix 16	Tower Hamlets Cumulative Impact Zone

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Appendix 1

(Resam London BV)

1 Club Row
London
E1 6JX

Licensable Activities authorised by the licence

The sale by retail of alcohol
The provision of late night refreshment

See the attached licence for the licence conditions

Signed by

David Tolley 
Head of Environmental Health & Trading Standards

Date: 10th March 2016

Part A - Format of premises licence

Premises licence number

19991

Part 1 - Premises details

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

(Resam London BV)
1 Club Row

Post town
London

Post code
E1 6JX

Telephone number
[REDACTED]

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

The sale by retail of alcohol
The provision of late night refreshment

The times the licence authorises the carrying out of licensable activities

The basement floor, ground floor, first floor, second floor and third floor

Sale by retail of alcohol

- Monday to Thursday, from 10:00 hours to 23:30 hours
- Friday and Saturday, from 10:00 hours to 00:00 hours (midnight)
- Sunday, from 10:00 hours to 22:30 hours

The provision of late night refreshment - Indoors

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

Non-standard timings

- New Years, from 00:00 hours until the start of permitted hours the following day

The opening hours of the premises

- Monday to Thursday, from 09:00 hours to 00:00 hours (midnight)
- Friday and Saturday, from 09:00 hours to 00:30 hours (the following day)
- Sunday, from 09:00 hours to 23:00 hours

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

On sales only

Part 2

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

Resam London BV
200 Prins Bernhardplein
Amsterdam
1097 JB
Netherlands

C/O Parnell Properties Ltd
23 Mount Street
London
W1K 2RP

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

34289101

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

John Donnelly

[REDACTED]

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

Licence No: [REDACTED]

Issuing Authority: [REDACTED]

Annex 1 - Mandatory conditions

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

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

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

1.

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

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
3.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
4. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
5.
 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
 2. For the purposes of the condition set out in paragraph 1—
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) “permitted price” is the price found by applying the formula —

$$P = D + (D \times V)$$
 where —
 - (i) **P** is the permitted price

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

Annex 2 - Conditions consistent with the operating Schedule

Not applicable

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

Conditions attached following the Licensing subcommittee hearing of 10th March 2016

1. There shall be no off sales
2. No drinks shall be taken outside the premises.
3. The number of smokers shall be limited to five at any one time.
4. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly. Notices restricting the number of smokers to also be displayed at all exits;
5. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the LBTH Police Licensing Team.
 - a. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
 - b. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises.
 - c. All recordings shall be stored for a minimum period of 31 days with date and time stamping.
 - d. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
6. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. 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.
7. The Licence Holder shall ensure that the details of all complaints are recorded in an occurrence book and such book shall be available for police inspection.

8. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and/or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
9. Non-intoxicating beverages, including drinking water, shall be available to patrons throughout the permitted hours for the sale or supply of alcohol.
10. No music or amplified sound shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance at the nearest noise sensitive premises.
11. Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
12. A dedicated telephone number for the Designated Premises Supervisor or the duty manager shall be maintained for use by any person who may wish to make a complaint and shall be advertised at the premises or on its website.
13. The premises shall operate a Challenge 21 Policy.

Annex 4 - Plans

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

19th January 2016 - Basement (*1405 P 2 005 01 A, dated March 2015*)
Ground Floor (*1405 P 2 010 02 A, dated March 2015*)
First Floor (*1405 P 2 010 03 A, dated March 2015*)
Second Floor (*1405 P 2 010 04 A, dated March 2015*)
Third Floor (*1405 P 2 010 05 A, dated March 2015*)

Part B - Premises licence summary

Premises licence number

19991

Premises details

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

(Resam London BV)
1 Club Row

Post town
London

Post code
E1 6JX

Telephone number
0207 759 1683

Where the licence is time limited the dates

N/a

Licensable activities authorised by the licence

The sale by retail of alcohol
The provision of late night refreshment

The times the licence authorises the carrying out of licensable activities

The basement floor, ground floor, first floor, second floor and third floor

Sale by retail of alcohol

- Monday to Thursday, from 10:00 hours to 23:30 hours
- Friday and Saturday, from 10:00 hours to 00:00 hours (midnight)
- Sunday, from 10:00 hours to 22:30 hours

The provision of late night refreshment - Indoors

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

Non-standard timings

- New Years, from 00:00 hours until the start of permitted hours the following day

The opening hours of the premises

- Monday to Thursday, from 09:00 hours to 00:00 hours (midnight)
- Friday and Saturday, from 09:00 hours to 00:30 hours (the following day)
- Sunday, from 09:00 hours to 23:00 hours

Name, (registered) address of holder of premises licence

Resam London BV
200 Prins Bernhardplein
Amsterdam
1097 JB
Netherlands

C/O Parnell Properties Ltd
23 Mount Street
London
W1K 2RP

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

On sales only

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

34289101

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

John Donnelly

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

Not restricted

Appendix 2

**(Dirty Bones)
1 Club Row
London
E1 6JX**

Licensable Activities authorised by the licence

**The sale by retail of alcohol
Late Night refreshment
Regulated Entertainment (recorded music only)**

See the attached licence for the licence conditions

Signed by

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

Date: 30th November 2005

Minor Variation 3/10/18

Part A - Format of premises licence

Premises licence number

Part 1 - Premises details

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

**(Dirty Bones)
1 Club Row**

**Post town
London**

**Post code
E1 6JX**

Telephone number

██████████

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities

Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- a. On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10 a.m. to 11 p.m.
- b. On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30 p.m.
- c. On Good Friday, 12 noon to 10.30 p.m.
- d. On Christmas Day, 12 noon to 10 30 pm
- e. On New Year's Eve, except on a Sunday, 11 a.m. to 11 p.m.
- f. On New Year's Eve on a Sunday, 12 noon to 10.30 p.m.
- g. On New Year's Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

For conditions re. "drinking up time" see Annex 1 Mandatory Conditions

Alcohol may be sold or supplied for one hour following the hours set out above to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.

The opening hours of the premises

There are no restrictions on the hours during which this premises is open to the public

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

On and off sales

Part 2

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

**DB Prop 3 Ltd
1 Banbury Court
32 Floral Street
London WC2E 9DJ**

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

09646847

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

Christopher Ver Haest
[REDACTED]

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

Licence No: [REDACTED]
Issuing Authority: [REDACTED]

Annex 1 - Mandatory conditions

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

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

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

1.

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

3.

- (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
4. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
5. 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1—
- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) “permitted price” is the price found by applying the formula —

$$P = D + (D \times V)$$
 where —
 - (i) **P** is the permitted price
 - (ii) **D** is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) **V** is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

On Sales

Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- a. On weekdays, other than Christmas Day, Good Friday or New Year’s Eve, 10 a.m. to 11 p.m.
- b. On Sundays, other than Christmas Day or New Year’s Eve, 12 noon to 10.30 p.m.
- c. On Good Friday, 12 noon to 10.30 p.m.
- d. On Christmas Day, 12 noon to 10.30 p.m.
- e. On New Year’s Eve, except on a Sunday, 11 a.m. to 11 p.m.
- f. On New Year’s Eve on a Sunday, 12 noon to 10.30 p.m.
- g. On New Year’s Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

Alcohol may be sold or supplied for one hour following the hours set out above to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.

The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or club for the purposes of the trade or club;
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there; or
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

Hot food and hot drinks may be sold for up to thirty minutes after the end of normal permitted Hours.

Off Sales

Alcohol shall not be sold in an open container or be consumed in the licensed premises

Alcohol shall not be sold or supplied except during permitted hours.

The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
- (b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (c) the sale of alcohol to a trader or club for the purposes of the trade or club;
- (d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the

Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

Children in Bars

No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

- (1) He is the child of the holder of the premises licence.
- (2) He resides in the premises, but is not employed there.
- (3) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- (4) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

Private Entertainment

The premises may be used for the following purpose, that is to say, dancing, music, or other entertainment of the like kind which-

- a) is not a public entertainment but
- b) is promoted for private gain

Public Entertainment

Public Entertainment consisting of music and singing provided solely by the reproduction of recorded sound

Annex 2 - Conditions consistent with the operating Schedule

None

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

Not applicable

Annex 4 - Plans

The plans are those submitted to the licensing authority on the following date:
12 September 2018 Basement, Ground and first floor

Basement:



Ground:



First:

Part B - Premises licence summary

Premises licence number

Premises details

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

**(Dirty Bones)
1 Club Row**

**Post town
London**

**Post code
E1 6JX**

Telephone number

Where the licence is time limited the dates

N/a

Licensable activities authorised by the licence

The sale by retail of alcohol
Late Night refreshment
Regulated Entertainment (recorded music only)

The times the licence authorises the carrying out of licensable activities

Alcohol shall not be sold or supplied except during permitted hours.
In this condition, permitted hours means:
a. On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10 a.m. to 11 p.m.
b. On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30 p.m.
c. On Good Friday, 12 noon to 10.30 p.m.
d. On Christmas Day, 12 noon to 10.30 p.m.
e. On New Year's Eve, except on a Sunday, 11 a.m. to 11 p.m.
f. On New Year's Eve on a Sunday, 12 noon to 10.30 p.m.

g. On New Year's Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

For conditions re. "drinking up time" see

Annex 1 Mandatory Conditions

Alcohol may be sold or supplied for one hour following the hours set out above to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

- Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.

See full licence for drinking up time

The opening hours of the premises

These are not restricted

Name, (registered) address of holder of premises licence

DB Prop 3 Ltd
1 Banbury Court
32 Floral Street
London WC2E 9DJ

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

On and off

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

09646847

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

Christopher Ver Haest

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

No

Appendix 3

Application to vary a premises licence 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 DB Prop 3 Ltd

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number 19991

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Dirty Bones 1 Club Row			
Post town	London	Postcode	E1 6JX

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£79500

Part 2 – Applicant details

Daytime contact telephone number	
E-mail address (optional)	
Current postal address if different from premises address	
Post town	
Postcode	

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes

No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

To vary the existing premises licence so as to:-

1) Vary the terminal hour for the sale of alcohol and late night refreshment to 01:00 Monday to Sunday, closing 30 minutes thereafter at 01:30;

2) Include the sale of alcohol for consumption off the premises, subject to the following condition:-

- All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.

3) Amend the existing non-standard timing to read as:-

- From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3)

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

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 6)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat								
Sun								

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 6)
Tue			State any seasonal variations for indoor sporting events (please read guidance note 6)
Wed			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat								
Sun								

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	23:00	01:00	Please give further details here (please read guidance note 5)		
Tue	23:00	01:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Wed	23:00	01:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7)		
Thur	23:00	01:00			
Fri	23:00	01:00	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Sat	23:00	01:00			
Sun	23:00	01:00			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	10:00	01:00	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Tue	10:00	01:00			
Wed	10:00	01:00			
Thur	10:00	01:00	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 7) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Fri	10:00	01:00			
Sat	10:00	01:00			
Sun	10:00	01:00			

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).</p>
--

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6) Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
Day	Start	Finish	
Mon	09:00	01:30	
Tue	09:00	01:30	
Wed	09:00	01:30	
Thur	09:00	01:30	
Fri	09:00	01:30	
Sat	09:00	01:30	
Sun	09:00	01:30	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

1. There Shall be no off sales.
2. No drinks shall be taken outside the premises.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

Awaiting revised licence following recent transfer.

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

Save for the additional proposed condition and removal of existing conditions 1 and 2 at annex 3, the remaining conditions address all four licensing objectives.

b) The prevention of crime and disorder

See a) above

c) Public safety

See a) above

d) The prevention of public nuisance

See a) above

e) The protection of children from harm

See a) above

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable. **Electronic Submission - LA to serve RA's**
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

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.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	<i>Thomas and Thomas</i>
Date	22/05/2020
Capacity	Thomas & Thomas Partners LLP as solicitors on behalf of the applicant

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15) Our ref: PAN.1.5 Ryan Peermamode Thomas & Thomas Partners LLP 38a Monmouth Street			
Post town	London	Post code	WC2H 9EP
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) [REDACTED]			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. 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:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - 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.
 - 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.
 - 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.
 - 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:
 - 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.
 - 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.
 - 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.
 - 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:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - 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;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - 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.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example 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.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please 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.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. Please 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 or the presence of gaming machines.
 11. Please list here steps you will take to promote all four licensing objectives together.
 12. The application form must be signed.
 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
 15. This is the address which we shall use to correspond with you about this application.

Appendix 4

GENERAL NOTES





THESE DRAWINGS ARE PREPARED FOR PLANNING PURPOSES ONLY.

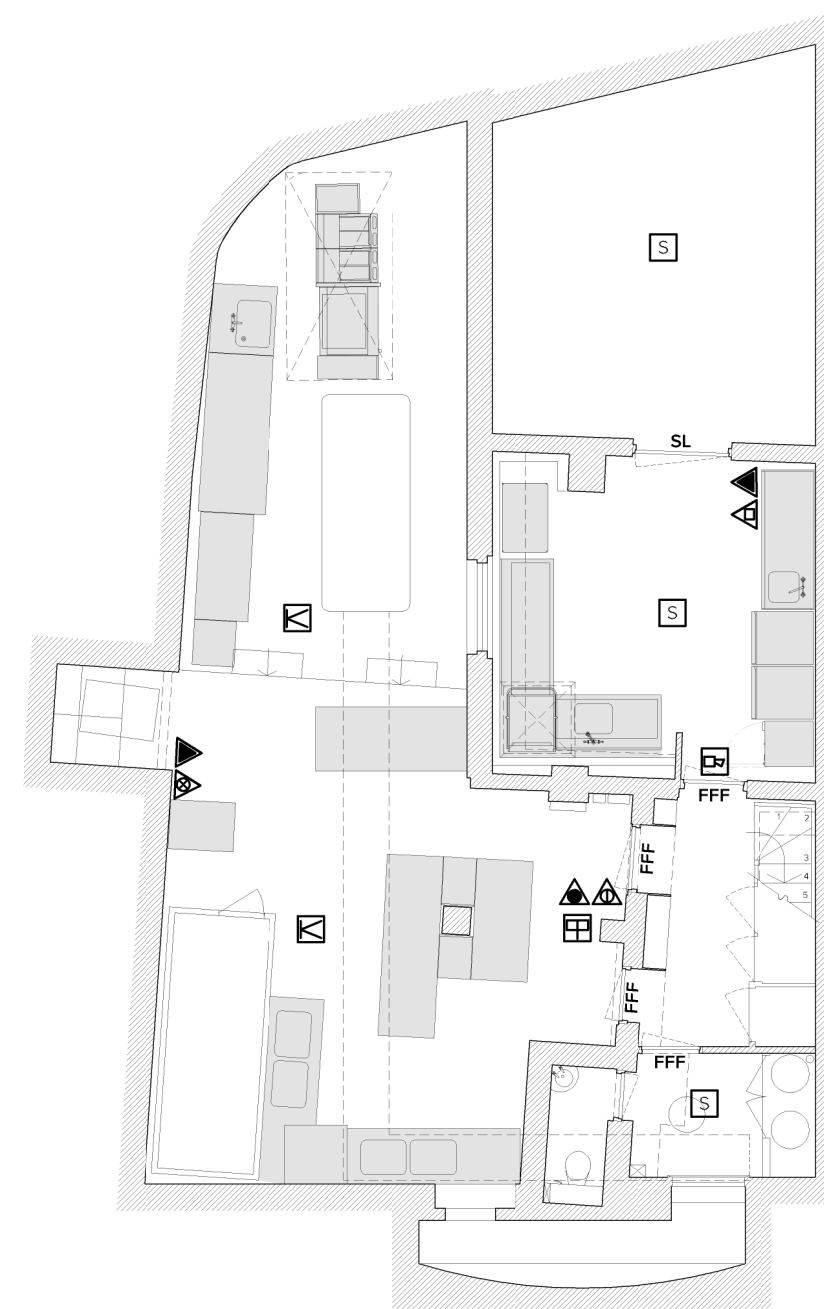
"EXISTING" DRAWINGS SHOW SITE SURVEY UNDERTAKEN IN MARCH 2015.

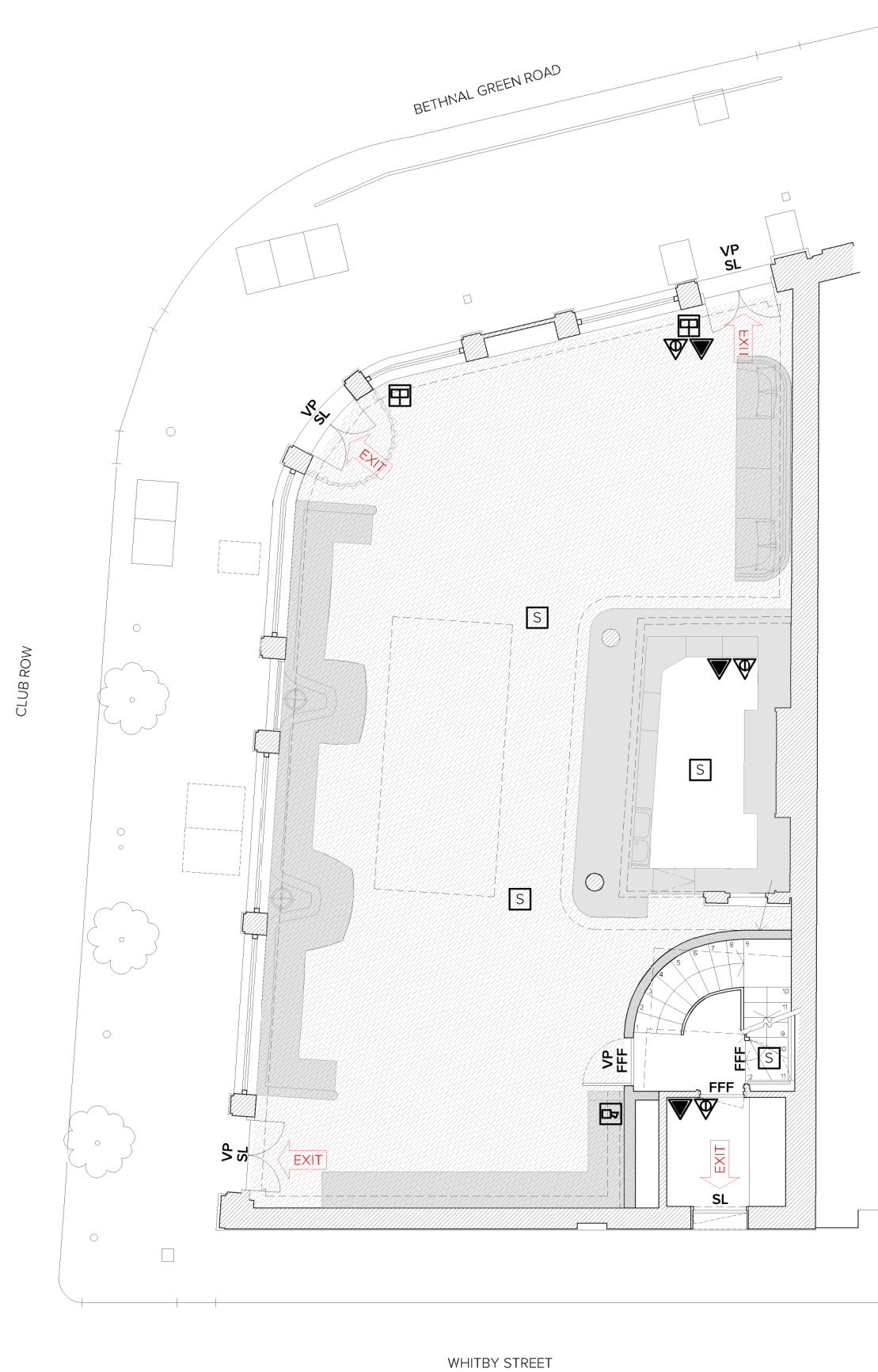
"PROPOSED" DRAWINGS RECORD THE CURRENT CONFIGURATION AND WORKS UNDERTAKEN BY OTHER PARTIES.

DRAWINGS ARE NOT FOR CONSTRUCTION PURPOSES.

-  LICENSED AREA
-  FIXED FURNITURE

- FFF** FREE FROM FASTENING
- SL** SECURITY LOCK
- VP** VISION PANEL
-  FIRE ALARM CALL POINT
-  SMOKE DETECTOR
-  HEAT DETECTOR
-  CONTROL PANEL SOUNDER
-  FIRE EXTINGUISHER
-  CARBON DIOXIDE FIRE EXTINGUISHER
-  DRY POWDER FIRE EXTINGUISHER
-  FCAM FIRE EXTINGUISHER
-  WATER FIRE EXTINGUISHER
-  WET CHEMICAL FIRE EXTINGUISHER





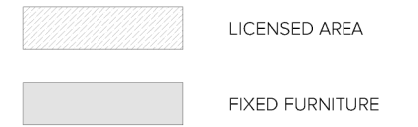
GENERAL NOTES

THESE DRAWINGS ARE PREPARED FOR PLANNING PURPOSES ONLY.

"EXISTING" DRAWINGS SHOW SITE SURVEY UNDERTAKEN IN MARCH 2015.

"PROPOSED" DRAWINGS RECORD THE CURRENT CONFIGURATION AND WORKS UNDERTAKEN BY OTHER PARTIES.

DRAWINGS ARE NOT FOR CONSTRUCTION PURPOSES.



FFF FREE FROM FASTENING

SL SECURITY LOCK

VP VISION PANEL

Fire Alarm Call Point

S SMOKE DETECTOR

H HEAT DETECTOR

C CONTROL PANEL SOUNDER

X FIRE EXTINGUISHER

CO₂ CARBON DIOXIDE FIRE EXTINGUISHER

DP DRY POWDER FIRE EXTINGUISHER

FCAM FCAM FIRE EXTINGUISHER

W WATER FIRE EXTINGUISHER

WC WET CHEMICAL FIRE EXTINGUISHER

02
PROPOSED GROUND FLOOR PLAN

1 : 100

1 CLUB ROW, SHOREDITCH, E1 6JX
14211 002 02 A
EXISTING & PROPOSED GROUND FLOOR PLAN

ISSUED FOR APPROVAL
AUGUST 2018
1:100@A3, 1:50@A1

ISSUED FOR APPROVAL 31.08.18 REV A

**BOLTON
CHALKLIN
ARCHITECTS
LIMITED**

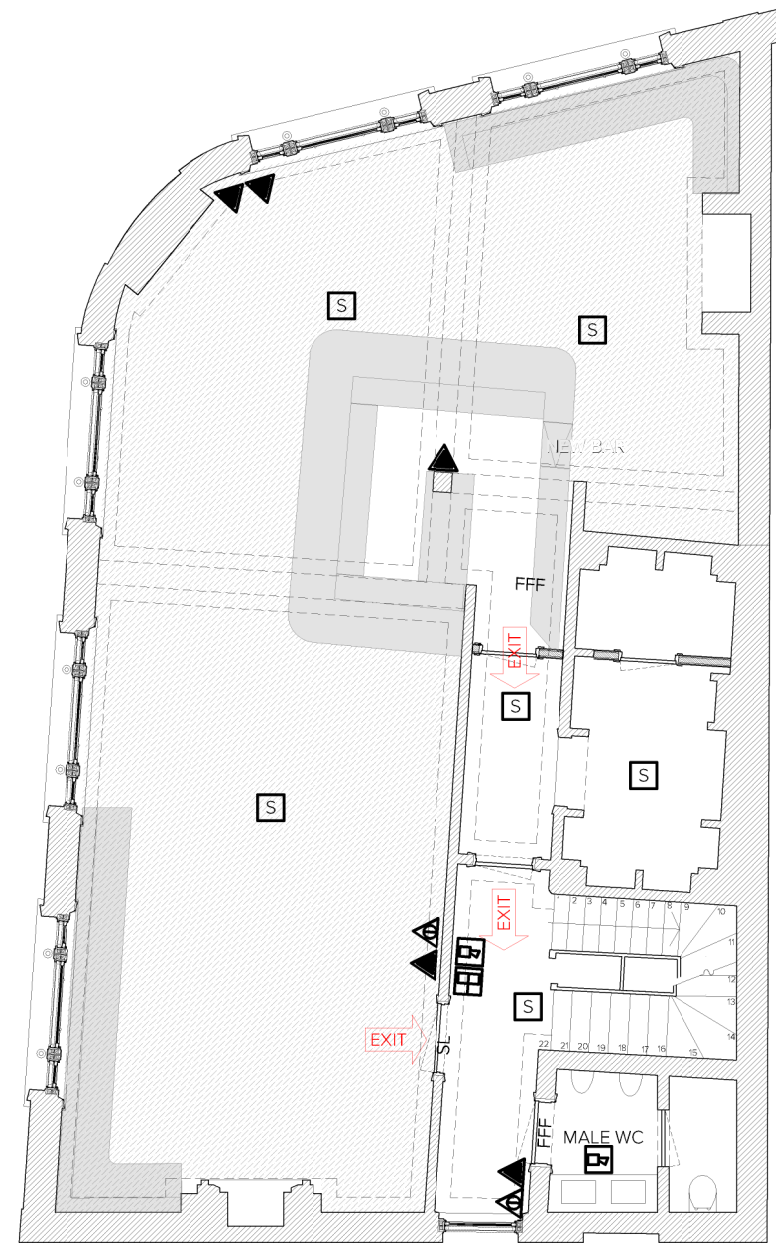
GENERAL NOTES


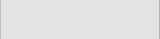










THESE DRAWINGS ARE PREPARED FOR PLANNING PURPOSES ONLY.

"EXISTING" DRAWINGS SHOW SITE SURVEY UNDERTAKEN IN MARCH 2015.

"PROPOSED" DRAWINGS RECORD THE CURRENT CONFIGURATION AND WORKS UNDERTAKEN BY OTHER PARTIES.

DRAWINGS ARE NOT FOR CONSTRUCTION PURPOSES.



-  LICENSED AREA
-  FIXED FURNITURE
- FFF FREE FROM FASTENING
- SL SECURITY LOCK
- VP VISION PANEL
-  FIRE ALARM CALL POINT
-  SMOKE DETECTOR
-  HEAT DETECTOR
-  CONTROL PANEL SOUNDER
-  FIRE EXTINGUISHER
-  CARBON DIOXIDE FIRE EXTINGUISHER
-  DRY POWDER FIRE EXTINGUISHER
-  FCAM FIRE EXTINGUISHER
-  WATER FIRE EXTINGUISHER
-  WET CHEMICAL FIRE EXTINGUISHER

02
PROPOSED FIRST FLOOR PLAN

1 : 100

1 CLUB ROW, SHOREDITCH, E1 6JX
14211002 03 A
EXISTING & PROPOSED FIRST FLOOR PLAN

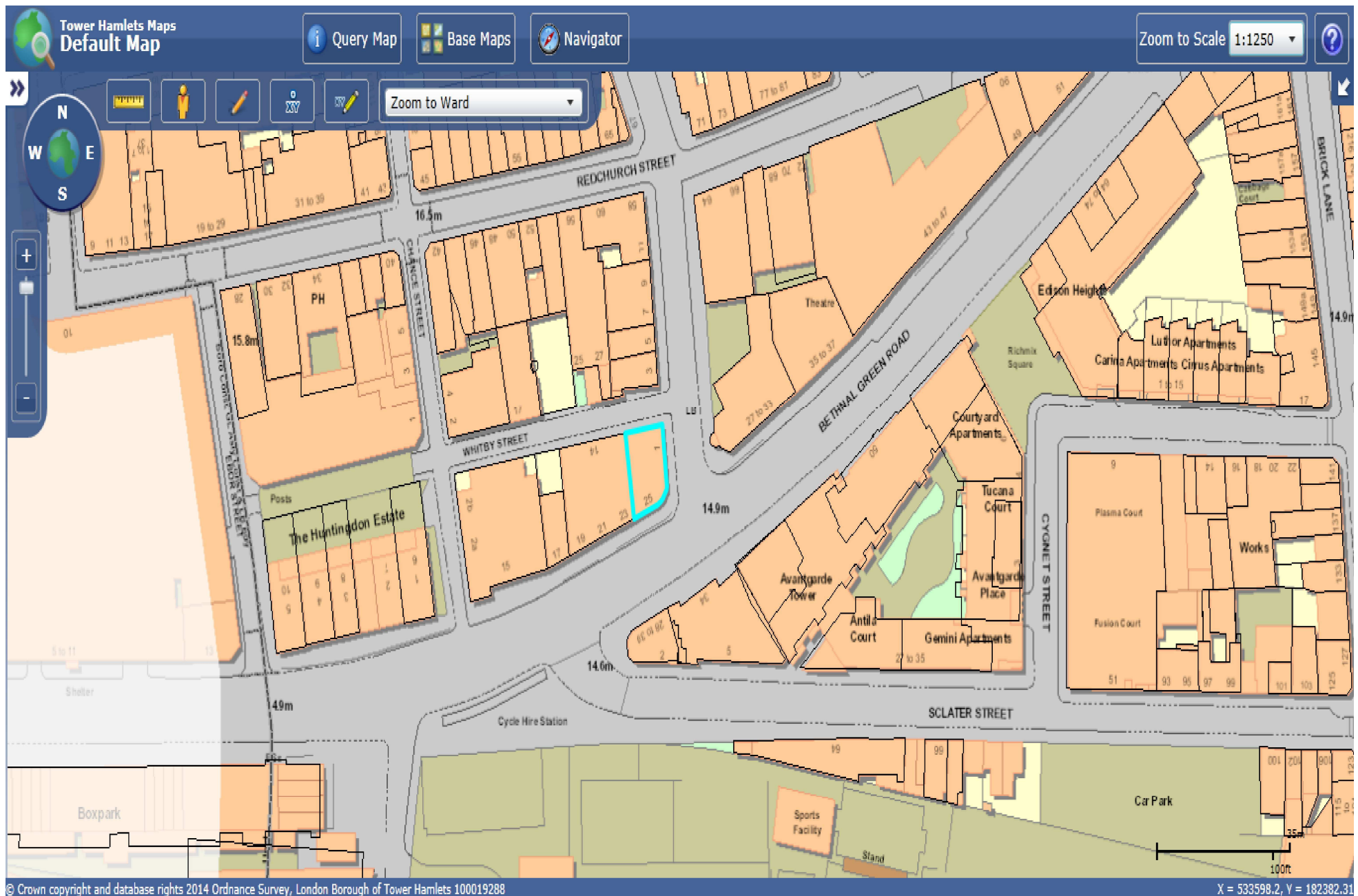
ISSUED FOR APPROVAL
AUGUST 2018
1:100@A3, 1:50@A1

ISSUED FOR PLANNING 31.08.18 REV A

**BOLTON
CHALKLIN
ARCHITECTS
LIMITED**

Appendix 5

The screenshot displays the Tower Hamlets Maps web application interface. At the top, there is a navigation bar with the title "Tower Hamlets Maps Default Map" and buttons for "Query Map", "Base Maps", and "Navigator". A "Zoom to Scale" dropdown is set to "1:500". Below the navigation bar is a toolbar with various map tools and a "Zoom to Ward" dropdown menu. The main map area shows a street grid with several streets labeled: "WHITBY STREET", "BETHNAL GREEN ROAD", and "LB". Property boundaries are shown in orange, with some buildings highlighted in yellow and one in cyan. Labels for buildings include "Theatre", "Courtyard Apartments", "Tucana Court", "Avantgarde Tower", "Antila Court", "Gemini Apartments", and "Avantgard Place". A "gdon Estate" is also visible. Dimensions of 14.9m and 14.6m are shown between streets. A scale bar at the bottom right indicates 15m and 65ft. The bottom of the map has a copyright notice: "© Crown copyright and database rights 2014 Ordnance Survey, London Borough of Tower Hamlets 100019288" and coordinates: "X = 533649, Y = 182350.69".



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1 Club Row



1 Club Row



Appendix 6

1 Club Row - Nearest licences

Name and address	Licensable activities and hours	Opening hours
<p>17 Bethnal Green Road (Ground Floor. Inc. basement for toilet facilities only) London E1 6LA</p>	<p>Alcohol may be sold or supplied: (On sales only)</p> <p>(1) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 11am to 12pm.</p> <p>(2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12 noon to 11:30pm</p> <p>(3) On Christmas Day: 12 noon to 11:30pm;</p> <p>(4) On New Year's Eve, except on a Sunday, 11 a.m. to midnight;</p> <p>(5) On New Year's Eve on a Sunday, 12 noon to 11.30 p.m.</p> <p>(6) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).</p>	<p>There are no restrictions on the hours during which this premises is open to the public</p>
<p>Beach Blanket Babylon Basement, Ground and First Floor 19 – 23 Bethnal Green Road London E1 6LA</p>	<p>Alcohol (On sales only) and Regulated Entertainment - Indoors (live music, recorded music, provision of facilities for making music, provision of facilities for dancing)</p> <ul style="list-style-type: none"> • Sunday to Wednesday, from 10:00hrs to 01:00hrs (the following day) • Thursday to Saturday, from 10:00hrs to 03:00hrs (the following day) <p>Alcohol non-standard timings On no more that 12 occasions per calendar year, the terminal hours shall be one hour later that the standard timing show above, following 10 working days notice to the Police and licensing Authority and subject to the consent of the Police.</p> <p>Late Night Refreshment - Indoors</p> <ul style="list-style-type: none"> • Sunday to Wednesday, from 23:00hrs to 01:00hrs (the following day) • Thursday to Saturday, from 23:00hrs to 03:00hrs (the following day) <p>Further non-standard timings Licensable activities from New Years Eve until the start time on New Years Day for all of the above.</p>	<ul style="list-style-type: none"> • Monday to Sunday, from 10:00hrs to 30 minutes after the terminal hours for the sale of alcohol the following day

1 Club Row - Nearest licences

<p>(Private Members Club) First Floor 19-23 Bethnal Green Road London E1 6LA</p>	<p><u>Sale of Alcohol (On sales only)</u></p> <ul style="list-style-type: none"> Monday to Sunday from 10:00hrs to 01:00hrs (the following day) <p><u>The Provision of Late Night Refreshments (indoors)</u></p> <ul style="list-style-type: none"> Monday to Sunday from 10:00hrs to 01:00hrs (the following day) 	<p>Monday to Sunday from 10:00hrs to 01:00hrs (the following day)</p>
<p>(Rich Mix Cultural Foundation) 35-47 Bethnal Green Road London E1 6LA</p>	<p><u>THE SALE BY RETAIL OF ALCOHOL:</u> (On and off sales) Ground Floor Café, Ground Floor Visual Arts Gallery, Cinema 1, Cinema 2, Cinema 3 and 4th Floor venue and gallery: Sunday, Monday, Tuesday, Wednesday and Thursday from 09:00 hours to midnight Friday and Saturday from 09:00 hours to 01:00 hours the following day</p> <p>Basement: Visual Arts Gallery First Floor: Mezzanine Level, Gallery and Studio 3 Second Floor: Live Room and two Group Teaching Spaces, Office, Studio 1 and 2 Third Floor: Meeting Room Fourth Floor: Bar and Rehearsal Space : Sunday, Monday, Tuesday, Wednesday, Thursday, Friday and Saturday from 09:00 hours to 23:00 hours</p> <p><u>PLAYS:</u> 4th Floor Venue and gallery: Sunday, Monday, Tuesday, Wednesday and Thursday from 09:00 hours to midnight Friday and Saturday from 09:00 hours to 01:00 hours the following day 4th Floor Rehearsal Space: Sunday, Monday, Tuesday, Wednesday, Thursday, Friday and Saturday from 09:00 hours to 23:00 hours</p> <p><u>FILMS:</u> Cinema 1, 2 and 3 Sunday, Monday, Tuesday, Wednesday and Thursday from 09:00 hours to midnight Friday and Saturday from 09:00 hours to 01:00 hours the following day</p> <p><u>MOVING IMAGE INCIDENTAL TO OTHER ACTIVITIES AND FOR EDUCATIONAL AND</u></p>	<p>Sunday, Monday, Tuesday, Wednesday and Thursday from 09:00 hours to midnight Friday and Saturday from 09:00 hours to 01:00 hours the following day</p>

1 Club Row - Nearest licences

ARTISTIC PURPOSES ONLY:

**Basement: Visual Arts Gallery and Lobby
Ground Floor: Main Entrance Hall, Lobby
and Box Office & Concessions**

**First Floor: Gallery, Liftlobby, Stairlobby,
Cinema 1 Landing and Studio 3**

**Second Floor: Lobby, Live Room and two
Group Teaching Spaces, Office, Studio 1 and
2**

**Third Floor: Lift and Stair Lobbies and
Meeting Room**

**Fourth Floor: Bar, Bar Lobby, Stairs Lobby
and Rehearsal Space**

Sunday, Monday, Tuesday, Wednesday,
Thursday, Friday and Saturday from 09:00
hours to 23:00 hours

**INDOOR SPORTS AND BOXING OR
WRESTLING ENTERTAINMENT:**

4th Floor venue and gallery only

Sunday, Monday, Tuesday, Wednesday and
Thursday from 09:00 hours to midnight

Friday and Saturday from 09:00 hours to 01:00
hours the following day

**LIVE MUSIC AND RECORDED MUSIC AND
FACILITIES FOR MAKING MUSIC AND
ANYTHING OF SIMILAR:**

**Fourth Floor venue and gallery, Cinema 1, 2
and 3, Ground Floor Café and Ground Floor
visual arts gallery**

Sunday, Monday, Tuesday, Wednesday and
Thursday from 09:00 hours to midnight

Friday and Saturday from 09:00 hours to 01:00
hours the following day

Basement: Visual Arts Gallery

**First Floor: Mezzanine Level, Gallery and
Studio 3**

**Second Floor: Live Room and two Group
Teaching Spaces, Office, Studio 1 and 2**

Third Floor: Meeting Room

Fourth Floor: Bar and Rehearsal Space

Sunday, Monday, Tuesday, Wednesday,
Thursday, Friday and Saturday from 09:00
hours to 23:00 hours

**PERFORMANCE OF DANCE AND
PROVISION OF FACILITIES FOR DANCING**

1 Club Row - Nearest licences

	<p><u>AND ANYTHING OF SIMILAR:</u> Fourth Floor venue and gallery, Cinema 1, 2 and 3, Ground Floor Café and Ground Floor visual arts gallery Sunday, Monday, Tuesday, Wednesday and Thursday from 09:00 hours to midnight Friday and Saturday from 09:00 hours to 01:00 hours the following day Basement: Visual Arts Gallery First Floor: Mezzanine Level, Gallery and Studio 3 Second Floor: Live Room and two Group Teaching Spaces, Office, Studio 1 and 2 Fourth Floor: Bar and Rehearsal Space Sunday, Monday, Tuesday, Wednesday, Thursday, Friday and Saturday from 09:00 hours to 23:00 hours <u>LATE NIGHT REFRESHMENT:</u> 4th Floor Bar Sunday, Monday, Tuesday, Wednesday and Thursday until midnight Friday and Saturday until 01:00 hours the following day</p>	
<p>(Brewdog) 51 Bethnal Green Road London E1 6LA</p>	<p align="center"><u>GROUND FLOOR</u></p> <p><u>Sale of Alcohol (On and off sales)</u></p> <ul style="list-style-type: none"> • Sunday to Thursday, from 08:00 hours to 12midnight • Friday and Saturday, from 08:00 hours to 01:00 hours the following day <p><u>Provision of Late Night Refreshment</u></p> <ul style="list-style-type: none"> • Sunday to Thursday, from 23:00 hours to 12midnight • Friday and Saturday, from 23:00 hours to 01:00 hours the following day <p><u>Provision of Regulated Entertainment:</u> <u>Live Music, Recorded Music, Provision of Facilities for Making Music and Provision of Facilities for Dancing:</u></p> <ul style="list-style-type: none"> • Friday and Saturday, from 08:00 hours to 01:00 hours the following day <p align="center"><u>LOWER GROUND FLOOR</u></p>	<ul style="list-style-type: none"> • Sunday to Thursday, from 08:00 hours to 01:30 hours the following day • Friday and Saturday, from 08:00 hours to 02:30 hours the following day <p><u>Non-standard Times</u> From start of permitted hours on New Year's Eve until the end of the permitted hours on New Year's Day</p>

1 Club Row - Nearest licences

	<p><u>Sale of Alcohol</u> (On and off sales)</p> <ul style="list-style-type: none"> • Sunday to Thursday, from 08:00 hours to 01:00 hours the following day • Friday and Saturday, from 08:00 hours to 02:00 hours the following day <p><u>Provision of Late Night Refreshment</u></p> <ul style="list-style-type: none"> • Sunday to Thursday, from 23:00 hours to 01:00 hours the following day • Friday and Saturday, from 23:00 hours to 02:00 hours the following day <p><u>Provision of Regulated Entertainment: Live Music, Recorded Music, Provision of Facilities for Making Music, Performances of Dance and Provision of Facilities for Dancing</u></p> <ul style="list-style-type: none"> • Sunday to Thursday, from 08:00 hours to 01:00 hours the following day • Friday to Saturday, from 08:00 hours to 02:00 hours the following day <p><u>Non-standard Times for all of the above</u> From start of permitted hours on New Year's Eve until the end of the permitted hours on New Year's Day.</p>	
<p>(Lahpet) Unit 8 Ground Floor 58 Bethnal Green Road London E1 6JW</p>	<p>The sale by retail of alcohol (On sales only)</p> <ul style="list-style-type: none"> • Monday to Sunday, 10:00 hours to 00:00 hours <p>The provision of regulated entertainment – Indoors <u>(Recorded Music)</u></p> <ul style="list-style-type: none"> • Monday to Sunday, 10:00 hours to 00:00 hours <p>The provision of late night refreshment – Indoors and outdoors</p> <ul style="list-style-type: none"> • Monday to Sunday, 23.00pm to 00:00 hours 	<ul style="list-style-type: none"> • Monday to Sunday, 08:00 hours to 00:00 hours
<p>(Cocktail Trading Co) 64-68 Bethnal Green Road London E1 6GQ</p>	<p><u>The Supply of Alcohol (both on and off premises)</u></p> <ul style="list-style-type: none"> • From Monday to Sunday from 10:00hrs to 00:00hrs (midnight) <p><u>The provision of late night refreshment (indoors)</u></p> <ul style="list-style-type: none"> • From Monday to Sunday from 23:00hrs to 	<ul style="list-style-type: none"> • Monday to Sunday from 10:00hrs to 00:00hrs (midnight)

1 Club Row - Nearest licences

	<p style="text-align: center;">00:00hrs (midnight)</p> <p><u>Regulated Entertainment (in the form of music) (indoors)</u></p> <ul style="list-style-type: none"> From Monday to Sunday from 10:00hrs to 00:00hrs (midnight) 	
<p>(Cheeky Nails) 1st Floor 64-66 Redchurch Street London E2 7DP</p>	<p>The sale by retail of alcohol (On sales only) Monday to Sunday, 11.00am to 23.00pm</p>	<p>Monday to Sunday, 11.00am to 23.00pm</p>
<p>(Barber and Parlour) Basement, Ground and First Floors 64-66 Redchurch Street London E2 7DP</p>	<p><u>Sale of Alcohol (on sales only)</u></p> <ul style="list-style-type: none"> Monday to Saturday from 09:00hrs to 23:00hrs Sunday from 10:00hrs to 23:00hrs <p><u>The Provision of Regulated Entertainment in the form of Films (indoors) & Recorded Music (indoors)</u></p> <ul style="list-style-type: none"> Monday to Saturday from 09:00hrs to 23:00hrs Sunday from 10:00hrs to 23:00hrs 	<ul style="list-style-type: none"> Monday to Saturday from 09:00hrs to 23:30hrs Sunday from 10:00 hours to 23:30hrs
<p>(Redchurch Townhouse) 56 Redchurch Street London E2 7DP</p>	<p><u>The sale by retail of alcohol – (on sales only)</u></p> <ul style="list-style-type: none"> Sunday to Thursday, from 08:00 hours to 00:00 hours (midnight) Friday and Saturday, from 08:00 hours to 01:00 hours (the following day) For residents and bona fide guests: Monday to Sunday from 00:00 hours to 00:00 hours (24 hours a day) <p><u>The provision of late night refreshment - Indoors</u></p> <ul style="list-style-type: none"> Sunday to Thursday, from 23:00 hours to 00:30 hours (the following day) Friday and Saturday, from 23:00 hours to 01:30 hours the following day For residents (in rooms): Monday to Sunday from 23:00 hours to 05:00 hours the following day 	<p>Monday to Sunday, from 00:00 hours to 00:00 hours the following day</p>

1 Club Row - Nearest licences

	<p><u>The provision of regulated entertainment - Indoors</u> <u>(Films)</u></p> <ul style="list-style-type: none"> • Sunday to Thursday, from 08:00 hours to 00:00 hours (midnight) • Friday and Saturday, from 08:00 hours to 01:00 hours (the following day) • For residents (in rooms): Monday to Sunday from 00:00 hours to 00:00 hours (24 hours a day) <p><u>(Live Music and Recorded Music)</u></p> <ul style="list-style-type: none"> • Sunday to Thursday, from 08:00 hours to 00:00 hours (midnight) • Friday and Saturday, from 08:00 hours to 01:00 hours (the following day) <p><u>Non-standard timings</u> The premises may remain open for the above licensable activities from the terminal hour on New Year's Eve to the commencement time on New Year's Day.</p>	
<p>(Burro E Salvia) 52 Redchurch Street London E2 7DP</p>	<p>Sale of Alcohol (On and off sales)</p> <ul style="list-style-type: none"> • Monday to Wednesday from 10:00 hours to 19:00 hours • Thursday to Saturday from 10:00 hours to 21:30 hours • Sunday, from 11:00 hours to 17:00 hours 	<ul style="list-style-type: none"> • Monday to Wednesday from 10:00 hours to 19:00 hours • Thursday to Saturday from 10:00 hours to 22:00hours • Sunday, from 11:00 hours to 17:00 hours

Appendix 7

**Place Directorate
Public Realm**

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

Email: Licensing@towerhamlets.gov.uk

18th June 2020

My reference: LIC/128331/CH

Dear Sir/Madam,

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

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

Tel [REDACTED]
Fax [REDACTED]
Enquiries to **Corinne Holland**

Email
[REDACTED]

www.towerhamlets.gov.uk

Licensing Act 2003

Premise licence variation: Dirty Bones, 1 Club Row, London E1 6JX

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

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

Cumulative Impact Policy

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

The Licensing Authority is of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and/or the provision of late night refreshment in the Brick Lane area is having a cumulative impact on the licensing objectives and has therefore declared a cumulative impact zone within the area. The Brick Lane CIZ aims to manage the negative

cumulative impact of the concentration of licensed premises in the area and the stresses that the saturation of licensed premises has had on local amenity, environmental degradation and emergency and regulatory services in managing this impact.

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

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

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

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

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

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

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

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

- *small premises with a capacity of fifty persons or less who only intend to operate during Framework Hours,*
- *premises which are not alcohol led and operate only within Framework Hours, such as coffee shops,*
- *instances where the applicant has recently surrendered a licence for another premises of a similar size and providing similar licensable activities in the same Special Policy Area.*

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

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

Licensable activities and times

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

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

Applications in respect of premises licences and club premises certificates to authorise licensable activities outside the framework hours, and in respect of which relevant representations are made, will be decided on their own merits and with particular regard to the following.

a) The location of the premises and the general character of the area in which the premises are situated. (i.e. does the area include residential or business premises likely to be adversely affected).

b) The proposed hours during which licensable activities will be take place and the proposed hours during which customers will be permitted to remain on the premises.

*c) The adequacy of the applicant's proposals to address the issues of the prevention of crime and disorder **and** the prevention of public nuisance.*

d) Where the premises have been previously licensed, the past operation of the premises.

e) Whether customers have access to public transport when arriving at or leaving the premises at night time and in the early hours of the morning.

f) *The proximity of the premises to other licensed premises in the vicinity and the hours of those other premises.*

The Home Office guidance under Section 182 of the Licensing Act 2003 (8.42) says:

“Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:

- the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;*
- any risk posed to the local area by the applicants’ proposed licensable activities; and*
- any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.”*

Application

This application has three parts to the variation.

- The removal of condition 1 & 2 to allow off sales and drinking outside the premises.
- An increase in licensable hours for the Sale of Alcohol and Late Night Refreshments.
- Amend the wording on the existing ‘non-standing timings’ for New Year’s Eve.

The hours and licensable activities applied for are:

The sale of alcohol:

Monday – Sunday 10:00 – 01:00 hours

Late Night Refreshments:

Monday – Sunday 23:00 – 01:00 hours

Opening hours:

Monday – Sunday 09:00 – 01:30 hours

The application is to extend the licensable hours by:

The Sale of Alcohol

Monday – Thursday – 1.5 hours

Friday – Saturday 1 hour

Sunday – 2.5 hours

Late Night Refreshments:

Monday – Thursday – 1.5 hours

Friday – Saturday 1 hour

Sunday – 2 hours

The premise is advertised as a restaurant and cocktail bar offering DJs music on Friday and Saturday evening. With the later hours granted it is likely that customers will consume more alcohol than they currently would prior to leaving for the evening, or customers will stop here after leaving other premises on their way home, as it is very close to Shoreditch High Street station to consume some more drinks. This could lead to alcohol fuelled anti-social behaviour/crime and disorder as people leave the premises.

To remove condition 2 from the licence will allow drinking on the pavements outside until their terminal hour. The Licensing Authority understands that premises are wishing to conduct their business as best they can with Covid-19 restrictions limiting the numbers inside the premises but to have this condition removed permanently is likely to cause a noise nuisance to local residents plus a possible obstruction to passers-by. The Licensing Authority have received a number of complaints regarding pubs/bars offering 'off sales' during these lockdown restrictions as this attracts customers to stand in the street drinking thereby technically moving the pub/bar outside.

The Licensing Authority has no objection to the re-wording of the New Year's Eve non-standing timings.

The premise is within the Brick Lane CIZ where the Licensing Authority policy is to refuse the application unless the applicant can demonstrate there are exceptional circumstances to granting it. The applicant has not made any reference to the premises being within the Brick Lane CIZ within the operating schedule and not offered any additional conditions to address this fact whilst requesting increased hours and outside drinking.

On considering this application as it stands I feel it does not uphold the licensing objective for the 'prevention of crime & disorder/public nuisance' and therefore the Licensing Authority feel that the application should be rejected.

Yours faithfully



Corinne Holland
Licensing Officer
(Acting as a Responsible Authority)

CC: Applicants agent: 

Appendix 8

Mohshin Ali

From: Nicola Cadzow
Sent: 16 June 2020 09:48
To: Licensing
Subject: 128331 MAU REPRESENTATION Dirty Bones 1 Club Row, London

Follow Up Flag: Follow up
Flag Status: Completed

Dear Licensing,

Having considered the variation of premise licence application for Dirty Bones, 1 Club Row and the potential impact of public nuisance and measures to prevent noise generated from within the premises or outside it which could cause disturbance to people in the vicinity, the proposed increase in hours are well beyond the Council's framework hours, and consideration has to be given to the fact that the premises is in Brick Lane Cumulative Impact Zone.

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

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

Dirty Bones existing hours for licensable activities:-

Late Night refreshment:

- **Monday to Thursday 23:00 hours to 2330 hours; and**
- **Friday & Saturday 23:00 hours to midnight**
- **Sunday Not applicable**

Supply of Alcohol:

- **Monday to Thursday 10:00 hours to 2330 hours; and**
- **Friday & Saturday 10:00 hours to midnight**
- **Sunday 10:00 hours to 22:30 hours**

The applicant is proposing variation of hours for licensable hours as follows:-

Late night refreshment:-

- **Monday to Thursday until 01:00 (an increase of one and a half hours on existing licensable hours)**
- **Friday & Saturday until 01:00 hours (an increase of one hour on existing licensable hours)**
- **Sunday until 01:00 hours (from no late night refreshment to 2 hours from 23:00 to 01:00 hours)**

Supply of alcohol:-

- **Monday to Thursday until 01:00 (an increase of one and a half hours on existing licensable hours)**
- **Friday & Saturday until 01:00 hours (an increase of one hour on existing licensable hours)**
- **Sunday until 01:00 hours (an increase of two and a half hours on existing licensable activities)**

With premises opening seven days a week until 01:30 hours, extending existing opening hours

- **Monday to Thursday an increase of 1 and ½ hours**
- **Friday and Saturday an increase of 1 hour**
- **Sunday an increase of two and a half hours**

Noise Sensitive premises: residential premises in close proximity to Dirty Bones 1 Club Row

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

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

CONCLUSION

Environmental Protection **does not** support the application for Dirty Bones 1 Club Row E1, as there is great likelihood of disturbance to residential premises at the noise sensitive hours sought, with consideration to the fact that the premises is in the Brick Lane Cumulative Impact Zone.

Kind regards

Nicola Cadzow

Environmental Health Technical Officer
Environmental Protection Team
Place Directorate
London Borough of Tower Hamlets
John Onslow House
London E3 5EQ


www.towerhamlets.gov.uk

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Appendix 9

Mohshin Ali

From: Mohshin Ali on behalf of Licensing
Sent: 04 June 2020 18:06
To: Mohshin Ali
Subject: FW: Variation Dirty Bones
Attachments: DRUGS POLICY (003).doc

From: MARK.J.Perry [REDACTED]
Sent: 04 June 2020 15:23
To: TOMaoileoin [REDACTED]
Cc: Licensing
Subject: RE: Variation Dirty Bones

Hi Thomas,

Indeed good to talk earlier, and glad your clients have accepted the proposed conditions. No representation was made by myself so Tower Hamlets Council please see conditions agreed with the applicant.

Stay Safe.

Kind Regards

Mark



PC Mark Perry
Central East Licensing Unit
Metropolitan Police Service (MPS)
[REDACTED]
A: Licensing Office, 2nd Floor Stoke Newington Police Station

From: Thomas O'Maoileoin <[REDACTED]>
Sent: 04 June 2020 15:18
To: Perry Mark J - CE-CU <[REDACTED]>
Cc: Ryan Peermamode <[REDACTED]>
Subject: FW: Variation Dirty Bones
Importance: High

Dear Mark

Thank you for your email. Good to talk earlier.

I'm pleased to confirm that I have spoken to my clients and they are happy to amend their application to include all of your suggested conditions (some of which up-date conditions on their current licence).

On that basis I understand that you on behalf of the MPS are happy to withdraw?

All good wishes.

Stay safe.

Thomas

Thomas O'Maoileoin
Partner

Thomas & Thomas Partners LLP
38a Monmouth Street
London WC2H 9EP

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

From: "[MARK.J.Perry](#) [REDACTED]" [REDACTED]
Date: Thursday, 4 June 2020 at 14:54
To: Thomas O'Maoileoin [REDACTED] >
Subject: Variation Dirty Bones

Hi,

I am PC Mark Perry from Central East Police Licensing and I am dealing with the application. I have no objection to the increase in hours but would like the following conditions added to the license.

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. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:
- a) the police (and, where appropriate, the London Ambulance Service) are called without delay;
 - b) all measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
 - c) the crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
 - d) such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.
5. There must be at the premises a lockable drugs box to which no member of staff, save the DPS and /or XX, shall have access. All controlled drugs (or items suspected to be controlled drugs or contain controlled drugs) found at the premises must be placed in this box as soon as practicable. Whenever this box is emptied, all of its contents must be given to the Police for appropriate disposal.
6. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
7. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer at all times whilst the premises is open.
8. The Premises shall adopt Central East Licensing drugs policy which is attached.
9. The premises shall have a written risk assessment for all licensable activities and events taking place at the venue which will be made available to Police upon request.

Please feel free to contact me if you wish to discuss.

Kind Regards

Mark



PC Mark Perry
Central East Licensing Unit
Metropolitan Police Service (MPS)

████████████████████
A: Licensing Office, 2nd Floor Stoke Newington Police Station

DRUGS POLICY

The premises is to operate a zero tolerance policy towards drugs.

When the premises is running a promoted event where DJ's will be performing, customers as well as artists will be searched for illegal drugs.

This will be a thorough search of customers, including customers bags, jackets, pockets etc. Searching to be done in an area covered by CCTV.

If a guest is found in possession of Drugs/illicit substances and it is believed it is for personal use then the drugs must be seized, the duty manager informed and the drugs must go into a numbered sealable bag. Confiscated drugs must be placed in a safe as soon as practicable. The person is not to be allowed entry to the premises.

The drugs log must then be filled out with the name and SIA number of the person finding and seizing the drugs, date and time of seizure, location of drugs find, description of the drugs , number of drugs and date and time of drugs being locked in the safe.

If the person is suspected of supplying drugs, which Police say is anything over a combination of 4 wraps/pills then the following applies:

- The member of staff, door supervisor or security guard will immediately inform the DPS or other manager on duty.

- The DPS/manager and door supervisor/security guard will ask the individual to step into a quiet area (or if appropriate, a room) and ask the person to turn out their pockets and bags.

- If a personal/bodily search is unavoidable then the Police's assistance will be sought.

- Any drugs found will be confiscated and handed to the DPS or other manager to store and record in accordance with the procedures in this Policy.

- Security guards will (subject to the security guard firm's own policies, procedures, and health & safety requirement) seek to calmly detain suspected drug dealers in the Premises while the Police are contacted.

- However if there is difficulty in this respect with material resistance by the suspected drug dealer and/or if the Police are unable to attend the Premises without delay, to the

extent that the situation in seeking to detain the person becomes unmanageable, the security guards will not use powers of detainment under a citizens' arrest.

- In such cases where the detention of the suspected drug dealer becomes reasonably unmanageable, the premises cannot take responsibility for detaining a person suspected of supplying drugs if they want to leave and the Police have not yet attended the Premises. In such instances the person will be removed from the Premises and a full Incident Report of the incident shall be completed and added to the Premises' Incident Report File.

Drugs are to be sealed in Police bags that will be supplied to the venue.

At the beginning of every month the premises will contact Tower Hamlets Police Licensing and arrange to the licensing officers to come and collect the drugs. A receipt will be signed for at the premises to document that the drugs have been taken by Police.

WEAPONS

When a person is found in possession of a knife or other weapon then the Police are to be called immediately. If safe to do so, and in line with the security company's policies and procedures, the weapon is to be seized and the subject detained.

SIGNAGE

There will be signage in a visible location in the entrance to the premises confirming the following:

- 1) There is to be a zero tolerance to drug use or supply at the premises.
- 2) Drug use and the supply of drugs in the premises is not permitted.
- 3) An enforced search policy identify drugs on customers entering the Premises.
- 4) Persons suspected of being involved in the supply of drugs will be detained, the drugs seized and the Police called.
- 5) No person found with drugs will be allowed onto the premises.
- 6) Entry to the premises may be conditional on searching.
- 7) Any drugs found on customers will be confiscated and given to the Police.

8) Any customer refusing a search will be refused entry to the Premises.

9) Female customers will be searched by a female door supervisor only.

TOILETS

Toilets are to be checked every 30 minutes during promoted event where DJ's will be performing.

The checks will be to see if there is any drug usage taking place, and will include cubicles and the communal areas.

Any customers acting suspiciously are to be taken to a private area and searched for drugs, if drugs are found then they are to be seized and the person ejected if the drugs are for personal use. If more drugs are found then would indicate personal use then the guidance for supplying drugs is to be followed.

In the toilets all flat surfaces are to be either removed or altered in such a way so as to make it difficult for drugs to be taken on them.

SIA PATROLS

SIA security are required to carry out patrols inside the venue to check on the customers and look for signs of drug use or taking.

Any person found taking drugs are to be taken to a private area and searched for drugs. If drugs are found then they are to be seized and the person ejected if the drugs are for personal use. If more drugs are found then would indicate personal use then the guidance for supplying drugs is to be followed.

Any person who has taken drugs or who looks like they have taken drugs, is to be taken to a private area and searched for drugs with the usual conditions applying. Medical assistance is to be offered and the London Ambulance Service called.

Appendix 10

Noise while the premise is in use

General Advice

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

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

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

Licensing Policy

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

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

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

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

Police Powers

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

Licence conditions should not duplicate other legislation (1.16).

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

Other Legislation

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

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

Appendix 11

Access and Egress Problems

Such as:

Disturbance from patrons arriving/leaving the premises on foot

Disturbance from patrons arriving/leaving the premises by car

Lack of adequate car parking facilities

Close proximity to residential properties

Comment

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

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

General Advice

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

The hours of operation also need to be considered.

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

Licensing Policy

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

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

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

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

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

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

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

Licence conditions should not duplicate other legislation (1.16).

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

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

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

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

Appendix 12

Anti-Social Behaviour on the Premises

Licensing Policy

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. (**See Section 6 of the Licensing Policy**)

The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. (**See Appendix 3 of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- Methods of management communication
- Use of registered Door Supervisors
- Bottle Bans
- Plastic containers
- CCTV
- Restrictions on open containers for “off sales”
- Restrictions on drinking areas
- Capacity
- Proof of Age scheme
- Crime prevention notices
- Drinks promotions-aimed at stopping irresponsible promotions
- Signage
- Seating plans
- Capacity

If Members believe that there is a substantial problem of anti-social behaviour and it cannot be proportionately addressed by licensing conditions they should refuse the application.

Police Powers

The Licensing Act 2003, Part 8 gives a senior police officer the power to close a premises for up to 24 hours where the officer believes there is, or is likely to be disorder on or in the vicinity and closure is necessary in the interests of public safety.

Guidance Issued under Section 182 of the Licensing Act 2003

The pool of conditions, adopted by the Council is recommended (Annexe D).

The key role of the Police and SIA is acknowledged (2.1-2.2).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder

and their staff or agents, but can directly impact on the behaviour of customers in the immediate vicinity of the premises as they seek entry or leave (1.16).

Conditions are best targeted on deterrence and preventing crime and disorder (2.3) communication, CCTV, police liaison, no glasses, capacity limits are all relevant (2.3 - 2.6).

The Guidance recognises working with Home Office Immigration Enforcement in the prevention of immigration crime. 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.

Guidance Issued under Section 182 of the Licensing Act 2003

Conditions can be imposed for large capacity “vertical consumption” premises (10.23 – 10.24).

Guidance Issued by the Office of Fair Trading

This relates to attempts to control minimum prices.

Other Legislation

- The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder

Appendix 13

Anti-Social Behaviour from Patrons Leaving the Premises

General Advice

Members need to bear in mind that once patrons have left a premises they are no longer under direct control. Members will need to be satisfied that there is a link between the way the premises is operating and the behaviour that is complained of. An example of this would be that irresponsible drinking is being encouraged. Before deciding that any particular licensing conditions are proportionate, Members will also need to be satisfied that other legislation is not a more effective route. For example, if the problem is drinking in the street it may be that the Council should designate the area as a place where alcohol cannot be consumed in public.

Members may also wish to consider whether the hours of opening relate to any problems of anti-social behaviour.

If Members believe that there is a substantial problem of anti-social behaviour and it cannot be proportionately addressed by licensing conditions they should refuse the application.

Licensing Policy

The policy recognises that other legislation or measures may be more appropriate but also states that licensing laws are “a key aspect of such control and will always be part of an overall approach to the management of the evening and night time economy” (**see Section 4.15 and 4.16 of the Licensing Policy**).

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. (**See Sections 6.2 of the Licensing Policy**)

The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include Conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. (**See Appendix 3 of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- Bottle Bans
- Plastic containers
- CCTV (outside the premises)
- Restrictions on open containers for “off sales”
- Proof of Age scheme
- Crime prevention notices
- Drinks promotions-aimed at stopping irresponsible promotions
- Signage

Cumulative Impact

There is a process by which the Licensing Authority can determine that an area is saturated following representations. However, the process for this involves wide consultation and cannot come from representations about a particular application. (**See Section 8 of the Licensing Policy**).

Police Powers

The Licensing Act 2003, Part 8 gives a senior police officer the power to close a premises for up to 24 hours where the officer believes there is, or is likely to be disorder on or in the vicinity and closure is necessary in the interests of public.

Guidance Issued under Section 182 of the Licensing Act 2003

The key role of the Police is acknowledged (2.1).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder, but can relate to the immediate vicinity of the premises as they seek entry or leave (1.16).

Conditions are best targeted on deterrence and preventing crime and disorder (2.3) CCTV inside & out, communication, police liaison, no glasses are all relevant

There is also guidance issued around public nuisance (2.15 – 2.21).

The pool of conditions, adopted by the Council is recommended (see Appendix 3 of the Licensing Policy). Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder (2.18/2.21).

Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned (14.13).

Other Legislation

Crime and Disorder Act 1998

The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder.

The Act also introduced a wide range of measures designed to address anti-social behaviour committed by adults and young people. These include:

- Anti-Social Behaviour Orders
- Child Curfew Schemes
- Truancy
- Parenting Orders
- Reparation Orders
- Tackling Racism

Appendix 14

Planning

An application for a Premises Licence can be made in respect of a premises even where the premises does not have relevant Planning Permission. That application has to be considered and Members can only refuse the application where the application itself does not promote one 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.

Appendix 15

Licensing Policy Relating to Hours of Trading

All applications have to be considered on their own merits.

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

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

(see 14.8 of the Licensing Policy)

In considering the applicability of 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 16

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

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

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

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

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

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

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

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

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

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

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

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

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

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

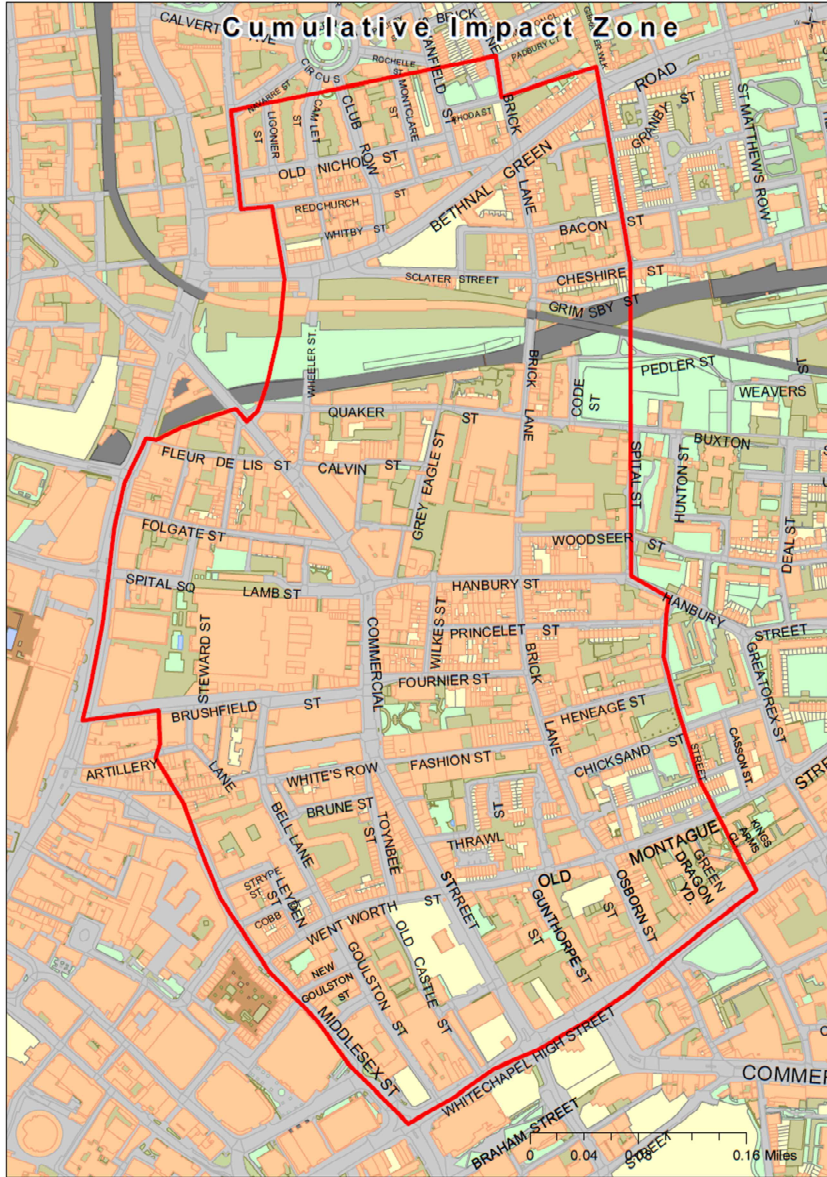
- that the premises will be well managed and run,
- that the premises will be constructed to a high standard,
- that the applicant operates similar premises elsewhere without complaint.

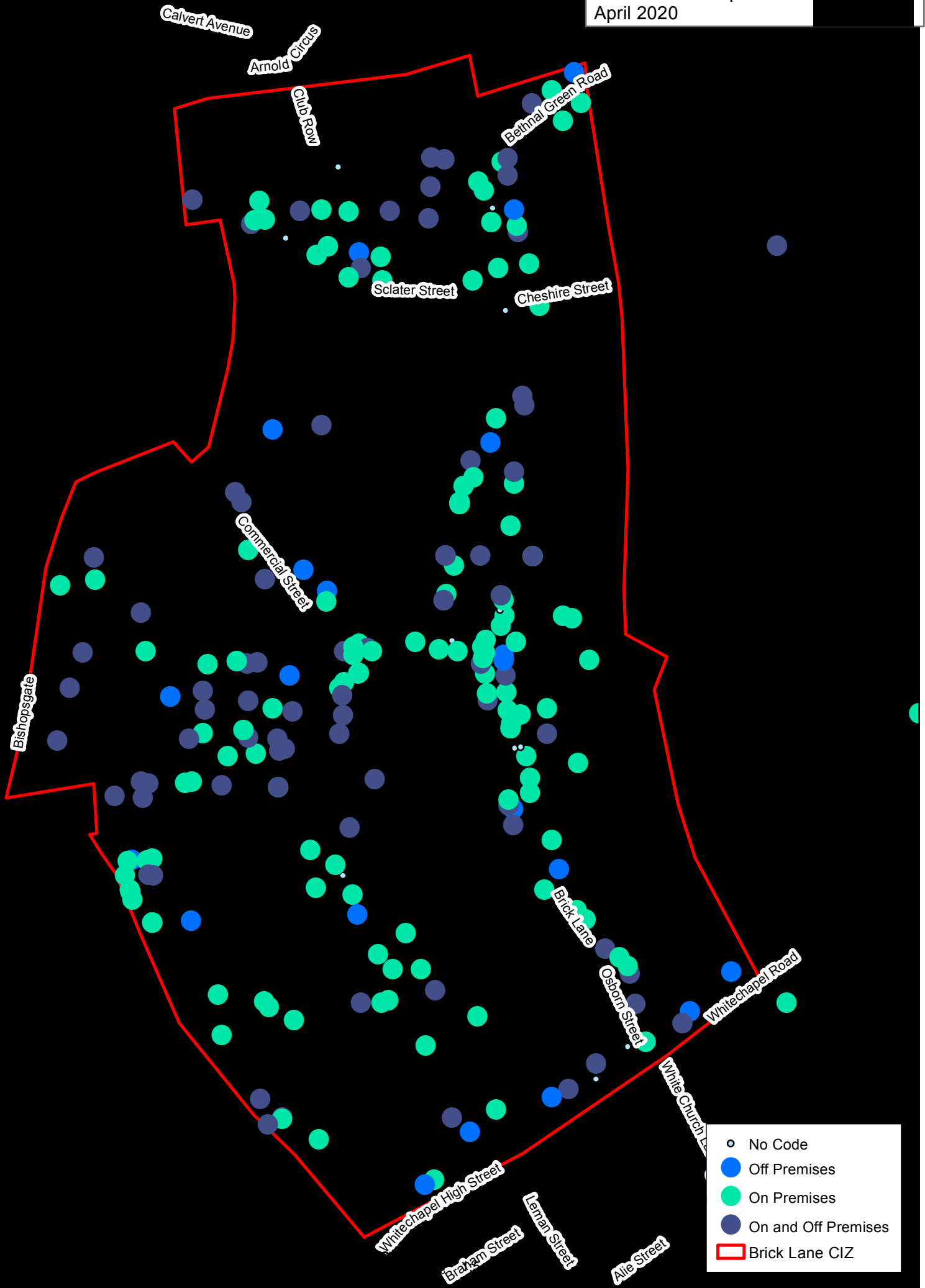
19.9 The Special Cumulative Impact policy will not be used to revoke an existing licence or certificate and will not be applicable during the review of existing licences.

The Cumulative Impact Zones:

Figure One

Brick Lane area:





Agenda Item 3.3

Committee : Licensing Sub-Committee	Date 29 Septemebr 2020	Classification Unclassified	Report No.	Agenda Item No.
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Report of: David Tolley Head of Environmental Health & Trading Standards Originating Officer: Mohshin Ali Senior Licensing Officer	Title: Licensing Act 2003 Application for a Premises Licence for (Alcotraz), 212 Brick Lane, London E1 6SA Ward affected: Weavers
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1.0 Summary

Applicant: **Sam Shearman**

Name and Address of Premises: **Alcotraz**
212 Brick Lane (ground floor)
London
E1 6SA

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

- **The sale by retail of alcohol**

Representation (s): **Licensing Authority (RA)**
Environmental Health Noise Team
Resident

2.0 Recommendations

2.1 That the Licensing Committee considers the application and representations then adjudicate accordingly.

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

Brief description of "background paper"	Tick if copy supplied for register	If not supplied, name and telephone number of holder
<ul style="list-style-type: none">• Guidance Issued under Section 182 of the Licensing Act 2003• Tower Hamlets Licensing Policy• File		Mohshin Ali 020 7364 5498

3.0 Background

- 3.1 This is an application for a premises licence for (Alcatraz), 212 Brick Lane (ground floor), London E1 6SA.
- 3.2 The applicant has described the premises as follows:
“... The business concept is an immersive theatrical experience in which guests purchase a ticket in advance to attend. The experience is based on popular Hollywood films and TV and brings to life a prison story with guests as the inmates instructed to conduct a covert mission whilst behind bars. As part of the experience, guests are encouraged to bring their own bottle of alcohol whilst enjoying a theatrical storyline that unfolds around them involving actors...”
- 3.3 A copy of the premises licence application form is enclosed as **Appendix 1**.
- 3.4 The applicant has applied for the following licensable activities and timings:-

The sale by retail of alcohol (On and off sales)

- *Monday and Tuesday (no licensable activities)*
- Wednesday to Sunday, from 12:00 hrs to 00:00 hrs (midnight)

The provision of regulated entertainment - Indoors (Plays)

- *Monday and Tuesday (no licensable activities)*
- Wednesday to Friday, from 17:00 hrs to 23:00 hrs
- Saturday, from 12:00 hrs to 23:00 hrs
- Sunday, from 16:00 hrs to 19:00 hrs

(Provision of anything of a similar description to live music, recorded music or performances of dance)

- *Sunday to Tuesday (no licensable activities)*
- Wednesday to Saturday, from 23:00 hrs to 00:00 hrs (midnight)

The provision of late night refreshment - Indoors

- *Monday and Tuesday (no licensable activities)*
- Wednesday to Saturday, from 12:00 hrs to 00:00 hrs (midnight)

LICENSING OFFICER'S COMMENT: Late night refreshment starts at 23:00 hours

The opening hours of the premises

- Wednesday and Thursday, 12:00 hrs to 00:30 hrs the following day
- Friday and Saturday, from 12:00 hrs to 01:00 hrs the following day
- Sunday, from 12:00 hrs to 23:30 hrs

4.0 **Location and Nature of the premises**

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

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

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

5.0 **Licensing Policy and Government Advice**

5.1 The Council has adopted a licensing policy and this is available from the Licensing Section, and at the hearing. The revised policy came into effect on the 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 a relevant representation has been made by the following:
- Licensing Authority (RA) - **Appendix 6**
 - Environmental Health Noise Team - **Appendix 7**
 - Huw Davies - **Appendix 8**
- 6.9 All of the responsible authorities have been consulted about this application. They are as follows:
- The Licensing Authority
 - The Metropolitan Police
 - London Fire Brigade
 - Planning
 - Health and Safety
 - Environmental Health Noise Team
 - Trading Standards
 - Child Protection
 - Public Health
 - Home Secretary (Home Office Immigration Enforcement)
- 6.10 In addition the application was required to be advertised in a local newspaper and by a blue poster. Only representations that relate to the following licensing objectives are relevant:
- the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm
- 6.11 Essentially, the relevant party opposes the application because in their opinion, the applicant has not explained how within the context of the application they will meet the licensing objective of the prevention of public nuisance and the prevention of crime and disorder.
- 6.12 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.
- 6.13 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.

6.14 After seeing the representations, the applicant has responded. The applicant's responses are in **Appendix 9**.

7.0 Conditions consistent with Operating Schedule

- 7.1 *All tickets will be sold online where age verification takes place. Additionally at the physical premise door supervisors shall carry out ID checks for all attendees and their guests.*
- 7.2 *At least one SIA on premise at all times at least 30 minutes prior to guests arrival and 30 minutes after guests leave to help close.*
- 7.3 *Front door to be manned by door supervisor during opening hours.*
- 7.4 *Clear terms & conditions shall be associated with ticket purchases to refuse entry to anyone intoxicated and operate strict policies to remove disorderly guests.*
- 7.5 *All staff shall be fully trained on safety procedures with guests entering and exiting as well as their behaviours during the experience. Vigilance in preventing the use and sale of illegal drugs - signage on entrance and in toilets and immediate removal if caught.*
- 7.6 *Guests shall be strictly instructed that there is no re-admission, with the ambition that guests are not loitering outside for any reason, keeping guests contained within the premise.*
- 7.7 *Guests shall be strictly instructed upon exit to head towards the nearest taxi rank or tube station by security staff.*
- 7.8 *The actors and staff shall be trained to keep noise to a minimum when entering and exiting the premises, encouraging the guests to do the same.*
- 7.9 *Tickets shall be purchased in advance online, requiring over 18 proof to open credit cards. Admission for over 18s only.*
- 7.10 *Strict challenge 25 policy on the door. We will only accept passport driving licence or Proof of Age PASS scheme as proof of age.*
- 7.11 *A register of refusals book shall be kept.*
- 7.12 *CCTV System is installed to monitor entrance/exits, and other parts of the premises in order to monitor and help prevent crime;*
- 7.13 *A clear and legible notice at the premises entrance indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.*
- 7.14 *Clear and conspicuous notices warning of potential criminal activity, such as theft, that may target customers will be displayed.*

- 7.15 *Clear signage on the desired behaviours of guests during our experience.*
- 7.16 *Customers subjected to random searches of body and bags as per operational risk assessment*
- 7.17 *No admission to the venue, even with pre-purchased tickets for anyone displaying intoxication or drug use.*
- 7.18 *Customers will not be sought by means of personal solicitation outside or in the vicinity of the premises.*
- 7.19 *Have a bi-monthly staff training on public safety measures.*
- 7.20 *Guests are organised in a queue and maintained quiet by staff whilst entering the premise.*
- 7.21 *The street shall be swept and cleared of any litter throughout opening hours and at the end of every day.*
- 7.22 *The premises shall be fitted with adequate soundproofing.*
- 7.23 *No loud music is played and the sound system used to play our background effects is fitted with industry standard limiter.*
- 7.24 *Notices placed at exits and verbal instructions from staff to remind guests to leave quietly and quickly.*
- 7.25 *Dispersion policy employed at all times to ensure guests leave via Bethnal Green Road quietly*
- 7.26 *Guests will be told on ticket emails the closest car parking and be prompted to take public transport to minimise congestion at the busiest time of year.*

8.0 Conditions in consultation with the Responsible Authorities

8.1 None agreed, see representations

9.0 Licensing Officer Comments

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

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

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

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

9.3 Guidance issued under section 182 of the Licensing Act 2003

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

- ❖ Mandatory conditions must be imposed (10.25) and censorship avoided (10.17).
 - ❖ The Guidance states: “It is still permitted to sell alcohol using promotions (as long as they are compatible with any other licensing condition that may be in force), and the relevant person should ensure that the price of the alcohol is not less than the permitted price. Detailed guidance on the use of promotions is given in the guidance document available on the Gov.uk website.” (10.58) Also, “Licensing authorities should not attach standardised blanket conditions promoting fixed prices for alcoholic drinks to premises licences or club licences or club premises certificates in an area.” (10.21)
- 9.4 The Licensing Act 2003 permits children of any age to be on the premises which primarily sells alcohol providing they are accompanied by an adult. It is not necessary to make this a condition.
- 9.5 In all cases the Members should make their decision on the civil burden of proof, that is “the balance of probability.”
- 9.6 In all cases Members should consider whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.
- 9.7 The Government has advised that conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. Conditions cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff and standardised conditions should be avoided where they cannot be shown to be appropriate. (1.16/1.17)
- 9.8 The Council’s Licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.
- 9.9 In **Appendices 10 - 16** 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 from
Appendix 2	Site Plan
Appendix 3	Maps of the surrounding area
Appendix 4	Other licensed venues in the area
Appendix 5	Section 182 Guidance by the Home Office
Appendix 6	Representation of Licensing Authority (RA)
Appendix 7	Representation of Environmental Health Noise Team
Appendix 8	Representation of Huw Davies
Appendix 9	Applicant's response to the representations
Appendix 10	Licensing Officer comments on noise while the premise is in use
Appendix 11	Licensing Officer comments on access/egress Problems
Appendix 12	Licensing Officer comments on crime and disorder on the premises
Appendix 13	Licensing Officer comments on crime and disorder from patrons leaving the premises
Appendix 14	Planning
Appendix 15	Licensing Policy relating to hours of trading
Appendix 16	Cumulative Impact Zone

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

Yes No

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Other telephone number

Include country code.

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

VAT number

Legal status

If your business is registered, use its registered name.
 Put "none" if you are not registered for VAT.

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

INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Current Residential Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes No

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Applicant Contact Details

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

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes No

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality

Right to work share code

[Documents that demonstrate entitlement to work in the UK](#)
[Right to work share code if not submitting scanned documents](#)

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? 01 / 06 / 2020
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

Continued from previous page...

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.

Alcotraz is a business concept that has now existed at 212 Brick Lane, Ground Floor, E1 6SA since August 2017. The business concept was launched and has remained in management by myself, Sam Shearman, since launch. The business concept is an immersive theatrical experience in which guests purchase a ticket in advance to attend. The experience is based on popular Hollywood films and TV and brings to life a prison story with guests as the inmates instructed to conduct a covert mission whilst behind bars. As part of the experience, guests are encouraged to bring their own bottle of alcohol whilst enjoying a theatrical storyline that unfolds around them involving actors.

Experiences last for 1 hour 45 minutes. The maximum guests at any one time is 40 and for these guest numbers we have 10 staff members. On certain days, multiple experiences are run with 30 minute intervals between. On site we always have at least one first aid trained manager and at least one SIA accredited door supervisor. All guests must be over the age of 18 to attend and we conduct a strict challenge 25 on site. We also have successfully been running a strict policy to promote responsible drinking since opening. At present, our final experience ends at 23:00 and this will remain.

Located on Brick Lane, the concept has been running successfully for over two years, and contributes positively to the vibrant arts and creative scene in the area. 80% of our customers are aged 21-35 years old with above average income who visit from all over the country and across the globe. We are, therefore bringing a positive audience to the local area who are benefiting local businesses before and after their visit to Alcotraz.

We have a good working relationship with our neighbours, landlord, council and police. I have personally met various representatives from the council and police who came to understand more about the experience when we first launched.

During the current COVID-19 crisis, our business has been forced to close and, therefore, part of this application is in attempt to try bring in a new source of revenue.

Currently no alcohol is sold at the premises and guests bring their own to the experience. The proposed premises license would allow us the following:

1. To sell cocktails and other alcohol off-site for home delivery during the current COVID-19 crisis to help keep the business afloat. This will be sold via platforms such as Deliveroo and Uber Eats.
2. To be able to sell alcohol upon entrance to any ticketed guests who have not read the instructions correctly and, therefore, have not brought their own bottles.
3. To open the venue prior and post experiences in order to allow guests to enjoy longer in the venue and purchase cocktails.

Proposed Opening Times:

Wednesday - 12:00pm - 00:00am (Final experience ends by 23:00)

Thursday - 12:00pm - 00:00am (Final experience ends by 23:00)

Friday - 12:00pm - 00:00am (Final experience ends by 23:00)

Saturday - 12:00pm - 00:00am (Final experience ends by 23:00)

Sunday - 12:00pm - 00:00am (Final experience ends by 19:00)

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

Continued from previous page...

[See guidance on regulated entertainment](#)

Will you be providing plays?

- 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

Will the performance of a play 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.

Our immersive experience involves actors, however, as the audience size is only 40 and our show end times are 23:00 we do not believe this falls within regulated entertainment. Part of this premises application is to allow for guests to stay after their experience to enjoy some cocktails.

State any seasonal variations for performing plays

Continued from previous page...

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

NA

Non standard timings. Where the premises will be used for the performance of a play 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.

Although not required, if possible it would be useful to extend the finish time beyond 23:00 in the Winter Months to 00:00 minutes to allow for private bookings.

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

Continued from previous page...

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes No

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

Standard Days And Timings

MONDAY

Start

End

Start

End

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

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.

Give a description of the type of entertainment that will be provided

Continued from previous page...

Our immersive theatrical experience doesn't use any live or recorded music but instead a combination of background self-composed sound effects and noises to compliment the theme. Part of this premises license is to be able to allow guests too stay beyond 23:00 after their experience. It is our ambition to play a similar combination of background self-composed sound-effects, tracks and noises to continue to compliment the theme.

Will this entertainment 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.

State any seasonal variations for entertainment

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

NA

Non-standard timings. Where the premises will be used for entertainment 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.

Na

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

TUESDAY

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.

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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.

Currently no alcohol is sold at the premises and guests bring their own to the experience. The proposed premises license would allow us the following:

1. To sell cocktails and other alcohol off-site for home delivery during the current COVID-19 crisis to help keep the business afloat.
2. To be able to sell alcohol upon entrance to any ticketed guests who have not read the instructions correctly and, therefore, have not brought their own bottles.
3. To open the venue prior and post experiences in order to allow guests to enjoy longer in the venue and purchase cocktails.

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-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.

Although not required, if possible it would be great to have the flexibility to extend these hours for the Winter Months, especially in the lead up to Christmas. It would be great to follow in line with other local businesses timings to promote economic growth for the area.

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

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

State any seasonal variations

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

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

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

Although not required, if possible it would be great to have the flexibility to extend these hours for the Winter Months, especially in the lead up to Christmas. It would be great to follow in line with other local businesses timings to promote economic growth for the area.

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

Name

First name

Family name

Date of birth / /

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Continued from previous page...

Issuing licensing authority
(if known)

London Borough of Richmond Upon Thames

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

Section 16 of 21

ADULT ENTERTAINMENT

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

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

NA

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 12:00

End 00:30

Start

End

THURSDAY

Start 12:00

End 00:30

Start

End

Continued from previous page...

FRIDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

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

If this is popular we may look to extend to Mondays and Tuesdays but that is not in scope at the moment.

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

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

Section 18 of 21

LICENSING OBJECTIVES

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

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

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

The proposed license application for Alcotraz would wholly support the aims of the council by investing in the local economy, create additional new jobs and providing an additional service to the local area and an attraction to an East London location. National policy is fully supportive of the development of town centre usages in accessible locations, such as the application site.

TO PROMOTE ALL FOUR LICENSING OBJECTIVES WE WILL MAINTAIN:

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

b) No admittance or selling of alcohol to underage people. All tickets will be sold online where age verification takes place. Additionally at the physical premise our door supervisors undergo ID checks for all attendees and their guests. There is to be no violent and anti-social behaviour. At least one SIA on premise at all times at least 30 minutes prior to guests arrival and 30 minutes after guests leave to help close premises. We also purposefully have a high staff to guest ratio to remain

Continued from previous page...

vigilant of any anti-social behaviour. Front door to be manned by door supervisor during opening hours. No drunk and disorderly behaviour on or near the premises. We have in place clear T&Cs associated with ticket purchases to refuse entry to anyone intoxicated and operate strict policies to remove disorderly guests.

c) Appropriate assessments have occurred as the concept is existing already. All staff are fully trained on safety procedures with guests entering and exiting as well as their behaviours during the experience. Vigilance in preventing the use and sale of illegal drugs - signage on entrance and in toilets and immediate removal if caught. Where possible we have removed as many flat surfaces as we can. We also purposefully have a high staff to guest ratio to remain vigilant.

d) Alcotraz has successfully been operating for two years with negligible public nuisance. We intend to keep the same high standards we have using in order to continue to limit issues with neighbours. Guests are strictly instructed that there is no re-admission, with the ambition that guests are not loitering outside for any reason, keeping guests contained within the premise. Guests are strictly instructed upon exit to head towards the nearest taxi rank or tube station by security staff. Any guests booking taxis are told to direct them to a location away from the venue
Staff/actor noise - the actors and staff have been trained to keep noise to a minimum when entering and exiting the premises, encouraging the guests to do the same.

The proposed opening hours are suitable for the local area in the sense that the wider Shoreditch, Whitechapel area are very service and entertainment focused. The opening hours will have minimal adverse effects on the local area.

e) Tickets are brought in advance online, requiring over 18 proof to open credit cards. Admission for over 18s only. Strict challenge 25 policy on the door. We will only accept passport driving licence or Proof of Age PASS scheme as proof of age. We keep a register of refusals book.

b) The prevention of crime and disorder

CCTV System is installed to monitor entrance/exits, and other parts of the premises in order to monitor and help prevent crime;

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

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

Clear signage on the desired behaviours of guests during our experience.

Customers subjected to random searches of body and bags as per operational risk assessment

Not admitting or selling of alcohol to drunk or intoxicated customers.

No admission to the venue, even with pre-purchased tickets for anyone displaying intoxication or drug use. This is clearly stated in our booking T&Cs.

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

Prevention and vigilance in illegal drug use at the premises. Zero tolerance signage at entrance and in the toilets as well as removal of as many flat surfaces as possible.

c) Public safety

The space has one fire escape, is fitted with heat detectors, alarms and extinguishers and emergency lighting throughout and complies with all fire regulations.

All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, any air conditioning, sanitary accommodation and other installations, have been and will continue to be maintained at all times in good order and in a safe condition

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

We currently have and will continue to have bi-monthly staff trainings on public safety measures.

We have valid employee and public liability insurance in place.

Well trained staff adherence to environmental health requirements.

All duty managers are briefed as to safety procedures/numbers should there be an accident. We also have relevant log books of any issues.

Continued from previous page...

d) The prevention of public nuisance

Alcotraz has successfully been operating for two years with negligible public nuisance. We intend to keep the same high standards we have using in order to continue to limit issues with neighbours. We are confident by making this application, the cumulative impact to the area will be negative. The principle of the immersive theatrical experience is that of secrecy, with the guests aiming to be as discrete as possible to avoid detection of the guards. Guests are required to be quiet and we do not expect this to change.

Guests are organised in a queue and maintained quiet by staff whilst entering the premise. Guests are strictly instructed that there is no re-admission, with the ambition that guests are not loitering outside for any reason, keeping guests contained within the premise. Guests are strictly instructed upon exit to head towards the nearest taxi rank or tube station by security staff. Any guests booking taxis are told to direct them to a location away from the venue
Staff/actor noise - the actors and staff have been trained to keep noise to a minimum when entering and exiting the premises, encouraging the guests to do the same.

The proposed opening hours are suitable for the local area in the sense that the wider Shoreditch, Whiechapel area are very service and entertainment focused. The opening hours will have minimal adverse effects on the local area.
The application site is in an ideal location in terms of access to transport connections with particular regards to the London Underground and Overground services.

The street is swept and cleared of any litter throughout opening hours and at the end of every day.
The space is already fitted with adequate soundproofing.
No loud music is played and the sound system used to play our background effects is fitted with industry standard limiter.
There is no smoking area.
Notices placed at exits and verbal instructions from staff to remind guests to leave quietly and quikcly.
Dispersion policy employed at all times to ensure guests leave via Bethnal Green Road quietly
First Mile waste bags will be left outside at agreed times.
Guests will be told on ticket emails the closest car parking and be prompted to take public transport to minimise congestion at the busiest time of year.

e) The protection of children from harm

Tickets are brought in advance online, requiring over 18 proof to open credit cards.
Admission for over 18s only.
Strict challenge 25 policy on the door.
We will only accept passport driving licence or Proof of Age PASS scheme as proof of age
We keep a register of refusals book.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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

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

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

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

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

Documents which demonstrate entitlement to work in the UK

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

Continued from previous page...

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

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

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

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

Continued from previous page...

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

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

Home Office online right to work checking service

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

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

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

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

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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.

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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 (£)

315.00

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

Sam Shearman

* Capacity

Director

* Date

29 / 04 / 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

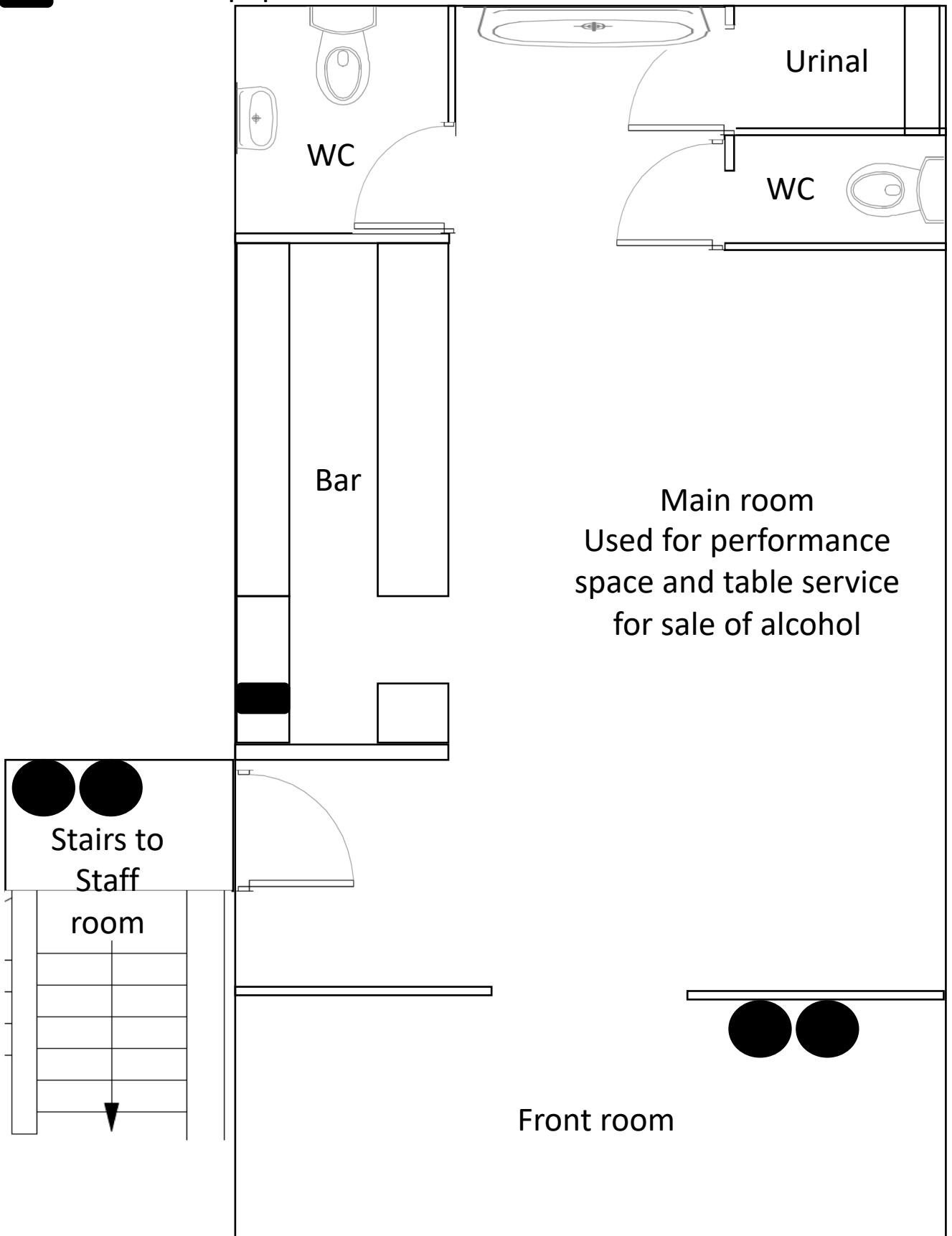
Applicant reference number	<input type="text" value="Alcotraz 212"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<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

● Fire Safety equipment

■ First aid equipment



Premise Shutter

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Site access and egress

Appendix 3

Tower Hamlets Maps
Default Map

Query Map Base Maps Navigator

Zoom to Scale 1:500

Zoom to Ward

Shelter

St Matthias Church of England Primary School

for Sport & Arts

BRICK LANE

161a 161

157a 157

Cabbage Court

216

214a

214

212

210

208

206

153a 153

149a 149

145

14.9m

26

40

42

15m

65ft

Luthor Apartments

Carina Apartments

Cirrus Apartments

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X = 533833.91, Y = 182394.04

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Tower Hamlets Maps
Default Map

Query Map Base Maps Navigator

Zoom to Scale 1:1250

Zoom to Ward

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X = 533799.77, Y = 182416.73

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Appendix 4

212 Brick Lane - Nearest licences

Name and address	Licensable activities and hours	Opening hours
(Subway) 222 Brick Lane London E1 6SA	The provision of late night refreshment, Friday & Saturday, 23.00pm to 04.00am the following day.	Monday to Thursday, 07.00am to 23.00pm. Friday, 07.00am to 04.00am the following day. Saturday, 09.00am to 04.00am the following day. Sunday, 09.00am to 22.00pm.
210 Brick Lane London E1 6SA	Alcohol <ul style="list-style-type: none"> • Monday to Thursday, from 06:00 hours to 01:30 hours • Friday and Saturday, from 06:00 hours to 02:00 hours • Sunday, from 06:00 hours to 01:00 hours 	Alcohol Monday to Thursday, from 06:00 hours to 01:30 hours Friday and Saturday, from 06:00 hours to 02:00 hours Sunday, from 06:00 hours to 01:00 hours
(I Mattoni) 224 Brick Lane London E1 6SA	Alcohol (On and off supplies) <ul style="list-style-type: none"> • Sunday to Thursday, from 12:00 hours to 23:00 • Friday and Saturday, from 12:00 hours to 12midnight Late Night Refreshment <ul style="list-style-type: none"> • Sunday to Thursday, from 23:00 hours to 12midnight • Friday and Saturday, from 23:00 hours to 01:00 hours the following day 	Sunday to Thursday, from 09:00 hours to 12midnight Friday and Saturday, from 09:00 hours to 01:00 hours the following day
(3AKE) 204 Brick Lane London E1 6SA	Alcohol may be sold or supplied(On sales only) (1) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 10am to midnight. (2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12 noon to 11:30pm (3) On Christmas Day: 12 noon to 11:30pm; (4) On New Year's Eve, except on a Sunday, 11 a.m. to midnight; (5) On New Year's Eve on a Sunday, 12 noon to 11.30 p.m. (6) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December). The above restrictions do not prohibit: (a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises; (b) during the first twenty minutes after the	There are no restrictions on the hours during which this premises is open to the public

212 Brick Lane - Nearest licences

	<p>above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;</p> <p>(c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;</p> <p>(d) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the premises;</p> <p>Suitable non-alcoholic beverages, including drinking water, shall be equally available for consumption with or otherwise as an ancillary to meals served in the licensed premises.</p>	
<p>Hopscotch 202 Brick Lane London E1 6SA</p>	<p>The sale of alcohol (On and off sales)</p> <ul style="list-style-type: none"> ▪ Sunday to Thursday, from 11:00 hours to 23:00 hrs ▪ Friday and Saturday, from 11:00 hours to 00:30 hrs <p>Provision of late night refreshment:</p> <ul style="list-style-type: none"> ▪ Sunday to Thursday, from 23:00 hours to 23:30 hrs ▪ Friday and Saturday, from 23:00 hours to 01:00 hrs 	<p>Sunday to Thursday, from 10:00 hours to 23:30 hrs</p> <p>Friday and Saturday, from 10:00 hours to 01:00 hrs</p>
<p>(Cereal Killer Cafe) 192 Brick Lane London E1 6SA</p>	<p><u>The sale by retail of alcohol (On sales only)</u></p> <ul style="list-style-type: none"> • Monday to Friday, from 11:00 hours to Midnight • Saturday, from 11:00 hours to 01:00 hours • Sunday, from 11:00 hours to 23:00 hours 	<ul style="list-style-type: none"> • Monday to Friday, from 07:00 hours to Midnight • Saturday, from 07:00 hours to 01:00 hours • Sunday, from 07:00 hours to 23:00 hours
<p>(Evering Bakery) 155 Brick Lane London E1 6SB</p>	<p>The provision of late night refreshment Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday from 23:00 hours to 05:00 hours.</p>	<p>Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday 24 hours</p>
<p>161 Brick Lane London E1 6SB</p>	<p>The sale by retail of alcohol (On sales only)</p> <p>Monday, Tuesday, Wednesday: 09:30 hours until 01:30 hours the following day</p> <p>Thursday, Friday and Saturday : 09:30 hours until 02:00 hours the following day</p> <p>Sunday: 09:30 hours until midnight</p>	<p>Monday, Tuesday, Wednesday: 09:30 hours until 01:30 hours the following day</p> <p>Thursday, Friday and Saturday : 09:30 hours until 02:00 hours</p>

212 Brick Lane - Nearest licences

	<p>New Years Eve, 30th April, 31st October, 12th & 13th December, Christmas Eve and Christmas Day: 09:30 hours until 03:30 hours the following day:</p>	<p>the following day</p> <p>Sunday: 09:30 hours until midnight</p> <p>New Years Eve, 30th April, 31st October, 12th & 13th December, Christmas Eve and Christmas Day: 09:30 hours until 03:30 hours the following day:</p>
<p>(Beigal Bake) 159 Brick Lane London E1 6SB</p>	<p>The hours of opening for provision of late night refreshment shall be between 11pm and 5am Monday to Sunday</p>	<p>There are no restrictions on the hours during which this premises is open to the public</p>
<p>(Hookah Lounge) 133 Brick Lane London E1 6SB</p>	<p>Alcohol (On sales)</p> <ul style="list-style-type: none"> • Monday to Thursday, 11:00 hrs to 12 midnight • Friday and Saturday, 11:00 hrs to 01:40 hrs • Sunday, 11:00 hrs to midnight <p>Late Night Refreshment</p> <ul style="list-style-type: none"> • Monday to Thursday, 23:00 hrs to 12 midnight • Friday and Saturday, 23:00 hrs to 01:40 hrs • Sunday, 23:00 hrs to midnight <p><u>Non-standard times</u> New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.</p>	<ul style="list-style-type: none"> • Monday to Thursday, 11:00 hrs to 12 midnight • Friday and Saturday, 11:00 hrs to 02:00 hrs • Sunday, 11:00 hrs to midnight

Appendix 5

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

Relevant, vexatious and frivolous representations

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

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

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

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

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

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

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

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

Appendix 6

Place Directorate Public Realm

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

Email: [REDACTED]

10th June 2020

My reference: LIC/127998/CH

Dear Sir/Madam,

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

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

Tel [REDACTED]
Fax [REDACTED]
Enquiries to **Corinne Holland**

Email
[REDACTED]

www.towerhamlets.gov.uk

Licensing Act 2003

New premises licence application: Alcotraz, 212 Brick Lane, London, E1 6SA

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

- *the prevention of public nuisance*

Cumulative Impact Policy

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

The Licensing Authority is of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and/or the provision of late night refreshment in the Brick Lane area is having a cumulative impact on the licensing objectives and has therefore declared a cumulative impact zone within the area. The Brick Lane CIZ aims to manage the negative

cumulative impact of the concentration of licensed premises in the area and the stresses that the saturation of licensed premises has had on local amenity, environmental degradation and emergency and regulatory services in managing this impact.

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

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

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

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

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

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

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

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

- *small premises with a capacity of fifty persons or less who only intend to operate during Framework Hours,*
- *premises which are not alcohol led and operate only within Framework Hours, such as coffee shops,*
- *instances where the applicant has recently surrendered a licence for another premises of a similar size and providing similar licensable activities in the same Special Policy Area.*

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

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

Licensable activities and times

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

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

Applications in respect of premises licences and club premises certificates to authorise licensable activities outside the framework hours, and in respect of which relevant representations are made, will be decided on their own merits and with particular regard to the following.

a) The location of the premises and the general character of the area in which the premises are situated. (i.e. does the area include residential or business premises likely to be adversely affected).

b) The proposed hours during which licensable activities will be take place and the proposed hours during which customers will be permitted to remain on the premises.

*c) The adequacy of the applicant's proposals to address the issues of the prevention of crime and disorder **and** the prevention of public nuisance.*

d) Where the premises have been previously licensed, the past operation of the premises.

e) Whether customers have access to public transport when arriving at or leaving the premises at night time and in the early hours of the morning.

f) *The proximity of the premises to other licensed premises in the vicinity and the hours of those other premises.*

The Home Office guidance under Section 182 of the Licensing Act 2003 (8.42) says:

“Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:

- the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;*
- any risk posed to the local area by the applicants’ proposed licensable activities; and*
- any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.”*

Application

This application is for a premise licence for sales of alcohol, late night refreshments, provision of plays and anything of a similar nature to live/recorded music, and performance of dance. It is an immersive theatre production which customers book online and have specific time slots which last for 1 hour 45 minutes each. The business has been operating since 2017 and customers to date have brought their own alcohol as part of the experience. To date the Licensing Authority have received no complaints regarding this premises.

The hours and licensable activities applied for are:

The sale of alcohol

Wednesday – Sunday 12:00 – 00:00 (midnight)

Late Night Refreshments:

Wednesday – Sunday 23:00 – 00:00 hours (midnight)

Plays:

Wednesday – Friday 17:00 – 23:00 hours

Saturday 12:00 – 23:00 hours

Sunday 16:00 – 19:00 hours

Anything similar description to live/recorded music and performance of dance

Wednesday – Saturday 23:00 – 00:00 (midnight)

Opening hours:

Wednesday – Thursday 12:00 – 00:30 hours

Friday & Saturday 12:00 – 01:00 hours

Sunday 12:00 – 23:30 hours

The premise is within the Brick Lane CIZ where the Licensing Authority policy is to refuse the application unless the applicant can demonstrate there are exceptional circumstances to granting it. The applicant has not made any reference to the premises being within the Brick Lane CIZ within the operating schedule.

The application states that 40 persons can attend at one time but states there are time slots allocated every 30 minutes. It is not clear how many people will attend for each time slot and therefore be queuing outside waiting to be admitted. This could cause a noise disturbance if customers are high spirited or excited about the experience.

With the application for alcohol sales to allow customers to remain on the premises after their experience has ended this may lead to customers leaving on mass rather than a few at a time after each experience finishes. Customers may be high spirited after consuming several cocktails made from their own alcohol plus consuming additional drinks at the bar area. They could possibly cause a noise disturbance on leaving.

The application is also to allow 'off sales' of alcohol to sell cocktails off-site for home delivery via such as Deliveroo and Uber Eats. I understand due to Covid-19 that businesses are attempting to diversify their business plans in order to bring in new sources of revenue as best they can under these difficult circumstances however the application has not addressed anything regarding these deliveries in the application. The application states that customers are to direct taxis to a location away from the premises, in the assumption of not causing a disturbance to residents, but no mention is made for the delivery drivers. The Licensing Authority often receives complaints from local residents regarding the noise and behaviour of delivery vehicles employed to despatch the items.

On considering this application as it stands I feel it does not uphold the licensing objective of the 'prevention of public nuisance' and this could be further exacerbated once alcohol off sales, into the evening, are added and therefore the Licensing Authority feel that the application should be rejected.

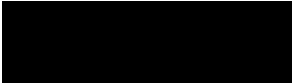
If the Committee are mindful to grant the licence the Licensing Authority ask the following conditions to be added to the licence in addition to the volunteered conditions in the operating schedule:

1. Alcohol shall only be sold/supplied, on the premises, to customers who have purchased a ticket in advance.
2. All sales of alcohol for consumption, off the premises, shall be in sealed containers only, and shall not be consumed on the premises.
3. A standard age verification check shall be undertaken on entering the website when purchasing alcohol online. A signature at the point of

delivery must be obtained. No delivery shall be left without a signature. Every third party courier delivery box shall be labelled with the words "Age Restricted Product".

4. Alcohol shall only be delivered to a residential or business address and not to a public place.
5. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
6. No idling of vehicles of either patrons, taxis or delivery vehicles outside the premises whilst the premises is in operation

Yours faithfully



Corinne Holland
Licensing Officer
(Acting as a Responsible Authority)

CC: Applicant: 

Appendix 7

Mohshin Ali

From: Ibrahim Hussain
Sent: 11 June 2020 16:26
To: Mohshin Ali
Subject: FW: MAU REPRESENTATION 127998 for Alcotraz 212 Brick Lane, London

From: Nicola Cadzow
Sent: 11 June 2020 14:52
To: Licensing
Subject: MAU REPRESENTATION 127998 for Alcotraz 212 Brick Lane, London

Dear Licensing,

Having considered the new premise licence application for Alcotraz 212 Brick Lane, London and the potential impact of public nuisance and measures to prevent noise generated from within the premises or outside it which could cause disturbance to people in the vicinity, consideration has to be given to the fact that the premises is within Brick Lane Cumulative Impact Zone.

The proposed hours are beyond the Council's framework hours, and it must be noted that the Council's framework hours (i.e. when premises are open) are:

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

The applicant is proposing licensable activities as follows:

Provision of Live Music, recorded music, performances of dance, anything similar:-

Wednesday & Thursday	until Midnight (an extension of half hour over framework hours)
Friday and Saturday	until Midnight (no change to framework hours)

late night refreshment:

Wednesday & Thursday	until Midnight (an extension of half hour over framework hours)
Friday and Saturday	until Midnight (no change to framework hours)
Sunday	until midnight (an extension of an hour and a half on framework hours)

Supply of alcohol:

Wednesday & Thursday	until Midnight (an extension of half hour over framework hours)
Friday and Saturday	until Midnight (no change to framework hours)
Sunday	until midnight (an extension of an hour and a half on framework hours)

With premises being open until:

Wednesday & Thursday	until 00:30 hours (an hour over framework hours)
----------------------	--

Friday & Saturday until 01:30 hours (an hour and a half over framework hours)
Sunday until 23:30 hours (an hour over framework hours)

Also there is insufficient information in the operating schedule to show how they will promote the licensing objective for the prevention of public nuisance.

Noise Sensitive premises: residential premises in close proximity to 212 Brick Lane, including directly above the premises.

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

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

CONCLUSION

Environmental Protection **does not** support the application for Alcotraz 212 Brick Lane, London Environmental Protection as there is great likelihood of disturbance to residential premises at the noise sensitive hours sought, and consideration has to be given to the fact that the premises is in the Brick Lane Cumulative Impact Zone.

Kind regards

Nicola Cadzow

Environmental Health Technical Officer
Environmental Protection Team
Place Directorate
London Borough of Tower Hamlets
John Onslow House
London E3 5EQ


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Appendix 8

Mohshin Ali

From: Huw Davies [REDACTED]
Sent: 05 August 2020 22:03
To: Mohshin Ali
Subject: Re: New premises licence: (Alcotraz), 212 Brick Lane, London E1 6SA

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Moshin,

I've just walked past Alcotraz on Brick Lane and noticed the barriers on the street outside. I've attached a photo that shows the barriers blocking the pavement and also making it very hard to park in the bays outside as it is a one way street the driver has no room to get out of their car.

Hope this helps explain my comments.

Regards, Huw



Huw Davies

On 26 Jul 2020, at 19:58, Huw Davies [REDACTED] > wrote:

Moshin,

Thanks for forwarding this on to me. I am grateful to the applicant for taking the time to respond to my concerns. It partially resolves my concerns but not fully. It is good to hear that there won't be people smoking outside, but it sounds like the pavement will still be blocked by people queuing and the barrier which is used to manage the queue (which blocks the pavement even when there aren't people queueing). The pavement isn't very wide and it is inconvenient particularly with people with reduced mobility. I don't think that part of Brick Lane is an appropriate location for a venue that needs to manage a queue. Therefore I am not withdrawing my original submission.

I am not familiar with these sorts of applications. Could you send me any public information or let me know what happens next, please.

Thanks, Huw

On Fri, 24 Jul 2020 at 15:38, Mohshin Ali [REDACTED] wrote:

Dear Huw Davies,

Licensing Act 2003

Premises: Alcotraz, 212 Brick Lane, London, E1 6SA

I write to you following my earlier email. Below is an email from the applicant in response to your representation. Please let me know if this satisfies any of your concerns or if you are in a position to withdraw your representation. If not, then the application will be decided by way of a public hearing as mentioned in my previous email.

If I can be of any further help, do not hesitate to contact me.

Kind regards,

Mohshin Ali

Senior Licensing Officer

Licensing and Safety Team

Environmental Health & Trading Standards

Place Directorate


John Onslow House

1 Ewart Place

London E3 5EQ


www.towerhamlets.gov.uk  licensing@towerhamlets.gov.uk

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From: Sam Shearman [mailto:
Sent: 21 July 2020 12:13
To: Mohshin Ali
Subject: Re: New premises licence: (Alcotraz), 212 Brick Lane, London E1 6SA

Hi Mohshin,

Thank you for the time on the phone. Please find attached my prior representations to Nicola Cadzow and Corinne Holland. If these could please be attached to my application for committee to be able to see I think that would be hugely helpful.

Please could my below response also be sent to Huw. Please let me know if you need this in any other format:

Dear Huw,

I am awfully sorry to hear about any nuisance caused and would love the opportunity to explain how we have since taken measures to remove such issues and control behaviour.

You mention an issue with the queue, therefore, I am pleased to inform we now have in place queuing barriers to ensure that the public form an orderly queue. This has been hugely helpful in unblocking the street and I am confident the issue you outline would not occur anymore. Given the current circumstances we now have social distance stickers on the floor to ensure we are in line with government advice.

You also mention smokers blocking the pavement. I can now confirm we have since taken measures to create a no-smoking policy. This has in part been prompted by COVID-19 but will remain ongoing policy. This has been delivered by a no-readmission policy, therefore, if someone wishes to leave the experience, they will not be able to return, therefore, guests are remaining inside the premise at all times. We then have door security on site at all times who are instructed to usher guests after their experience away from the premise and towards public transport or taxis.

I hope these above steps help alleviate your concerns but if you did have any further questions, please contact me on [REDACTED].

--

Huw Davies

[REDACTED]
[REDACTED]

Mohshin Ali

From: Ibrahim Hussain
Sent: 08 July 2020 11:15
To: Mohshin Ali
Subject: FW: Licence application
Attachments: IMG_5129.jpg; ATT00001.txt

-----Original Message-----

From: Huw Davies [REDACTED]
Sent: 02 July 2020 22:23
To: Licensing
Subject: Licence application

Hello,

I would like to comment on the application for a licence for the premise "Alcatraz at ground Floor 212 Brick Lane"

When this operation was trading it created a nuisance for local residents by blocking the street with some sort of queue and smoking area with people penned in outside on the pavement.

This caused two problems:

- blocking the public highway my mother had difficulty navigating past this on her mobility scooter
- there were crowds outside the establishment of groups of drunken people

If the licence can control this sort of behaviour I would support this application otherwise I object to this business continuing to trade on the same way.

Regards, Huw
[REDACTED]

Appendix 9

Mohshin Ali

From: Sam Shearman [REDACTED] >
Sent: 12 June 2020 14:57
To: Corinne Holland
Cc: Licensing; Mohshin Ali
Subject: Re: Alcotraz - Premises Licence application M/127998

Dear Corinne,

Thank you for your response with regards to my premises license application reference LIC/127998/CH. I hope my email below clears up ambiguity as well as provides evidence for the application to not negatively add to the Cumulative Impact Policy.

Personally, I am frustrated my application has not referenced the Cumulative Impact Policy enough and that the operating schedule presented has not been clear enough to demonstrate exceptional circumstances to grant it. In response to the ambiguity on the application, our venue capacity is 40 and only 40 customers can attend at any one time. Our time slots last for 1 hour 45 minutes with a 30 minute break in between. At a maximum, only 40 customers could attend one time slot with no room for overlap. We have been running in this manner for three years with no complaints towards noise disturbance from my understanding. With this in mind, I believe **the following exceptional circumstances are applicable here:**

- Our capacity is under fifty.
- We are willing to operate during Framework Hours:
 - Monday to Thursday, until 23:30 hours
 - Friday and Saturday, until 00:00 hours (midnight)
 - Sunday, until 22:30 hours
- Our premise is theatrical-led and not alcohol led, especially with regards to the sale of alcohol.

Although it is not an exceptional factor as stated in your letter, we hope there is merit in that we have been operating for almost three years successfully with proof of not negatively adding to the cumulative impact. We have numerous good practices that we employ already.

In response to your letter we can ensure customers will be off the premises before the above Framework Hours end times and are willing to enforce no idling of vehicles outside the premises whilst the premises is in operation. This will be enforced by our door security who are always on premise whilst in operation. Additionally, I am willing and able to prominently display notices at all exits requesting patrons to respect the needs of local residents and business and to leave quietly. This will also be reinforced by our staff to patrons before leaving. Given the premises close proximity to public transport we have always been able to disperse patrons easily and are confident in the future ability to do so.

In response to the concern regarding off-sales of alcohol, I am prepared to have this removed if it helps with the success of our application being granted. As with other businesses this condition was in attempt to maintain some revenue during COVID-19. We are optimistic we may be able to return to some sort of normality soon and, therefore, the necessity of this is diminishing. However, if there is scope to maintain this condition this would be helpful. In response to your points, our delivery partners can ensure we only deliver to residential or business addresses and we already have a system in place from other businesses with regards to labelling boxes with Age Restricted Product. It is also important to note our bottled products that we supply are always sealed with clear film and age verification is required online and in person, as well as signatures upon delivery.

Based on the above cases, please could we discuss options of moving forward with the application?

I look forward to hearing back from you and working together to achieve the licensing priorities.

Many Thanks,

Sam Shearman | Director
[REDACTED]

On 10 Jun 2020, at 17:18, Corinne Holland [REDACTED] wrote:

Licensing

Please see the attached representation from the Licensing Authority to this application.

Kind regards

Corinne Holland
Licensing Officer
Licensing and Safety Team
Place Directorate
London Borough of Tower Hamlets
John Onslow House
London E3 5EQ

[REDACTED]
www.towerhamlets.gov.uk

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cc. Sam Shearman - applicant

<BrickLane212.LAREP.CH.pdf>

MAU REPRESENTATIONS 127998 for Alcotraz 212 Brick Lane, London.

Dear Nicole Cadzow,

I hope you are well and thank you for considering the application.

Personally, I am frustrated my application has not referenced the Cumulative Impact Policy enough and that the operating schedule presented has not been clear enough to demonstrate exceptional circumstances to grant it, especially as our capacity is under 50. In response to your letter, we are willing to amend our hours to reflect the Council's Framework hours. As such, we are willing to accept the below with regards to licensable activities and open hours:

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

Although it is not an exceptional factor to grant an application, we hope there is merit in that we have been operating for almost three years successfully with proof of not negatively adding to the cumulative impact and with no complaints towards noise disturbance from my understanding. We have numerous good practices that we employ already to be sensitive to public nuisance and have been demonstrating these in practice.

In order to continue to comply with the objective of the Licensing Act 2003 relating to public nuisance we ensure customers will be off the premises before the above Framework Hours end times and are willing to enforce no idling of vehicles outside the premises whilst the premises is in operation. This will be enforced by our door security who are always on premise whilst in operation. Additionally, I am willing and able to prominently display notices at all exists requesting patrons to respect the needs of local residents and business and to leave quietly. This will also be reinforced by our staff to patrons before leaving. Given the premises close proximity to public transport we have always been able to disperse patrons easily and are confident in the future ability to do so.

I hope the above demonstrates our commitment to prevent the disturbance to residential premises and I hope you will reconsider your conclusion.

Kind Regards,
Sam Shearman

Director | Inventive Productions



Mohshin Ali

From: Sam Shearman [REDACTED] >
Sent: 21 July 2020 12:13
To: Mohshin Ali
Subject: Re: New premises licence: (Alcotraz), 212 Brick Lane, London E1 6SA
Attachments: MAU REPRESENTATIONS 127998 for Alcotraz 212 Brick Lane.pdf; ATT00001.htm; Re Alcotraz - Premises Licence application M_127998.eml; ATT00002.htm

Follow Up Flag: Follow up
Flag Status: Completed

Hi Mohshin,

Thank you for the time on the phone. Please find attached my prior representations to Nicola Cadzow and Corinne Holland. If these could please be attached to my application for committee to be able to see I think that would be hugely helpful.

Please could my below response also be sent to Huw. Please let me know if you need this in any other format:

Dear Huw,

I am awfully sorry to hear about any nuisance caused and would love the opportunity to explain how we have since taken measures to remove such issues and control behaviour.

You mention an issue with the queue, therefore, I am pleased to inform we now have in place queuing barriers to ensure that the public form an orderly queue. This has been hugely helpful in unblocking the street and I am confident the issue you outline would not occur anymore. Given the current circumstances we now have social distance stickers on the floor to ensure we are in line with government advice.

You also mention smokers blocking the pavement. I can now confirm we have since taken measures to create a no-smoking policy. This has in part been prompted by COVID-19 but will remain ongoing policy. This has been delivered by a no-readmission policy, therefore, if someone wishes to leave the experience, they will not be able to return, therefore, guests are remaining inside the premise at all times. We then have door security on site at all times who are instructed to usher guests after their experience away from the premise and towards public transport or taxis.

I hope these above steps help alleviate your concerns but if you did have any further questions, please contact me on [REDACTED]

Appendix 10

Noise while the premise is in use

General Advice

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

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

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

Licensing Policy

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

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

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

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

Police Powers

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

Licence conditions should not duplicate other legislation (1.16).

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

Other Legislation

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

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

Appendix 11

Access and Egress Problems

Such as:

Disturbance from patrons arriving/leaving the premises on foot

Disturbance from patrons arriving/leaving the premises by car

Lack of adequate car parking facilities

Close proximity to residential properties

Comment

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

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

General Advice

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

The hours of operation also need to be considered.

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

Licensing Policy

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

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

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

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

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

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

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

Licence conditions should not duplicate other legislation (1.16).

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

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

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

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

Appendix 12

Anti-Social Behaviour on the Premises

Licensing Policy

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. (**See Section 6 of the Licensing Policy**)

The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. (**See Appendix 3 of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- Methods of management communication
- Use of registered Door Supervisors
- Bottle Bans
- Plastic containers
- CCTV
- Restrictions on open containers for “off sales”
- Restrictions on drinking areas
- Capacity
- Proof of Age scheme
- Crime prevention notices
- Drinks promotions-aimed at stopping irresponsible promotions
- Signage
- Seating plans
- Capacity

If Members believe that there is a substantial problem of anti-social behaviour and it cannot be proportionately addressed by licensing conditions they should refuse the application.

Police Powers

The Licensing Act 2003, Part 8 gives a senior police officer the power to close a premises for up to 24 hours where the officer believes there is, or is likely to be disorder on or in the vicinity and closure is necessary in the interests of public safety.

Guidance Issued under Section 182 of the Licensing Act 2003

The pool of conditions, adopted by the Council is recommended (Annexe D).

The key role of the Police and SIA is acknowledged (2.1-2.2).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder

and their staff or agents, but can directly impact on the behaviour of customers in the immediate vicinity of the premises as they seek entry or leave (1.16).

Conditions are best targeted on deterrence and preventing crime and disorder (2.3) communication, CCTV, police liaison, no glasses, capacity limits are all relevant (2.3 - 2.6).

The Guidance recognises working with Home Office Immigration Enforcement in the prevention of immigration crime. 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.

Guidance Issued under Section 182 of the Licensing Act 2003

Conditions can be imposed for large capacity “vertical consumption” premises (10.23 – 10.24).

Guidance Issued by the Office of Fair Trading

This relates to attempts to control minimum prices.

Other Legislation

- The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder

Appendix 13

Anti-Social Behaviour from Patrons Leaving the Premises

General Advice

Members need to bear in mind that once patrons have left a premises they are no longer under direct control. Members will need to be satisfied that there is a link between the way the premises is operating and the behaviour that is complained of. An example of this would be that irresponsible drinking is being encouraged. Before deciding that any particular licensing conditions are proportionate, Members will also need to be satisfied that other legislation is not a more effective route. For example, if the problem is drinking in the street it may be that the Council should designate the area as a place where alcohol cannot be consumed in public.

Members may also wish to consider whether the hours of opening relate to any problems of anti-social behaviour.

If Members believe that there is a substantial problem of anti-social behaviour and it cannot be proportionately addressed by licensing conditions they should refuse the application.

Licensing Policy

The policy recognises that other legislation or measures may be more appropriate but also states that licensing laws are “a key aspect of such control and will always be part of an overall approach to the management of the evening and night time economy” (**see Section 4.15 and 4.16 of the Licensing Policy**).

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. (**See Sections 6.2 of the Licensing Policy**)

The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include Conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. (**See Appendix 3 of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- Bottle Bans
- Plastic containers
- CCTV (outside the premises)
- Restrictions on open containers for “off sales”
- Proof of Age scheme
- Crime prevention notices
- Drinks promotions-aimed at stopping irresponsible promotions
- Signage

Cumulative Impact

There is a process by which the Licensing Authority can determine that an area is saturated following representations. However, the process for this involves wide consultation and cannot come from representations about a particular application. (**See Section 8 of the Licensing Policy**).

Police Powers

The Licensing Act 2003, Part 8 gives a senior police officer the power to close a premises for up to 24 hours where the officer believes there is, or is likely to be disorder on or in the vicinity and closure is necessary in the interests of public.

Guidance Issued under Section 182 of the Licensing Act 2003

The key role of the Police is acknowledged (2.1).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder, but can relate to the immediate vicinity of the premises as they seek entry or leave (1.16).

Conditions are best targeted on deterrence and preventing crime and disorder (2.3) CCTV inside & out, communication, police liaison, no glasses are all relevant

There is also guidance issued around public nuisance (2.15 – 2.21).

The pool of conditions, adopted by the Council is recommended (see Appendix 3 of the Licensing Policy). Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder (2.18/2.21).

Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned (14.13).

Other Legislation

Crime and Disorder Act 1998

The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder.

The Act also introduced a wide range of measures designed to address anti-social behaviour committed by adults and young people. These include:

- Anti-Social Behaviour Orders
- Child Curfew Schemes
- Truancy
- Parenting Orders
- Reparation Orders
- Tackling Racism

Appendix 14

Planning

An application for a Premises Licence can be made in respect of a premises even where the premises does not have relevant Planning Permission. That application has to be considered and Members can only refuse the application where the application itself does not promote one 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.

Appendix 15

Licensing Policy Relating to Hours of Trading

All applications have to be considered on their own merits.

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

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

(see 14.8 of the Licensing Policy)

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

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

(See 14.9 of the licensing policy)

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

- Theatres
- Cinemas
- Premises with club premises certificates

Appendix 16

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The Cumulative Impact Zones:

Figure One

Brick Lane area:

