

Licensing Sub Committee

Agenda

Thursday, 16 December 2021 6.30 p.m.
**The Council Chamber, Town Hall, Mulberry
Place, 5 Clove Crescent, London, E14 2BG**

Contact for further enquiries:

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Place, 5 Clove Crescent, E14 2BG <http://www.towerhamlets.gov.uk/committee>

Public Information

Viewing or Participating in Committee Meetings

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Licensing Sub Committee

Thursday, 16 December 2021

6.30 p.m.

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.

3. ITEMS FOR CONSIDERATION

	PAGE NUMBER	WARD(S) AFFECTED
3.1 Application to Review the Premises Licence for The Alchemist Bar & Restaurant, Unit 1 Nash Court, South Colonnade, London E14 5AJ	19 - 104	Canary Wharf

This review application has been withdrawn by the Applicant, however, this will need to be formally noted at the meeting.



**3 .2 Application for a New Club Premise Certificate Globe
Town Community Association 152-156 Roman Road
London E2 0RY**

105 - 188

**Bethnal
Green**

Licensing Objectives:

- Public Nuisance

Representations by:

- Local Resident(s)

**3 .3 Application for a Temporary Event Notice for Tobacco
dock (Skylight Bar), 50 Porters Walk, London, E1W
2SF**

189 - 236

**St
Katharine's
& Wapping**

Licensing Objectives:

- Public Nuisance

Representations by:

- Environmental Health
- Metropolitan Police

**3 .4 Application for a Temporary Event Notice for Creative
Events Space, Algha Works, Smeed Road, London, E3
2NR**

237 - 294

Bow East

Licensing Objectives:

- Public Nuisance

Representations by:

- Environmental Health

**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.



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: Janet Fasan, 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:	14th June 2016
Reviewed By:	Senior Corporate and Governance Legal Officer
Approved By:	Licensing Committee
Date Approved:	14th June 2016
Version No.	1
Document Owner:	Paul Greeno
Post Holder:	Senior Corporate and Governance Legal Officer
Date of Next Scheduled Review:	31st 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 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: Licensing Sub-Committee	Date: 16 December 2021	Classification: UNRESTRICTED	Report No.	Agenda Item No.
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Report of: David Tolley Head of Environmental Health & Trading Standards Originating Officer: Corinne Holland Licensing Officer	Title: Licensing Act 2003 Application to Review the Premises Licence for (The Alchemist Bar & Restaurant), Unit 1 Nash Court, South Colonnade, London E14 5AJ Ward affected: Canary Wharf
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1.0 Summary

Name and	The Alchemist Bar & Restaurant
Address of premises:	Unit 1 Nash Court South Colonnade Canary Wharf London E14 5AJ
Licence under review:	Licensing Act 2003 <ul style="list-style-type: none">▪ Sale by retail of alcohol▪ Provision of late night refreshment▪ The provision of regulated entertainment (Recorded music/Films)
Review triggered by:	Metropolitan Police
Representations by:	Canary Wharf Management (now withdrawn)

2.0 Recommendations

- 2.1 That the Licensing Committee considers the application for review and then adjudicates accordingly.

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

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

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

Corinne Holland
020 7364 3986

3.0 **Review Application**

- 3.1 This is an application for a review of the premises licence for (The Alchemist Bar & Restaurant), Unit 1 Nash Court, South Colonnade, Canary Wharf, London E14 5AJ. The review was triggered by the Metropolitan Police on 15th September 2021.
- 3.2 A copy of the review application is attached in **Appendix 1**.
- 4.0 Evidence supporting review is attached in **Appendix 2**.
- 5.0 Agreement with both parties – The Police and the Premises has come to an agreement on the addition of new conditions. The Police now no longer seek a revocation but request the addition of agreed condition – **Appendix 3**

The Premises

- 5.1 The premises licence was issued on 3rd April 2019. The Premises Licence Holder is The Alchemist Bar & Restaurant Limited, Company No.06957833. On 2nd September 2021 the premises applied for a minor variation to include some additional conditions.
- 5.2 A copy of the premises licence is contained in **Appendix 4**.
- 5.3 Maps showing the premises, surrounding area and vicinity of local residents are included in **Appendix 5**.

6.0 **Representations**

- 6.1 This hearing is required by the Licensing Act 2003, because a review has been triggered by the Metropolitan Police.
- 6.2 A representation was received from Canary Wharf Management supporting the action that has subsequently been taken by the premises since the initial incidents which led to the Police Review. Due to agreements made between parties (Appendix 3) this representation has been withdrawn but included for reference purposes only. See **Appendix 6**.
- 6.3 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
- 6.4 In the view of the interested party and the responsible authorities it is necessary to achieve the licensing objectives of the prevention of public nuisance and prevention of crime & disorder and the prevention of public

safety.

7.0 Review Explained

- 7.1 The Licensing Act 2003 was described by the Government at the time as “light touch” but as Baroness Blackstone stated in the Lords at the time of the second reading (26 Nov 2002) “Local residents and businesses as well as expert bodies, will have the power to request that the licensing authority review existing licences where problems arise. Such a review could result in the modification of the licence, its suspension, or ultimately, revocation.”
- 7.2 The Home Office has issued guidance under Section 182 of the Licensing Act 2003 in relation to reviews and that is contained in **Appendix 7**. It is available on the Government’s website, www.homeoffice.gov.uk. It was last revised in April 2018.
- 7.3 Members are particularly asked to note the comments in relation Crime and Disorder. In particular the home office advice is that “The role of the licensing authority when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure that the crime prevention objective is promoted.”
- 7.4 In relation to its advice on representations the home office has also advised that “there is no requirement for an interested party or responsible authority to produce a recorded history of problems at a premises to support their representations.” It has also issued revised guidance about Crime and Disorder. **See Appendix 8**.
- 7.5 Members should also note the Council’s Licensing Policy in relation to Crime and Disorder, the relevant parts of which are contained in **Appendix 9**.
- 7.6 In most premises existing legislation will provide adequately for the safety of the public or club members and guests. However, where this is not the case, consideration might be given to the conditions as set out in home office guidance. This is detailed in **Appendix 10**.
- 7.7 The Council’s Licensing Policy in relation to public safety is contained in **Appendix 11**.
- 7.8 Guidance Issued by the Home Office concerning Public Nuisance **Appendix 12**.
- 7.9 London Borough of Tower Hamlets Policy in relation to the prevention of Public Nuisance **Appendix 13**
- 7.10 In relation to the prevention of Public Safety the Home Office advises Licensing Authorities under article 43 of the Regulatory Reform (Fire

Safety) Order 2005 any conditions imposed by the licensing authority that relate to any requirements or prohibitions that are or could be imposed by the Order have no effect and should therefore not seek to impose fire safety conditions where the Order applies.

- 7.11 The Home Office has advised that in relation to reviews “ Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co-operation. ”
- 7.12 An interested party or a responsible authority can trigger a review at any time, but the grounds must be relevant to the licensing objectives. The form of the application, and the advertisement of the review are the subject of regulations (The Licensing Act 2003 (Premises Licences and Club Premises Certificate) Regulations 2005). In addition, the licensing authority has to satisfy itself of certain matters in relation to the Licensing Act 2003. The Licensing & Safety Team Leader is the delegated officer who deals with this on behalf of the Licensing Authority. All the matters stated in 5.0 were considered before any representations were accepted for inclusion in this report.
- 7.13 The Licensing Act 2003 requires that the Licensing Authority satisfies itself that it should reject the grounds for a review because:
- The ground is not relevant to one or more of the licensing objectives
 - In the case of an application by a local resident that the application is frivolous, vexatious or repetitious.

8.0 Review Advertisement

- 8.1 The review was advertised by a blue poster, next to the premises, by the Licensing Section. This was periodically monitored by the Section to ensure it was on continuous display, and replaced as necessary. It was also advertised at Mulberry Place, 5 Clove Crescent, London E14 2BG.
- 8.2 The party that triggers the review must notify the licence holder and responsible authorities. The review documents were sent to the licence holders.
- 8.3 The procedure for a review can be summarised as follows:
- A review is triggered by a responsible authority or interested party
 - Consultation is conducted for 28 full days
 - Other responsible authorities or interested parties may join in the review

- Members conduct a hearing
- Members make a determination
- All the parties to the review have the right of appeal to the magistrates court (i.e. the licence holder, the person who triggered the review and those who have made a representation).

9.0 Licensing Officer Comments

- 9.1 When licence holders or designated premises supervisors move, leave a premises or dispose of their premises they remain responsible in law until they have informed the licensing authority and surrendered the licence or arranged a transfer, which may involve notification to the Police as well. Any licensees or designated premises supervisors who are not sure what to do should contact the licensing authority. Please note that should the DPS cease to work/be employed by the premises the Licensing Authority will consider that there is no DPS for those premises. This consideration shall apply regardless of whether that person is still named on the Premises Licence, or whether they have asked for their name to be removed from it. This consideration shall apply until such time that an application is received to nominate a new premises supervisor. In such cases, the Licensing Authority shall expect no sales of alcohol to take place until an application to vary the DPS has been submitted to the Licensing Authority. (27.1 Licensing Policy)

9.2 The Governments advice in relation to reviews is contained in **Appendix 7**. Members must consider all the evidence and then decide from the following alternatives:

- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
- remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- suspend the licence for a period not exceeding three months;
- revoke the licence.

9.3 The licence should only be suspended or revoked if Members believe that alterations to the existing licence, including imposing new conditions does not have a reasonable prospect of ensuring that the licensing objectives are met.

9.4 Members should bear in mind that conditions may not be imposed for any purpose other than to meet the licensing objectives.

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.

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	Copy of the review application
Appendix 2	Police supporting evidence
Appendix 3	Agreement between parties
Appendix 4	Copy of Premises Licence
Appendix 5	Maps of the premises and surrounding area
Appendix 6	Representations from CW Management (now withdrawn)
Appendix 7	Guidance issued under Section 182 by the Home Office for reviews
Appendix 8	Guidance Issued by the Home Office under Section 182 of the Licensing Act 2003 concerning Crime and Disorder
Appendix 9	London Borough of Tower Hamlets Licensing Policy in relation to the prevention of Crime and Disorder
Appendix 10	Guidance Issued by the Home Office under Section 182 of the Licensing Act 2003 concerning Public Safety
Appendix 11	London Borough of Tower Hamlets Policy in relation to Public Safety
Appendix 12	Guidance Issued by the Home Office under Section 182 of the Licensing Act 2003 concerning Public Nuisance
Appendix 13	London Borough of Tower Hamlets Policy in relation to the prevention of Public Nuisance

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Appendix 1



This form should be completed and forwarded to:

London Borough of Tower Hamlets
Licensing Section, Mulberry Place, 5 Clove Crescent, London E14 2BG

**Application for the review of a premises licence or club premises certificate
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 PC Mark Perry 1748CE Police Licensing Officer...
apply for the review of a premises licence under section 51 / apply for the
review of a club premises certificate under section 87 of the Licensing Act
2003 for the premises described in Part 1 below (delete as applicable)**

Part 1 – Premises or club premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description Alchemist Bar & Restaurant Limited Unit 1 Nash Court South Colonnade Canary Wharf	
Post town London	Post code (if known) E14 5AG

Name of premises licence holder or club holding club premises certificate (if known)

The Alchemist Bar & Restaurant Limited

Number of premises licence or club premises certificate (if known)

29428

Part 2 - Applicant details

Please tick yes

I am

- 1) an interested party (please complete (A) or (B) below)
 - a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

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

Surname

First names

Please tick yes

I am 18 years old or over

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

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

Surname	First names
<input type="text"/>	<input type="text"/>

I am 18 years old or over Please tick yes

Current postal address if different from premises address

Post Town **Postcode**

Daytime contact telephone number

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address PC Mark Perry 1748CE Central East Police Licensing, Metropolitan Police 1 st Floor, Stoke Newington Police Station, 33 Stoke Newington High St, London N16 8DS
Telephone number (if any)
E-mail (optional) <input type="text"/>

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note1)

Central East Police Licensing seek the review and revocation of the premises license for The Alchemist in Nash Court, Canary Wharf E14. An application for straight revocation of a premises license is a serious matter and only sought in circumstances where we the Police believe it is essential due to the serious nature of the incidents that have taken place and the risk of future incidents occurring in the future. The serious nature of the incidents that have taken place at the Alchemist which have resulted in its customers requiring urgent medical treatment for alcohol intoxication, the disorder associated with such high levels of intoxication, and the lack of concern by its management for its customers welfare necessitate not only the review of the license, but its revocation.

The evidence submitted in this review will show a pattern of mismanagement, and a culture in the venue which results in customers being able to consume alcohol to the point of collapse through intoxication. An attitude by management and staff that shows no concern what so ever for their customers welfare.

A truly shocking representation of this is demonstrated on the 1st August 2021 where CCTV footage shows a female customer so drunk that she is unable to stand unaided, being dragged out of the Alchemist by security staff and then dumped outside the venue.

On another occasion also in the early hours of the 1st August also captured on CCTV

a male customer from the Alchemist is allowed to get so drunk that he cannot walk in a straight line, he can be seen staggering out of the venue, propping himself up on a wall before collapsing onto the floor, where he is lucky to avoid serious injury. An ambulance is required to treat the man who requires CPR, while this is happening a large fight takes place.

While these incidents demonstrate the extreme extent to which customers of the Alchemist are allowed to get intoxicated. The below incidents from Canary Wharf's Security log show how it is an all too regular occurrence.

On the 8th August 2021 A member of staff from the Alchemist contacted the Estate Control Centre (ECC) to report they have asked three guests to leave the unit due to a group having a heated argument. Canary Wharf Security monitored the group as they left the unit. The group appeared to all know each other and were intoxicated.

On the 31st July 2021 The Alchemist staff reported an altercation at the top of Reuters Plaza opposite One Canada Square. One male became involved in a physical altercation with two other males after leaving The Alchemist. Security attended, the fight was broken up and both parties left the Estate separately without further incident.

On the 25th July 2021 The Alchemist contacted the Canary Wharf Security Control room to request assistance for three white males outside their unit, who were trying to start a fight with other customers. Security were tasked to attend and the males continued to make threatening comments towards the Security Officers, although they were not deemed serious and likely fuelled by intoxication. ECC tasked Police to attend. While awaiting Police arrival, the males left site in a mini cab.

On the 15th July 2021 The Alchemist requested assistance due to an intoxicated customer refusing to leave their premises. Security attended and identified the male on Reuters Plaza. The individual became aggressive and verbally abusive towards a member of the public and Canary Wharf Security so he was escorted off the Estate.

On the 2nd June 2021 Alchemist staff phoned the ECC and requested assistance with an intoxicated customer who was refusing to leave. CW Security attended and diffused the situation. The male met up with a group of people and entered Cabot Square Car Park. The male was then seen getting in a vehicle and driving out of the car park. The police were immediately tasked and provided with all the relevant information as well as the direction of travel. The male was linked to an assault on CW officer and is a tenant in Regus (One Canada Square).

On the 29th / 30th April 2021 two males and two females were spotted on CCTV intoxicated and involved in inappropriate behaviour. Officers spoke to the group, who had been drinking in the Alchemist. A welfare check was made, with the females stating that they had only met the males that night and 'did not trust them'. As a result, officers remained with the females while they called a taxi and left site.

Separately on the 29th / 30th April 2021 Canary Wharf Security had to warn one shirtless, inebriated male intent on driving his car home, also from the Alchemist, that we would task the Police if he did so. Eventually he saw sense and a friend volunteered to drive him home.

On the 16th April 2021 ECC received a defibrillator call from the London Ambulance Service (LAS) on the telephone. Security was tasked, attended and identified a drunk female lying on the floor. CW Security assisted with first aid until the LAS arrived. LAS conveyed female to hospital.

Additional incidents can be seen in the Canary Wharf Security log which is attached and sent for reference. For context, his log was requested by Police and asked to show incidents where Canary Wharf Security were called out to deal with intoxicated customers from the Alchemist.

What is clear is that the above incidents demonstrate a clear pattern of behaviour by both Alchemist management and staff, where they will continue to serve alcohol to people who are drunk, regardless of the very dangerous consequences for those intoxicated customers in their care. It appears that there is little or no concern for customer welfare or safety, instead the only imperative appears to be selling customers alcohol.

A view shared by Mark Baker the Associate Director, Security for Canary Wharf who says in his letter supporting this review application. "Customers being allowed to get this drunk causes great concern, particularly when there does not seem to be any adequate management systems in place to prevent this happening, or any ownership or duty of care demonstrated when customers find themselves in a vulnerable state."

Mr Baker also says that of the 40 venues in Canary Wharf "Collectively the licenced premises on the estate require a minimal amount of support or interaction from Canary Wharf Security, with the majority rarely needing any assistance from the team. Since April however, we have seen a steady course of calls or the need to intervene in issues directly involving customers from the Alchemist, attending eleven incidents in this time. Of these, seven can be directly attributed to customers who have are generally described as being intoxicated or heavily intoxicated by those attending."

The letter from Mr Baker is attached and forms part of the evidence of this review.

There can be no excuse of staff or management not knowing their responsibilities under the Licensing Act, or not being warned about the risk of post lockdown activity. While Lockdown was in place Central East Police Licensing working with Tower Hamlets Council Licensing and Canary Wharf Management set up virtual pub watch meetings where WAVE training on preventing crime and promoting customer welfare was delivered to licensed venues in Canary Wharf. One of Wave trainings primary objectives is highlighting the risks of allowing customers to get drunk, and giving practical advice on how to prevent this happening.

At these meetings repeated warnings were also given to venues on the increased likelihood of a greater number of their customers becoming intoxicated due to the end of lockdown. Advice was given to venues on making sure their staff were trained in their responsibilities and confident in being able to refuse a customer the sale of alcohol, and what practical welfare to offer customers who are vulnerable especially through drink or drugs.

In addition to that the Alchemist management were visited by James Russell from Canary Wharf Management and myself just prior to Lockdown ending where the same warnings and advice were given. We were assured by the DPS, Briony Wakefield, that the venue took its responsibilities to its customers seriously, and was ready for the challenges ahead.

Canary Wharf Management had serious concerns about what was happening at the Alchemist, and contacted me to see what could be done to improve the situation. A meeting was arranged by Canary Wharf Management with the management of the Alchemist to take place on the 10th August 2021. In preparation for this meeting a list of the incidents of concern at the Alchemist was given to their management so they

could then be discussed in detail.

Attending the meeting was Briony Wakefield the General Manager, and Mark Burville the Operations Director for the Alchemist, as well as Rebecca Ingram and Felicity Tulloch from Kuit Steinart Levy LLP as their legal advisors. Also present were several members of Canary Wharf Management Group. Minutes of this meeting taken by Canary Wharf Management are included this review.

At the meeting I asked the Alchemist management to go through the incidents provided to them, and to see what lessons they had learnt or if there was anything they could improve on. It became apparent that Ms Wakefield and Mr Burville did not consider that there was a serious problem with how the Alchemist was operating or admit to failures that had led to the incidents taking place.

Indeed they seemed to attribute the problem to drunk customers from other venues trying to gain entry and people being able to order drinks through mobile apps. Despite promptings from both myself and Canary Wharf they seemed unable to grasp the seriousness of the situation. This is very concerning as if the management do not see how unacceptable the above incidents are then it is impossible to believe that there will be a long term sustainable solution.

Given the attitude of the management to the incidents and the serious nature of them I informed them that I would be seeking a review of the premises license and seeking revocation. Only then did the Alchemist management seek to offer some suitable proposals, yet these still fall short of what would be required.

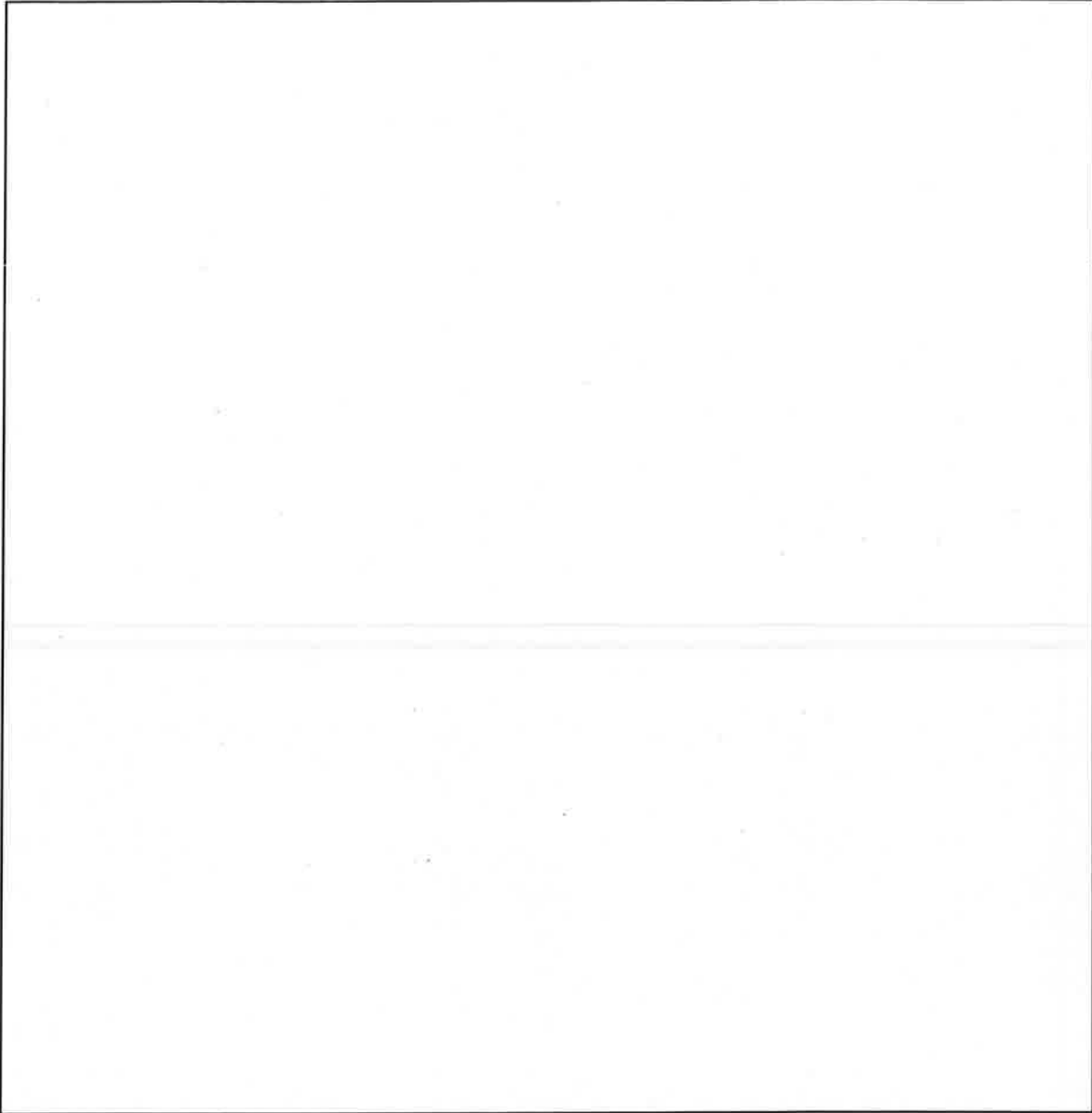
Any of the serious incidents listed in this review should of given the management of the Alchemist cause to review what happened and review their practises and

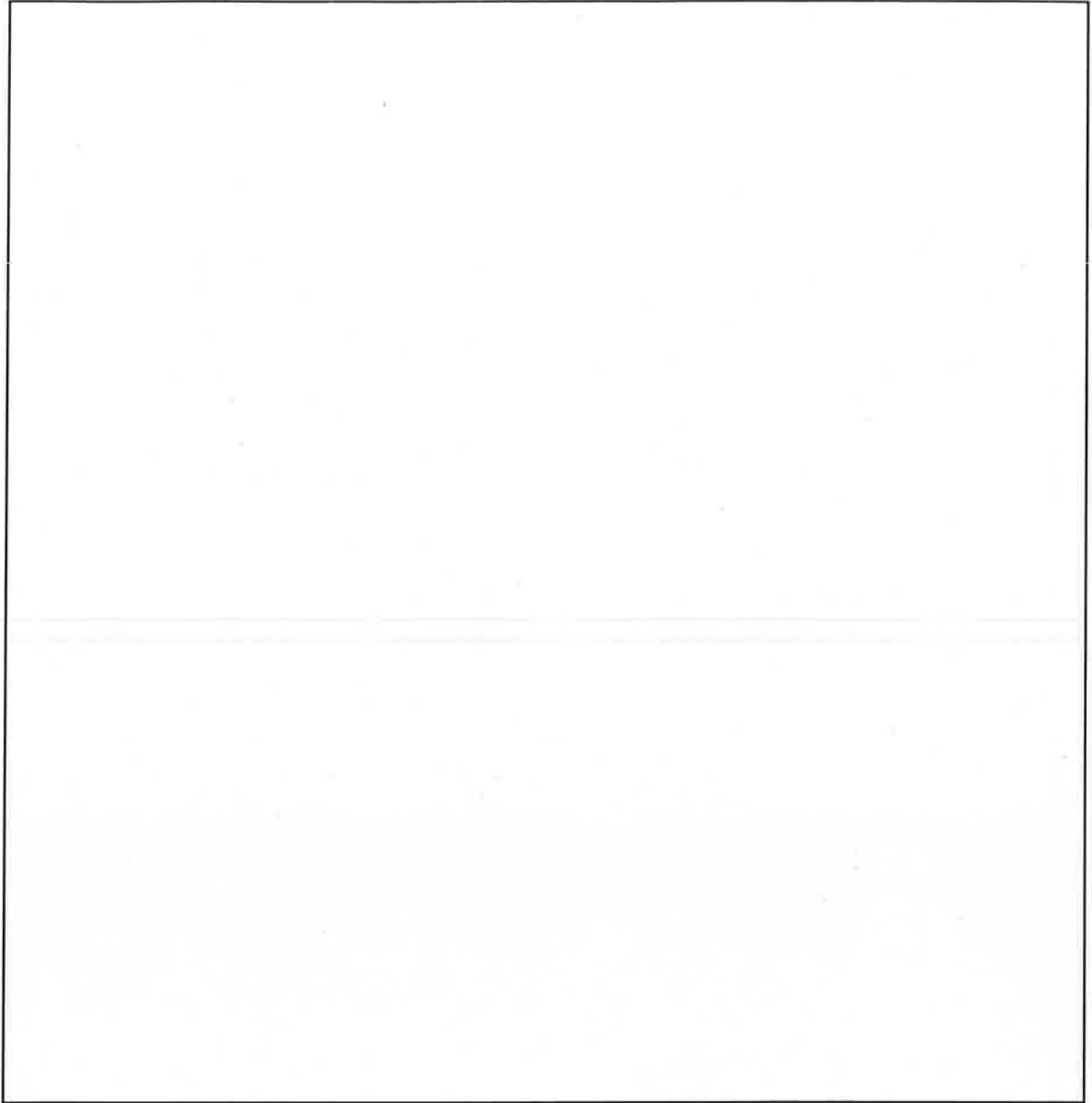
procedures to ensure there was not a repetition. When all of the above incidents happen the management should of the venue are clearly failing to uphold the basic tenents of the Licensing Act and Licensing Objectives, in that they should not sell their customers so much alcohol that they require medical assistance from the London Ambulance Service, or become involved in drunken fights, or put themselves at risk of being the victims of sexual assault.

When a venues management fails these things, and does not realise they are failing then no Licensing Committee can have confidence the venues management will adhere to any conditions they might place on the license to resolve the failings.

Since the meeting with the Alchemist management we have given them training and advice on how to improve, and we have seen a reduction in complaints. However we are concerned that such an improvement has only occurred once we made it clear we were going to review the license.

We fear that once the spotlight is removed from the Alchemist, that the poor practises that appear to be so ingrained at the venue will return. With a very busy Halloween, Bonfire Night and pre Christmas party season expected, the risk of more serious failings is too great, and that the only way to remove the risk is to remove the premises license.





Please provide as much information as possible to support the application (please read guidance note 2)

Have you made an application for review relating to this premises before Please tick ? yes

If yes please state the date of that application

Day	Month	Year

If you have made representations before relating to this premises please state what they were and when you made them

Please tick yes

I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate X

I understand that if I do not comply with the above requirements my application will be rejected X

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

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature [REDACTED]

Date:
14th September 2021

Capacity:
Police Licensing Officer

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 5)	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

- 1 The ground(s) for review must be based on one of the licensing objectives.
- 2 Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
- 3 The application form must be signed.
- 4 An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- 5 This is the address which we shall use to correspond with you about this

application.

Appendix 2

The Alchemist, Canary Wharf

With the easing of lockdown restrictions and the reopening of bars and restaurants, Canary Wharf has proved to be a popular location for people to visit, providing a safe but vibrant location to eat and drink. Many of the licenced premises have taken advantage of the Al Fresco experience on the estate, with 40 premises providing a mix of restaurant terraces, outdoor bars, and pop-up spaces for dining in Canary Wharf (see attached estate map). For the vast majority the experience is a pleasant one, visiting premises which are friendly and well managed.

Canary Wharf Security help to provide a safe and secure environment for tenants and visitors, managing several buildings as well the open spaces including the retail malls, roads, parks and carparks. Our primary responsibility is for these areas, but we also support the shops, restaurants and licenced premises should they request assistance. This doesn't absolve them of their own responsibility to manage their premises, but we help if proportionate and able to do so.

Collectively the licenced premises on the estate require a minimal amount of support or interaction from Canary Wharf Security, with the majority rarely needing any assistance from the team. Since April however, we have seen a steady course of calls or the need to intervene in issues directly involving customers from the Alchemist, attending eleven incidents in this time. Of these, seven can be directly attributed to customers who have are generally described as being intoxicated or heavily intoxicated by those attending. These incidents often require upwards to five staff from the security team on the ground, in the Estate Control Centre (ECC) and management involvement. Providing this level of support, so frequently, is a heavy drain on the team and means that resources are taken from other areas on the estate where they would normally be deployed. More concerning to us is the welfare of their customers and the level of alcohol being consumed. The often results in the need for physical intervention or, on two recent occasions, the need for urgent medical assistance.

Growing concerns have been brought to a head by two recent incidents, both occurring within 24hrs of each other on the 1st August. In the early hours of the 1st an unconscious male was seen on CCTV. Security Officers deployed to check on his welfare had a hostile response from the male's friends, and after further support was requested a physical altercation took place requiring the friends to be restrained. The unconscious male stopped breathing on several occasions before the arrival of the London Ambulance Service (LAS), requiring CPR intervention on each occasion. A subsequent CCTV review revealed that all had been drinking in the Alchemist and they were all heavily intoxicated.

Later that night an intoxicated female was seen outside the Alchemist. Security were once again deployed to assist and the LAS were tasked due to the vulnerable state she was in. The female was subsequently found to have been removed from the premises by the door staff and left unattended and without any care for her welfare.

Customers being allowed to get this drunk causes great concern, particularly when there does not seem to be any adequate management systems in place to prevent this happening, or any ownership or duty of care demonstrated when customers find themselves in a vulnerable state.

Mark Baker

Associate Director, Security.

Canary Wharf Management Ltd.

19th August 2021

MEETING WITH THE ALCHEMIST, REUTERS PLAZA AND CANARY WHARF MANAGEMENT ON TUESDAY 10TH AUGUST AT 3.15PM IN THE MAIN BOARDROOM, ONE CANADA SQUARE

ATTENDEES FROM THE ALCHEMIST

Mark Burville (Mbu) Operations Director
 Rebecca Ingram (RI)
 Briony Wakefield (BW), General Manager
 Felicity (F), Lawyer (Zoom)

ATTENDEES FROM CANARY WHARF

Mark Perry (MP) Licensing Officer, LBTH
 Jim Duncan (JD), General Building Manager
 James Russell (JR), Assistant Building Manager
 Mark Baker (MB), Security Manager
 Dan , CW Security
 Lola Baker (LB), Retail Admin Manager (Minutes)

1	MP opened the meeting by thanking everyone for attending and in view of the seriousness of the incidences asked members of the Alchemist to talk through these giving their version of events.	
2	MP asked for The Alchemists' incident and refusal logs pertaining to the incidences, to which BW passed the logs over to MP to review.	
3	BW started by giving details of the incident which occurred on the 16 th April advising two slightly intoxicated males left the bar. A female collapsed at the table where staff attended to her. An ambulance was called. BW advised a follow up call was placed with the female who confirmed she was intoxicated but otherwise "ok".	
4	BW advised on the 12 th May an argument inside the bar ensued which then spilt outside of the unit. No assault had taken place. The ECC were called and was dealt with by the management team.	
5	BW advised on the 2 nd June a customer who was seen to be intoxicated was refused entry to the premises. The male was escorted outside the venue by CW staff. MP advised he was later seen driving out of Cabot Place Car Park. CW security reported this to the Police.	
6	BW advised on the 15 th July, The Alchemist requested CW assistance to remove a customer who became abusive and was refusing to leave.	
7	BW advised on the 25 th July, three white males were intoxicated. BW did not have too much information as to what happened other than they were outside the unit and CW Security assistance was requested.	
8	BW advised on the 31 st July an altercation ensued outside the venue. CW Security assistance was requested. The incident happened near closing time. Their doorman tried to help the male who had collapsed. However assisting the male was made difficult by the male's friend who would not let their doorman near him. BW advised they were doing their duty of care to the male who had collapsed but this was hindered by the male's friend who would not let them near him. The doorman managed to put the male in the recovery position and headed back to the unit. A fight then broke out where both Alchemist and CW staff were involved to diffuse the situation.	

9	BW advised on the 1 st August an intoxicated female was outside the unit. BW advised she has taken statements from her staff as to what happened on the evening and went on to say her staff looked after the female for about 1.5 hours in their restroom as she was very unwell. BW advised CCTV footage is available. BW advised the bathroom door had to be broken open. It was then decided to take the female outside so that she could get some fresh air. She was placed on the concourse where the doorman could see and have access to her. BW advised full reviews are available from her staff showing the support she was given.	
10	MP listened to BW's account of the various incidences and asked what key learnings they had taken from this and what plans were put in place to prevent them.	
11	BW advised they had planned in May for a staggered reopening with additional security and cleaning staff. Additional WAVE training was requested also.	
12	MBu advised from an internal review it was noticed an increase in footfall across the Estate with other events (i.e., brunches) causing an overspill where they implemented refusing to let customers in after 11pm.	
13	MP asked JR to give his version of events with regard to the various incidences reported. JR advised following review of the CCTV footage, the female from the incident on the 1 st August was manhandled; dragged out to just outside the Little Farm kiosk and left there.	
14	MP at this point asked for the CCTV footage of the incident on the 1 st August to be played. Dan played the CCTV and went through the timelines of the incident as they happened.	
15	MP asked what aftercare was given to the female as this was not evident on the CCTV footage.	
16	BW advised the CCTV footage was an isolated picture of what actually took place. Their staff had spent 1.5 hours with the female prior to that and the doorman was looking after her. Two chairs had been left, one for the female and the other for her friend. They continued to check on her. Her friend also attended to her. BW reiterated that detailed reviews from her staff were given and can be made available to MP.	
17	MP advised The Alchemist took a vulnerable person and put her outside. It was evident there was no duty of care.	
18	MP advised the ECC called an ambulance to which BW advised in hindsight, they should have called an ambulance.	
19	MBu interjected by stating it was a misjudgement on their part.	
20	JR gave an account of the incident where a male had fallen on his face on the 31 st July.	
21	MP asked for the CCTV footage of the incident taken from a camera from a different angle. Dan played the CCTV and explained the timelines as the incident ensued.	
22	BW advised she recognised two of the males from the bar. The doorman came over to help and give the male who had collapsed water. However, the male's friend would not let him help.	
23	JR and MB advised a prior incident had involved a male who stopped breathing and required CPR. MB advised this is very concerning and could have led to a death. MB went on to say that from his point of view, CW security are dealing with the Alchemist's issues with drunks	

	on their premises leaving our team to deal with them when they leave the bar. There have been far too incidences over the past few months from just one licensed premises, namely The Alchemist. JR also went on to say that both Lisa Cope and himself have regularly asked The Alchemist to communicate with them with regard to any incidences that have occurred so that they can work together to ensure these do not happen.	
24	MP advised of another incident where a female spoke to a member of Canary Wharf staff who was worried about a male giving her attention. She had been drinking at the Alchemist and was worried about the male.	
25	MP went on to say these incidences are of great concern as there have been too many occurrences of seriously intoxicated people showing an apparent disregard for their wellbeing.	
26	BW advised she may have overused Canary Wharf Security and recounted an incident where two females were refused entry. They were given water and tried to help them. However, CW Security was requested as an additional support.	
27	MP advised that of the incidences reviewed today, where medical assistance was required in some cases, The Alchemist have not identified this as a serious issue. MP advised that action must be taken for this to stop.	
28	At this point, Felicity advised The Alchemist had set out reflections and taken steps to manage the situation. MBu also advised staff were receiving training and they have a weekly de-brief.	
29	MBu advised some of the problems were attributed to customers ordering from the app and never going to the bar or interacting with staff.	
30	MP went on to say that every opportunity is given to licensed premises with regard to WAVE training and for them to approach him direct with any concerns. None of which have been taken up with him or with JR/Lisa Cope.	
31	MBu admitted MP made a fair point and their management team could have done more to protect their guests. However, they have taken steps by having their door teams start earlier in the day, toilet attendants and refusing customers entry when intoxicated.	
32	MP stated that on review of the incidences, The Alchemist have shown a dereliction of their duty and as such he has no option but to review their licence.	
33	Felicity expressed her shock at MP's statement and asked whether the meeting had been called by MP or Canary Wharf to which MP stated Canary Wharf.	
34	MP went on to say that he had heard all the defences and was left wanting and could not take the risk of someone dying in a licensed premises. Furthermore with a bank holiday weekend coming up, what if someone died or a serious incident ensued, he also has a responsibility to uphold the safety of customers in a licensed premises.	
35	Felicity advised she believed this meeting was being called to work collaboratively around a table discussion to find a way forward. These incidences have not been discussed with Canary Wharf as to how these	

	were dealt with and what measures would be put in place to mitigate any further occurrences.	
36	Felicity advised they have never had their licence reviewed before and would have welcomed additional conditions with assessment and review to achieving a successful operation.	
37	MP advised it is an offence to have drunk people in a licensed premises. From the reviews given today he is adamant these will not deal with the issues. To this end he will put forward his evidence to the Licensing Committee to revoke their licence or stipulate additional conditions as part of their licence.	
38	JR advised that it is unfortunate it has come to this when opportunities have been given to prevent this escalating.	
39	JD reinforced the comments made by MP and JR stating he has continuously seen issues coming up with The Alchemist. There are a number of bars as well as Alfresco bars operating on the Estate with no issues. Their staff obviously controlling situations well both inside and outside. The Alchemist have continuous issues where both JR and Lisa Cope have offered support. It seems The Alchemist are not communicating with us and asking for support.	
40	JD went on to say it is of no surprise these incidences are happening as there is no monitoring of people. No customer care or welfare officers to look out for vulnerable females or intoxicated individuals. Should these have been in place, the number of incidences would have been reduced.	
41	Felicity advised she would like to further the communications urgently and put measures in place. Communication is, after all, the heart of the licensing act.	
42	BW advised she may have misinterpreted what communication was required as she had contacted the ECC and not management.	
43	MP advised he frequently visits the licensed premises on the Estate and makes it clear that any issues should be communicated to himself and/or JR.	
44	MP went on to recall the incident from 29 th April where two males and two females who had been drinking in The Alchemist, were involved in inappropriate behaviour. This incident was dealt with by Canary Wharf Security and not The Alchemist. These were two vulnerable women where a serious assault could have taken place had there not been the intervention of CW Security.	
45	MP advised he cannot take the risk as the measures in place at The Alchemist would not mitigate any further serious incidences and went on to say he found their attitude defensive and not accepting of their responsibility.	
46	Felicity stated there was no point in carrying on this conversation and will continue discussions with Canary Wharf management. She was shocked as to how quickly the licence was to be reviewed and was hoping for the issues to be addressed and relevant steps taken to improve the situation.	
47	MP reiterated there was a serious risk to customers given the Alchemist's current training and guidelines which would not mitigate any further incidences of this nature.	

48	MP confirmed he will be putting his review papers into the Licensing Committee and urged the venue to implement Welfare Officers and for staff to monitor customers. For any help or advice they should contact both Canary Wharf and himself and they will work with them.	
49	The meeting closed at 4.22pm.	

Date	IMS reference	Brief description of incident
16/04/2021	392153 – LAS Defibrillator Call	ECC received a defibrillator call from the London Ambulance Service (LAS) on the telephone. Security was tasked, attended and identified a drunk female lying on the floor. CW Security assisted with first aid until the LAS arrived. LAS conveyed female to hospital.
12/05/2021	421381 – Request for Assistance	The Alchemist via License Premise radio had requested CW Security assistance due to an argument between two customers inside their unit, which spilled outside. CW Security attended and identified the main aggressor. The male was shadowed leaving the Estate. No actual assault had taking place.
29/05/2021	450064 – Request for Assistance	Alchemist staff phoned the ECC and requested assistance with two drunk females who had been refused entry. The female admitted to using Cocaine and was feeling unwell. Ambulance tasked by the Estate Control Centre; the female conveyed to hospital.
02/06/2021	457171 – Alleged Traffic Offence	Alchemist staff phoned the ECC and requested assistance with an intoxicated customer who has been ejected but refusing to leave. CW Security attended and diffused the situation. The male met up with a group of people and entered Cabot Square Car Park. The male was then seen getting in a vehicle and driving out of the car park. The police were immediately tasked and provided with all the relevant information as well as the direction of travel. The male was linked to an assault on CW officer and is a tenant in Regus (One Canada Square). IMS 418736 refers.
08/06/2021	468430 – Request for Assistance	Alchemist staff phoned the ECC and requested assistance for a male known to them that was bothering patrons inside their bar. The male was trying to sell his services inside the bar and when asked to leave by the staff; they were met with verbal abuse. The male was monitored leaving the Estate via the Wilkinson Bridge before CW Security could speak to him. The male is linked to IMS 418736 and 457171, which is for alleged drunk driving and common assault on a CW Security Officer.

26/06/2021	499648 – Request for Assistance	Alchemist staff phoned the ECC and requested assistance with a group of customers causing a disturbance. Security attended the unit where one of the group claimed to have lost his friend's bank card. After some discussion the male was given the contact details for Lost & Found Property and left the Estate via Canary Wharf Underground.
15/07/2021	529669 – Request for Assistance	The Alchemist requested assistance due to an intoxicated customer refusing to leave their premises. Security attended and identified the male on Reuters Plaza. The individual became aggressive and verbally abusive towards a member of the public and Canary Wharf Security so he was escorted off the Estate.
25/07/2021	547945 - Request for Assistance	The Alchemist contacted ECC to request assistance for three white males outside their unit, who were trying to start a fight with other customers. Security were tasked to attend and the males continued to make threatening comments towards the Security Officers, although they were not deemed serious and likely fuelled by intoxication. ECC tasked Police to attend. While awaiting Police arrival, the males left site in a mini cab.
31/07/2021	556796 – Alleged Assault with Injury	The Alchemist staff reported an altercation at the top of Reuters Plaza opposite One Canada Square. One male became involved in a physical altercation with two other males after leaving The Alchemist. Security attended, the fight was broken up and both parties left the Estate separately without further incident.

01/08/2021		<p>CW Security reported an intoxicated female on the floor outside The Alchemist. A CCTV review confirmed the female had been escorted out of The Alchemist by the Door Supervisors. The female's friends suspected that she was spiked by a male who approached them inside unit. The Emergency Services were tasked. The London Ambulance Service assessed that the female's condition was likely alcohol-related with no indication of drug use. The Police spoke to the alleged suspect simultaneously however as there was no evidence of crime, no action was taken. The female was subsequently released and left the Estate in a Taxi with her friends.</p>
08/08/2021	570842-Passage of Information	<p>A member of staff from the Alchemist contacted the Estate Control Centre (ECC) to report they have asked three guests to leave the unit due to a group having a heated argument. Canary Wharf Security monitored the group as they left the unit. The group stopped for a short period of time at the top of the Jubilee Line Station. They continued to argue but eventually left site without any further issues. The group appeared to all know each other and were intoxicated.</p>

Appendix 3

Corinne Holland

From: MARK.J.Perry@[REDACTED]
Sent: 26 November 2021 13:29
To: Licensing; Simmi Yesmin; Tom Lewis; Kathy Driver
Cc: felicitytulloc@[REDACTED]
Subject: Alchemist Review

Dear Tower Hamlets Council Licensing,

Central East Police Licensing and the Alchemist have reached an agreement on new conditions to be added to the premises license, which we believe will remedy the recent serious failings in the operation of the premises which necessitated the Police review of the license. Since the initiation of the review we have closely observed the Alchemist and have been impressed with the way the management and staff have accepted the failings and worked to remedy them. They have undergone training, and employed Welfare Officers to identify and assist customers at risk, they have also become more engaged with Canary Wharf Pub Watch and other licensed venues in the estate.

We are pleased that the following conditions have been already added to the license by a Minor Variation:

- All front of house staff shall complete WAVE (Welfare and Vulnerability Engagement) Training prior to commencement of employment at the premises. This training shall be documented and repeated/refreshed at 6 monthly intervals.
- Ask for Angela' posters shall be displayed at the premises in a position where they can be clearly seen by customers.
- No entry or re-entry shall be permitted to the premises (save for returning smokers) later than 1 hour before the premises closes.

Since the review was initiated both Canary Wharf management and ourselves have noticed a marked improvement in the way the venue is operating, which added to the conditions below which have been agreed with The Alchemist we believe remove the need for further action to be taken. We will continue to work with the venue and monitor the situation to help prevent any increase in risk.

We therefore ask that the request to revoke the premises license is removed from our review application and instead the below conditions which have been agreed with Alchemist are placed on their license.

- 1) Existing condition 30 replaced by the following condition :

A minimum of two dedicated welfare officers, one per floor, to be employed at the venue on Thursday, Friday and Saturday nights from 7pm until close. These welfare officers will be easily identifiable, to customers, their role will be to monitor the welfare of customers, including identifying any customers who may be at risk of becoming overly intoxicated and liaising with management/security staff to assist them where necessary.

- 2) Existing condition 4 to be replaced with the following condition:

On Sundays to Wednesdays a minimum of 1 member of SIA registered door staff shall be employed at the premises from 20:00 hours until close. On Thursdays, Fridays and Saturdays a minimum of 3 members of SIA registered door staff shall be employed at the premises from 20:00 hours until close. At all other times SIA registered door supervisors shall be employed at the premises in accordance with a

documented risk assessment to be carried out by the DPS. When employed, door staff will wear high visibility armbands.

- 3) Jugs of water and drinking glass's to be freely available on all tables and at the bars at all times the bar is open.
- 4) A minimum of two staff per shift to be trained in first aid.
- 5) Conditions 16, 18 and 19 to replace Challenge 21 with Challenge 25.

Submitted for the Licensing Sub-Committee's consideration.

Kind Regards

Mark



PC Mark Perry
Central East Licensing Unit
Metropolitan Police Service (MPS)
Email [REDACTED]
A: Licensing Office, 1st Floor Stoke Newington Police Station



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Corinne Holland

From: Licensing
Sent: 29 November 2021 09:58
To: Corinne Holland
Subject: FW: Alchemist Review

From: Felicity Tulloch <[REDACTED]>
Sent: 26 November 2021 16:57
To: Licensing <[REDACTED]>; MARK.J.Perry <[REDACTED]> Simmi Yesmin <Simmi.Yesmin@[REDACTED]> Tom Lewis <Tom.Lewis@[REDACTED]>
Subject: RE: Alchemist Review

Hi Corinne,

I am writing to follow up on PC Perry's email in relation to this matter.

For completeness, and so you have correspondence from us as well, I can confirm that The Alchemist are happy for the licence to be amended in the terms set out in Mark's email.

We understand of course that the Committee retains its discretion when it comes to determining the outcome of Review applications. However, it is now the case that both parties will be asking the Committee to endorse the agreement reached between them.

In light of the fact that an agreement has been reached, could you let us know how you envisage the hearing – which I believe has been pencilled in for 16th December – will proceed? In the interests of efficiency and because my clients would like to bring this matter to a swift conclusion, I wonder whether you could advise if the matter could be dealt with administratively?

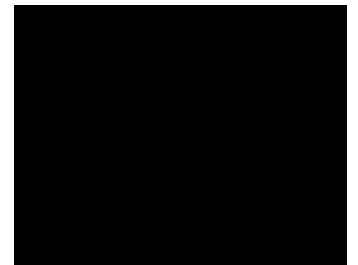
I look forward to hearing from you.

Many thanks,

Felicity

Felicity Tulloch

Head of Licensing and Partner
Licensing
For and on behalf of Kuit Steinart Levy LLP
Dept:
[REDACTED]



Appendix 4



Lic No:

141172

**(Alchemist Bar & Restaurant Limited)
Unit 1
Nash Court
South Colonnade
London
E14 5AG**

Licensable Activities authorised by the licence

The sale by retail of alcohol
The provision of late night refreshment
The provision of regulated entertainment consisting of films and recorded music

See the attached licence for the licence conditions

Signed by

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

Date: 3rd April 2019

Minor variation 1/10/21



Part A - Format of premises licence

Premises licence number

141172

Part 1 - Premises details

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

Unit 1
Nash Court
South Colonnade

Post town

London

Post code

E14 5AG

Telephone number

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The sale by retail of alcohol
The provision of late night refreshment
The provision of regulated entertainment consisting of films and recorded music

The times the licence authorises the carrying out of licensable activities

Supply of alcohol (on and off sales)

Monday to Saturday 09:00 hours to 01:30 hours
Sunday 09:00 to 23:30 hours

Late night refreshments (indoors)

Monday to Saturday 23:00 hours to 01:00 hours
Sunday 23:00 hours to 23:30 hours

Provision of films

Monday to Saturday 09:00 hours to 01:00 hours
Sunday 09:00 hours to 23:30 hours

Recorded Music

Monday to Saturday 23:00 hours to 01:00 hours
Sunday 23:00 to 23:30 hours

The opening hours of the premises

Monday to Saturday 07:00 hours to 01:00 hours
Sunday 07:00 hours to 00:00 hours (midnight)

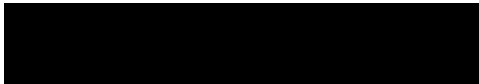
Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

On and off sales

Part 2

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

The Alchemist Bar & Restaurant Limited
Chadsworth House
Wilmslow Road
Handforth
SK9 3HP

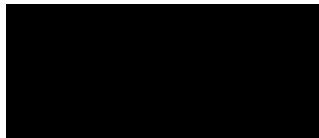


Registered number of holder, for example company number, charity number (where applicable)


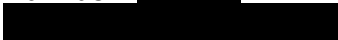
Company Number: 06957833

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

Briony Rose Wakefield



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

Premises Licence Number: 
Issuing Authority: 

Annex 1 - Mandatory conditions

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

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

1.

(1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises;

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability)

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3.

- (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

4. The responsible person must ensure that—

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

5. 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) “permitted price” is the price found by applying the formula —

$$P = D + (D \times V)$$

where —

(i) **P** is the permitted price

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

Security

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

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

in respect of premises in relation to-

any occasion mentioned in paragraph 8(3)(b) or (c) of Schedule 2 (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or

any occasion within paragraph 8(3)(d) of Schedule 2 (occasions prescribed by regulations under that Act) unless the Licence specifically states otherwise.

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

Films

Where the exhibition of films is authorised, the admission of children to the exhibition of any film must be to be restricted as follows: If the London Borough of Tower Hamlets Licensing Section has issued a particular notification of restriction to the licence holder, that restriction must be adhered. Otherwise the recommendation of the film classification body must be followed. Children means persons aged under 18 and “film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (currently the British Board of Film Classification)

Annex 2 - Conditions consistent with the operating Schedule

1. A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally. Recorded CCTV images will be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request.
2. CCTV will be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player.
3. Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request.
4. On Sundays to Thursdays a minimum of 1 member of SIA registered door staff shall be employed at the premises from 19:00 hours until close. On Fridays and Saturdays a minimum of 2 members of SIA registered door staff shall be employed at the premises from 19:00 hours until close. At all other times SIA registered door supervisors shall be employed at the premises in accordance with a documented risk assessment to be carried out by the DPS. When employed, door staff will wear high visibility

armbands.

5. When employed, a register of those door staff employed shall be maintained at the premises and shall include:
 - (i) the number of door staff on duty;
 - (ii) the identity of each member of door staff;
 - (iii) the times the door staff are on duty.
6. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area.
7. Staff will be trained in the requirements of the Licensing Act 2003 with regard to the licensing objectives, the laws relating to under age sales, and the laws relating to the sale of alcohol to intoxicated persons, and that training shall be documented and repeated at 6 monthly intervals.
8. A refusals book and incident log will be maintained at the premises, and made available to an officer of a responsible authority upon request.
9. All windows and external doors shall be kept closed after **23:00 hours**, except for the immediate access & egress of persons.
10. The emptying of bins in skips and refuse collections will not take place between 11pm and 8am.
11. Collections of waste or recycling materials (including bottles) from the premises shall take **not take** place between 23:00 hours and 08:00 hours on the following day.
12. No deliveries to the premises shall take place between 23:00 hours and 08:00 hours the following day.
13. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.
14. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
15. Notices will be positioned at the exits to the building requesting customers to leave in a quiet and orderly manner out of consideration to neighbours. Their attention will be drawn to these notices by members of staff.
16. A "Challenge 21" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 21. The only acceptable forms of identification shall be photographic driving licences, passports, HM forces cards, or a form of identification with the

"PASS" hologram.

17. Notices advising what forms of ID are acceptable must be displayed.
18. Staff training will include the Challenge 21 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training must be given to a new member of staff before they commence employment and all staff must receive refresher training every 6 months.
19. Notices must be displayed in prominent positions indicating that the Challenge 21 policy is in force.
20. At the end of the evening management and staff will assist with the orderly and gradual dispersal of patrons.
21. Staff Members (including door personnel when employed) will advise patrons to leave the premises quickly and quietly out of respect for our neighbours.
22. We will ensure the removal of all bottles and drinking receptacles from any patron before exiting the premises (except in the case of sealed alcohol bottles/receptacles sold for the purpose of consumption off the premises).
23. We will actively discourage our customers from assembling outside the premises at the end of the evening.
24. Any outside area used by customers wishing to dine, drink or smoke shall be clearly delineated and covered by the CCTV system which will be installed at the premises.
25. Suitable receptacles shall be provided for smokers to dispose of cigarette butts.
26. Signs will be displayed in the area requesting customers keep noise to a minimum.
27. Patrons who disregard signage and verbal instructions regarding noise will be asked to move inside and/or leave the premises.
28. The Canary Wharf Estate radio system shall be utilised at the premises from 19:00 until close Thursdays to Saturdays.
29. There shall be at least one personal licence holder on site at all times the premises is carrying out licensable activities.

30. Welfare Ambassadors will be employed at the premises during peak times. The role of these ambassadors will be to monitor the welfare of customers, including identifying any customers who may be at risk of becoming overly intoxicated and liaising with management/security staff to assist them where necessary.
31. No entry or re-entry shall be permitted to the premises (save for returning smokers) later than 1 hour before the premises closes.
32. All front of house staff shall complete WAVE (Welfare and Vulnerability Engagement) Training prior to commencement of employment at the premises. This training shall be documented and repeated/refreshed at 6 monthly intervals.
33. 'Ask for Angela' posters shall be displayed at the premises in a position where they can be clearly seen by customers.
34. The premises licence holder, designated premises supervisor or a representative shall be a member of the Pubwatch scheme (for so long as one exists in the area) and shall attend regular meetings.

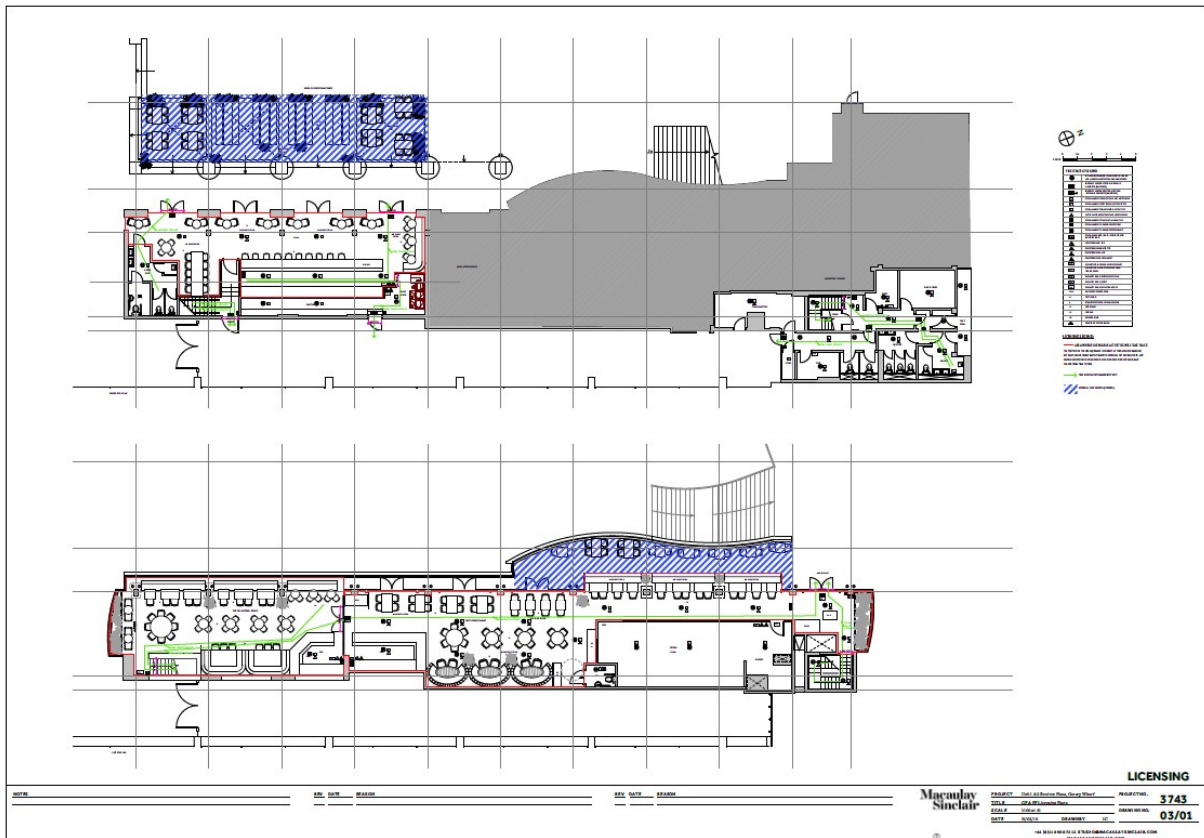
Annex 3 - Conditions attached after a hearing by the licensing authority

Not applicable

Annex 4 - Plans

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

05/03/19 (Ground floor (top) and First Floor (bottom) Plan No. 3743 – 03/01 dated 19/02/19





Part B - Premises licence summary

Premises licence number

141172

Premises details

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

Unit 1
Nash Court
South Colonnade

Post town

London

Post code

E14 5AG

Telephone number

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The sale by retail of alcohol
The provision of late night refreshment
The provision of regulated entertainment consisting of films and recorded music

The times the licence authorises the carrying out of licensable activities

Supply of alcohol (on and off sales)

Monday to Saturday 09:00 to 01:30 hours
Sunday 09:00 to 23:30 hours

Late night refreshments (indoors)

Monday to Saturday 23:00 to 01:00 hours
Sunday 23:00 hours to 23:30 hours

Provision of films

Monday to Saturday 09:00 to 01:00 hours
Sunday 09:00 hours to 23:30 hours

Recorded Music

Monday to Saturday 23:00 to 01:00 hours
Sunday 23:00 to 23:30 hours

The opening hours of the premises

Monday to Saturday 07:00 to 01:00 hours
Sunday 07:00 to 00:00 hours (midnight)

Name, (registered) address of holder of premises licence

The Alchemist Bar & Restaurant
Limited
Chadsworth House
Wilmslow Road
Handforth
SK9 3HP

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

On and off sales

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

Company Number: 06957833

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

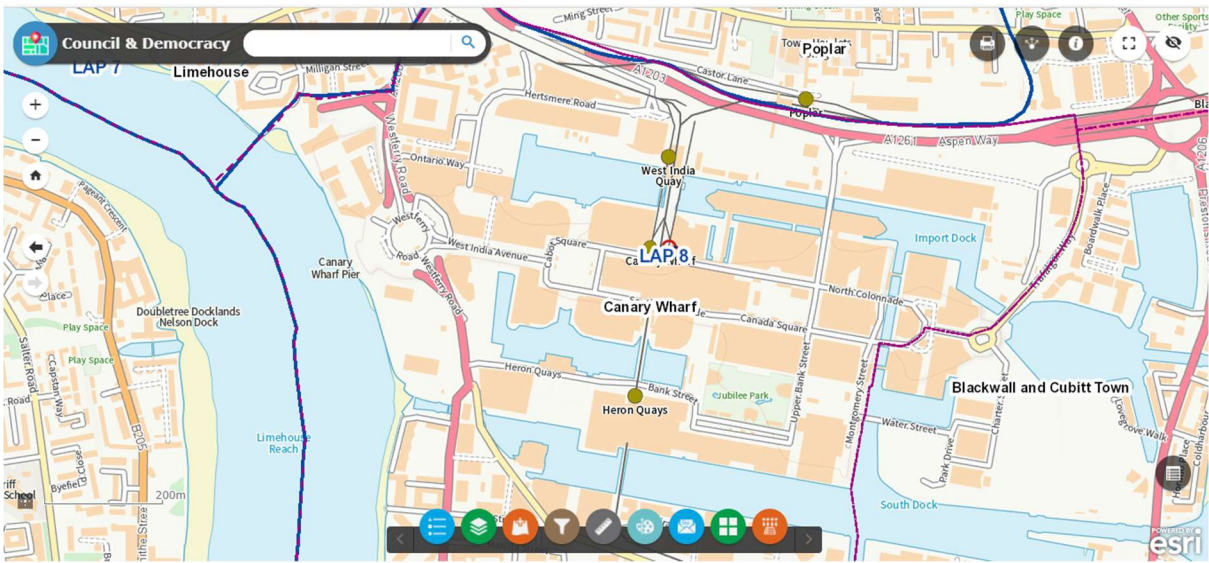
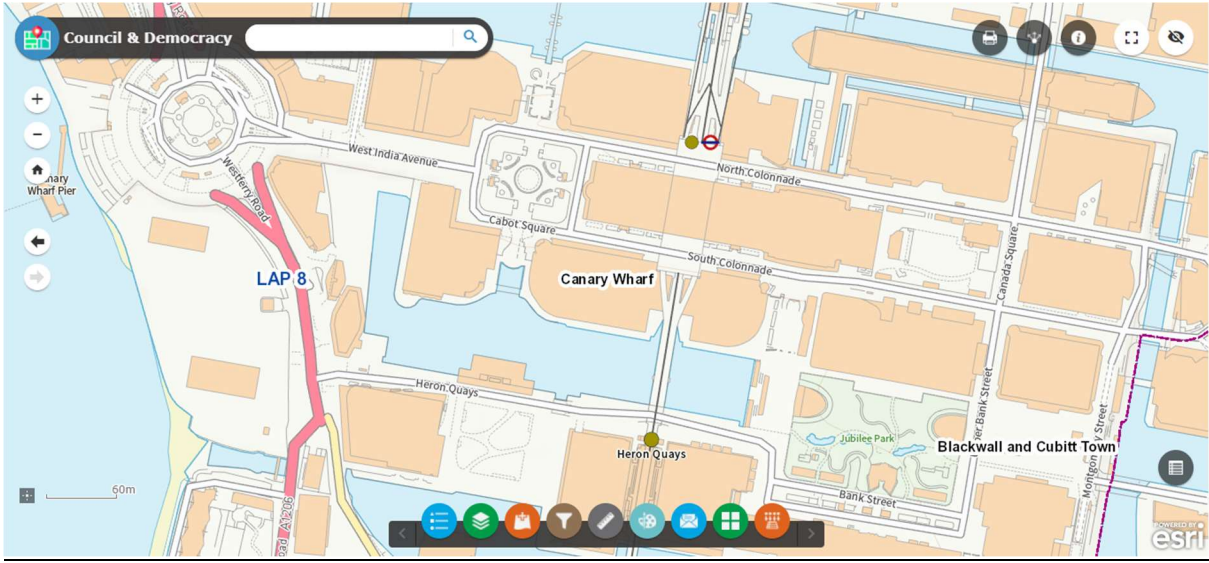
Briony Rose Wakefield

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

No restrictions

Appendix 5

Map – South Colonnade



Appendix 6

Corinne Holland

From: Mohshin Ali on behalf of Licensing
Sent: 11 October 2021 13:08
To: Corinne Holland
Subject: FW: Re The Alchemist

From: Steve Greig <[REDACTED]>
Sent: 11 October 2021 12:56
To: Licensing <[REDACTED]>
Subject: Re The Alchemist

To whom it may concern.

My name is Steve Greig and I am the Operations Director at Canary Wharf Management. I am writing this email in regards to the Review application lodged by the Metropolitan Police against the licence held by The Alchemist at their site at Reuters Plaza.

I understand that the Police are seeking the revocation of the licence, The Alchemist had been a target tenant of ours for some time before they took on the unit formerly occupied by Smollenskys and we wish to see them remain. We were keen to bring them to Canary Wharf because of their reputation nationwide as an exciting and innovative operator with an excellent track record.

Since taking the site they have, unfortunately, spent a considerable time closed due to the Covid-19 pandemic. The re-opening of the hospitality sector in Spring this year brought challenges for all operators. As an estate we too have had to adapt.

I was concerned to hear that there had been two serious incidents at the premises over the summer and I understand that the Police have felt it necessary to Review the licence.

However, I can say that since then, I have not been made aware of any further incidents. I have always found Simon Potts to be an open and communicative and he has taken ownership of these incidents which arose at the site over the Summer and taken active steps to ensure that they're not repeated.

I am also aware that they have implemented a series of measures designed to ensure customer welfare, they have increased the number of door supervisors and are now actively using the estate's radio link to improve communication and information sharing between all parties.

I am aware that they have undertaken training, both internally and by bringing in external providers and this seems to be having the desired effect in reducing the number of incidents at the premises. My team report that there is a real willingness to engage and improve.

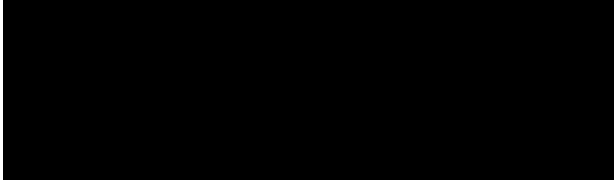
They were quick to act after these incidents and I now have confidence in their ongoing commitment to ensure that incidents don't recur.

Finally we would not wish to see The Alchemist's leave Canary Wharf.

Regards

Steve Greig

STEVE GREIG BCSC, Dip SCM
Director - Operations



CWG supports flexible working and appreciates that peoples' working hours will vary, so I do not expect a response or action outside your own working schedule.

Appendix 7

11. Reviews

The review process

- 11.1 The proceedings set out in the 2003 Act for reviewing premises licences and club premises certificates represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate.
- 11.2 At any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or any other person, may ask the licensing authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives.
- 11.3 An application for review may be made electronically, provided that the licensing authority agrees and the applicant submits a subsequent hard copy of the application, if the licensing authority requires one. The licensing authority may also agree in advance that the application need not be given in hard copy. However, these applications are outside the formal electronic application process and may not be submitted via GOV.UK or the licensing authority's electronic facility.
- 11.4 In addition, the licensing authority must review a licence if the premises to which it relates was made the subject of a closure order by the police based on nuisance or disorder and the magistrates' court has sent the authority the relevant notice of its determination, or if the police have made an application for summary review on the basis that premises are associated with serious crime and/or disorder.
- 11.5 Any responsible authority under the 2003 Act may apply for a review of a premises licence or club premises certificate. Therefore, the relevant licensing authority may apply for a review if it is concerned about licensed activities at premises and wants to intervene early without waiting for representations from other persons. However, it is not expected that licensing authorities should normally act as responsible authorities in applying for reviews on behalf of other persons, such as local residents or community groups. These individuals or groups are entitled to apply for a review for a licence or certificate in their own right if they have grounds to do so. It is also reasonable for licensing authorities to expect other responsible authorities to intervene where the basis for the intervention falls within the remit of that other authority. For example, the police should take appropriate steps where the basis for the review is concern about crime and disorder or the sexual exploitation of children. Likewise, where there are concerns about noise nuisance, it is reasonable to expect the local authority exercising environmental health functions for the area in which the premises are situated to make the application for review.
- 11.6 Where the relevant licensing authority does act as a responsible authority and applies for a review, it is important that a separation of responsibilities is still achieved in this process to ensure procedural fairness and eliminate conflicts of interest. As outlined previously in Chapter 9 of this Guidance, the distinct functions of acting as licensing authority and responsible authority should be exercised by different officials to ensure a separation of responsibilities. Further information on how licensing authorities should achieve this separation of responsibilities can be found in Chapter 9, paragraphs 9.13 to 9.19 of this Guidance.

- 11.7 In every case, any application for a review must relate to particular premises in respect of which there is a premises licence or club premises certificate and must be relevant to the promotion of one or more of the licensing objectives. Following the grant or variation of a licence or certificate, a complaint regarding a general issue in the local area relating to the licensing objectives, such as a general (crime and disorder) situation in a town centre, should generally not be regarded as a relevant representation unless it can be positively tied or linked by a causal connection to particular premises, which would allow for a proper review of the licence or certificate. For instance, a geographic cluster of complaints, including along transport routes related to an individual public house and its closing time, could give grounds for a review of an existing licence as well as direct incidents of crime and disorder around a particular public house.
- 11.8 Where a licensing authority receives a geographic cluster of complaints, the authority may consider whether these issues are the result of the cumulative impact of licensed premises within the area concerned. In such circumstances, the authority may also consider whether it would be appropriate to include a special policy relating to cumulative impact within its licensing policy statement. Further guidance on cumulative impact policies can be found in Chapter 14 of this Guidance.
- 11.9 Representations must be made in writing and may be amplified at the subsequent hearing or may stand in their own right. Additional representations which do not amount to an amplification of the original representation may not be made at the hearing. Representations may be made electronically, provided the licensing authority agrees and the applicant submits a subsequent hard copy, unless the licensing authority waives this requirement.
- 11.10 Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co-operation.
- 11.11 If the application for a review has been made by a person other than a responsible authority (for example, a local resident, residents' association, local business or trade association), before taking action the licensing authority must first consider whether the complaint being made is relevant, frivolous, vexatious or repetitious. Further guidance on determining whether a representation is frivolous or vexatious can be found in Chapter 9 of this Guidance (paragraphs 9.4 to 9.10).

Repetitious grounds of review

- 11.12 A repetitious ground is one that is identical or substantially similar to:
- a ground for review specified in an earlier application for review made in relation to the same premises licence or certificate which has already been determined; or
 - representations considered by the licensing authority when the premises licence or certificate was granted; or
 - representations which would have been made when the application for the premises

licence was first made and which were excluded then by reason of the prior issue of a provisional statement; and, in addition to the above grounds, a reasonable interval has not elapsed since that earlier review or grant.

- 11.13 Licensing authorities are expected to be aware of the need to prevent attempts to review licences merely as a further means of challenging the grant of the licence following the failure of representations to persuade the licensing authority on an earlier occasion. It is for licensing authorities themselves to judge what should be regarded as a reasonable interval in these circumstances. However, it is recommended that more than one review originating from a person other than a responsible authority in relation to a particular premises should not be permitted within a 12 month period on similar grounds save in compelling circumstances or where it arises following a closure order.
- 11.14 The exclusion of a complaint on the grounds that it is repetitious does not apply to responsible authorities which may make more than one application for a review of a licence or certificate within a 12 month period.
- 11.15 When a licensing authority receives an application for a review from a responsible authority or any other person, or in accordance with the closure procedures described in Part 8 of the 2003 Act (for example, closure orders), it must arrange a hearing. The arrangements for the hearing must follow the provisions set out in regulations. These regulations are published on the Government's legislation website (www.legislation.gov.uk). It is particularly important that the premises licence holder is made fully aware of any representations made in respect of the premises, any evidence supporting the representations and that the holder or the holder's legal representative has therefore been able to prepare a response.

Powers of a licensing authority on the determination of a review

- 11.16 The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives.
- 11.17 The licensing authority may decide that the review does not require it to take any further steps appropriate to promoting the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.
- 11.18 However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate. Similarly, licensing authorities may take into account any civil immigration penalties which a licence holder has been required to pay for employing an illegal worker.
- 11.19 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:

- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption)¹⁰;
- remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- suspend the licence for a period not exceeding three months;
- revoke the licence.

11.20 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.

11.21 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.

11.22 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.

11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives or preventing illegal working. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

¹⁰ See chapter 15 in relation to the licensing of live and recorded music.

Reviews arising in connection with crime

- 11.24 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises, money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.
- 11.25 Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.
- 11.26 Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.
- 11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:
- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
 - for the sale and distribution of illegal firearms;
 - for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
 - for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
 - for prostitution or the sale of unlawful pornography;
 - by organised groups of paedophiles to groom children;
 - as the base for the organisation of criminal activity, particularly by gangs;

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

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

Review of a premises licence following closure order or illegal working compliance order

11.29 Licensing authorities are subject to certain timescales, set out in the legislation, for the review of a premises licence following a closure order under section 80 of the Anti-social Behaviour, Crime and Policing Act 2014 or an illegal working compliance order under section 38 of and Schedule 6 to the Immigration Act 2016. The relevant time periods run concurrently and are as follows:

- when the licensing authority receives notice that a magistrates' court has made a closure order it has 28 days to determine the licence review – the determination must be made before the expiry of the 28th day after the day on which the notice is received;
- the hearing must be held within ten working days, the first of which is the day after the day the notice from the magistrates' court is received;
- notice of the hearing must be given no later than five working days before the first hearing day (there must be five clear working days between the giving of the notice and the start of the hearing).

Review of a premises licence following persistent sales of alcohol to children

11.29 The Government recognises that the majority of licensed premises operate responsibly and undertake due diligence checks on those who appear to be under the age of 18 at the point of sale (or 21 and 25 where they operate a Challenge 21 or 25 scheme). Where these systems are in place, licensing authorities may wish to take a proportionate approach in cases where there have been two sales of alcohol within very quick succession of one another (e.g., where a new cashier has not followed policy and conformed with a store's age verification procedures). However, where persistent sales of alcohol to children have occurred at premises, and it is apparent that those managing the premises do not operate a responsible policy or have not exercised appropriate due diligence, responsible authorities should consider taking steps to ensure that a review of the licence is the norm in these circumstances. This is particularly the case where there has been a prosecution for the offence under section 147A or a closure notice has been given under section 169A of the 2003 Act. In determining the review, the licensing authority should consider revoking the licence if it considers this appropriate.

Appendix 8

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

Updated April 2018

Crime and disorder

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

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

Appendix 9

Crime and Disorder

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

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

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

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

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

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

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

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

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

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

7.10 In particular the Licensing Authority is mindful of the Secretary of State's Guidance "Reviews arising in connection with crime".

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

Smuggled goods

7.12 The Licensing Authority will exercise its discretion to add a standard condition as follows:-

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

Olympic Park – Football Ground

7.13 Premises where Police intelligence shows that football supporters congregate within the borough should consider in their application form the following conditions:

- 1) On Match Days for premises licensed for the supply of alcohol for consumption on the premises:
 - a) Drinks shall only be supplied in polypropylene or similar plastic and all bottled drinks shall be poured into such drinking vessels before being handed to the customer. These should be made of recyclable materials.
 - b) Registered door staff shall be employed to control the entry and exits to the premises and to manage any licensed outside area(s).

Appendix 10

Public safety

- 2.7 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 the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.
- 2.8 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 2.12-2.13, 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).
- 2.9 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. As set out in Chapter 8 (8.38-8.46), applicants should consider when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they achieve that.

Ensuring safe departure of those using the premises

- 2.10 Licence holders should make provision to ensure that premises users safely leave their premises. Measures that may assist 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.

Maintenance and repair

- 2.11 Where there is a requirement in other legislation for premises open to the public or for employers to possess certificates attesting to the safety or satisfactory nature of certain equipment or fixtures on the premises, it would be inappropriate for a licensing condition to require possession of such a certificate. However, it would be permissible to require as a condition of a licence or certificate, if appropriate, checks on this equipment to be conducted at specified intervals and for evidence of these checks to be retained by the premises licence holder or club provided this does not duplicate or gold-plate a requirement in other legislation. Similarly, it would be permissible for licensing authorities, if they receive relevant representations from responsible authorities or any other persons, to attach conditions which require equipment of particular standards to be maintained on the premises. Responsible authorities – such as health and safety authorities – should therefore make their expectations clear in this respect to enable prospective licence holders or clubs to prepare effective operating schedules and club operating schedules.

Safe capacities

- 2.12 “Safe capacities” should only be imposed where appropriate for the promotion of public safety or the prevention of disorder on the relevant premises. For example, if a capacity has been imposed through other legislation, it would be inappropriate to reproduce it in a premises licence. Indeed, it would also be wrong to lay down conditions which conflict with other legal requirements. However, if no safe capacity has been imposed through other legislation, a responsible authority may consider it appropriate for a new capacity to be attached to the premises which would apply at any material time when the licensable activities are taking place and make representations to that effect. For example, in certain circumstances, capacity limits may be appropriate in preventing disorder, as overcrowded venues can increase the risks of crowds becoming frustrated and hostile.
- 2.13 The permitted capacity is a limit on the number of persons who may be on the premises at any time, following a recommendation by the relevant fire and rescue authority under the Regulatory Reform (Fire Safety) Order 2005. For any application for a premises licence or club premises certificate for premises without an existing permitted capacity where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act¹, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their recommendation to the fire and rescue authority which will consider it and decide what the “permitted capacity” of

¹ S 177 of the 2003 Act now only applies to performances of dance.

those premises should be.

- 2.14 Public safety may include the safety of performers appearing at any premises, but does not extend to the prevention of injury from participation in a boxing or wrestling entertainment.

Appendix 11

Public Safety

- 8.1 The 2003 Act covers a wide range of premises that require a licence, and so such premises present a mixture of risks to users and should be constructed or adapted and operated so as to acknowledge and safeguard occupants against these risks.
- 8.2 The Licensing Authority will expect Operating Schedules to satisfactorily address these issues and applicants are advised to seek advice from the Council's Environmental Health (Health & Safety) Officers and the London Fire Brigade before preparing their plans and Schedules.
- 8.3 Where an applicant identifies an issue in regard to public safety (including fire safety) which is not covered by existing legislation, the applicant should identify in their operating schedule the steps that will be taken to ensure public safety. This needs to take into account any unique characteristics that arise in connection with the licensable activity, any requirements that are specific to the premises.
- 8.4 One of the Council's Community Safety Partnership Priorities is tackling violence against women and girls. As a result the Licensing Authority expects Licence holders to take a proactive approach to customer safety including the following:
- Making provisions to ensure that customers safely leave their premises, for example providing information on licensed taxi companies, adequate lighting outside the premises,
 - Training of staff in spotting signs of harassment, and how to intervene where safe and appropriate to do so, and/or reporting such harassment to management/emergency services.

The Licensing Authority may be able to sign post Licence Holders in regards to local/national safeguarding schemes which may assist with the above.

- 8.5 The Licensing Authority, where its discretion is engaged, will consider attaching proportionate and appropriate Conditions to licences and permissions to promote safety, and these may include Conditions drawn from a the Model Pool of Conditions found in the Secretary of States Guidance.
- 8.6 The Licensing Authority will impose conditions that relate to its licensing objectives, and in a way that is proportionate to the individual circumstances of the premises seeking a licence.

Appendix 12

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

Updated April 2018

Public nuisance

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

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

Appendix 13

Prevention of Public Nuisance

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

Agenda Item 3.2

Committee: Licensing Sub Committee	Date 16 December 2021	Classification Unrestricted	Report No.	Agenda Item No.
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Report of: David Tolley Head of Environmental Health & Trading Standards	Title: Licensing Act 2003 Application for a new Club Premise Certificate Globe Town Community Association 152-156 Roman Road London E2 0RY
Originating Officer: Lavine Miller-Johnson Licensing Officer	Ward affected: Bethnal Green

1.0 Summary

Applicant: **Globe Town Community Association**

Name and Address of Premises: **Globe Town Community Association
152-156 Roman Road
London
E2 0RY**

Licence sought: **Licensing Act 2003
Regulated entertainment
Sale by retail of Alcohol on behalf of the club**

Objectors: **Residents**

2.0 Recommendations

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

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

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

File
Section 182 Guidance
LBTH Licensing Policy

Lavine Miller-Johnson
020 7364 2665

3.0 **Background**

- 3.1 This is an application for a new Club Premise Certificate Globe Town Community Association 152-156 Roman Road London E2 0RY
- 3.2 The applicant has described the premises as, an open planned area with a small bar for the use of members of Globe Town E2 for social purposes.
- 3.3 A copy of the application is shown in **Appendix 1**.
- 3.4 The hours applied for are as follows:

Provisions of Regulated Entertainment

Indoor sporting event,

Monday to Tuesday from 18:00 hours 22:00 hours
Thursday to Friday from 18:00 hours – 22:00 hours

Seasonal variation - May change days subject to members availability

Recorded music Indoors

Monday to Saturday from 12:00 hours to 22:00 hours
Sunday from 12:00 hours to 21:00 hours

Anything of similar description indoors

Monday, Wednesday Friday from 12:00 hours to 15:00 hours

Supply of alcohol by or on behalf of a club to or to the order of members of the club and their guest. indoors

Monday to Saturday from 12:00 hours to 23:00 hours
Sunday from 12:00 hours to 22:00 hours

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 Photographs of the premises are included in **Appendix 4**.
- 4.4 Details of other licensed venues in the immediate vicinity are included as **Appendix 5**.

5.0 **Licensing Policy and Government Advice**

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

- 5.2 Relevant Sections of the policy are brought to the attention of Members within the Licensing Officers report.
- 5.3 The Home Secretary has issued Guidance under Section 182 of the Licensing Act 2003. This is available on the Government’s website, www.homeoffice.gov.uk. It was last revised in April 2018.
- 5.4 Relevant Sections of this advice are brought to Members attention within the Licensing Officers report. Members should note however, than in some areas Tower Hamlets, after a proper consideration of local circumstances, has not followed the Government’s advice, or has developed it further.

6.0 Representations

- 6.1 All representations have to meet basic legal and administrative requirements. If they fail to do so they cannot be accepted. When rejected the person sending in the representation must be written to, and an explanation for rejection given in writing.
- 6.2 A responsible authority or other person can make a representation. There are two tests for other persons and only one for a responsible authority. The two tests are contained in Section 18 of the Act.
- 6.3 All representations must be “about the likely effect of the grant of the premises licence on the promotion of the licensing objectives.” Likely means something that will probably happen, i.e. on balance more likely than not.
- 6.4 Representations by responsible authorities do not have to meet the second test of not being vexatious and frivolous. Other persons have to meet this test.
- 6.5 The Home Office recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation.
- 6.6 Section 182 Advice by the Home Office concerning relevant, vexatious and frivolous representations is attached as **Appendix 6**.
- 6.7 All the representations in this report have been considered by the relevant officer (Team Leader Licensing & Safety) and determined to have met the requirements of the Licensing Act 2003.
- 6.8 This hearing is required by the Licensing Act 2003, because relevant representations have been made by the following.

Objectors		
Fabrizio Labrozzi	Resident	Appendix 7
Hugh Mendes	Resident	Appendix 8
Lindsay Mendes	Resident	Appendix 9

Poppy Wonnacott	Resident	Appendix 10
Supporting Representations		
Norman Benham & Pamela Benham	Supporter	Appendix 11
Derek Burgess	Supporter	Appendix 12
Janice Buttery	Supporter	Appendix 13
Mashud Kobir	Supporter	Appendix 14
Kevin Sheehan	Supporter	Appendix 15

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

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

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

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

6.11 The objections relate to:

- Public nuisance
- Crime & disorder
- ASB
- The LBTH Cumulative Impact Zone

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

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

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

7.0 Conditions consistent with Operating Schedule

1. Code of conduct to be displayed in the entrance hall to premises
2. Members only permitted, who must abide by our code of conduct, membership may be revoked if code of conduct breached
3. CCTV to be in place both inside and outside the premises, operational at all times when premises is in use
4. CCTV to be recorded for a period of 31 days and made available to police and licensing authorities upon request.
5. An anti-drugs policy is in place
6. A record will be kept of all refusals and the reason for the refusal to serve
7. Noise or vibration from the premises will not be audible to any neighbouring sensitive premises
8. For the final hours of opening, the music will be reduced in volume and will be discernibly quieter.
9. Prominent and clear legible notices are displayed at all exits requesting members to respect the needs of local residents and to leave the premises and area quietly.
10. Disposal of empty bottles into waste bins outside the premises will not be permitted between the hours of 9pm and 8am to minimise disturbance to nearby residents
11. A maximum of 2 members to be permitted at any one time to go outside the premises to smoke in order to minimise outside noise and loitering
12. All entrance and exits have an effective lobby to minimise the breakout of noise.
13. No children under the age of 18 to be permitted unless accompanied at all times by a member.
14. Members may be challenged by staff to provide proof of age to be served alcohol.
15. CCTV signs on display at the premises so that members are aware the premises are being recorded if they do not wish their accompanying child to be recorded they must refrain from entering the premises

8.0 Conditions Agreed/Requested by Responsible Authority

1. Challenge 25 policy shall be adopted

9.0 Licensing Officer Comments

- 9.1 The Business & Planning Act 2020 came into force on Wednesday 22nd July 2020 and provides a temporary permission for businesses that have a premises licence that permits them to sell alcohol in regard to the ability to sell alcohol as an off sale, i.e. for consumption off the premises. The permission will end on 30th September 2022 unless the legislation is changed by the Secretary of State.

It will only apply to businesses that hold a Premises Licence up to 22nd July 2020 and that in the last 3 years preceding 22 July 2020 those licences have NOT:

- had a premises licence application where permission for off sales was refused;
- had a variation of a premises licence seeking permission for off sales refused
- had a variation seeking to exclude off sales permission granted
- had a premises licence varied or modified by a review hearing to exclude off sales.

The new off-sales permission will permit off-sales to be made at a time when the licensed premises are open for the purposes of selling alcohol for consumption on the premises, subject to a cut off time of 11pm or the cut off time of the current licensed hours stated on the licence, whichever is earlier. Measures also temporarily suspend existing licence conditions in so far as they are inconsistent with the new off-sales permission.

Further Guidance on this can be found at

<https://www.gov.uk/government/publications/guidance-for-temporary-alcohol-licensing-provisions-in-the-business-and-planning-bill>

- 9.2 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.
- 9.3 The following is intended to advise Members of the relevant aspects of the Boroughs Licensing Policy, guidance from the Secretary of State, legislation and good practice. Members may depart from the Council's

Licensing Policy and/or Government advice, provide they consider it appropriate to do so, and have clear reasons for their decision.

9.4 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)

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

9.6 In all cases the Members should make their decision on the civil burden of proof, that is “the balance of probability.”

9.7 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.

9.8 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)

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

9.10 In **Appendices 16 - 22** Members are given general advice, and also have explanations of the Council’s Licensing Policy, Government advice and other legislation relating to the matters previously identified.

10.0 Legal Comments

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

11.0 Finance Comments

11.1 There are no financial implications in this report.

12.0 Appendices

Appendix 1	A copy of the application
Appendix 2	Site Plan
Appendix 3	Maps of the surrounding area
Appendix 4	Photographs of the premises
Appendix 5	Other licensed venues in the area
Appendix 6	Section 182 Advice by the DCMS- Relevant, vexatious and frivolous representations
Appendix 7 -15	Representations from Residents and supporter
Appendix 16	Licensing Officer comments on public nuisance
Appendix 17	S182 advice on public nuisance
Appendix 18	Licensing Officer comments on crime & disorder
Appendix 19	S182 advice on crime & disorder
Appendix 20	ASB leaving the premises
Appendix 21	Licensing Policy relating to hours of trading
Appendix 22	Planning

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Appendix 1

Receipt No. 261429. £315.00



LICENSING ACT 2003

FOR OFFICE USE			
RECEIPT / INVOICE NO.	FEE REQUIRED:	Date:	Initials:

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 club premises certificate to be granted under the Licensing Act 2003

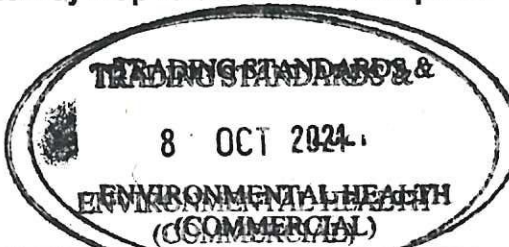
PLEASE READ THE FOLLOWING INSTRUCTIONS BEFORE COMPLETING APPLICATION

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.

(Insert name of club)
club applies for a club premises certificate under section 71 of the Licensing Act 2003 for the premises described in Part 1 below (the club premises)

The club is making this application to you as the relevant licensing authority in accordance with section 68 of the Licensing Act 2003

Part 1 – Club premises details

Name of club GLOBE TOWN COMMUNITY ASSOCIATION	
Postal address of premises or, if none, ordnance survey map reference or description 152-156 ROMAN RD LONDON E2 0RY	
	
Post Town	LONDON
Postcode	E2 0RY
Telephone number (if any)	[REDACTED]
E-mail address (optional)	[REDACTED]

Name of person performing duties of a secretary to the club NATALIE O'REGAN			
Address of person performing duties of a secretary to the club [REDACTED]			
Post Town	[REDACTED]	Postcode	[REDACTED]
Daytime contact telephone number (if any)			
E-mail address (optional)			

Non-domestic rateable value of premises	£44,750
--	---------

Are the club premises occupied and habitually used by the club Yes No

Part 2 – Club Operating Schedule

When do you want the club premises certificate to start?

Day	Month	Year
07	10	2021

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

Day	Month	Year

General description of club (please read guidance note 1) OPEN PLANNED AREA WITH SMALL BAR, FOR THE USE OF MEMBERS OF GLOBETOWN E2 FOR SOCIAL PURPOSES.

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

--



What qualifying club activities do you intend to conduct on the club premises?

Please tick all that apply

Provision of regulated entertainment

- 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)

The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club (if ticking yes, fill in box L)

The sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption on the premises where the sale takes place (if ticking yes, fill in box L)

In all cases complete boxes K and L

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where the club intends to use the premises for the performance of a play at different times from those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the exhibition of film (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where the club intends to use the premises for the exhibition of film at different times from those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details here (please read guidance note 3)
Day	Start	Finish	
Mon	18.00	22.00	DARTS TEAMS FOR OVER 50'S, 60'S & 70'S. MON & THUR. POOL TEAMS AS ABOVE. TUE & FRI
Tue	18.00	22.00	
Wed			State any seasonal variations for indoor sporting events (please read guidance note 4) MAY CHANGE DAYS SUBJECT TO MEMBERS AVAILABILITY
Thur	18.00	22.00	
Fri	18.00	22.00	Non-standard timings. Where the club intends to use the premises for indoor sporting events at different times from those listed in the column on the left, please list (please read guidance note 5)
Sat			
Sun			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	12.00	22.00	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	12.00	22.00			
Wed	12.00	22.00	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	12.00	22.00			
Fri	12.00	22.00	Non-standard timings. Where the club intends to use the premises for the playing of recorded music at different times from those listed in the column on the left, please list (please read guidance note 5)		
Sat	12.00	22.00			
Sun	12.00	21.00			

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon					
Tue			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Wed					
Thur			<u>Non-standard timings. Where the club intends to use the premises for the performance of dance at different times from those listed in the column on the left, please list</u> (please read guidance note 5)		
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 6)			Please give a description of the type of entertainment that the club will be providing YOGA CLASSES FOR OVER 50'S		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	12.00	15.00		Outdoors	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Wed	12.00	15.00			
Thur			State any seasonal variations for this entertainment (please read guidance note 4)		
Fri	12.00	15.00			
Sat			Non-standard timings. Where the club intends to use the premises for this entertainment at different times from those listed in the column on the left, please list (please read guidance note 5)		
Sun					

I

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations (please read guidance note 4)		
Mon	12.00	23.00			
Tue	12.00	23.00			
Wed	12.00	23.00			
Thur	12.00	23.00			
Fri	12.00	23.00			
Sat	12.00	23.00			
Sun	12.00	22.00			
			Non-standard timings. Where the club intends to use the premises for the supply of alcohol at different times from those listed in the column on the left, please list (please read guidance note 5)		

J

Hours club premises are open to the members and guests Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	12.00	23.00	Non standard timings. Where you intend the premises to be open to the members and guests at different times from those listed in the column on the left, please list (please read guidance note 5)
Tue	12.00	23.00	
Wed	12.00	23.00	
Thur	12.00	23.00	
Fri	12.00	23.00	
Sat	12.00	23.00	
Sun	12.00	22.00	

K

Please highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the club premises that may give rise to concern in respect of children (please read guidance note 8)

NONE

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

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

b) The prevention of crime and disorder

SEE ATTACHED

c) Public safety

SEE ATTACHED

d) The prevention of public nuisance

SEE ATTACHED

e) The protection of children from harm

SEE ATTACHED

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and plan (showing the area to be licensed) to the responsible authorities
- I have completed and enclosed the club declaration and enclose a copy of the club rules
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

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

Part 3 – Signatures (please read guidance note 10)

I NATALIE O'REGAN

(Insert full name)

make this application on behalf of the club and have authority to bind the club

Signature	[REDACTED]
Date	6/10/21
Capacity	SECRETARY

Address for correspondence associated with this application (please read guidance note 11)

11) 152-158 ROMAN RD

Post town	LONDON	Post code	E2 0RY
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			
[REDACTED]			

disciplines:
PRIVATE AND CONFIDENTIAL. NOT FOR DISTRIBUTION TO ANY THIRD PARTY.
 All dimensions in millimetres. Do not scale directly from the drawing. All dimensions to be checked on site. All dimensions to be checked on construction or fabrication of any elements. All figured dimensions are the responsibility of the contractor to verify. ORSINIBREWIN are not liable for any dimensional discrepancies.

All Drawings to be read in conjunction with Specification. Any omission on this document does not exclude the Specification. Any discrepancies between the Specification and this drawing is to be reported to ORSINIBREWIN for clarification.

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REV	Description	Date

NOTES:
 - Existing power layout to be retained in areas highlighted in magenta
 - Blue elements are marked over the counter.

ID	Symbol	Description
A	[Symbol]	Data Cat 5 Socket
B	[Symbol]	Fire Alarm
C	[Symbol]	Fire Alarm
D	[Symbol]	13 Amp Switched Single Socket
E	[Symbol]	13 Amp Switched Double Socket
F	[Symbol]	Fire Alarm
G	[Symbol]	Shower socket
H	[Symbol]	TV
I	[Symbol]	Electrical Water Heater
J	[Symbol]	Disinfection Unit
K	[Symbol]	1.5m Shaving Drench (Pre-rinse)
L	[Symbol]	1.5m Shaving Drench (Pre-rinse)
M	[Symbol]	1.5m Shaving Drench (Pre-rinse)
N	[Symbol]	1.5m Shaving Drench (Pre-rinse)
O	[Symbol]	1.5m Shaving Drench (Pre-rinse)
P	[Symbol]	1.5m Shaving Drench (Pre-rinse)
Q	[Symbol]	1.5m Shaving Drench (Pre-rinse)
R	[Symbol]	1.5m Shaving Drench (Pre-rinse)
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W	[Symbol]	1.5m Shaving Drench (Pre-rinse)
X	[Symbol]	1.5m Shaving Drench (Pre-rinse)
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CT	[Symbol]	1.5m Shaving Drench (Pre-rinse)
CU	[Symbol]	1.5m Shaving Drench (Pre-rinse)
CV	[Symbol]	1.5m Shaving Drench (Pre-rinse)
CW	[Symbol]	1.5m Shaving Drench (Pre-rinse)
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Issued for: **DRAFT Concept**
 Project: **Roman Road**

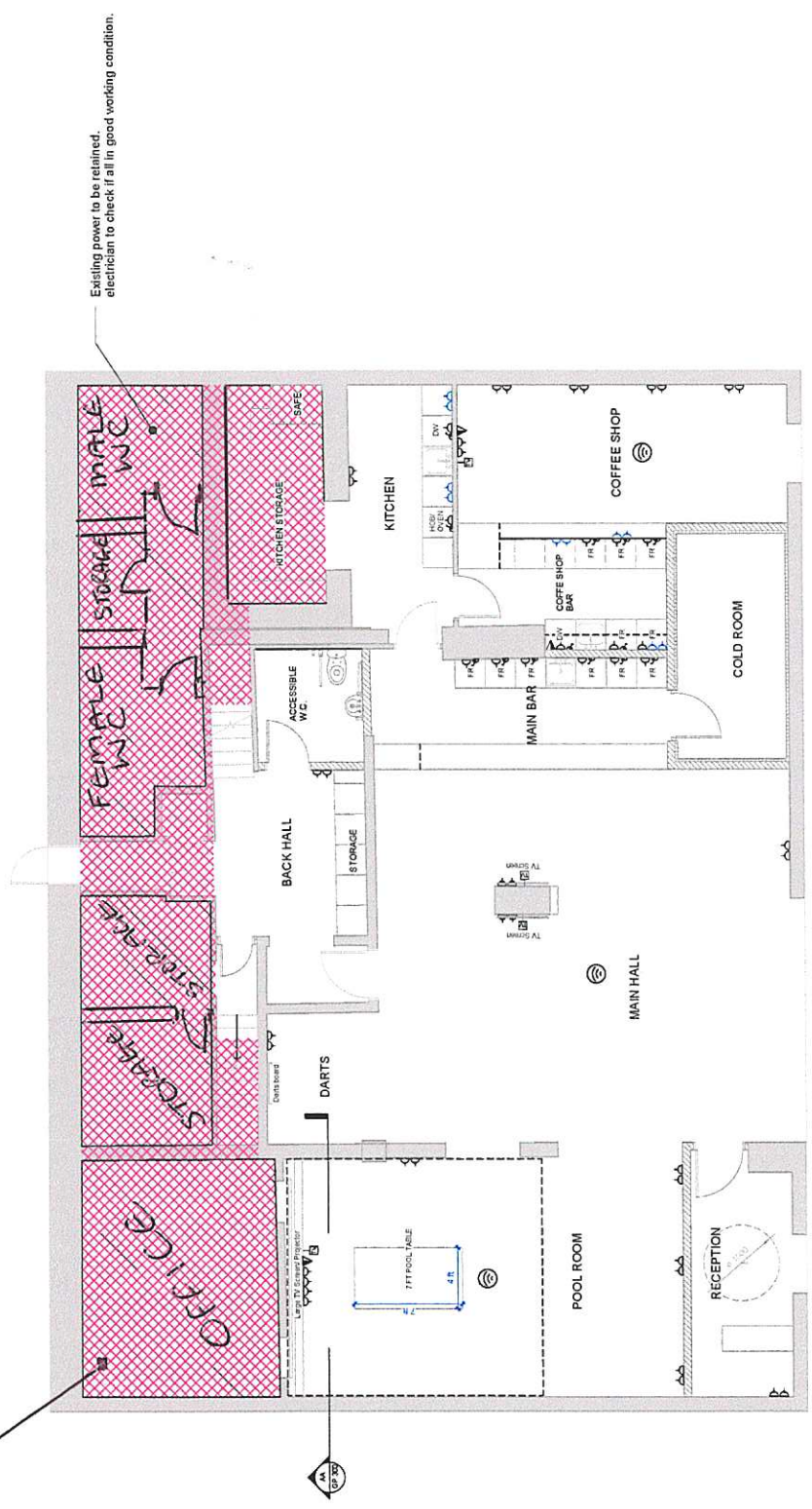
Drawing name: **GF Power and Data Plan**

drawn by: ADP	checked by: ADP	date: 29/06/2021
scale: As indicated	project code: As indicated	Project Number: SP 302
drawing number: SP 302	rev:	

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NOTE:
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RED & WHITE AREA
 REPRESENTS MEZZANINE
 LEVEL



PROMOTING THE FOUR LICENCING OBJECTIVES

THE PREVENTION OF CRIME AND DISORDER

- CODE OF CONDUCT TO BE DISPLAYED IN ENTRANCE HALL TO PREMISES
- MEMBERS ONLY PERMITTED, WHO MUST ABIDE BY OUR CODE OF CONDUCT, MEMBERSHIP MAY BE REVOKED IF CODE OF CONDUCT BREACHED
- CCTV TO BE IN PLACE BOTH INSIDE AND OUTSIDE THE PREMISES, OPERATIONAL AT ALL TIMES WHEN PREMISES IN USE
- CCTV TO BE RECORDED FOR A PERIOD OF 31 DAYS AND MADE AVAILABLE TO POLICE AND LICENCING AUTHORITIES UPON REQUEST
- AN ANTI DRUGS POLICY IS IN PLACE

PUBLIC SAFETY

FIRE SAFETY

- A SUITABLE FIRE RISK ASSESSMENT HAS BEEN PERFORMED AT THE PREMISES AND IMPLEMENTED THE NECESSARY CONTROL MEASURES TO INCLUDE, BUT NOT LIMITED TO:
 - ALL EXIT DOORS ARE EASILY OPERABLE WITHOUT THE USE OF A KEY
 - ALL EXIT DOORS ARE REGULARLY CHECKED TO ENSURE THEY FUNCTION SATISFACTORILY
 - RECORDS OF THESE CHECKS ARE KEPT AND CAN BE PRODUCED UPON REQUEST
 - ALL FIRE DOORS ARE MAINTAINED, UNOBSTRUCTED AND EFFECTIVELY SELF CLOSING AND WILL NOT BE HELD OPEN
 - FIRE DRILL AND EMERGENCY LIGHTING TESTS TO BE PERFORMED ON A REGULAR BASIS AND RECORDS OF THESE TO BE KEPT
 - AN EVACUATION POLICY IS IN PLACE AND ALL STAFF MEMBERS HAVE BEEN TRAINED
 - ADEQUATE ARRANGEMENTS EXIST TO ENABLE THE SAFE MOVEMENT WITHIN THE PREMISES OF DISABLED PEOPLE AND THEIR SAFE EVACUATION IN THE EVENT OF AN EMERGENCY
- THE PREMISES HAVE BEEN FITTED WITH A BRAND NEW, STATE OF THE ART FIRE ALARM SYSTEM WITH SMOKE AND HEAT DETECTORS IN EVERY ROOM, EMERGENCY LIGHTING AND EXIT SIGNS INSTALLED

FIRST AID

- ADEQUATE AND APPROPRIATE FIRST AID EQUIPMENT AND MATERIALS ARE AVAILABLE ON THE PREMISES
- AT LEAST ONE SUITABLY TRAINED FIRST AIDER WILL BE ON DUTY WHEN THE PREMISES ARE IN USE

SAFETY CERTIFICATES

- ALL RELEVANT CERTIFICATES WILL BE IN PLACE AND MADE AVAILABLE FOR INSPECTION

GENERAL

- STAFF HAVE THE RIGHT TO REFUSE MEMBERS OR GUESTS ALCOHOL IF THEY FEEL THEY HAVE HAD ENOUGH TO DRINK OR IF THEY ARE IN BREACH OF THE CODE OF CONDUCT
- A RECORD WILL BE KEPT OF ALL REFUSALS AND THE REASON FOR THE REFUSAL TO SERVE

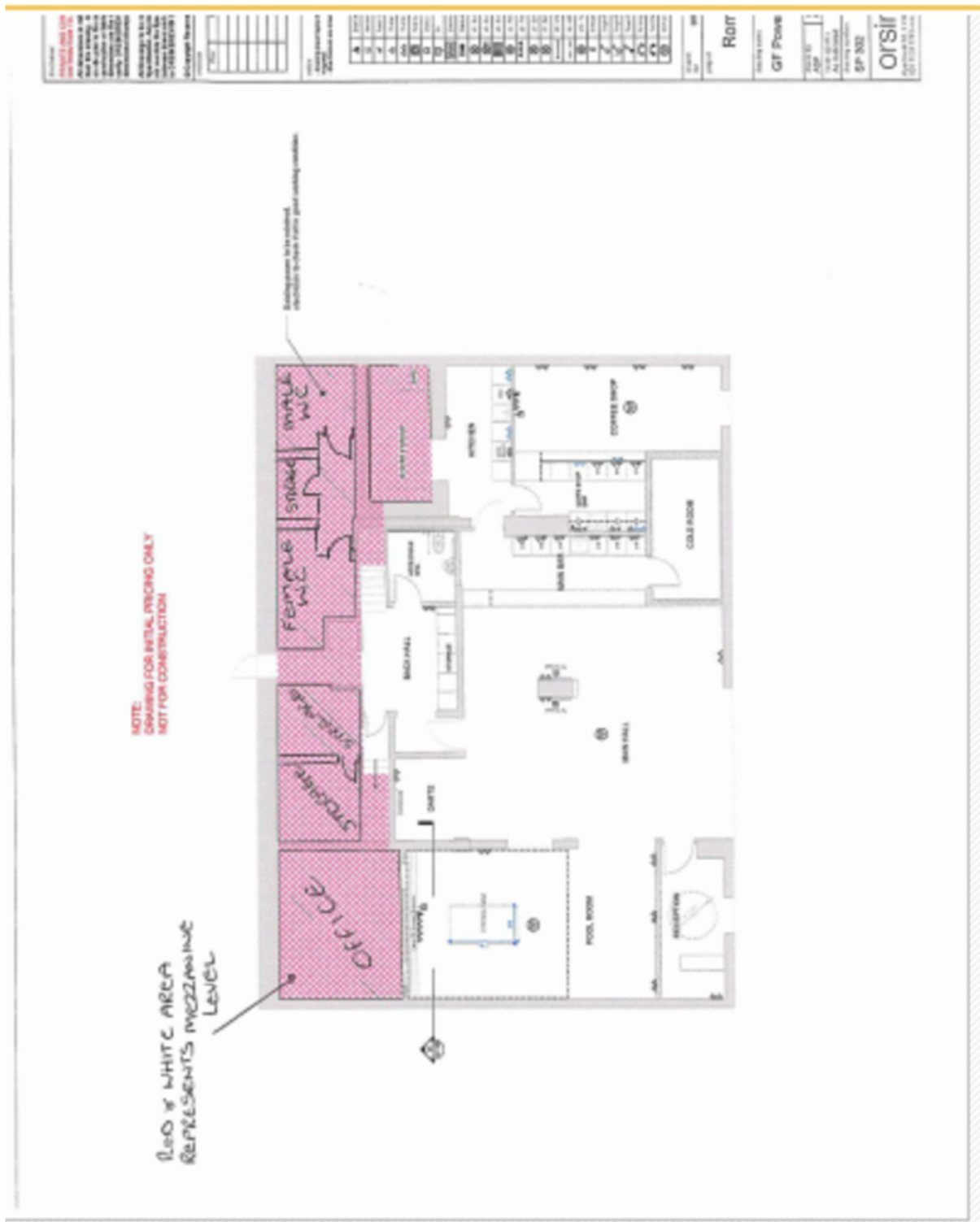
THE PREVENTION OF PUBLIC NUISANCE

- NOISE OR VIBRATION FROM THE PREMISES WILL NOT BE AUDIBLE TO ANY NEIGHBOURING SENSITIVE PREMISES
- FOR THE FINAL HOURS OF OPENING, THE MUSIC WILL BE REDUCED IN VOLUME AND WILL BE DISCERNIBLY QUIETER
- PROMINENT AND CLEAR LEGIBLE NOTICES ARE DISPLAYED AT ALL EXITS REQUESTING MEMBERS TO RESPECT THE NEEDS OF LOCAL RESIDENTS AND TO LEAVE THE PREMISES AND AREA QUIETLY
- DISPOSAL OF EMPTY BOTTLES INTO WASTE BINS OUTSIDE THE PREMISES WILL NOT BE PERMITTED BETWEEN THE HOURS OF 9PM AND 8AM TO MINIMISE DISTURBANCE TO NEARBY RESIDENTS
- ALL WINDOWS ARE DOUBLE GLAZED AND CEILINGS HAVE BEEN DOUBLE BOARDED WITH SOUND PROOF BOARDS TO MINIMISE THE BREAK OUT OF NOISE
- THE PREMISES ARE AIR CONDITIONED TO AVOID THE NEED TO OPEN DOORS AND WINDOWS FOR VENTILATION TO MINIMISE NOISE BREAK OUT
- A MAXIMUM OF 2 MEMBERS TO BE PERMITTED AT ANY ONE TIME TO GO OUTSIDE THE PREMISES TO SMOKE IN ORDER TO MINIMISE OUTSIDE NOISE AND LOITERING
- ALL ENTRANCE AND EXITS HAVE AN EFFECTIVE LOBBY TO MINIMISE THE BREAK OUT OF NOISE

THE PROTECTION OF CHILDREN FROM HARM

- NO CHILDREN UNDER THE AGE OF 18 TO BE PERMITTED UNLESS ACCOMPANIED AT ALL TIMES BY A MEMBER
- MEMBERS MAY BE CHALLENGED BY STAFF TO PROVIDE PROOF OF AGE TO BE SERVED ALCOHOL
- CCTV SIGNS ON DISPLAY AT THE PREMISES SO THAT MEMBERS ARE AWARE THE PRMEISES ARE BEING RECORDED, IF THEY DO NOT WISH THEIR ACCOMPANYING CHILD TO BE RECORDED THEY MUST REFRAIN FROM ENTERING THE PREMISES

Appendix 2



Appendix 3

Map of Local area - 152-156 Roman Road



Appendix 4

152-156 Roman Road – Images of the premises



Appendix 5

Nearest licensed venues

<u>Premises Name</u>	<u>Licensable Activities</u>	<u>Opening Hours</u>
(Singh Supermarket) 37 Roman Road London E2 0HU	The sale by retail of alcohol 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 Off sales	Monday to Sunday open 24 hours a day
(Karan Roman News) 351 Roman Road London E3 5QR	The sale by retail of alcohol Monday to Sunday from 07:00hrs to 22:00 hrs Off sales	Monday to Sunday from 07:00hrs to 22:00 hrs
(Roman Road PFC) 89 Roman Road London E2 0QN	The provision of late night refreshment – Indoors Sunday to Thursday from 23:00 hrs to 00:00 hrs (Midnight) Friday and Saturday from 23:00 hrs to 01:00 hrs (the following day)	Sunday to Thursday from 06:00 hrs to 00:00 hrs (Midnight) Friday and Saturday from 06:00 hrs to 01:00 hrs (the following day)
Cagdas Food Centre) 606 - 608 Roman Road London E3 2RW	The sale by retail sale of alcohol Monday to Thursday, from 06:00 hours to 00:00 hours (midnight) Friday and Saturday, from 06:00 hours to 00:30 hours the following day Sunday, from 06:00 hours to 00:00 hours (midnight) Off sales	Monday to Sunday, from 06:00 hours to 01:00 hours the following day
(Meze Bar Restaurant) 150 Roman Road London E2 0RY	Sale of Alcohol (on sales only) Monday to Thursday from 12:00hrs (midday) to 23:00hrs Friday to Saturday from 12:00hrs to 00:00hrs (midnight) Sunday from 12:00hrs (midday) to 22:30hrs	Monday to Thursday from 12:00hrs (midday) to 00:00hrs (midnight) Friday & Saturday from 12:00hrs to 01:00hrs (the following day) Sunday from 12:00hrs (midday) to 23:30hrs

	<p>The Provision of Late Night Refreshments (indoors)</p> <p>Friday from 23:00hrs to 00:00hrs (midnight) Saturday from 23:00hrs to 00:30hrs (the following day)</p> <p>On sales</p>	
<p>(Nola) 107 Roman Road London E2 OQN</p>	<p>Alcohol may be sold or supplied:</p> <p>(1) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 11am to midnight.</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>The provision of late night refreshment Monday to Saturday, from 11pm to midnight Sunday, from 11pm to 11:30pm</p> <p>On sales</p>	<p>There are no restrictions on the hours during which this premises is open to the public</p>
<p>(TFX International) 124 – 128 Roman Road Bethnal Green London E2 ORN</p>	<p>The sale by retail of alcohol</p> <p>Alcohol shall not be sold or supplied except during permitted hours.</p> <p>In this condition, permitted hours means:</p> <p>a. On weekdays, other than Christmas Day, 8 a.m. to 11 p.m.</p> <p>b. On Sundays, other than</p>	<p>There are no restrictions on the hours during which this premises is open to the public</p>

	<p>Christmas Day, 10 a.m. to 10.30 p.m. c. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m. d. On Good Friday, 8 a.m. to 10.30 p.m.</p> <p>Off sales</p>	
<p>(Hariesh Supermarket) 162 Roman Road Bethnal Green London E2 0RY</p>	<p>Retail sale of alcohol</p> <p>Alcohol shall not be sold or supplied except during permitted hours. In this condition, permitted hours means:</p> <p>a. On weekdays, other than Christmas Day, 8 a.m. to 11 p.m. b. On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m. c. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m. d. On Good Friday, 8 a.m. to 10.30 p.m.</p> <p>See Mandatory conditions for drinking up time</p> <p>Off sales</p>	<p>There are no restrictions on the hours during which this premises is open to the public</p>
<p>(Destina) 209 Roman Road London E2 0QY</p>	<p>The sale by retail of alcohol</p> <p>Monday to Sunday, from 07:00 hours to 00:00 hours (midnight)</p> <p>Off sales</p>	<p>Monday to Sunday, from 07:00 hours to 00:00 hours (midnight)</p>
<p>(Star Grill) 131a Roman Road London E2 0QN</p>	<p>The provision of late night refreshment</p> <p>Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday until 01:00 hours the following day</p>	<p>Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday from 23:00 hours until 01:00 hours the following day</p>

<p>(West Nine Food & Wine) 132 Roman Road London E2 0RN</p>	<p>Retail sale of alcohol</p> <p>Alcohol shall not be sold or supplied except during permitted hours.</p> <p>In this condition, permitted hours means:</p> <p>a. On weekdays, other than Christmas Day, 8 a.m. to 11 p.m.</p> <p>b. On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m.</p> <p>c. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.</p> <p>d. On Good Friday, 8 a.m. to 10.30 p.m.</p> <p>See Mandatory conditions for drinking up time</p> <p>Off sales</p>	<p>There are no restrictions on the hours during which this premises is open to the public</p>
<p>(Simply Fresh) 201-203 Roman Road London E2 0QY</p>	<p>The sale by retail of alcohol</p> <p>Monday to Sunday, 07.00am to 24.00pm (Midnight).</p> <p>Off sales</p>	<p>Monday to Sunday, 07.00am to 24.00pm (Midnight).</p>
<p>(Can Supermarket) 209 Roman Road Bethnal Green London E2 0QY</p>	<p>The sale by retail of alcohol</p> <p>Monday to Sunday 07 00 hrs until 03 00 hrs the following day</p> <p>Off sales</p>	<p>Monday to Sunday 07 00 hrs until 03 00 hrs the following day</p>
<p>(Roman Road News) 134-136 Roman Road London E2 0RN</p>	<p>The sale by retail of alcohol</p> <p>Monday to Sunday from 07:00 hours to midnight</p> <p>Off sales</p>	<p>Monday to Sunday from 05:00 hours to midnight</p>
<p>(Old Friends Public House) 129 Roman Road London E2 0QN</p>	<p>The sale by retail of alcohol</p> <p>Alcohol shall not be sold or supplied except during permitted hours.</p> <p>In this condition, permitted hours means:</p> <p>a. On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 11 a.m. to 11 p.m.</p> <p>b. On Sundays, other than</p>	<p>There are no restrictions on the hours during which this premises is open to the public</p>

	<p>Christmas Day or New Year's Eve, 12 noon to 10.30 p.m.</p> <p>c. On Good Friday, 12 noon to 10.30 p.m.</p> <p>d. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.</p> <p>e. On New Year's Eve, except on a Sunday, 11 a.m. to 11 p.m.</p> <p>f. On New Year's Eve on a Sunday, 12 noon to 10.30 p.m.</p> <p>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).</p> <p>For conditions re. "drinking up time" see Annex 1 Mandatory Conditions</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>Alcohol shall not be sold or supplied except during permitted hours.</p> <p>In this condition, permitted hours means:</p> <p>a. On weekdays, other than Christmas Day, 8 a.m. to 11 p.m.</p> <p>b. On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m.</p> <p>c. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.</p> <p>d. On Good Friday, 8 a.m. to 10.30 p.m.</p> <p>On sales</p>	

<p>(Angel & Crown) 170 Roman Road London E2 0RY</p>	<p>Provision of Recorded Music (indoors)</p> <ul style="list-style-type: none"> • Sunday to Thursday from 09:00 hours to 22:00 hours • Friday and Saturday from 09:00 hours to 22:30 hours <p>Sale of Alcohol (on and off sales)</p> <ul style="list-style-type: none"> • Sunday to Thursday 09:00 hours to 22:00 hours (with half an hour drinking time until 22:30 hours) <p>Friday and Saturday 09:00 hours to 22:30 hours (with half an hour drinking time until 23:00 hours)</p> <p>On & Off sales</p>	<ul style="list-style-type: none"> • Sunday to Thursday from 08:00 hours to 22:30 hours • Friday and Saturday from 09:00 hours to 23:00 hours <p><u>Non-Standard Timings</u> An additional hour after times stated above is requested on evenings preceding public holidays e.g. Christmas Eve and New Year's Eve.</p>
<p>(Winkles) 238 Roman Road London E2 0RY</p>	<p>The sale by retail of alcohol The times the licence authorises the carrying out of licensable activities Alcohol may be sold or supplied:</p> <p>(1) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 10am to 12pm. (2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12 noon to 11:30pm (3) On Christmas Day: 12 noon to 11:30pm; (4) On New Year's Eve, except on a Sunday, 11 a.m. to midnight; (5) On New Year's Eve on a Sunday, 12 noon to 11.30 p.m. (6) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).</p> <p>The above restrictions do not</p>	<p>There are no restrictions on the hours during which this premises is open to the public</p>

	<p>prohibit:</p> <p>(a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;</p> <p>(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;</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>See Mandatory Conditions for details of restrictions.</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>On sales</p>	
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Appendix 6

**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 7

Kathy Driver

From: Fabrizio Labrozzi [REDACTED]
Sent: 09 October 2021 11:48
To: Licensing
Subject: Representations for premises licence application 152-158 Roman Road, London E2

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sirs

I would like to express my concerns with regards to an application for a premises licence made by Globetown Community Association for the premises 152 - 158 Roman Road, London E2 ORY.

Having received a visit from a representative of Globetown Community Association, my understanding is that the above premises would be used for community events including bingo, live music, dancing competitions and that there would also be a bar serving alcohol.

I live on the first floor of Chater House, directly above the premises and I am extremely concerned that the application for this licence and especially the hours proposed will lead to an increase of late-night noise and any other form of nuisance. Also despite this representative mentioning sound proofing of the premises I am still very concerned about vibrations, street noise from people coming in and out especially late at night. Has anybody verified or done any tests about this soundproofing?

I think the above premises are definitely not the most suitable place to host a social club which intends to hold music and entertaining events. There are families and residents in the block above who are already putting up with enough traffic noise, already one pub serving alcohol, a smelly fish and chip shop. The addition of a social club would make life really unbearable.

Therefore I am in opposition of such licence application.

Kind regards,

Fabrizio Labrozzi
[REDACTED]

Appendix 8

Lavine Miller-Johnson

From: Mohshin Ali on behalf of Licensing
Sent: 19 October 2021 14:57
To: Lavine Miller-Johnson
Subject: FW: Licensing application by Globe Town Community Association, 152-156 Roman Rd, E2 0RY

From: Hugh Mendes [REDACTED]
Sent: 19 October 2021 12:21
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Licensing application by Globe Town Community Association, 152-156 Roman Rd, E2 0RY

Re submitting with my address, below:

Dear Licensing,

I would like to formally make representation and object to the granting of an alcohol and entertainment licence to The Globe Town Community Association, 152-156 Roman Rd, E2 0RY.

They listed their activities as Yoga, Bingo and Spiritualist evenings. None of these activities require an alcohol license. The application is for 11 hours per day 7 days a week, which seems excessive in the extreme. Also I gather they want to have regular live music.

I live directly above the premises in Chater House. There are 40 flats in the block, all of which would be directly impacted. It seems completely inappropriate to have a second bar on the block. There is already a 'community' pub, The Angel & Crown. Even with soundproofing, the noise would constitute a serious environmental issue.

Might I suggest that they open without a license and see how it goes. They can run all their other activities and if they want a drink just go to the bar which is already there, a few doors down. This might enhance the sense of community. At the very least I feel the hours should be drastically reduced. A lot of people in the block have to get up early (including my wife who is a nurse). I myself am a part time teacher. There are also many young children in the block.

Yours sincerely,

Hugh Mendes
[REDACTED]

Appendix 9

Lavine Miller-Johnson

From: Licensing
Sent: 29 October 2021 10:51
To: Lavine Miller-Johnson
Subject: FW: License application for Globe Town Community Centre at 152 Roman Road

From: Lindsay Vasey [REDACTED]
Sent: 28 October 2021 21:28
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: License application for Globe Town Community Centre at 152 Roman Road

Dear Licensing Team

I am extremely worried that Globe Town Community Centre will be granted a license to serve alcohol. They have given the impression that this is very likely to be granted and have built a full bar accordingly.

We already have one community pub beneath Chater House and this is absolutely sufficient for local needs.

Chater House is a residential block, home to many families with young children and key workers such as myself.

We take pride in our block and many of us have been involved with local projects such as growing trees, planting bee friendly flowers and being involved with community projects, such as painting and maintaining the back of the block.

For several years when the Angel and Crown was under different management there was a great deal of trouble with drunkenness and fighting and drug dealing and this has all now gone. We really do want to maintain the peaceful environment in which we live.

We have a large Bengali community in this area who for religious reasons never drink alcohol and I think they should also be taken into consideration.

Please do not allow this license to go ahead, it just doesn't make sense that one residential block would essentially have two pubs beneath it.

Many thanks

Lindsay Mendes
[REDACTED]

Appendix 10

Lavine Miller-Johnson

From: Poppy W. <[REDACTED]>
Sent: 03 November 2021 17:21
To: Licensing
Subject: Objection to the proposed license for the new Globetown Community Association on Roman Road, E2

Good afternoon,

The old Natwest bank on Roman Road (152-156 Roman Road, Bethnal Green, London, E2 0RY) is being turned into a venue for the 'Globetown Community Association' and I believe that they have applied for a licence which will allow them to serve alcohol on the premises from daytime through to 11pm at night.

I live above the old bank in Chater House and know from years of previous experience of dealing with the disruptive noise of the 'Angel & Crown Pub' on the corner of our building that noise travels up and around from both the front and back of the flats. Although the 'Angel & Crown' is now under different management and has an earlier license, when they do hold parties, it's a reminder of how much the noise travels - we don't get to sleep until the party ends.

Giving a license, particularly a late one will be very disruptive to the residents of Chater House, not just from the noise of music but also people noise, those who are out revelling and loitering outside the front or backs of our flats. The noise travels up. And as it carries, it's loud. And yes I know I live in a city and on a busy road, but do we need to battle two sources of late night noise under our homes?

I'm also concerned about if having another 'pub' underneath us will also effect our ability to sell our flats, as to be honest, the noise from two venues does not appeal to me and would make me think of selling. If I did decide to sell - a late license below our homes will seriously put people off from wanting to move to Chater House.

Very politely, I really don't want another venue below my HOME to have a license as it is going to disturb all of the residents in the block at night time.

Yours faithfully,

Poppy Wonnacott
[REDACTED]

Appendix 11

Lavine Miller-Johnson

From: norman benham [REDACTED]
Sent: 03 November 2021 18:04
To: Licensing
Subject: Fwd: Globetown Association Re: (Licence Of New Property Roman Rd E2)

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

From: norman benham [REDACTED]
Date: Wed, 3 Nov 2021, 16:03
Subject: Globetown Association Re: (Licence Of New Property Roman Rd E2)
To: licensing@towerhamlets.gov.uk <licensing@towerhamlets.gov.uk>

To whom it may concern, I have been a member of Globetown Assoc for 25 years previously of Eastbourne House Bullards Place E2, It is a place where me and my wife go regularly as it welcomes us as a place to meet friends and family and enjoy each others company, it is a hub of the community with people of all ages getting together. In the 25 years myself and my wife have been going to Eastbourne House there has never been any trouble or problems between the clientele.

Yours Sincerely Mr Norman & Pamela Benham
[REDACTED]

Appendix 12

Lavine Miller-Johnson

From: Derek Burgess [REDACTED]
Sent: 03 November 2021 17:57
To: Licensing
Subject: Re: Globetown Community Assn

Dear Sir's
Further to the enclosed e-mail my address is

[REDACTED]

Regards
Derek A. Burgess

On Wednesday, 3 November 2021, 16:10:11 GMT, Derek Burgess [REDACTED] wrote:

Globetown Community Association, 152/158, Roman Road, E2 0RY.

Dear Sirs

I would like to make the following known to yourselves in support of the licence application regarding the above. I am a local resident age 77 and my wife and myself have been members of Globetown Assn Bullards Row since 1974 (47 years) my mother and father and brothers were/are members and my son has followed on and is also now a member.

This is a well attended community organisation that provides much needed activities for senior citizens as well as integrating young and old members alike.

In all the years that I have been associated with "The Club" as it is locally known, there have never been any complaints as to nuisance, noise or any other unsocial behaviour and as it is continuing to be run under the same stewardship I am sure that it will continue to be a much loved and well used asset to the local community.

Yours

Derek A. Burgess

Appendix 13

Lavine Miller-Johnson

From: janice buttery [REDACTED]
Sent: 03 November 2021 19:04
To: Licensing
Subject: 152-158 Roman Road

I had read the application for this address and my husband and myself have no objection to this.

We are both 63 year olds with disabilities.

We live flat no [REDACTED] And directly behind the premises on the ground floor.
Actually we would welcome a social club to give us the opportunity to mix with others in the community.

Appendix 14

Lavine Miller-Johnson

From: Mashud Kobir [REDACTED] >
Sent: 04 November 2021 09:05
To: Licensing
Subject: Globe Town Ass- regarding 152-158 Roman Road,E20RY

I Mr. Mashud Kobir age 44 living at [REDACTED]. I've been a member of globe Town club for 6 years and never seen any problems and find it very enjoyable. As an Asian member I was welcomed by everyone. Its very safe and secure.

Kind regards
Mashud Kobir

[Sent from Yahoo Mail on Android](#)

[Sent from Yahoo Mail on Android](#)

Appendix 15

Lavine Miller-Johnson

From: Kathy Sheehan [REDACTED]
Sent: 03 November 2021 19:05
To: Licensing
Subject: GLOBETOWN ASS

Dear sir/madam,

I am writing to you with regards to the Globetown Community club that is due to open at 152-158 Roman road E2 ORY

I myself was born in tower hamlets and have lived here all my life, I have known John and Elaine for many years from drinking in their pubs and the club that closed recently

I myself live at [REDACTED] just opposite the Angel and Crown pub.

We and all the members were looking forward to the club reopening in their new premises but it appears there is a problem with them getting a Licence, myself and my family have enjoyed many evenings at the globetown club, it's a great community place where you can meet friends, people we have known for years and new people that have moved into the area, most members are around my age 60, and older with a really nice mix of people that just want to have a drink, a chat and a laugh, in all the years I have been going to the club there has never been any complaints, never any trouble, no disturbances and the police have never been called,

All John and Elaine's customers are known to them as it is strictly a private members club.

John and Elaine also do a lot for the elderly members of the community, giving them somewhere to go, have a game of bingo, a cup of tea or a drink, a fish and chip dinner and basically having somewhere they can go so as not to feel so isolated or lonely, they have raffles and gifts for them at Christmas, and myself and many others would be shocked if this was not allowed to continue

I understand that there has been some objections to them opening and I find it really hard to understand why, as I said all their licenced establishments have never had any problems and this community needs a place like this where they can go, relax and enjoy themselves in a safe and friendly atmosphere.

I hope this goes some way to give you an insight into what the globe town community club is all about

Many thanks

Mr Kevin sheehan

Appendix 16

Prevention of Public Nuisance

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

Appendix 17

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

Updated April 2018

Public nuisance

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

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

Appendix 18

Crime and Disorder

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

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

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

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

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

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

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

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

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

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

7.10 In particular the Licensing Authority is mindful of the Secretary of State's Guidance "Reviews arising in connection with crime".

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

Smuggled goods

7.12 The Licensing Authority will exercise its discretion to add a standard condition as follows:-

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

Olympic Park – Football Ground

7.13 Premises where Police intelligence shows that football supporters congregate within the borough should consider in their application form the following conditions:

- 1) On Match Days for premises licensed for the supply of alcohol for consumption on the premises:
 - a) Drinks shall only be supplied in polypropylene or similar plastic and all bottled drinks shall be poured into such drinking vessels before being handed to the customer. These should be made of recyclable materials.
 - b) Registered door staff shall be employed to control the entry and exits to the premises and to manage any licensed outside area(s).

Appendix 19

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

Updated April 2018

Crime and disorder

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

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

Appendix 20

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.

Page 180

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 21

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 22

Planning

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

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Agenda Item 3.3

Committee : Licensing Sub Committee	Date 16 December 2021	Classification Unclassified	Report No.	Agenda Item No.
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Report of David Tolley Head of Environmental Health & Trading Standards Originating Officer: Corinne Holland Licensing Officer	Title: Licensing Act 2003 Temporary Event Notice for Tobacco dock (Skylight Bar), 50 Porters Walk, London, E1W 2SF Ward affected: St Katherine's and Wapping
--	---

1.0 Summary

Applicant: **Mr Harry Donovan**

Address of Premises: **Tobacco Dock (Skylight Bar)
50 Porters Walk
London E1W 2SF**

Objectors: **Environmental Protection
Metropolitan Police**

2.0 Recommendations

2.1 That the Licensing Committee considers the application and objections then adjudicates accordingly.

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

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

Licensing Act 2003 Section 182 Guidance
Licensing Policy
File Only

Corinne Holland
020 7364 3986

3.0 **Background**

- 3.1 This is an application for a Standard Temporary Event Notice.
- 3.2 Enclosed is a copy of the application - **Appendix 1 (with supplementary emails)**.
- 3.3 The applicant has described the nature of the application as follows:
Outdoor rooftop bar - Extending the trading hours for New Year's Eve for the sale of alcohol, regulated entertainment and the provision of late-night refreshments for the maximum of 499 people.
- 3.4 The premises that has been applied for is:
Tobacco Dock (Skylight Bar), 50 Porters Walk, London, E1W 2SF
- 3.5 The dates and timings that have been applied for are as follows:
Friday 31st December 2021 12-00 – 03:00 hours (New Year's Day)
- 3.6 A map showing the relevant premises and immediate area is included as **Appendix 2**.

4.0 **Premises Licence**

- 4.1 The venue holds a premises licence. Members can impose one or more conditions of the existing licence on the TEN (in so far as such conditions are not inconsistent with the event) if it considers that this is appropriate for the promotion of the licensing objectives. A copy of the licence is attached in **Appendix 3** (For reference - the premises licence number on the TEN application is the previous licence number to the current one)

5.0 **Temporary Event Notices**

- 5.1 Temporary Event Notices (TENs) are a creation of the Licensing Act 2003. They provide a method by which licensable activities can be carried out on a temporary basis (max. 168 hrs) without a licence. The maximum number that can attend at any one time is 499. At least 10 full working days notice must be given to the licensing authority. When a TEN cannot be obtained, for example the event is over 499, then a full premises licence must be obtained, for a limited duration.
- 5.2 The licensing authority cannot oppose an application, (nor can local residents or businesses). The licensing authority must reject any application that does not meet the rules as to numbers, maximum per year etc. The limits are now as follows: 15 TEN per calendar year or 21 days. The responsible authorities that can object is the Metropolitan Police or Environmental Protection.

- 5.3 The Police and Environmental Protection can object on the grounds that allowing the event to go ahead will undermine one of the Licensing Objectives.
- 5.4 Following an objection by the relevant responsible authority one or more conditions may be imposed by the Licensing Authority
- (a) if it considers it appropriate for the promotion of the licensing objectives to do so,
 - (b) the conditions are also imposed on a premises licence or club premises certificate that has effect in respect of the same premises, or any part of the same premises, as the temporary event notice, and
 - (c) the conditions would not be inconsistent with the carrying out of the licensable activities under the temporary event notice.
- 5.5 Where the authority decides to impose one or more conditions;
- (a) the authority must give the premises user notice of the decision;
 - (b) the notice must be accompanied by a separate statement (the “statement of conditions”) which sets out the conditions that have been imposed on the temporary event notice; and
 - (c) a copy of the notice and statement of conditions must be given to each relevant party.
- 5.6 LATE TENs have been created through the Police Reform and Social Responsibilities Act 2011, a Late TEN can be made no later than FIVE working days and no earlier than NINE working days before the event. The limits to these applications are no more than 2 for a non personal licence holder or no more than 10 for a personal licence holder.
- 5.7 The Police and Environmental Protection can object to Late TENs, if an objection is made the Licensing Authority must issue a counter notice advising the event cannot take place.
- 6.0 **Objections**
- 6.1 The Police objections are contained in **Appendix 4**.
- 6.2 Environmental Protection objections are contained in **Appendix 5**.

7.0 Advice to Members

- 7.1 The Police Reform and Social Responsibility Act 2011 amended legislation whereby Environmental Protection alongside Police can object to Temporary Event Notice under any of the licensing objectives.
- 7.2 This hearing is required by the Licensing Act 2003. As always the decision is on the civil burden of proof, i.e. the balance of probability.
- 7.3 Members can consider any of the licensing objectives. Other matters can also be dealt with elsewhere by primary legislation.
- 7.4 Premises users are not required to be on the premises for the entire duration of the event authorised by the TEN, but they will remain liable to prosecution for certain offences that may be committed at the premises during the period covered by it. These include, for example, the offences of the sale of alcohol to a person who is drunk; persistently selling alcohol to children; and allowing disorderly conduct on licensed premises.
- 7.5 The police or local authority exercising environmental health functions may contact the premises user to discuss their objections and try to come to an agreement which will allow the proposed licensable activities to proceed. The TEN can be modified. If there is no agreement, the licensing authority must hold a hearing to consider the notice.

8.0 Legal Comments

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

9.0 Finance Comments

- 9.1 There are no financial implications in this report.

10.0 Appendices

Appendix 1	A copy of the application/supplementary emails
Appendix 2	Maps of the area
Appendix 3	Premises Licence
Appendix 4	Police Objection
Appendix 5	Environmental Protection objection

Appendix 1



Fee:
Receipt No:

LONDON BOROUGH OF TOWER HAMLETS Temporary Event Notice

Before completing this notice please read the guidance notes at the end of the notice. If you are completing this notice by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)	
1. Your name	
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	DONOVAN
Forenames	HARRY
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)	
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	
Forenames	
3. Your date of birth	Day [REDACTED]
4. Your place of birth	[REDACTED]
5. National Insurance Number	[REDACTED]
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)	
[REDACTED]	
Post town	[REDACTED]
Post code	[REDACTED]
7. Other contact details	
Telephone numbers Daytime	[REDACTED]
Evening (optional)	-
Mobile (optional)	-
Fax number (optional)	-
E-Mail Address (if available)	[REDACTED]

8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	
Post town	Post code
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail Address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references) (Please read note 2)	
TOBACCO DOCK WAPPING LANE WAPPING LONDON E1W 2SF	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	26336
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
Please describe the nature of the premises below. (Please read note 4)	
OUTDOOR ROOFTOP BAR HOSPITALITY OR TICKETED EVENTS.	
Please describe the nature of the event below. (Please read note 5)	
OUTDOOR XMAS THEMED PUB VENUE	

3. The licensable activities		
Please state the licensable activities that you intend to carry on at the premises (please tick all the licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol		<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club		<input type="checkbox"/>
The provision of regulated entertainment		<input checked="" type="checkbox"/>
The provision of late night refreshment		<input checked="" type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 7)		<input type="checkbox"/>
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)		
31.12.21 - 01.01.22		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)		
12:00 - 03:00		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)		499
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please tick as appropriate) (Please read note 11)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

Please if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment. (Please read note 12)

VOLUME OF RECORDED MUSIC TO BE RESTRICTED 12:00 - 03:00

4. Personal licence holders (Please read note 13)		
Do you currently hold a valid personal licence? (Please tick)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority	[REDACTED]	
Licence number	[REDACTED]	
Date of issue		
Date of expiry		
Any further relevant details		

5. Previous temporary event notices you have given (Please read note 14 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If answering yes, please state the number of temporary event notices you have given for events in that same calendar year	8	
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 15 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

7. Checklist (Please read note 16)	
I have (Please tick the appropriate boxes)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent a copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

8. Condition (Please read note 17)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 18)

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

- (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
- (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to an unlimited fine, or to imprisonment for a term not exceeding six months, or to both.

Signature



Date

16 . 11 . 21

Name of Person signing

HARRY DOWOLAN

For completion by the licensing authority

10. Acknowledgement (Please read note 19)

I acknowledge receipt of this temporary event notice.

Signature

On behalf of the licensing authority

Date

Name of Officer signing

NOTES

General

In these notes, a person who gives a temporary event notice is called a “premises user”.

The police and local authority exercising environmental health functions may intervene on the grounds of any of the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm) to prevent the occurrence of an event at which permitted temporary activities are to take place or to agree a modification of the arrangements for such an event. However, the licensing authority will intervene of its own volition in the cases described below.

First, it will issue a counter notice if there is an objection to a late temporary event notice (see note 7 below).

Secondly, it may issue a notice in relation to its decision to impose conditions on a temporary event notice (see note 2 below).

Thirdly, it will issue a counter notice if the first, second and fourth of the limits set out below would be exceeded. If any of the limits below are breached or if a counter notice has been issued, any licensable activities taking place would be unauthorised and the premises user would be liable to prosecution. The limitations apply to:

- the number of times a person may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people);
- the number of times a person may give a late temporary event notice (10 times per year for a personal licence holder and 2 times per year for other people);
- the number of times a temporary event notice may be given in respect of any particular premises (15 times in a calendar year);
- the length of time a temporary event may last for these purposes (168 hours);
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises (21 days per calendar year); and
- the scale of the event in terms of the maximum number of people attending at any one time (a maximum of 499).

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. The limits applying to late temporary event notices are included within the overall limits applying to the total number of temporary event notices. Note 15 below explains the definition of an “associate”.

When permitted temporary activities take place, a premises user must ensure that either:

- a copy of the temporary event notice endorsed as acknowledged by the licensing authority is prominently displayed at the premises; or that
- the temporary event notice is kept at the premises either in his own custody or in the custody of a person present and working at the premises and whom he has nominated for that purpose.

Where the temporary event notice is in the custody of a nominated person, a notice specifying that fact and the position held by that person must be displayed prominently at the premises.

Where the temporary event notice or a notice specifying the nominated person is displayed, a constable or an authorised person (for example, a licensing officer, fire officer or environmental health officer) may require the premises user to produce the temporary event notice for examination. Similarly, where the nominated person has the temporary event notice in his custody, a constable or authorised person may require that person to produce it for examination. Failure to produce the temporary event notice without reasonable excuse would be an offence.

It should also be noted that the following, among other things, are offences under the Licensing Act 2003:

- the sale or supply of alcohol to children under 18 years of age (maximum fine on conviction is a fine up to level 5 on the standard scale, currently £5,000);
- allowing the sale of alcohol to children under 18 (maximum fine on conviction is a fine up to level 5 on the standard scale, currently £5,000);
- knowingly allowing the consumption of alcohol on the premises by a person aged under 18 (maximum fine on conviction is a fine up to level 5 on the standard scale, currently £5,000);
- allowing disorderly behaviour on the premises (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000);
- the sale of alcohol to a person who is drunk (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000);
- obtaining alcohol for a person who is drunk (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000);
- knowingly allowing a person aged under 18 to make any sale or supply of alcohol unless the sale or supply has been specifically approved by the premises user or any individual aged 18 or over who has been authorised for this purpose by the premises user (maximum fine on conviction is a fine up to level 1 on the standard scale, currently £200); and
- knowingly keeping or allowing to be kept on the premises any smuggled goods which have been imported without payment of duty or which have otherwise been unlawfully imported (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000).

In addition, where the premises are to be used primarily or exclusively for the sale or supply of alcohol for consumption on the premises, it is an offence to allow children under 16 to be present when the premises are open for that purpose unless they are accompanied by an adult. In the case of any premises at which sales or supplies of alcohol are taking place at all, it is an offence for a child under 16 to be present there between the hours of midnight and 5am unless accompanied by an adult. In both instances, the penalty on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000.

Note 1

A temporary event notice may only be given by an individual and not, for example, by an organisation or club or business. The individual giving the notice is the proposed "premises user". Within businesses, clubs or organisations, one individual will therefore need to be identified as the proposed premises user.

If you include an e-mail address in section 1(7) or 1(9), the licensing authority may send to this the acknowledgement of receipt of your notice or any notice or counter notice it is required to give under sections 104A, 106A or 107 of the Licensing Act 2003.

Note 2

For the purposes of the Licensing Act 2003, "premises" means any place. Premises will therefore not always be a building with a formal address and postcode. Premises can include, for example, public parks, recreation grounds and private land.

If a premises licence or club premises certificate has effect in relation to the premises (or any part of the premises) which you want to use to carry on licensable activities, it is possible that any conditions which apply to the licence or certificate may be imposed on the temporary event notice if certain pre-conditions are met. These pre-conditions are that the police or the local authority exercising environmental health functions object to the notice and the licensing authority decides:

- not to give a counter notice under section 105 of the Licensing Act 2003;
- the conditions apply to the licence or certificate; and
- the imposition of the conditions on the notice would not be inconsistent with the carrying on of the licensable activities under the notice.

Note 3

A temporary event notice can be given for part of a building, such as a single room or a plot within a larger area of land. You should provide a clear description of the area in which you propose to carry on licensable

activities. This is important as any licensable activities conducted outside the area of the premises protected by the authority of this temporary event notice would be unlawful and could lead to prosecution.

In addition, when holding the proposed event, the premises user would need to be able to restrict the number of people on the premises at any one time when licensable activities are taking place to less than 500. If more than 499 are on the premises when licensable activities are being carried on, the licensable activities would be unlawful and the premises user would be liable to prosecution. The maximum figure of 499 includes, for example, staff, organisers, stewards and performers.

Note 4

A description of the nature of the premises assists the chief officer of police and local authority exercising environmental health functions in deciding if any issues relating to the licensing objectives are likely to arise. You should state clearly that the premises to be used are, for example, a public house, a restaurant, an open field, a village hall or a beer tent.

Note 5

A description of the nature of the event similarly assists the chief officer of police and local authority exercising environmental health functions in making a decision as to whether or not to make an objection. You should state clearly that the event taking place at the premises would be, for example, a wedding with a pay bar, the supply of beer at a particular farmers' market, a discotheque, the performance of a string quartet, a folk group or a rock band.

Note 6

The licensable activities are:

- the sale by retail of alcohol;
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of a club;
- the provision of regulated entertainment; and
- the provision of late night refreshment.

Please refer to Schedules 1 and 2 to the Licensing Act 2003 for fuller details of the definitions and exemptions relating to regulated entertainment and late night refreshment.

Regulated entertainment, subject to specified conditions and exemptions, includes:

- (a) a performance of a play;
- (b) an exhibition of a film;
- (c) an indoor sporting event;
- (d) a boxing or wrestling entertainment;
- (e) a performance of live music;
- (f) any playing of recorded music;
- (g) a performance of dance;
- (h) entertainment of a similar description to that falling within (e), (f) or (g).

If you are uncertain whether or not the activities that you propose are licensable, you should contact your licensing authority for further advice.

Note 7

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event in relation to which the notice is given. A late notice given later than 5 working days before the event to which it relates will be returned as void and the activities described in it will not be authorised.

The number of late notices that can be given in any one calendar year is limited to 10 for personal licence holders and 2 for non-personal licence holders. These count towards the total number of temporary event notices (i.e. 50 temporary event notices per year for personal licence holders and 5 temporary event notices for non-personal licence holders).

If there is an objection from either the police or local authority exercising environmental health functions, the event will not go ahead and a counter notice will be issued.

Note 8

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Note 9

You should state here the times during the event period, for example 48 hours, when you intend to carry on licensable activities. For example, you may not intend to carry on licensable activities throughout the entire 48 hour event period, and may intend to sell alcohol between 8.00 hrs and 23.00 hrs on each of the two days.

Note 10

No more than 499 may be on the premises for a temporary event at any one time when licensable activities are being carried on. If you intend to have more than 499 attending the event, you should obtain a premises licence for the event. Your licensing authority should be able to advise you. The maximum figure of 499 does not just include the audience, spectators or consumers and includes, for example, staff, organisers, stewards and performers who will be present on the premises.

Note 11

If you indicate that alcohol will be supplied only for consumption on the premises, you would be required to ensure that no person leaves the premises with alcohol supplied there. If such a supply takes place, the premises user may be liable to prosecution for carrying on an unauthorised licensable activity. Similarly, if the premises user gives notice that only supplies of alcohol for consumption off the premises will take place, he/she must ensure that alcohol supplied is not consumed on the premises. The premises user is free to give notice that he/she intends to carry on both types of supplies. For this purpose the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 12

Relevant entertainment is defined in the Local Government (Miscellaneous Provisions) Act 1982 ("the 1982 Act") as *any live performance or any live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means)*. Relevant entertainment therefore includes, but is not limited to, lap dancing and pole dancing.

The 1982 Act requires premises which provide relevant entertainment to be licensed under that Act for this purpose. Premises at which there have not been more than eleven occasions on which such entertainment has been provided within a period of 12 months, no such occasion has lasted for more than 24 hours and there has been a period of at least one month between each such occasion are exempt from the requirement to obtain a licence under the 1982 Act. Such premises are likely instead to require an authorisation under the Licensing Act 2003 to be used for such activities as these are a licensable activity (the provision of regulated entertainment – see note 6 above). A temporary event notice may be given for this purpose.

Note 13

The holder of a valid personal licence issued under the Licensing Act 2003 may give up to 50 temporary event notices in any calendar year subject to the other limitations in the 2003 Act. A proposed premises user who holds such a licence should give the details requested.

Note 14

As stated under Note 13, a personal licence holder (issued under the Licensing Act 2003) may give up to 50 temporary event notices (including 10 late notices) in any calendar year. An individual who does not hold a personal licence may only give 5 temporary event notices (including 2 late notices) in England and Wales in any calendar year. A calendar year is the period between 1 January to 31 December inclusive in any year.

If an event straddles two calendar years, it will count against the limits on temporary event notices (15 for each premises, 21 days for each premises, 50 per personal licence holder and 5 for non-holders) for each year, however, only one notice needs to be given.

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. Note 14 below sets out the definition of an "associate".

If a temporary event notice has been given for the same premises, by the same premises user, and would have effect within 24 hours before the start of the event period under the current proposal or within 24 hours after the end of that period, the temporary event notice given would be void and any licensable activities carried on under it would therefore be unlicensed.

For the purposes of determining whether or not the required gap of 24 hours is upheld, temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count as if they had been given by the premises user himself. Note 15 below sets out the definition of an “associate”.

Note 15

An “associate” of the proposed premises user is:

- a. the spouse of that person;
- b. a child, parent, grandchild, grandparent, brother or sister of that person;
- c. an agent or employee of that person; or
- d. the spouse of a person within (b) or (c).

For these purposes, a person living with another as that person’s husband or wife is to be treated as that person’s spouse.

Note 16

It is a requirement that you send at least one copy of this notice to the licensing authority at least ten working days (or five working days for a late notice) before the commencement of the proposed licensable activities. The authority will give you written acknowledgement of the receipt of the notice. This will be important proof that you gave the notice and when you gave it for the purposes of the Act. Some premises may be situated in two licensing authority areas, for example, where a building or field straddles the local authority boundary. Where this is the case, at least one copy of the notice must be sent to each of the licensing authorities identified, together with the appropriate fee in each case. In such circumstances, you will receive acknowledgements from all the relevant licensing authorities.

One copy must be sent to each of the chief officer of police and the local authority exercising environmental health functions for the area in which the premises is situated at least ten working days for a standard notice (or five working days for a late notice) before the commencement of the proposed licensable activities. Where the premises are situated in two police areas or environmental health areas, a further copy will need to be sent to the second police force and local authority exercising environmental health functions.

Note 17

Under the Licensing Act 2003, all temporary event notices are given subject to a mandatory condition requiring that where the licensable activities involve the supply of alcohol, all such supplies must be made by or under the authority of the named premises user. If there is a breach of this condition, the premises user and the individual making the supply in question would be liable to prosecution. For this purpose the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 18

It is an offence knowingly or recklessly to make a false statement in, or in connection with, a temporary event notice. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement). To do so could result in prosecution and a fine not exceeding level 5 on the standard scale.

Note 19

You should not complete section 10 of the notice, which is for use by the licensing authority. It may complete this section as one means of giving you written acknowledgement of the receipt of the notice.

Advice for applicants:

Under the above Act, by applying for temporary events notice (TEN) and you are not a Personal Licence Holder you are limited to 5 standard TENs of which 2 can be Late TENs per calendar year (1st January to 31st December) although each event can last up to 168 hours (seven days).

Personal licence holders can apply for a maximum of fifty TENs of which 10 can be Late TEN per calendar year.

A venue can hold up to 15 TENs per year, subject to a maximum aggregate duration of the periods covered by TENs at any individual premises of 21 days in any year.

For the purposes of determining the overall limits of 50 temporary event notices in a calendar year and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business also involves carrying on licensable activities) counts towards these totals.

Under 500 person capacity

If the proposed event has an invited or expected attendance of **no more** than 499 persons, including staff, stewards, organisers and performers who will be present on the premises, the ACT requires that at least 10 FULL working days notice is given to the Local Authority, the Police and Environmental Protection for a standard TEN.

LATE TENs should only be used in exceptional circumstances, at least 5 FULL working days notice is to be given to Local Authority, the Police and Environmental Protection.

Please note: Should one of the responsible authorities object to a LATE TEN, a counter notice will be issued and the event will not be able to take place.

(Over 500 person capacity)

If the proposed event has an invited or expected attendance of **more** than 499 persons, You will need to apply for a premise licence. You will require forms for a premise licence. If you have not been sent these forms contact me urgently. The Act requires that at least two months notice and you will see from the application forms that the process is different to that of events under 500 capacity.

The completed notice should be returned to the Licensing Authority with any accompanying information, a photocopy of all and the relevant fee to the address given. The fee can be paid by cheque, to be made payable to the London Borough of Tower Hamlets, Telephone 020 7364 5008 or On-line:

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

The licensing authority will endorse one of the two copies you send us and return it to you as an acknowledgement of receipt. Should objections be received, conditions may be imposed on your TEN either through the hearing process or through negotiation with the responsible authorities. You will be issued with a "Statement of Conditions" and this is required to be kept with your copy of the Notice.

Corinne Holland

From: Harry Donovan [REDACTED]
Sent: 24 November 2021 14:50
To: Licensin MARKJ.Perr [REDACTED]
Cc: [REDACTED]
Subject: Re: Tobacco Dock NYE TEN Objection.doc
Attachments: 20211124142016062.pdf
Follow Up Flag: Follow up
Flag Status: Completed

Hi Mark,

Many thanks for your time this morning & your follow up feedback. Always positive to have this level of open dialogue to ensure we are protecting our customers and respecting our local residents with the guidance of LBTH & The Met.

As discussed, this event is at Skylight Rooftop Bar and will be operated and managed by the Skylight team as we do day-to-day. It is a ticketed New Years celebration featuring an ice skating performance, street food, music from our resident DJs (not headline DJs) and drinks from our usual winter drinks menu. Each guest will get a complimentary glass of champagne within their ticket price.

As we have done with our past 4 New Year's Eve events (without any issues) we will have 9x SIA onsite to ensure the safety of our guests. They will be performing pat downs, ID checking & bag searches on all attendees.

Additional water stations will be made available as well as tap water provided to every table booking upon arrival. Our full winter alpine menu will be available until 11:30pm - serving hearty alpine food options.

We will also have a dedicated paramedic onsite for the duration of the event as a precautionary measure to deal with any incidents that may arise.

Our entertainment is provided by DJ Orin. He is an internal resident DJ at Skylight Tobacco Dock and performs Disco & Soul on a fortnightly basis, see link for more information.

<https://www.euphonica.com/artists-cat/dj-orin-2/>

We will be regulating sound levels as we do usually to ensure sound level limits are adhered to and nuisance is kept to an absolute minimum. These sound level readings are recorded via an online, date stamped system by photograph & free type summary.

Our egress plan stipulates that, as usual, we will slowly funnel people out of the venue in a staged manner, clearing each level of the venue floor by floor. Security on the gates will be able to ensure no drinks or glass leave the building and that all guests know exactly where they are going.

Our Ped barrier & SIA presence on Pennington Street will ensure that all of our guests are guided up Chigwell Hill, onto the highway, where they can easily access busses, London Overground, DLR, black cabs and App ordered cars and away from all residents. This egress plan has been successfully used by us for any of our special event operations at Skylight.

Additional signage lining the outward bound route through the building advising guests of resident impact and how they should behave when leaving the venue. Our staff also conduct a street sweep for litter and any loiterers prior to locking our gates.

I am aware that both Tobacco Dock & E1 also have New Years Eve plans and our egress is timed in order to reduce the cross pollination of guests and reduce the COVID risks caused by mass interaction.

Please get in touch if there's anything else you need from me in the way of documentation or clarity on our plans for the NYE event.

Many thanks

Harry Donovan
Venue Manager
Skylight | Tobacco Dock

SKYLIGHT
Meanwhile Events

w: <https://www.skylightbars.com/>
a: The Dock, Tobacco Quay, London E1W 2SF

Meanwhile Events Limited Registered In England No 11384586



Sent with a [Spark](#)
On 24 Nov 2021, 09:31 +0000, MARK.J.Perry@[REDACTED], wrote:

Dear all,

Please see Tobacco Dock NYE Ten Objection.

Harry if you can answer the points in my objection that would assist in me agreeing to the event.

Kind Regards

Mark



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

<image002.png>

Email [REDACTED]

A: Licensing Office, 1st Floor Stoke Newington Police Station

<image005.png>

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Corinne Holland

From: Licensing
Sent: 25 November 2021 09:14
To: Corinne Holland
Subject: FW: Tobacco Dock NYE TEN Objection.doc

From: Jonathan Read <[REDACTED]>
Sent: 24 November 2021 19:09
To: MARK.J.Perry [REDACTED]
Cc: [REDACTED]
[REDACTED] Licensing
Subject: Re: Tobacco Dock NYE TEN Objection.doc

Hi Mark

As Harry has stated there will also be a NYE event in the Tobacco Dock main venue. We will have the usual SIA security and stewards for this event and also there will be live sound monitoring throughout. The sound monitoring consultants – Joynes Nash – will be on radio contact with Harry's team as well as LWE and their monitoring will be in addition to our own operations team monitor levels.

The team looking after security in the main venue will ensure that patrons from both Skylight and Tobacco Dock will be mindful of local residents and make egress as quiet and smooth as possible.

Do revert to Harry or I if you have any further concerns or need any reassurances.

Kind regards

Jonathan
(DPS)

Jonathan Read
Co-Founder & Commercial Director

Meanwhile Events Limited

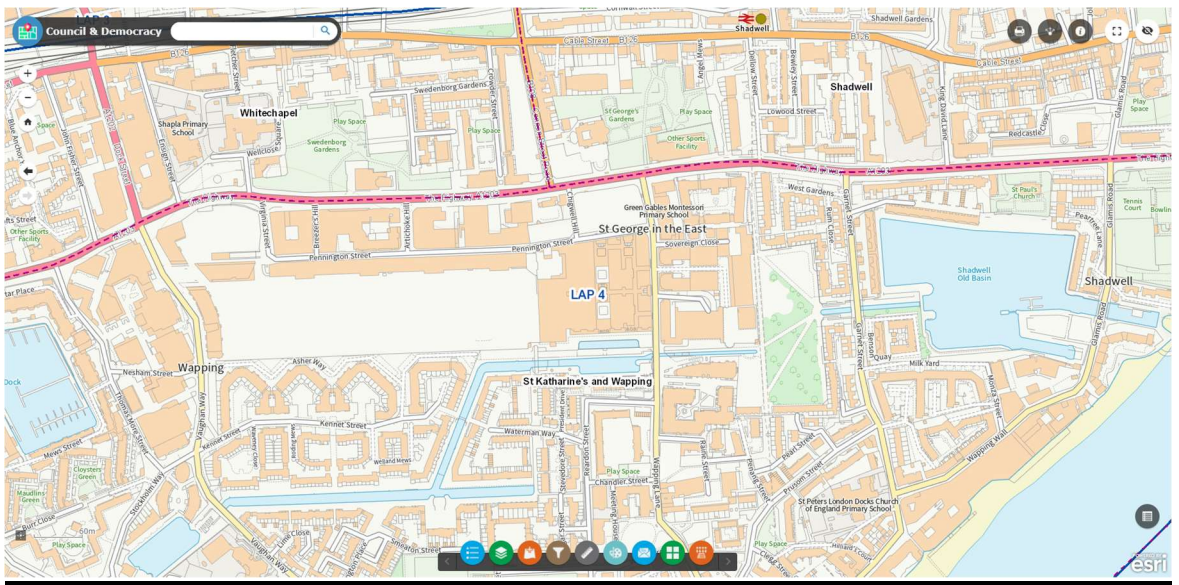
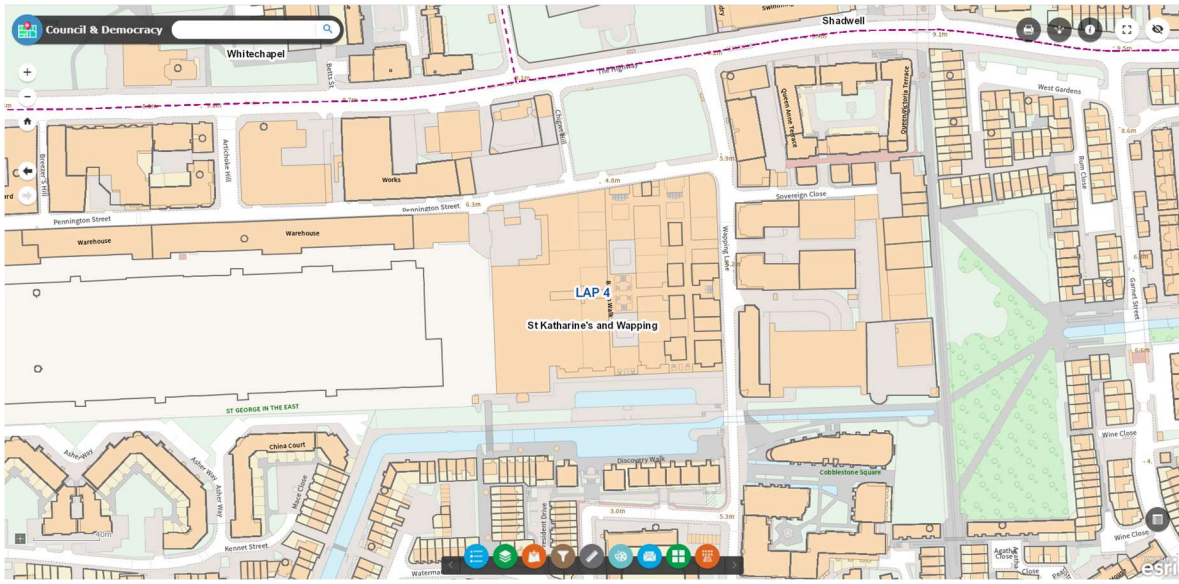
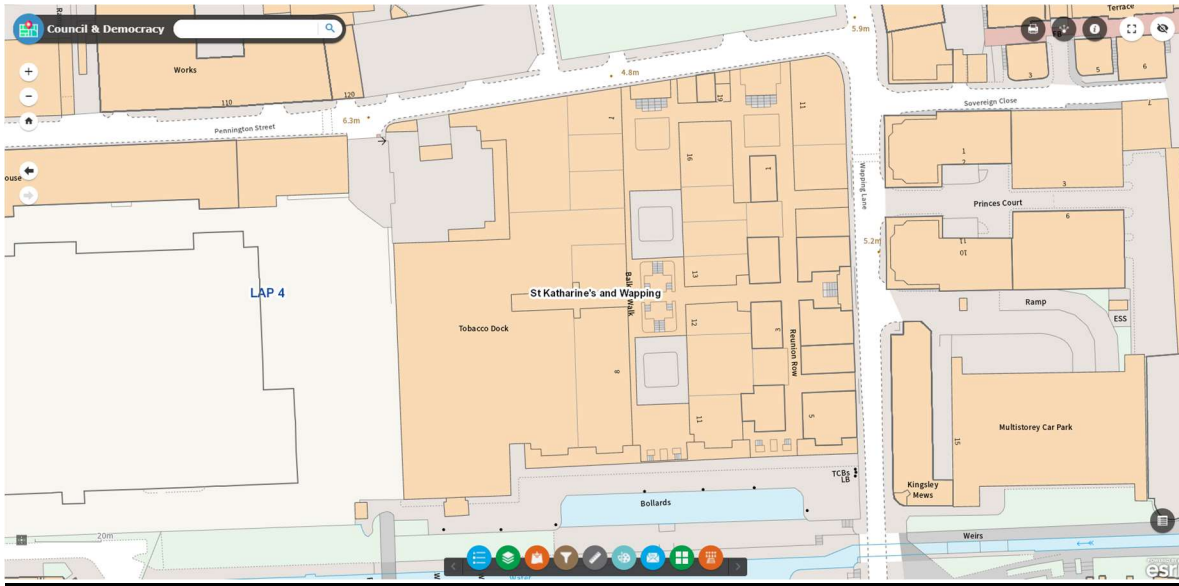
[REDACTED]
w: skylightbars.com
a: The Dock, Tobacco Quay, London E1W 2SF



Global Award for Best Outdoor/Open Air Venue
Meanwhile Events Limited Registered In England No 11384586

Appendix 2

Maps – Tobacco Dock



Appendix 3

(Tobacco Dock)
50 Porters Walk
London
E1W 2SF

Licensable Activities authorised by the licence

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

See the attached licence for the licence conditions

Signed by

David Tolley 
Head of Environmental Health & Trading Standards

Date: 27th July 2017

Review 3rd March 2020



Part A - Format of premises licence

Premises licence number

29592

Part 1 - Premises details

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

(Tobacco Dock)
50 Porters Walk

Post town
London

Post code
E1W 2SF

Telephone number
None

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 provision of regulated entertainment

The times the licence authorises the carrying out of licensable activities

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

- Monday to Sunday from 10:00hours to 00:30hours (the following day)
- Dock Street Bar only Wednesday to Friday 12 noon to 23:00 hours (see condition 3)
- The sale of alcohol for a pre-booked event so notified in accordance with condition 2 on Level 10 and 11between 12 noon and 2300
- The sale of alcohol to the public on Level 9,10 and 11 of the car park labelled on the plan between the hours of 12noon and 2300 Thursday to Sunday.

The Provision of Late Night Refreshments - Indoors

- Monday to Sunday from 23:00hours to 01:00hours (the following day)

The Provision of Regulated Entertainment - Indoors

(Live music, recorded music, performance of dance and anything of a similar description)

- Monday to Sunday from 10:00hours to 01:00hours (the following day)

Non-Standard Timing

- All Licensable activities until 02:00 hours (the following day) for a maximum 15 occasions in a calendar year

The opening hours of the premises

- Monday to Sunday from 08:00hours to 01:30hours (the following day)

Non-Standard Timing

- Until 02:30 hours (the following day) for a maximum 15 occasions in a calendar year

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

Tobacco Dock Venue Limited
Dalton House
60 Windsor Avenue
London
SW19 2RR

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

07990825

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

Jonathan Read

[REDACTED]

[REDACTED]

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

Personal licence number: [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

1. A F696 risk assessment shall be submitted if there are any outside promoters or DJs.
2. All events including the details of the Hirer, number of patrons attending, licensable activities provided and hours of licensable activities, together with a layout plan will be notified to the Licensing Authority, police and Environmental Health Officer at least 14 days before the event takes place, unless otherwise agreed by the Metropolitan police and Environmental Health Officer.
3. No licensable activities shall be permitted other than:
 - a. a pre-booked event so notified in accordance with condition 2
 - b. the sale of alcohol to persons working at Tobacco Dock and their bona fide guests in the room labelled on the plan at Annex 4 "The Dock Street Bar" between the hours of 12 noon and 23:00 hours Wednesday to Friday.
 - c. the sale of alcohol for a pre-booked event so notified in accordance with condition 2 on Level 10 and 11 between 12 noon and 23:00
 - d. the sale of alcohol to the public on Level 9,10 and 11 of the car park labelled on the plan between the hours of 12noon and 23:00 Thursday to Sunday.
4. There shall be no other licensable activities on Level 10 and 11 other than set out in condition 3(c) and (d) above.

5. A telephone number and / or email address shall be made available on relevant Tobacco Dock websites for noise complaints. Any noise complaints should be logged and investigated with written records of the details available to view by the local authority. Should any noise complaints be received, and if noise levels are above those specified in the licence conditions, immediate action shall be taken to reduce the levels at the noise source. A complaints log should be maintained throughout every event, detailing addresses of complainants, times and action.
6. Loudspeakers shall be directed inwards as much as possible to reduce overspill from the intended coverage area.
7. All plant associated with events (generators, chillers etc) shall be located as far away from noise sensitive locations as possible.
8. For music and cinema type events, the sound system shall be a line-array. The line-array should be carefully designed to be as distributed as possible and include delay speakers in order to provide coverage to smaller areas rather than the entire venue. It shall also be directed away from noise sensitive properties.
9. For music events beyond 23:00 hours the sound control programme that should be followed is detailed below:-

Sound Propagation Tests:

Sound propagation tests should be carried out before a major music event with all mitigation measures in place to correlate the sound levels from the event with those at the nearest noise sensitive properties. This will enable any necessary adjustments to be made to the sound system to maximise the containment of music and achieve acceptable levels at the residential locations. A sound limit shall then be set for that event, which shall be subject to further reduction as necessary. The day and times of any sound propagation test will be agreed with the local authority.

Sound Monitoring and Control:

10. The noise levels at the residential properties shall be regularly checked to ensure they comply with the noise conditions. If off site levels begin to approach the noise limits, noise reductions will be immediately implemented.

In addition to the above, it is recommended that a suitably qualified independent acoustic consultant is employed for the first major music event to ensure that the noise levels do not exceed those specified in the proposed licence conditions.

11. Persons who are travelling to or from the premises by means of private transport shall use the parking facilities which are available next door to the site and away from the public highway. The availability of parking reduces the pressure on on-street parking and reduces the number of people leaving the premises having to walk on the public highway.
12. Patrons of the premises shall be provided details of preferred minicab companies.
13. All deliveries and servicing (including waste management servicing) to the premises shall be carried out internally and accordingly away from the public highway.
14. Bottles used in the premises shall not be disposed of late at night or early in the morning, as such disposal can produce high noise levels and be a potential public nuisance.
15. Where the nature of a function, the number of people attending a function, and the opening and closing times of a function make it appropriate, marshals shall marshal and monitor the entrance to and egress from the premises of those persons attending the premises. They shall also monitor where appropriate the behaviour of persons in the vicinity of the premises. This will help to achieve orderly arrival and departure of persons, and will help to reduce the risk of nuisance being caused by persons arriving at and leaving the premises.
16. Where the level of noise in the premises and the time of day or night make it appropriate, the doors to the premises shall be maintained closed (except in the case of an emergency evacuation) in order to prevent noise breakout from the premises via open doors.
17. The same applies to the windows in the premises, which shall be maintained closed where the level of noise in the premises and the time of day or night make it appropriate.
18. Noise levels shall be specified in the contract conditions with hirers of the premises to ensure sound levels are maintained within the limits in order to reduce the risk of disturbance. Furthermore, during a function in the premises, sample noise measurements shall be made by a designated person with an approved sound level meter to ensure that the levels are not being breached. Immediate action will be taken to reduce levels if this should arise.

19. In addition to take measurements, subjective monitoring shall be carried out at appropriate times along the nearest sensitive facades. This is to provide a subjective check that all the measures in place in respect of the premises are working to prevent public nuisance being caused in connection with the premises.
20. Noise from amplified music and speech as measured in a free field position in Discovery Walk representative of noise sensitive properties shall not exceed 46dBA Leq between 11pm and 2am measured over a 5 minute period or 56dBA Leq between the hours of 10am and 11pm over a 15 minute period.
21. CCTV camera covering both internal and external to the premises shall be installed. The CCTV recordings shall be maintained for 30 days and to be provided upon request to either a Police Officer or an officer of any other Responsible Authority.
22. At all times when the premises is open, a person who can operate the CCTV system must be present on the premises.
23. The level of security personnel is assessed for each event and appropriate levels of SIA security will be employed for those events where it is deemed necessary, taking account of the nature of the event, licensable activities taking place, number of persons attending and hours for which licensable activities are taking place.
24. Patrons will not be permitted to take alcohol away from the premises in open containers.
25. Appropriate Fire and other event-related Risk assessments are carried out for the events as well as adopting a policy for dispersal of the patrons.
26. Patrons are not permitted to consume alcohol on the quayside after 9pm.
27. Licensable activities on either of the two ships will cease at 9pm other than the lower deck of the ship which connects to the Tobacco Dock building.
28. Notices will be displayed advising patrons to leave quietly and where practicable via the Pennington Street car park away from residential dwellings as much as possible. Temporary taxi ranks will be set-up by the event organiser in this car park to prevent crowds and associated noise causing public nuisance on the corner of Wapping Lane and The Highway.
29. A Challenge 25 policy will be adopted.

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

30. A screen to help deflect noise is to be placed on the Discovery Walk side of the Skylight Bar. The type of material and the size of the screen is subject to the approval of the London Borough of Tower Hamlets Environmental Health Noise Team.

31. Sec.177A of the Licensing Act 2003 does not apply to condition 30

Annex 4 - Plans

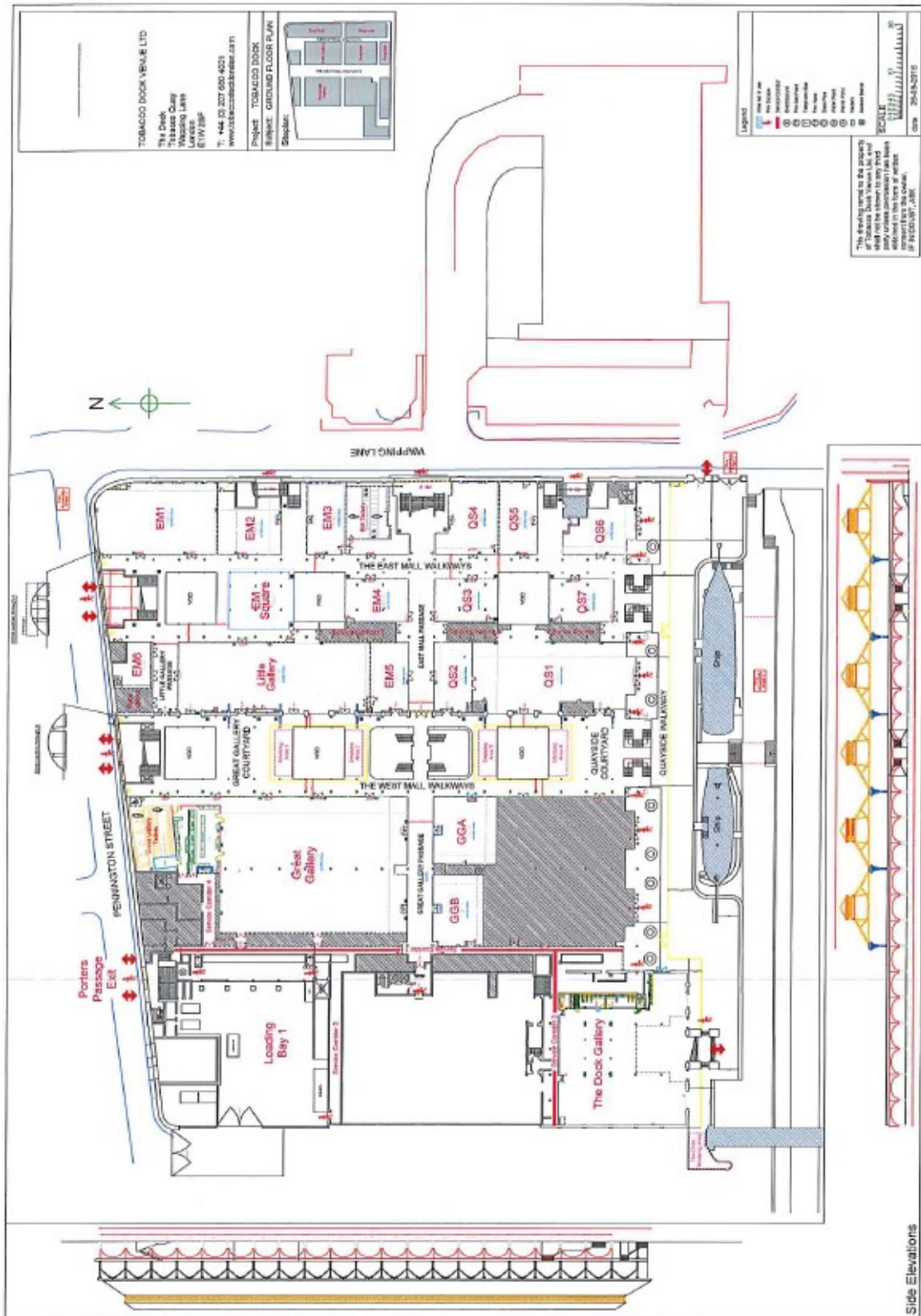
The plans are those submitted to the licensing authority on the following date(s):

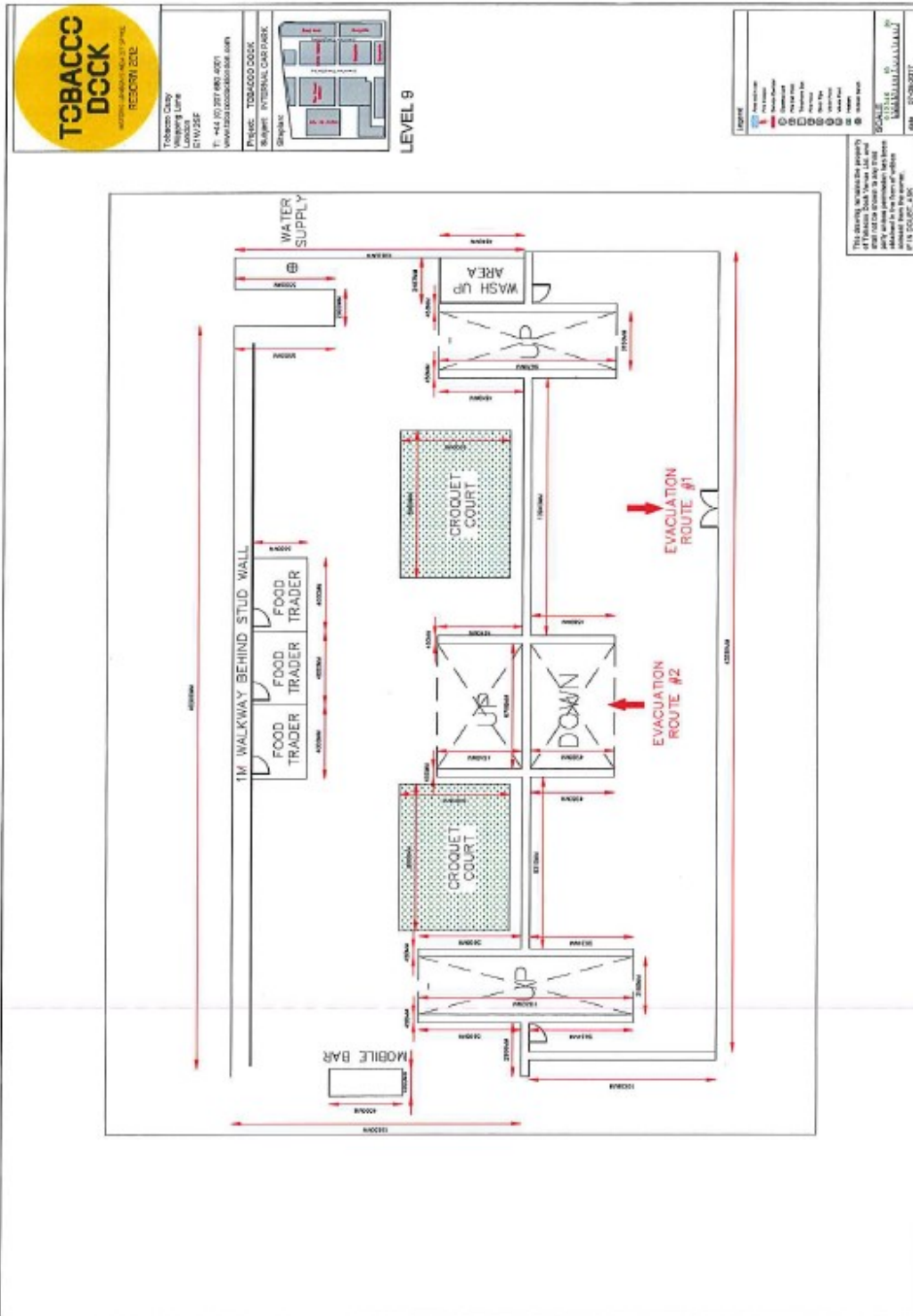
8th June 2017 - Ground Floor (*Dated, 26 - 09 - 2016*)

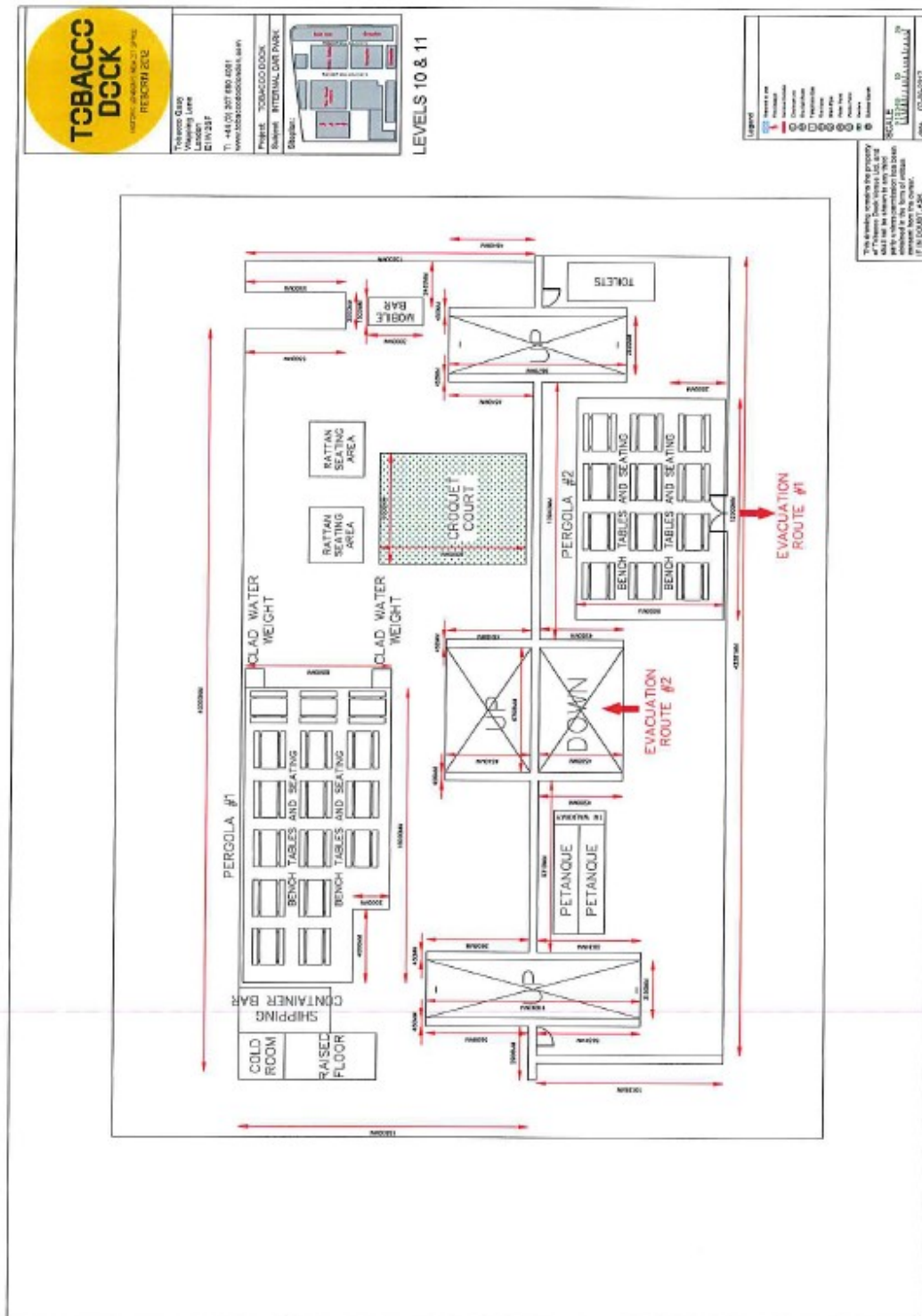
Vaults Floor (*Dated, 26 - 09 - 2016*)

Internal car park, Level 9 (*dated 07 - 06 - 2017*)

Internal car park, Levels 10 & 11 (*dated 07 - 06 - 2017*)









Part B - Premises licence summary

Premises licence number

29592

Premises details

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

(Tobacco Dock)
50 Porters Walk

Post town

London

Post code

E1W 2SF

Telephone number

None

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 provision of regulated entertainment

The times the licence authorises the carrying out of licensable activities

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

- Monday to Sunday from 10:00hours to 00:30hours
- Dock Street Bar only Wednesday to Friday 12 noon to 23:00 hours (see condition 3)
- The sale of alcohol for a pre-booked event so notified in accordance with condition 2 on Level 10 and 11between 12 noon and 2300
- The sale of alcohol to the public on Level 9,10 and 11 of the car park labelled on the plan between the hours of 12noon and 2300 Thursday to Sunday.

The Provision of Late Night Refreshments - Indoors

- Monday to Sunday from 23:00hours to 01:00hours

The Provision of Regulated Entertainment - Indoors

(Live music, recorded music, performance of dance and anything of a similar description)

- Monday to Sunday from 10:00hours to 01:00hours

Non-Standard Timing

- All Licensable activities until 02:00 hours (the following day) for a maximum 15 occasions in a calendar year

The opening hours of the premises

- Monday to Sunday from 08:00hours to 01:30hours

Non-Standard Timing

- Until 02:30 hours (the following day) for a maximum 15 occasions in a calendar year

Name, (registered) address of holder of premises licence

Tobacco Dock Venue Limited
Dalton House
60 Windsor Avenue
London SW19 2RR

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

On and off sales

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

07990825

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

Jonathan Read

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

Not restricted

Appendix 4



Tom Lewis
Head of Licensing
Tower Hamlets Council

HT - Tower Hamlets Borough

Licensing Office
Shoreditch Police Station

Email: [REDACTED]
www.met.police.uk

24/11/2021

Dear Sir,

Central East Police Licensing formally object to the application for the temporary Event Notice for the Tobacco Dock on the 31st December 2021

The rejection is on the grounds of both preventing crime and disorder and public nuisance. The applicant wants to be open to be able to sell alcohol and provide regulated entertainment on New Years Eve, one of the busiest nights of the year from 12:00 until 3:00am.

Given the nature of the event, and the heightened risk of people becoming vulnerable being involved in alcohol and drug related crime and disorder due to becoming drunk or taking drugs we expect the applicant to at least outline what steps they will take to mitigate these obvious risks. The applicant has provided no such details.

Sadly the applicant has not even explained what the event is, simply stating that it is either an outdoor Christmas themed F & B event. This makes it impossible for us to look at the event and assess the risks and using our professional judgement decide weather it will lead to an increase in crime and disorder and public nuisance.

Since the applicant has not stated there is any SIA security we have to take it that is none, so how will the venue deal with any incidents of disorder or violence that take place? If there is no security on the door who will be checking guests to make sure they are 18 or over? The applicant has not stated how they will stop customers becoming intoxicated, or how they will deal with customers if they do become intoxicated.

With the event finishing at 3am how will the 499 people attending get home, given the paucity of public transport links in the area. How will the applicants prevent customers

causing noise nuisance to the large number of residents who live in the area? The applicants do not say.

We believe that at the moment with the scant detail provided this event risks causing crime and disorder and public nuisance and fails to protect children from harm.

We therefore ask that the application is rejected.

Kind Regards

Mark



PC Mark Perry
Central East Licensing Unit
Metropolitan Police Service (MPS)
Email [REDACTED]
A: Licensing Office, 1st Floor Stoke Newington Police Station

Appendix 5

Corinne Holland

From: Nicola Cadzow
Sent: 24 November 2021 11:42
To: Licensing
Cc: MARK.J.Perry [REDACTED] Barr .D.Leban [REDACTED]
harry.donova [REDACTED]
Subject: MAU REPRESENTATION 143761 NYE Tobacco Dock Wapping London

Follow Up Flag: Follow up
Flag Status: Completed

Dear Licensing,

I have considered the temporary event (TENS) for New Year's Eve for Tobacco Dock Wapping London rooftop bar (Skylight Bar) and the potential impact of public nuisance and measures to prevent noise generated from within the venue for use of the outdoor terrace area which could cause disturbance to people in the vicinity.

The applicant is proposing licensable activities:

sale of alcohol, late night refreshment and regulated entertainment until 03:00 hours new year eve into new years day on the outdoor rooftop area.

Sensitive premises: Residential and commercial premises close proximity to the venue.

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) for the external use of the roof terrace external area

CONCLUSION

Environmental Protection **does not** support the application Tobacco Dock Wapping London roof terrace external area, as there is great likelihood of disturbance at the late hours sought.

Kind regards

Nicola Cadzow

Environmental Health Officer
Environmental Protection Team
Place Directorate
London Borough of Tower Hamlets
Mulberry Place Town Hall
5 Clove Crescent
London E14 2BG

[REDACTED]
www.towerhamlets.gov.uk

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Agenda Item 3.4

Committee : Licensing Sub Committee	Date 16 December 2021	Classification Unclassified	Report No.	Agenda Item No.
---	--------------------------	---------------------------------------	------------	-----------------

Report of David Tolley Head of Environmental Health & Trading Standards Originating Officer: Ibrahim Hussain Licensing Officer	Title: Licensing Act 2003 Temporary Event Notice for Creative Events Space, Algha Works, Smeed Road, London, E3 2NR Ward affected: Bow East
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1.0 Summary

Applicant: **Mr Poulos Kyriakos**

Address of Premises: **Algha Works, Smeed Rd, Bow, London, E3 2NR**

Objectors: **Environmental Protection**

2.0 Recommendations

2.1 That the Licensing Committee considers the application and objections then adjudicates accordingly.

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

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

Licensing Act 2003 Section 182 Guidance
Licensing Policy
File Only

Ibrahim Hussain
020 7364 3329

3.0 **Background**

- 3.1 This is an application for a Standard Temporary Event Notice.
- 3.2 Enclosed is a copy of the application - **Appendix 1 (with supplementary emails)**.
- 3.3 The applicant has described the nature of the application as follows:
“Immersive experice event of Performers, Art, Dancing and drinking”
- 3.4 The premises that has been applied for is:
Algha Works, Smeed Rd, Bow, London, E3 2NR
- 3.5 The dates and timings that have been applied for are as follows:
- Friday New Year Eve 31st December 2021 10:00 to 1st January 2022
05:00 hours (New Year’s Day)
- 3.6 A map showing the relevant premises and immediate area is included as **Appendix 2**.

4.0 **Premises Licence**

- 4.1 The venue does not hold a premises licence.

5.0 **Temporary Event Notices**

- 5.1 Temporary Event Notices (TENs) are a creation of the Licensing Act 2003. They provide a method by which licensable activities can be carried out on a temporary basis (max. 168 hrs) without a licence. The maximum number that can attend at any one time is 499. At least 10 full working days notice must be given to the licensing authority. When a TEN cannot be obtained, for example the event is over 499, then a full premises licence must be obtained, for a limited duration.
- 5.2 The licensing authority cannot oppose an application, (nor can local residents or businesses. The licensing authority must reject any application that does not meet the rules as to numbers, maximum per year etc. The limits are now as follows: 15 TEN per calendar year or 21 days. The responsible authorities that can object is the Metropolitan Police or Environmental Protection.
- 5.3 The Police and Environmental Protection can object on the grounds that allowing the event to go ahead will undermine one of the Licensing Objectives.
- 5.4 Following an objection by the relevant responsible authority one or more conditions may be imposed by the Licensing Authority

- (a) if it considers it appropriate for the promotion of the licensing objectives to do so,
 - (b) the conditions are also imposed on a premises licence or club premises certificate that has effect in respect of the same premises, or any part of the same premises, as the temporary event notice, and
 - (c) the conditions would not be inconsistent with the carrying out of the licensable activities under the temporary event notice.
- 5.5 Where the authority decides to impose one or more conditions;
- (a) the authority must give the premises user notice of the decision;
 - (b) the notice must be accompanied by a separate statement (the “statement of conditions”) which sets out the conditions that have been imposed on the temporary event notice; and
 - (c) a copy of the notice and statement of conditions must be given to each relevant party.
- 5.6 LATE TENs have been created through the Police Reform and Social Responsibilities Act 2011, a Late TEN can be made no later than FIVE working days and no earlier than NINE working days before the event. The limits to these applications are no more than 2 for a non personal licence holder or no more than 10 for a personal licence holder.
- 5.7 The Police and Environmental Protection can object to Late TENs, if an objection is made the Licensing Authority must issue a counter notice advising the event cannot take place.
- 6.0 **Objections**
- 6.1 Environmental Protection objections are contained in **Appendix 3**.

7.0 Advice to Members

- 7.1 The Police Reform and Social Responsibility Act 2011 amended legislation whereby Environmental Protection alongside Police can object to Temporary Event Notice under any of the licensing objectives.
- 7.2 This hearing is required by the Licensing Act 2003. As always, the decision is on the civil burden of proof, i.e. the balance of probability.
- 7.3 Members can consider any of the licensing objectives. Other matters can also be dealt with elsewhere by primary legislation.
- 7.4 Premises users are not required to be on the premises for the entire duration of the event authorised by the TEN, but they will remain liable to prosecution for certain offences that may be committed at the premises during the period covered by it. These include, for example, the offences of the sale of alcohol to a person who is drunk; persistently selling alcohol to children; and allowing disorderly conduct on licensed premises.
- 7.5 The police or local authority exercising environmental health functions may contact the premises user to discuss their objections and try to come to an agreement which will allow the proposed licensable activities to proceed. The TEN can be modified. If there is no agreement, the licensing authority must hold a hearing to consider the notice.

8.0 Legal Comments

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

9.0 Finance Comments

- 9.1 There are no financial implications in this report.

10.0 Appendices

Appendix 1	A copy of the application/supplementary emails
Appendix 2	Maps of the area
Appendix 3	Environmental Protection objection

Appendix 1

LONDON BOROUGH OF TOWER HAMLETS

Temporary Event Notice



Before completing this notice please read the guidance notes at the end of the notice. If you are completing this notice by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)	
1. Your name	
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	KYRIAKOS
Forenames	POULOS
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)	
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	
Forenames	
3. Your date of birth	[REDACTED]
4. Your place of birth	[REDACTED]
5. National Insurance Number	[REDACTED]
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)	
[REDACTED]	
Post town LODNON	Post code [REDACTED]
7. Other contact details	
Telephone numbers	[REDACTED]
Daytime	[REDACTED]
Evening (optional)	[REDACTED]
Mobile (optional)	[REDACTED]
Fax number (optional)	[REDACTED]
E-Mail Address (if available)	[REDACTED]

8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	
Post town	Post code
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail Address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references) (Please read note 2)	
Alpha Works, Smeed Rd, Bow, London E3 2NR,	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
IT WILL ONLY BE APPLIED AT THE PREMISES BASEMENT – MAIN SPACE 1ST FLOOR – TOILETS 2ND FLOOR – CHILL OUR AREA	
Please describe the nature of the premises below. (Please read note 4)	
CREATIVE EVENTS SPACE	
Please describe the nature of the event below. (Please read note 5)	
IMMERSIVE EXPERICE EVENT	

3. The licensable activities	
Please state the licensable activities that you intend to carry on at the premises (please tick all the licensable activities you intend to carry on). (Please read note 6)	
The sale by retail of alcohol	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input checked="" type="checkbox"/>
The provision of regulated entertainment (please read note 7)	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input checked="" type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 8)	<input checked="" type="checkbox"/>
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)	
31 DEC - 1 JAN	
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 10)	
10 PM – 5 AM	
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)	499
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please tick as appropriate) (Please read note 12)	On the premises only <input checked="" type="checkbox"/>
	Off the premises only <input type="checkbox"/>
	Both <input type="checkbox"/>

Please if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment. (Please read note 13)
PERFORMERS, ART, DANCING AND DRINKING

4. Personal licence holders (Please read note 14)			
Do you currently hold a valid personal licence? (Please tick)		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.			
Issuing licensing authority	[REDACTED]		
Licence number	[REDACTED]		
Date of issue	[REDACTED]		
Date of expiry			
Any further relevant details	n/a		

5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

7. Checklist (Please read note 17)	
I have : (Please tick the appropriate boxes, where applicable)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent a copy of this notice to each additional licensing authority	<input checked="" type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input checked="" type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input checked="" type="checkbox"/>
Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

8. Condition (Please read note 18)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 19)	
<p>The information contained in this form is correct to the best of my knowledge and belief.</p> <p>I understand that it is an offence:</p> <p>(i) to make a false statement knowingly or recklessly in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and</p> <p>(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to an unlimited fine, or to imprisonment for a term not exceeding six months, or to both.</p>	
Signature	KYRIAKOS POULOS
Date	22/11/2021
Name of Person signing	KYRIAKOS POULOS

For completion by the licensing authority

10. Acknowledgement (Please read note 20)	
<p>I acknowledge receipt of this temporary event notice.</p>	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	

NOTES

General

In these notes, a person who gives a temporary event notice is called a “premises user”.

The police and local authority exercising environmental health functions may intervene on the grounds of any of the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm) to prevent the occurrence of an event at which permitted temporary activities are to take place or to agree a modification of the arrangements for such an event. However, the licensing authority will intervene of its own volition in the cases described below.

First, it will issue a counter notice if there is an objection to a late temporary event notice (see note 8 below).

Secondly, it may issue a notice in relation to its decision to impose conditions on a temporary event notice (see note 2 below).

Thirdly, it will issue a counter notice if the first, second and fourth of the limits set out below would be exceeded. If any of the limits below are breached or if a counter notice has been issued, any licensable activities taking place would be unauthorised and the premises user would be liable to prosecution. The limitations apply to:

- the number of times a person may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people);
- the number of times a person may give a late temporary event notice (10 times per year for a personal licence holder and 2 times per year for other people);
- the number of times a temporary event notice may be given in respect of any particular premises (15 times or for event periods occurring wholly or partly in 2022 or 2023, 20 times a calendar year);
- the length of time a temporary event may last for these purposes (168 hours or 7 days);
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises (21 days or for event periods (or any part of those periods) occurring in 2022 or 2023, 26 days per calendar year); and
- the scale of the event in terms of the maximum number of people attending at any one time (a maximum of 499).

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. The limits applying to late temporary event notices are included within the overall limits applying to the total number of temporary event notices. Note 16 below explains the definition of an “associate”.

When permitted temporary activities take place, a premises user must ensure that either:

- a copy of the temporary event notice is prominently displayed at the premises; or
- the temporary event notice is kept at the premises either in his own custody or in the custody of a person present and working at the premises and whom he has nominated for that purpose.

Where the temporary event notice is in the custody of a nominated person, a notice specifying that fact and the position held by that person must be displayed prominently at the premises.

Where the temporary event notice or a notice specifying the nominated person is not displayed, a constable or an authorised person (for example, a licensing officer, fire officer or environmental health officer) may require the premises user to produce the temporary event notice for examination. Similarly, where the nominated person has the temporary event notice in his custody, a constable or authorised

person may require that person to produce it for examination. Failure to produce the temporary event notice without reasonable excuse would be an offence.

It should also be noted that the following, among other things, are offences under the Licensing Act 2003:

- the sale or supply of alcohol to children under 18 years of age (subject to an unlimited fine on conviction);
- allowing the sale of alcohol to children under 18 (subject to an unlimited fine on conviction);
- knowingly allowing the consumption of alcohol on the premises by a person aged under 18 (subject to an unlimited fine on conviction);
- allowing disorderly behaviour on the premises (maximum fine on conviction is a fine up to level 3 on the standard scale, on conviction);
- the sale of alcohol to a person who is drunk (maximum fine on conviction is a fine up to level 3 on the standard scale, on conviction);
- obtaining alcohol for a person who is drunk (maximum fine on conviction is a fine up to level 3 on the standard scale, on conviction);
- knowingly allowing a person aged under 18 to make any sale or supply of alcohol unless the sale or supply has been specifically approved by the premises user or any individual aged 18 or over who has been authorised for this purpose by the premises user (maximum fine on conviction is a fine up to level 1 on the standard scale, on conviction); and
- knowingly keeping or allowing to be kept on the premises any smuggled goods which have been imported without payment of duty or which have otherwise been unlawfully imported (maximum fine on conviction is a fine up to level 3 on the standard scale, on conviction).

In addition, where the premises are to be used primarily or exclusively for the sale or supply of alcohol for consumption on the premises, it is an offence to allow children under 16 to be present when the premises are open for that purpose unless they are accompanied by an adult. In the case of any premises at which sales or supplies of alcohol are taking place at all, it is an offence for a child under 16 to be present there between the hours of midnight and 5am unless accompanied by an adult. In both instances, the penalty on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000.

Note 1

A temporary event notice may only be given by an individual and not, for example, by an organisation or club or business. The individual giving the notice is the proposed “premises user”. Within businesses, clubs or organisations, one individual will therefore need to be identified as the proposed premises user.

If you include an e-mail address in section 1(7) or 1(9), the licensing authority may send to this the acknowledgement of receipt of your notice or any notice or counter notice it is required to give under sections 104A, 106A or 107 of the Licensing Act 2003.

Note 2

For the purposes of the Licensing Act 2003, “premises” means any place. Premises will therefore not always be a building with a formal address and postcode. Premises can include, for example, public parks, recreation grounds and private land.

If a premises licence or club premises certificate has effect in relation to the premises (or any part of the premises) which you want to use to carry on licensable activities, it is possible that any conditions which apply to the licence or certificate may be imposed on the temporary event notice if certain pre-conditions are met. These pre-conditions are that the police or the local authority exercising environmental health functions object to the notice and the licensing authority decides:

- not to give a counter notice under section 105 of the Licensing Act 2003;
- the conditions apply to the licence or certificate; and

- the imposition of the conditions on the notice would not be inconsistent with the carrying on of the licensable activities under the notice.

Note 3

A temporary event notice can be given for part of a building, such as a single room or a plot within a larger area of land. You should provide a clear description of the area in which you propose to carry on licensable activities. This is important as any licensable activities conducted outside the area of the premises protected by the authority of this temporary event notice would be unlawful and could lead to prosecution.

In addition, when holding the proposed event, the premises user would need to be able to restrict the number of people on the premises at any one time when licensable activities are taking place to less than 500. If more than 499 are on the premises when licensable activities are being carried on, the licensable activities would be unlawful and the premises user would be liable to prosecution. The maximum figure of 499 includes, for example, staff, organisers, stewards and performers.

Note 4

A description of the nature of the premises assists the chief officer of police and local authority exercising environmental health functions in deciding if any issues relating to the licensing objectives are likely to arise. You should state clearly that the premises to be used are, for example, a public house, a restaurant, an open field, a village hall or a beer tent.

Note 5

A description of the nature of the event similarly assists the chief officer of police and local authority exercising environmental health functions in making a decision as to whether or not to make an objection. You should state clearly that the event taking place at the premises would be, for example, a wedding with a pay bar, the supply of beer at a particular farmers' market, a discotheque, the performance of a string quartet, a folk group or a rock band.

Note 6

The licensable activities are:

- the sale by retail of alcohol;
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of a club;
- the provision of regulated entertainment; and
- the provision of late night refreshment.

Note 7

Regulated entertainment, subject to specified conditions and exemptions, includes:

- (a) a performance of a play;
- (b) an exhibition of a film;
- (c) an indoor sporting event;
- (d) a boxing or wrestling entertainment;
- (e) a performance of live music;
- (f) any playing of recorded music;
- (g) a performance of dance;
- (h) entertainment of a similar description to that falling within (e), (f) or (g).

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.
- 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.
- 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.

If you are uncertain whether or not the activities that you propose are licensable you should contact your licensing authority for further advice.

Note 8

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event in relation to which the notice is given. A late notice given later than 5 working days before the event to which it relates will be returned as void and the activities described in it will not be authorised.

The number of late notices that can be given in any one calendar year is limited to 10 for personal licence holders and 2 for non-personal licence holders. These count towards the total number of temporary event notices (i.e. 50 temporary event notices per year for personal licence holders and 5 temporary event notices for non-personal licence holders).

If there is an objection from either the police or local authority exercising environmental health functions, the event will not go ahead and a counter notice will be issued.

Note 9

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Note 10

You should state here the times during the event period, for example 48 hours, when you intend to carry on licensable activities. For example, you may not intend to carry on licensable activities throughout the entire 48 hour event period, and may intend to sell alcohol between 8.00 hrs and 23.00 hrs on each of the two days.

Note 11

No more than 499 may be on the premises for a temporary event at any one time when licensable activities are being carried on. If you intend to have more than 499 attending the event, you should obtain a premises licence for the event. Your licensing authority should be able to advise you. The maximum figure of 499 includes not only the audience, spectators or consumers but also, for example, staff, organisers, stewards and performers who will be present on the premises.

Note 12

If you indicate that alcohol will be supplied only for consumption on the premises, you would be required to ensure that no person leaves the premises with alcohol supplied there. If such a supply takes place, the premises user may be liable to prosecution for carrying on an unauthorised licensable activity. Similarly, if the premises user gives notice that only supplies of alcohol for consumption off the premises will take place, he/she must ensure that alcohol supplied is not consumed on the premises. The premises user is free to give notice that he/she intends to carry on both types of supplies. For this purpose the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 13

Relevant entertainment is defined in the Local Government (Miscellaneous Provisions) Act 1982 ("the 1982 Act") as *any live performance or any live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means)*. Relevant entertainment therefore includes, but is not limited to, lap dancing and pole dancing.

The 1982 Act requires premises which provide relevant entertainment to be licensed under that Act for this purpose. Premises at which there have not been more than eleven occasions on which such entertainment has been provided within a period of 12 months, no such occasion has lasted for more than 24 hours and there has been a period of at least one month between each such occasion are exempt from the requirement to obtain a licence under the 1982 Act. Such premises are likely instead to require an authorisation under the Licensing Act 2003 to be used for such activities as these are a licensable activity (the provision of regulated entertainment – see note 6 above). A temporary event notice may be given for this purpose.

Note 14

The holder of a valid personal licence issued under the Licensing Act 2003 may give up to 50 temporary event notices in any calendar year subject to the other limitations in the 2003 Act. A proposed premises user who holds such a licence should give the details requested.

Note 15

As stated under Note 14, a personal licence holder (issued under the Licensing Act 2003) may give up to 50 temporary event notices (including 10 late notices) in any calendar year. An individual who does not hold a personal licence may only give 5 temporary event notices (including 2 late notices) in England and Wales in any calendar year. A calendar year is the period between 1 January to 31 December inclusive in any year.

If an event straddles two calendar years, it will count against the limits on temporary event notices for each year. However, only one notice needs to be given. The limits are:

- i. for event periods occurring wholly or partly in 2022 or 2023, up to 20 times in the calendar year for each premises;
- ii. For other event periods, 15 times in a calendar year for each premises;
- iii. For event periods (or any part of a period) occurring in 2022 or 2023, 26 days in the calendar year for each premises;
- iv. For other event periods, 21 days in a calendar year for each premises;
- v. 50 per personal licence holder each calendar year; and
- vi. 5 for non-holders each calendar year .

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. Note 16 below sets out the definition of an “associate”.

If a temporary event notice has been given for the same premises, by the same premises user, and would have effect within 24 hours before the start of the event period under the current proposal or within 24 hours after the end of that period, the temporary event notice given would be void and any licensable activities carried on under it would therefore be unlicensed.

For the purposes of determining whether or not the required gap of 24 hours is upheld, temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count as if they had been given by the premises user. Note 16 below sets out the definition of an “associate”.

Note 16

An “associate” of the proposed premises user is:

- a. the spouse of that person;
- b. a child, parent, grandchild, grandparent, brother or sister of that person;
- c. an agent or employee of that person; or
- d. the spouse of a person within (b) or (c).

For these purposes, a person living with another as that person’s husband or wife is to be treated as that person’s spouse.

Note 17

It is a requirement that you send at least one copy of this notice to the licensing authority at least ten working days (or five working days for a late notice) before the commencement of the proposed licensable activities. The authority will give you written acknowledgement of the receipt of the notice. This will be important proof that you gave the notice and when you gave it for the purposes of the Act. Some premises may be situated in two licensing authority areas, for example, where a building or field straddles the local authority boundary. Where this is the case, at least one copy of the notice must be sent to each of the licensing authorities identified, together with the appropriate fee in each case. In such circumstances, you will receive acknowledgements from all the relevant licensing authorities.

One copy must be sent to each of the chief officer of police and the local authority exercising environmental health functions for the area in which the premises is situated at least ten working days for a standard notice (or five working days for a late notice) before the commencement of the proposed licensable activities. Where the premises are situated in two police areas or environmental health areas, a further copy will need to be sent to the second police force and local authority exercising environmental health functions.

Note 18

Under the Licensing Act 2003, all temporary event notices are given subject to a mandatory condition requiring that where the licensable activities involve the supply of alcohol, all such supplies must be made by or under the authority of the named premises user. If there is a breach of this condition, the premises user and the individual making the supply in question would be liable to prosecution. For this purpose the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 19

It is an offence knowingly or recklessly to make a false statement in, or in connection with, a temporary event notice. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement). To do so could result in prosecution and a fine not exceeding level 5 on the standard scale.

Note 20

You should not complete section 10 of the notice, which is for use by the licensing authority. It may complete this section as one means of giving you written acknowledgement of the receipt of the notice.

Advice for applicants:

Under the above Act, by applying for temporary events notice (TEN) and you are not a Personal Licence Holder you are limited to 5 standard TENs of which 2 can be Late TENs per calendar year (1st January to 31st December) although each event can last up to 168 hours (seven days).

Personal licence holders can apply for a maximum of fifty TENs of which 10 can be Late TEN per calendar year.

A venue can hold up to 15 TENs per year, subject to a maximum aggregate duration of the periods covered by TENs at any individual premises of 21 days in any year.

For the purposes of determining the overall limits of 50 temporary event notices in a calendar year and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business also involves carrying on licensable activities) counts towards these totals.

Under 500 person capacity

If the proposed event has an invited or expected attendance of **no more** than 499 persons, including staff, stewards, organisers and performers who will be present on the premises, the ACT requires that at least 10 FULL working days notice is given to the Licensing Authority, the Met Police and Environmental health Noise Team for a standard TEN. (This does not include the day of submission or the day of the event)

LATE TENs should only be used in exceptional circumstances, at least 5 FULL working days notice is to be given to Local Authority, the Police and Environmental Protection. Please note: Should one of the responsible authorities object to a LATE TEN, a counter notice will be issued and the event will not be able to take place.

(Over 500 person capacity)

If the proposed event has an invited or expected attendance of **more** than 499 persons, You will need to apply for a premise licence. You will require forms for a premise licence. If you have not been sent these forms contact me urgently. The Act requires that at least two months notice and you will see from the application forms that the process is different to that of events under 500 capacity.

The completed notice should be returned to the Licensing Authority with any accompanying information, a photocopy of all and the relevant fee to the address given. The fee can be paid by cheque, to be made payable to the London Borough of Tower Hamlets, Telephone 020 7364 5008 or On-line:

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

The licensing authority will endorse one of the two copies you send us and return it to you as an acknowledgement of receipt. Should objections be received, conditions may be imposed on your TEN either through the hearing process or through negotiation with the responsible authorities. You will be issued with a "Statement of Conditions" and this is required to be kept with your copy of the Notice.

TENs are frequently sent by email to you so please ensure you check you inbox or spam for the notice.

You should keep a copy of the completed notice for your records. You must send the forms to the Licensing Authority, Metropolitan Police and Environmental Health Noise Team. The contact details are below:

The Chief Officer of Police

Metropolitan Police Service (MPS)
Central East Licensing Unit
Licensing Office
2nd Floor Stoke Newington Police Station
33 Stoke Newington High Street
London
N16 8DS

Tel: 07557 572 168

E: CEMailbox-TowerHamletsLicensing@met.police.uk

Environmental Protection

London Borough of Tower Hamlets
Administration Section
Mulberry Place
5 Clove Crescent
London
E14 2BG

Tel: 020 7364 5007

E: Environmental.Protection@towerhamlets.gov.uk

For any further enquiries please contact:

The Licensing Authority

Licensing Team
Environmental Health & Trading Standards
Place Directorate
Mulberry Place
5 Clove Crescent
London
E14 2BG

Tel: 020 7364 5008

Email: licensing@towerhamlets.gov.uk

Ibrahim Hussain

From: Mohshin Ali on behalf of Licensing
Sent: 30 November 2021 13:14
To: Ibrahim Hussain
Subject: FW: 143934 MAU REPRESENTATION TEN application for Algha Works, Smeed Road
Attachments: ALGHA DISPERSAL POLICY.docx.pdf; TENs_Fox&Bagde_31 Dec_ Algha Works_.docx; Covid 19 – Action plan_ ALGHA WORKS.docx

From: Kiri | | All Around Events [REDACTED] >
Sent: 30 November 2021 12:23
To: Nicola Cadzow [REDACTED] >
Cc: Licensing <Licensing@towerhamlets.gov.uk>; Mark Perry <[REDACTED]>; [REDACTED]
Subject: Re: 143934 MAU REPRESENTATION TEN application for Algha Works, Smeed Road

Dear Nicola,

Thank you so much for your email and your consideration for our TENs on the 31 Dec at Algha Works venue

Having taking into your consideration your feedback

I have attached for your consideration the **Dispersal Policy, Operational And Procedures Policy**

Convid19 - Action plan is attached as well

Also we have listed below the event that would be hosted at Algha Works on the 31 Dec

Event: Fox & Badge

Event details: https://drive.google.com/drive/folders/17dRXpsY3sGPGRUPVXL4ItOzEA6L_4GdR
<https://www.vessives.com/fox-badge-sin-event-photography-london>

Date: 31 Dec 2021

Time: 9 pm - 5 am

No of people: 499

Demographics: European crowd

Age: 25 - 50

FOX & BADGE

Fox&Badge create costumed events that aim to deliver a superlative social, cultural, and aesthetic experience.

We offer an immersive blend of melodic techno, performance, interactivity and exploration.

We build beautiful spaces and experiences, with high attention to detail.

We value beauty, elegance, sensuality, thoughtfulness, interaction and authenticity.

We strive to bring deep joy, hope, pleasure and meaning; to touch hearts, minds & souls.

We cultivate a warm, welcoming, generous, connective, creative, open-minded, open-hearted & loving community.

We prioritise all-female DJ lineups, and a minimum of 50:50 female:male involvement in all areas, from performances to security.

We love the planet, and strive to minimise our environmental impact.

NEW YEARS EVE EVENT

Dearest family,

We're very, very, very very excited to announce we'll be running a New Year's Eve event on the evening and night of Friday 31st, and of course we very much hope you'll join us. New Year's was how we really began - with "Moulin Noir" at the Boys Club, and then "Freaks" at Canal 125; it feels like we've come a long way, and we want to go so much further, and have some very exciting plans that we can't wait to share with you. New Year's Eve is such a profound annual moment, and so synchronised with our values & desires: an opportunity to collectively let go of the past and move confidently into the future - resilient, resolute, and resolved. We bid farewell to old constraints, and welcome new experiences, opportunities, and relationships. We'll thus be going beyond the usual simple countdown and confetti and fireworks to hold a very special collective ritual at midnight, where we all deeply connect as we let go and transit into the warm, uplifting glow of our lives ahead, together. Full details will be released 1 month in advance - on the evening of Tuesday 30th November, next week; 1st phase tickets go on sale at 6pm. Pass it on - & please get in touch if you'd like to get involved. We'll be working with a wonderful new venue - smaller scale than usual, to really help cultivate intimacy & connection. We'll host 2 contrasting dancefloors with beautiful melodic music, as well as a range of other secret spaces to explore, all saturated with provocative performances and powerful, immersive experiences. Come join us for an unforgettable journey into joy, beauty, and light.
<3 XXX F&B

LINKS

FACEBOOK COMMUNITY <https://www.facebook.com/groups/foxandbadge>
INSTAGRAM <https://www.instagram.com/foxbadge>
COMMUNITY VALUES <http://bit.ly/fandbblurb>
YOUTUBE VIDEOS <http://bit.ly/FandBvids>
YOUTUBE RUSHES <http://bit.ly/FandBrushes>

SOME PHOTOS FROM PREVIOUS RECENT EVENTS

Sept 2021 at the Steel Yard

Vessi <https://www.vessives.com/fox-badge-sin-event-photography-london>
Teodora https://drive.google.com/drive/folders/1-E7BUOWeTEPGp_iMLQVvHXtkHgnfDDRp?usp=sharing

July 2021 at the Steel Yard

Jake https://drive.google.com/drive/folders/17dRXpsY3sGPGRUPVXL4ItOzEA6L_4GdR?usp=sharing
Vessi <https://www.vessives.com/p/27474bhs/fox-badge-summer-un-masquerade>

Thanks

Kiri

On Fri, Nov 26, 2021 at 8:19 AM Nicola Cadzow <[REDACTED]> wrote:

Dear Licensing,

I have regarded the application for the Temporary Event Notice (TEN) for Algha Works, Smeed Road and the potential impact of public nuisance and measures to prevent noise generated from within the premises or outside it which could cause disturbance to people in the vicinity.

The applicant is proposing licensable activities:-

- the provision of regulated entertainment, late night refreshment and sale & supply of alcohol from 22:00 hours until 05:00 in the morning into New Year's Day

The applicant has not considered the potential music that may emanate from the premises or the potential behaviour of people arriving, leaving, drinking and congregating outside the event this may cause annoyance to some residents.

Sensitive premises: Residential and commercial premises in close proximity to 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; and
 - The hours of operation (inclusive of proposals)

CONCLUSION

Environmental Protection **does not** support the TENs application for as there is insufficient information in the application to show how the applicant will promote the licensing objective for the prevention of public. There is a great likelihood of disturbance to residential premises at the noise sensitive hours sought. But I am willing to withdraw my objection if they agree to reduce their operating hours to 01:00 hours, and limit persons leaving the premises to drink or smoke outside throughout the event.

Kind regards

Nicola Cadzow

Environmental Health Officer

Environmental Protection Team

Place Directorate

London Borough of Tower Hamlets

Mulberry Place Town Hall

5 Clove Crescent

London E14 2BG



www.towerhamlets.gov.uk

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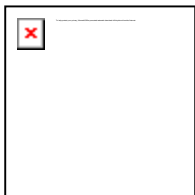
[Facebook](#) | [Twitter](#) | [Linkedin](#) | [Instagram](#)

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Kind Regards

Kiriakos Poulos (MSc, BEng, IOSH, PLH)
Managing Director || All Around Events Ltd

Mob/WhatsApp: 
Skype : allaroundevents



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#ComeWorkWithUs #AllAroundLondon #AllAroundEvents

ALGHA WORKS
22 Smeed Road, London, E3 2NR

Operational, Procedural and Dispersal Policies

31 December 2021

Contact: Kiri Polous

Tel: [REDACTED]

Email: [REDACTED]

www.allaroundevents.net

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Abbreviations:

DS – Door Supervisor

H&S – Health and Safety

SIA – Security Industry Authority

DPS – Designated Premises Supervisor

COSHH – Control of Substances Hazardous to Health

Door Entry and Removal Policy

1 Purpose and preamble

1.1 The aim of this document is to clarify Algha Works's Door Entry & Removal Policy and procedures for allowing access to Algha Works premises and events organised within its premises.

1.2 This policy should be used in conjunction with the Licensing Act, Social Club Rules, H&S policy, and the Safe Space Policy.

2 Guests

2.1 Guests must have a recognised proof of age to be allowed into Algha Works. This applies to ticket holders and bona fide guests of the event.

2.2 All guests must be over the age of 18.

3 ID

3.1. Driving licences, passports and other recognised proof of age will be accepted as ID for visitors.

4 Right of Refusal

4.1 Algha Works reserves the right to refuse entry to any person or persons at the discretion of the DPS or their nominee.

5 Right of Removal

5.1 Algha Works reserves the right to ask any guests to leave the premises at the discretion of the DPS or their nominee.

5.2 Anyone deemed to be acting inappropriately and breaking Algha Works Policy, or being violent, abusive or destructive to Algha Works property or property of other guests will be asked to leave the premises by the DPS or their nominee. The incident may be reported to the police as deemed necessary by the DPS or their nominee.

5.3 Algha Works staff or door staff may ask for proof of identity at any time.

5.4 Guests that are deemed to have been drinking excessively at Algha Works will be asked to leave the premises. The DPS or their nominee will ensure that the person is in a fit state to leave the premises safely.

5.5 Any incident must be reported, via an incident report, to the DPS or their nominee who will forward the information of the incident to the Event Organiser at the earliest opportunity.

6 Security & Door Staff

6.1 Security and door staff has the right to refuse entry and the right to remove persons.

6.2. In the case of an incident, the guest should be informed they are banned until

further notice and further action may be taken.

7 Entry Fee

7.1 Algha Works reserves the right to charge for admission to any event held on Algha Works premises or events organised by Algha Works.

8 Capacity

8.1 Algha Works will comply with the capacity limits of 499 set by the TENs application.

8.2 Security staff and bar staff should ensure the premises are not over capacity at any time. Counters must be used at all events, to ensure an accurate count of numbers.

8.3 Should there be a significant breach to the capacity limit, Algha Works reserves the right to ask guests to leave the premises and reimburse their entry fee.

8.4 For ticketed events, Algha Works will not pre sell more tickets than the total capacity of the event. However, if capacity is not reached, additional tickets may be sold on the night of the event when the total numbers in Algha Works premises falls below capacity, at the discretion of the DPS or their nominee.

8.5 Algha Works has its capacity limit of 499 customers including staff and guests which must be adhered to. On certain occasions, it may be necessary to operate within a comfort limit, for example, if a stage is to be used as part of the event. Where a comfort level is in place, the DPS or their nominee will ensure this is communicated as part of the pre-event briefing.

9 Further Restrictions of Entry.

9.1 Alcoholic drink may not be brought into Algha Works premises. Anyone found consuming alcohol not purchased from the counter at Algha Works will be asked to leave the premises, if they do not agree to temporary confiscation of the alcohol when requested.

9.2 Algha Works will refuse entry to anyone who is known to or suspected to be in possession of illegal, dangerous or hazardous substances, knives and other dangerous weapons, or alcohol not purchased from Algha Works counter.

9.3 Algha Works may operate a random stop and search process, including anyone in possession of large bags.

9.4 Searches will be undertaken by SIA trained members of staff of the same sex as the customer. Where a search is refused, entry to the venue will not be allowed.

10 Complaints

10.1 Any guest of Algha Works has the right to complain to the Algha Works in writing or via email to the Event Organiser if he feels they have been unfairly treated.

Door Supervisor Deployment, Queue Management and Capacity Management

During times where the DPS or their nominee deems it necessary to utilise door supervisors, there will be a minimum of two qualified Door Supervisors on duty registered with the SIA as frontline staff. Door Supervisors will be deployed in a manner that covers the whole of the venue space.

Total of 10 security, 3 female and 7 male and also 2 stewards will be deployed across the venue to ensure the safety of the guests.

Front door staff will be equipped with metal detectors to scan everyone coming into the venue.

At the start of each shift, Door Supervisors will report for a briefing with the duty manager/head Door Supervisor, where information will be disseminated about event details, deployment locations, entrance and exits, duty first aiders and capacities. Once the briefing has been carried out, each Door Supervisor will be given a start of shift check to carry out, these will include:

- Ensuring the fire exits are clear should they be needed during the event.
- Walking through the venue and toilets to check for items that may be a danger to patrons/planted in the venue (e.g. drugs).

Before the event, the DPS or their nominee should agree the deployment schedule with the head Door Supervisor to ensure staff is appropriately deployed. Deployment should be managed to ensure that resources are moved around as per demand, making sure that all entrances and exits are covered at all times. Redeployment of staff may be required during events to cover ingress, egress and high footfall locations. For example, more staff should be deployed to the entrance of an event at the beginning, and those staff redeployed to dance areas when the event is in full flow. At ingress staff should be deployed in a manner that allows a queue to flow including the provision for more than one queue, however the following procedures must take place:

- The checking of identification.
- The searching of patrons in accordance with Alpha Works Search Policy and individual event procedures.
- The checking of a valid ticket (if required).

Staff on entrance and exit are required to monitor levels of people entering and exiting the venue throughout the whole event. The event will be operated with one entrance and one exit. All others are to be utilised in an emergency only, however the DPS or their nominee may open up other entrances and exits in times of high ingress or egress. To monitor the entrance and exit, Door Supervisors will use manual counters (clickers) and count numbers in and out of the venue. This will be recorded in the Door Supervisor's log book.

The Door Supervisor's Log Book is to be in operation during all shifts where security staff are needed, and should record the following information:

- The names and badge numbers of all Door Supervisors on duty, including their start and finish times.
- All venue checks at opening, and a minimum of every half hour during the event, including capacity numbers, toilet and fire exit monitoring.

- Any persons ejected from the premises; their name (if given), time and reason for ejection.
- Any search that may have taken place during the event, apart from routine searches at ingress.
- Records of all special guests or entertainers attending an event.

Search Policy

Algha Works reserve the right to conduct searches prior to entry. Searches will be undertaken in a polite and respectful manner by trained full-time members of door staff of the same sex as the guest. Where this is refused, the guest will be denied entry to the venue.

Further to this, searches will be conducted with a minimum of two guards present and ideally in a well lit area. The guest should be informed (if the search is on entry) that they are being searched as part of our routine search policy. Searches should also be conducted where there is a reasonable belief that the guest has been using drugs, or may be in the possession of drugs or other illegal or offensive items.

The guest has the right to refuse a search, whereupon they should be advised that they will not be allowed onto the premises.

When searching, the guest should be asked if they have anything in their possession that they wish to hand over prior to the search, including sharp objects that may cause harm to themselves or security. The guest will then be asked to empty their pockets, after which they will be searched as per SIA guidelines.

Ejection Procedure

Please remember, in all cases of ejection, we have a duty of care over our guests. If a guest is removed for being too drunk, please make sure they have a friend with them to help them get home safely, or contact the Door Supervisor to escort them to a reputable mini cab company.

Procedure:

- A guest should be politely asked to leave the premises, and advised as to the reason why e.g. being too drunk.
- If a guest refuses to leave, they should be warned a minimum of twice that refusal to leave will result in an ejection by the door staff.
- If a guest still refuses to leave (or in the case of violence or serious offences), using a minimum of two door staff for their safety and that of the door staff, they should be escorted from the premises.
- If a struggle ensues, or if the door supervisor feels the safety of themselves or those around them is at threat, then the customer should be safely restrained.
- If the customer continues to struggle, backup should be called and they should be safely taken to the ground and fully restrained until they calm down or until the police arrive.

Note – in the case of an ejection for violence or other serious offences, the first two points should be omitted.

Note – the above is the ideal scenario, but it should be understood that in some cases it may not be possible to go through the procedure to the letter. We employ SIA trained staff, who should be trusted to deal with situations according to their training.

Where service has been refused at the bar (for example, if a customer is heavily under the influence of alcohol, or does not have a recognised proof of age), then a door supervisor or duty manager should be called, who will politely ask the customer to leave the premises. Any refusals of service should be logged in the back of the respective bar's wastage book.

Major Incident Procedure

A major incident includes a confirmed fire, bomb threat or other major evacuation, serious assault or other major crime.

What to do:

1. Initiate evacuation of the premises.
2. Alert the emergency services - call 999.
3. Contact DPS.
4. Duty Manager to manage the incident with DPS or follow DPS instructions.
5. DPS to inform Event Organisers at earliest opportunity.
6. Details to be recorded on an incident report form, and passed to the Event Organisers at the earliest opportunity.

Alcohol Policy and Code of Practice

Introduction

We recognise the need for social responsibility, and the fact that a large part of our commercial business is in entertainment and alcohol retail. The provision of a safe and secure environment during our event is a key business objective. We have a responsibility to provide this environment to our guests and wider customer base, and it is a commercial strength that we do so.

With regard to our trade operations, the issue of social responsibility is one inextricably linked with alcohol consumption. In response to this, we have developed policy in 6 key areas:

- 1. Responsible Retailing**
- 2. Health & Safety**
- 3. The Prevention of Crime & Disorder**
- 4. Community Engagement**
- 5. Dispersal**
- 6. Communication**

1. Responsible Retailing

Responsible retailing encompasses the key elements of our alcohol policy and considers the supply and demand for alcohol. On the supply side, we recognise that we have a responsibility to consider issues under our control such as a drinks service policy, pricing, promotions and advertising. On the demand side, our only real influence on consumer demand is the provision of information to consumers. Our main focus is in providing information to consumers and reminding them of issues related to the consumption of alcohol (and going out generally).

The advertising of alcohol, events, and promotions spans both the supply and demand side in the context that advertising is our opportunity as a supplier to influence customer demand. Given that the price of alcohol sold for consumption on the premises is far higher than customers could purchase alcohol for if they wished to (e.g. in supermarkets or off licences), we believe that control over advertising, and issues such as time-span of promotions, are far more effective levers than price to encourage responsible consumption. As such our drinks service policy and alcohol promotion policy are detailed and represent a level we believe is leading in the industry.

Drinks service policy:

1.1 We will not sell spirits in quantities greater than a double normal serve measure in one glass.

1.2 We will not mix spirits in the same glass other than as part of recognised cocktails.

1.3 We will not serve spirits into draught alcohol products e.g. put a whiskey in a pint of lager.

1.4 We will not normally stock any product over 50% ABV.

1.5 Staff involved in table service on any shift will be specifically reminded of their obligation not to serve those who appear to be excessively under the influence of alcohol.

Note: Table service is defined as the offering of further drinks service (away from the bar area) to customers, where drinks are prepared to order and subsequently delivered to the customer by a server.

1.6 We recognise that the mobile service of shooter drinks, for example the use of tequila belts, could be considered part of a binge drinking mentality. However, when used responsibly these add a fun element to events appreciated by the majority of customers. The following measures apply to this specific type of service:

- a) Staff (including external promotion teams) briefed to preclude those who have already consumed enough alcohol.
- b) Activity not to be undertaken after certain prescribed hours.
- c) Service limited to a single measure.
- d) There will be no competition elements that involve volume or speed drinking incentives.
- e) Staff and guests will be banned from dispensing alcohol straight into the mouth of another person e.g. a "dentist's chair".

Note: Mobile service is defined as the offering of a specific promoted drink brand away from the bar area, dispensed immediately by the server.

1.7 We will refuse service of alcoholic products to those who we suspect to have already drunk too much, and either ask them to leave the premises or encourage them to have a soft drink or water as appropriate, as stipulated under the Licensing Act.

1.8 Free drinking water will be available at our bar during the event.

1.9 We will not serve drinks which include ingredients with the potential to cause major harm e.g. dry ice or liquid nitrogen.

1.10 We will operate a Challenge 21 age verification policy. Anyone who appears to be under the age of 21 is asked to prove that they are over 18 (using either a passport, driving licence.

Alcohol Promotions Policy:

1.9 All promotional activity will comply with the Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks (4th edition), and therefore should not in any direct or indirect way:

- a) Have the alcoholic strength, relatively high alcohol content, or the intoxicating effect, as a dominant theme;
- b) Suggest any association with bravado, or with violent, aggressive, dangerous or anti-social behaviour;
- c) Suggest any association with, acceptance of, or allusion to, illicit drugs;
- d) Suggest that consumption of the drink can lead to social success or popularity;
- e) Encourage illegal, irresponsible or immoderate consumption, such as drink-driving, binge-drinking, or drunkenness;
- f) Urge the consumer to drink rapidly or to “down” a product in one;
- g) Have a particular appeal to under-18s;
- h) Incorporate images of people who are, or look as if they are, under twenty-five years of age, unless there is no suggestion that they have just consumed, are consuming or are about to consume alcohol;
- i) Suggest that the product can enhance mental or physical capabilities.

1.10 Promotions, or promotional materials, will not:

- a) Condone, encourage or glamorise excessive drinking or drunkenness or encourage anti-social behaviour. Effects of intoxication should not be referred to in any favourable manner.
- b) Be linked to sexual imagery implying sexual success or prowess;
- c) Refer to consuming alcohol to recover from previous overindulgence;
- d) Be disrespectful of contemporary, prevailing standards of taste and decency, and avoid degrading or gratuitously offensive images, symbols, figures and innuendoes. Promotional material should not be demeaning to any gender, race, religion, age or minority group.
- e) Appeal, through images / symbols, primarily to those under the legal purchase age. Characters should only be used if it is clearly established that their primary appeal is to adults. Use of any cartoon character popular with children is unacceptable.
- f) Contain any direct or indirect references to drug culture or illegal drugs.
- g) Have any association with violence or anti-social behaviour.

1.11 In addition, we will avoid:

- a) Any promotional activity which implies drinks being 'downed in one' or which incentivises speed drinking.
- b) Promotions that involve drinking games.
- c) All inclusive promotions – including large quantities of, or all drinks, in the admission fee.
- d) Promotional activity which includes cars in any way, including cars as prizes.
- e) Links with any tobacco related products in (drinks) promotions e.g. match boxes, cigarette lighters, ashtrays etc. (Note: we will provide for use but not as part of a drinks promotion).
- f) Activity which presents alcohol abstinence, or choosing soft drink alternatives in a negative light.
- g) Sampling activity involving staff under the age of 18.
- h) Sampling activity which offers more than 1.5 units of alcohol per person.

1.12 Examples of good promotions include:

- a) The inclusion of responsible drinking messages and alcohol units where appropriate.
- b) All promotional activity will incorporate a soft drinks offer.
- c) Any time-limited promotion should be for 2 hours or longer.

Consumer Safe Drinking:

1.13 Our main consumers are our guests. It is our view that they are responsible adults, and we are not here to dictate or control their actions or choices. We also recognise that there are plenty of alternatives. Our general policy is one of awareness. We do not wish to "preach" or take a "moral high ground". We aim to use our knowledge of how to market effectively to customers, to get key messages across regarding their safety and well-being, by providing relevant and timely information and reminders.

1.14 a) Customers observed by staff inside, outside or leaving our premises are informally assessed. If their demeanour causes sufficient concern; that person will be treated initially as a casualty, be assessed further, and given appropriate assistance. This could include first aid, assistance getting home, or locating a friend to accompany them. Aggravating features to cause concern are people leaving alone, or when challenged, the casualty cannot positively identify a companion. Where we suspect someone's drink may have been spiked we will also treat it as a criminal act, investigate further to gain evidence, and involve the emergency services.

Discouraging Drink Driving:

1.15 Drink Driving

Algha Works does not condone drink driving. A guest will not receive any advice to help them choose an alcoholic drink if the staff are aware that they are driving, and soft drinks will be recommended. There is no safe limit for driving while under the influence of alcohol and each person responds differently to the amount of alcohol that it takes to reach the legal drink drive limit.

Drugs Policy

1. Purpose and scope

This policy relates to the use of illegal drugs and misuse of alcohol or other harmful substances on Algha Works premises.

Its purpose is to:

- a) Comply with the Misuse of Drugs Act 1971 by ensuring that Algha Works does not knowingly permit use or supply of controlled drugs on its premises.
- b) Provide a safe environment for staff and guests.
- c) Minimise drug use at events.
- d) Prevent drug dealing on Algha Works premises.
- e) Safeguard guests who have used drugs or misused other substances.
- f) Support guests seeking help regarding their own or others' drug use.

2. Policy Statement

ALGHA WORKS:

- Will not condone the possession, use or supply of illegal drugs, nor the misuse of alcohol or other substances, on its premises.
- Will promote supportive and caring harm minimisation strategies which reduce the risks associated with drug use/misuse.
- Will provide a safe, healthy and supportive environment for staff and guests.
- Will promote knowledge, awareness and understanding to enable guests to make informed choices.

3. Policy in relation to Staff

All staff working at Algha Works venue will receive training on this policy as part of their induction process. Written procedures will be available to assist in implementing the policy.

4. Policy in relation to Guests

Algha Works responsibilities are to:

- Provide suitable advice and facilitate access to that advice.
- Provide information, to develop awareness and to support projects relating to drug prevention and harm minimisation.
- Liaise as appropriate with other organisations.

The policy will be communicated to guests by:

- Posting a copy on the event page / website.
- Raising awareness of the policy at entrances to venues and, when appropriate, on tickets.

5. Preventing drug use at venues

In order to prevent drugs being brought onto the premises, it will be a condition of entry to Algha Works that guests acknowledge the Algha Works right to conduct searches prior to entry. Searches will be undertaken in a polite and respectful manner by SIA trained members of staff of the same sex as the guest. Where this is refused, the guest will not be allowed entry to the venue.

6. Preventing drug dealing on Algha Works premises

All staff working at Algha Works will be vigilant in monitoring activity. Security staff will regularly monitor key areas within the premises for suspicious activity.

Where event staff suspect dealing may be taking place, guests will be asked to undergo a search. This will be conducted in the presence of another member of staff in a discreet area following the procedures outlined above. Anyone refusing to be searched will be asked to leave the premises.

7. Finding Drugs

The responsibility for decisions will rest with the duty manager. All suspected drugs incidents will be documented using an incident form, to include the names and addresses of all those involved.

Given that incidents may vary from finding drugs on the premises, finding customers in possession of a small amount of illegal drugs, or finding customers in possession of a large amount of drugs, the procedure to be followed will vary as follows:

- If a guest is in possession of what is thought to be a class A drug (Heroin, methadone, cocaine, Ecstasy, LSD, amphetamines (if prepared for injection) or magic mushrooms, regardless of the amount involved, the police will be called using the 999 system and the person found in possession of the drugs held under citizen arrest.
- If a guest is found in possession of a small amount of suspected illegal drugs not covered in the list above and those drugs are deemed to be for personal use, these will be confiscated, placed in a sealed bag, labelled and left in the drugs safe. The incident will be recorded on an incident report together with the guest's details, if they are given. Any suspected illegal drugs found, together with details of the incident, will be passed at an appropriate time to the police who will determine what further action will be taken. Where a guest refuses to hand over the suspected drugs, the police will be called immediately.
- If a guest is found in possession of what is believed to be nitrous oxide, the following will apply:
 - Whilst not an offence, if the guest is in possession of a small quantity (i.e. what could be deemed for personal use) then it will be a condition of entry that the item is confiscated. If confiscation is refused, then entry will be denied.
 - If in possession of a larger quantity, suspected to be for distribution, then the items will be confiscated and an incident form completed. Details of the incident, as well as the confiscated items, will be passed to the police.
- If a guest, staff or visitors find suspected illegal drugs on the premises, the drugs will be removed to the drugs safe, having first been bagged and labelled. Any drugs found, together with details (day/time etc), will at an appropriate time be passed to the police.
- If a large amount of suspected illegal drugs is discovered or staff have grounds for suspecting dealing may be taking place on Algha Works premises, the police will be called immediately.

8. Sanctions

Any guest or customer found to be in possession of illegal drugs will be subject to an immediate lifetime ban from Algha Works premises.

9. Keeping guests safe

Algha Works will have the following activities in place to keep guests safe and minimise harm related to drug use:

- Drinking water will be offered free of charge during the event.
- Staff will be vigilant in identifying anyone who is suffering from the effects of consuming an excessive amount of alcohol or from suspected drug use. In these circumstances, event staff will reserve the right to refuse further alcohol. Where staff believe a guest's well-being is at risk, that guest will be monitored and if necessary arrangements made either for their safe return home or for appropriate medical treatment.
- Sufficiently trained staff will be present during the event. In an emergency staff will call an ambulance and notify the Door Supervisor as appropriate. In all such circumstances an incident report form will be completed.
- A professional First Aid cover will be contracted for the event.

10. Record keeping/notification

Incident forms will be kept on file and details of any incidents will be made available to the police. After the event, where information is requested from Algha Works, the Event Organiser will provide statistics concerning the number and nature of incidents relating to drug use by guests but will not notify details of individual cases.

11. Feedback and complaints

Guests have the opportunity to give feedback on the Algha Works policy via individual members of Algha Works. Any complaints regarding the policy or its implementation will be pursued through the Algha Works complaints procedures.

12. Disclosure and access to information/advice

Algha Works will provide a supportive role to guests needing help and advice. Guests seeking help will have access to staff trained to offer advice in a non-judgemental way who will respect their confidentiality. The boundaries of confidentiality will be explained to customers in these circumstances.

Health & Safety

We are committed to the health and safety of all our staff, guests and visitors on Algha Works premises. Our responsibilities are further detailed in the H&S Policy.

Fire

Fire exits must be checked prior to opening to ensure they are not blocked and the routes of escape are clear. They should also be checked regularly throughout the event and obstructions cleared immediately. All staff must be trained in the role they will be expected to play in emergencies, congregation points etc.

Manual Handling

All are trained in manual handling. Items are to be stored correctly (positioned as per weight and frequency of use requirements), easily accessible, and equipment will be provided to aid movement in the form of trolleys, trucks etc.

Slips and Trips

All spillages and breakages are cleared immediately using appropriate equipment. Wet floor and hazard warning signs are used where appropriate; with all staff trained to be proactive in spotting potential hazards in advance.

First Aid

There will be one designated First Aid person on duty, and the contents of the first aid box should be checked before the event.

COSHH – Control of Substances Hazardous to Health

All cleaning products are stored in their original correctly marked containers (not decanted into other containers) and used according to the manufacturers' instructions. All staff are trained in the correct usage of the chemical products in their area of employment.

Risk Assessments

Risk Assessments will be reviewed before the event by the Event Organiser.

Workplace and equipment

Training is given for each piece of equipment according to manufacturer's guidelines, and all equipment is checked prior to use. Any faulty electrical equipment must be unplugged/switched off at the wall, staff notified not to use, 'out of order sign' attached and reported to the Event Organiser. All maintenance issues should be reported.

General

All rubbish must be placed into black sacks, tied and removed on a regular basis, to reduce the risk of fire, manual handling and trips. Recyclable items are to be placed in clear plastic sacks.

All accidents (staff and guests) must be reported via the incident forms.

Prevention of Crime & Disorder

The prevention of crime and disorder is one of the key licensing objectives. In that context, many of the other sections of this document aim to tackle issues relating to crime and disorder where there is a possible causal link to alcohol sales. The majority of specific crime and disorder issues are covered in our security procedures.

Theft Policy

Algha Works policy towards theft is the same as that of the Police or any security organisation, namely that:

- a) The primary objective is the prevention of crime and secondary objective is detection and punishment if a crime is committed.
- b) Vigilance and courtesy on the part of staff will often result in the recovery of stock which otherwise might have been stolen. As in the case of the police, action to be taken depends on the circumstances.
- c) If there is any doubt at all about the incident, a recovery in the venue is always the desired outcome.
- d) Police assistance should be sought only when there is sufficient evidence to justify stopping the suspected thief.

Customer's personal property

Algha Works does not accept responsibility for the loss of personal belongings sustained by guests while on our premises.

All staff must be made aware that they should not interfere in any way with guests belongings. They should not offer to "mind" or "keep an eye on them" or in any way accept responsibility for customers' belongings.

All lost property to be placed in the Manager's office. Property is to be kept securely, if high value (i.e. wallet / purse, Passport, mobile phone) - keep in the Managers safe.

Staff Personal Property

Algha Works does not accept responsibility for the loss of personal belongings sustained by members of staff while on our premises. Personal property is to be kept in the designated area.

Community Engagement

Community Engagement is about shared priorities, regular contact, and constructive communication with local community stakeholders. It is about having respect for the opinions and views of others. Community Engagement is also about ensuring we work effectively with local police and local councils.

Community Involvement:

Large Scale Events - All local residents receive advanced notification of any large scale events carried out.

Trade Representation:

Algha Works is not a member of any Trade Representatives.

Litter / Waste Control

Algha Works will take a proactive approach to removing litter generated by our activities in the immediate vicinity. This includes morning cleaning of the perimeter of our premises, and during-service cleaning.

Noise Breakout

Noise breakout is considered in three main areas as detailed below. There is arguably a fourth area of customer noise, primarily when leaving or after leaving our premises. The fourth noise area is considered in our Dispersal Procedure outlined below.

We have not identified a problem with noise breakout in the form of music from inside our outlets. Algha Works building is mostly of solid brick or concrete construction, and in general includes air conditioning systems that are acoustically sound. Where this is not the case, specific licensing conditions address the issue of noise.

Firstly we will only allow amplified music to be played on the basement level of the building. That level will be completely insulated: the windows will be blocked off with a double skin of 15mm sound board followed by draping a 30db sound curtain along the interior of the outside walls. Speakers will be focused in areas where doors to outside are not opened. All this will assure that no sound will leak out of the premises during the proposed event.

There are several sets of solid doors between basement and egress which further help prevent music / noise transmission.

All other floors will only be used as chill-out / relaxation spaces and for toilet access ensuring all windows are closed at all times.

Fire doors and building exits will be kept shut to prevent any sound leakage.

Smoking Area

The smoking area will be located on the side of Smeed Road where there are no occupied residential dwellings or businesses at present.

We will ensure a limited number of people are allowed in the smoking area at any one time.

Stewards and/or security staff will be placed outside to manage noise levels and limit the numbers of people allowed outside to smoke.

There guests will not be permitted to smoke outside after 1am.

Dispersal Procedure

It's acknowledged by the Event Organiser that there may be a conflict between the legitimate right of the Premises Licence holder to provide regulated entertainment and other licensable activities and equally legitimate right of neighbours to enjoy their homes and businesses without disturbance.

The Dispersal Procedure (around the terminal hour) is dedicated to make the maximum contribution by exercising proactive measures, towards and at the end of the event, to move guests from the venue and its immediate area in such a way as to cause minimum disturbance or nuisance to neighbours, both residential and businesses, and to make the maximum impact upon the rights of neighbour in relation to potential nuisance, antisocial behaviour and crime.

The relevance of the time closure is recognised as meriting this special attention and concern.

The procedure document is specific to this venue and its locality. Algha Works is currently surrounded by construction sites and uninhibited residential buildings. The nearest inhabited residential block is an unusually long distance away, at about 200 yards away from Algha Works building.

1. Relevance of Licensing conditions:

We will ensure that the conditions of the Premises Licence, around the terminal hour, are strictly adhered to. This will be operated to encourage the dispersal of guests gradually; both during the last part and following the end of the event.

During the last 30 minutes of bar service the point in each bar will be reduced and certain staff reallocated collecting glasses or offer customer service in the cloakroom to assist customer departure. A series of measures will be implemented to assist dispersal throughout this period and the drinking-up time.

Guests will be emailed prior to the event to remind them to keep noise levels down and be respectful of the neighbours upon arriving at and leaving the venue.

2. End of Night Operational Policies & Venue Dispersal

We use volume levels, type of music played and variation of lighting levels to encourage the gradual dispersal of patrons during the last part of the event. Gradual diminution of background music and gradual increase of lighting levels will be used to aid a dispersal procedure.

Information about local taxis and public transport will be available at the bar. Staff will aid customers in arranging taxis.

We propose a slow dispersal where we would allow guests to take their time vacating the building utilizing the 1st and 2nd floor (chillout rooms) for the guests to gather while encouraging them to have their means of transport ready before vacating the building, with a security presence front of house encouraging guests to leave quietly.

The door team will split into two, with one section staying inside the venue to encourage customers to drink up and leave the venue quietly and the second section of door supervisors going outside to encourage guests to keep the noise to a minimum, be considerate of the local resident and to move away from the area. Stewards will shepherd and manage all guests leaving Algha Works premises.

Two guards will work from the inside clearing the venue and checking the toilets. These two guards will also be assessing levels of intoxication and offering help or water to any guests that may need it. Once the last guest has left the building and all toilets are checked, section one of the door team moves outside to join section two.

They will actively encourage guests to leave the area quietly and peacefully. From that point on if further monitoring is necessary the door supervisors may move towards where congregation may be occurring.

The door supervisors will remain in the vicinity of the premises until at least 15 minutes after closing time.

Signage will also be available at the front door area, requesting guests to leave quickly and quietly respecting the local residents.

The venue manager remains on the front door to monitor the dispersal and help direct customers.

3. Cloakroom

The cloakroom is situated in order to assist the swift return of coats. Management and operation of the cloakroom plays a big part in the dispersal process. (Staffing and control systems are increased in the period prior to the bar closure.)

4. Notices at Exit

Highly visible notices will be placed in the foyer requesting exiting guests to leave quietly and to respect neighbours and their property.

5. Rubbish Patrols

The venue will send out a 'Rubbish Patrol' following the closure. They pick up bottles and food wrappings in a designated area of the premises (these are likely to be from sources other than our venue – but will be collected and disposed of). On rare occasions this patrol may be faced with the result of antisocial behaviour such as vomiting and urination. This will be washed down allowing it to be cleared /cleaned by the following day.

6. Management

The Dispersal Policy will be overseen on an operational night by the Duty Manager or DPS on duty at the premises.

7. Staff

Consideration is given to procedures for staff departures.

8. Training

Training at all levels will be conducted to ensure understanding and implementations of the venue's specific Dispersal Procedure.

9. Waste Management

All waste shall be removed and disposed of responsibly in accordance with the waste disposal systems in place. All waste will be removed at the first instance and shall not be left to accumulate. Such waste will be stored hygienically until removal by an appointed contractor.

Control of Substances Hazardous to Health (COSHH)

Purpose

The purpose of this document is to ensure that all Algha Works staff comply fully with the requirements of the COSHH Regulations and other applicable legislations.

Algha Works is committed to ensuring that use of potentially hazardous substances is minimised, and that when such substances are required to be used, that suitable and sufficient controls are put into place to ensure they can be used safely. This document will set out the procedures and policies that Algha Works will implement to achieve suitable and sufficient controls.

Scope

This guidance document applies to all Algha Works staff, including manager, staff and third parties such as visitors and sub-contractors who interact with Algha Works activities. This guidance document applies to Algha Works.

What Is A Hazardous Substance?

Hazardous substances are anything which have the potential to cause harm. The level of harm may range from minor irritation to death.

Hazardous substances can include:

- Substances used directly in work activities e.g. beer line cleaner.
- Substances generated during work activities e.g. oven cleaning-cycle fumes.
- Naturally occurring substances e.g. blood, bacteria.

For the vast majority of commercial chemicals, the presence (or not) of a warning label will indicate whether COSHH is relevant. For example, household washing up liquid doesn't have a warning label,

but bleach does - so COSHH applies to bleach but not washing up liquid, when used at work.

The term 'substance hazardous to health' includes any material, mixture or compound used at work,

or arising from work activities, that is harmful to people's health in the form in which it occurs in

work activity. Categories specifically mentioned are:

- Substances labelled as toxic, very toxic, harmful, corrosive and irritant e.g. cleaning agents and radiographic chemicals.
- Substances assigned a Workplace Exposure Limit (WEL) or a maximum exposure limit - airborne concentrations of chemicals e.g. silicone.
- Harmful micro-organisms, e.g. Hepatitis B, HIV and Tuberculosis.
- Substantial airborne quantities of dust e.g. plaster dust.

Substances Excluded From COSHH Regulations

The following substances are excluded from COSHH but covered by their own Regulations:

- Asbestos.
- Lead.
- Radioactive substances.
- Flammable or explosive substances.
- Substances used in medical treatment. The risk to the patient is excluded *but* the risk to the doctor or nurse handling the substance *is included*.

Management Responsibilities

Managers have a primary role in complying with these Regulations in the workplace. Their responsibilities will include:

- Ensure that the hazardous substance is accompanied by a Material Safety Data Sheet (MSDS)
 - Decide what precautions are needed before starting work with hazardous substances, giving preference to the hierarchy of controls and collective measures over individual protection and Personal Protective Equipment (PPE). - Eliminate.
 - Substitute.
 - Reduce Exposure.
 - Isolate Process.
 - Control Exposure.
 - PPE.

- Prevent people being exposed to hazardous substances, but where this is not reasonably practicable, control the exposure.
- Ensure control measures are used and maintained properly and that safety procedures are followed.
- If required, monitor exposure of employees to hazardous substances as identified.
- Establish a system for complying with the Regulations, including clear individual responsibilities and informing employees of these arrangements.
- Undertake COSHH Assessments to account for all work practices in which exposure to hazardous substances may occur.
- Ensure all employees receive appropriate information, instructions and training as required so that they are aware of the risks to health created by their exposure to hazardous substances and the precautions that must be taken.

Employee's Responsibilities

Employees have a legal responsibility to co-operate with Alpha Works to ensure its legal obligations are met by attending instruction and training in the use of substances and wearing the appropriate personal protective equipment when required to do so.

- Users of hazardous substances are required to report any symptoms arising from their work with materials to their manager.
- Users of hazardous substances are required to use all control measures (i.e. ventilation, personal protective equipment) provided in the interests of their Health, safety and Welfare in the manner shown in their training and systems of work.
- Assist the competent persons undertake workplace assessments.

Responsibility for Control Measures

Managers should be prepared to take disciplinary steps against individuals who endanger themselves or others by refusing to use, or not using, equipment or procedures correctly. Employees have a duty to make full use of the control measures provided and to report immediately any defects discover

Covid 19 – Action plan

1. ORDER LATERAL FLOW TESTS FROM [GOV.UK](https://www.gov.uk) website to your home or collect from a local pharmacy.
2. Take the test up to 24 hours before the event and wait at least 30 minutes for the result. We recommend after you wake up, before eating or drinking.
3. Using your phone, take a photo of the test result alongside a passport or driving license with your photo clearly in view. (see example below).
4. Report the results of your test to the NHS online via the [Gov.uk](https://www.gov.uk) site in order to receive an official NHS email/SMS. We will match the time this is received with the time your photo was taken.
5. If you have a positive test – forward the NHS email plus the photo with ID attached and your RA reference number to: [REDACTED]
6. If you have a negative test, you will be permitted entry, but you MUST be able to provide BOTH of the following to enter:
(A) The photo showing your test next to clear ID (passport or driving license).
*The photo must be saved in the camera roll containing the time it was taken.
&
(The email or text confirmation from NHS)
This a 100% mandatory condition of entry that ALL customers, staff, and performers are required to follow.
7. Sanitiser will be placed around the venue for the patrons to use is during the events.
8. All surfaces are cleaned and sanities after each event
9. Temperature check of its patron entering the venue

Venue Action Plan

- Is specific to the workplace
- Identifies all areas and job tasks with potential exposures to COVID-19, and
- Includes control measures to eliminate or reduce such exposures

Plan how to decrease the spread of COVID-19 and lower the impact to the workplace.

This includes:

- Prevent and reduce transmission among employees
- Maintain healthy business operations
- Maintain a healthy work environment

Prevent and Reduce Transmission Among Staff

Symptoms of COVID-19

There are a wide range of symptoms reported in people with COVID-19 – ranging from mild symptoms to severe illness. Symptoms may appear 2-14 days after exposure to the virus.

Below is a list of possible symptoms.

- Fever or chills
- Cough
- Shortness of breath or difficulty breathing
- Fatigue
- Muscle or body aches
- Headache
- New loss of taste or smell
- Sore throat
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea

Actively Encourage Sick Employees to Stay Home

- Employees who have symptoms should notify the venue manager and stay home.
- Employees who are sick with COVID-19 should isolate and follow PHHE steps
- Employees who are asymptomatic (have no symptoms) or pre-symptomatic (not yet showing symptoms) but have tested positive for COVID-19 should isolate and follow PHHE Employees should not return to work until the criteria to discontinue home isolation are met, in consultation with healthcare providers.
- Staff who are well but who have a sick household member with COVID-19 should notify the venue manager and follow PHHE Guidance's

Daily In-Person Health Checks (Screenings)

- Conduct screenings safely and respectfully, in a way that maintains social distancing of workers entering the screening area.
- Staff should not enter the worksite past the screening area if any of the following are present:
 - Symptoms of COVID-19
 - Fever of 100.4° F or higher or report feeling feverish
 - Undergoing evaluation for COVID-19 infection
 - Diagnosis of COVID-19 infection in the prior 10 days
 - Close contact to someone with COVID-19 infection during the prior 14 days
- To prevent stigma and discrimination, make employee health screenings as private as possible.
- Ensure personnel performing in-person screening activities are appropriately protected against exposure to potentially infectious workers entering the facility.

Venue Protocols

Disinfecting

Cleaning with products containing soap or detergent reduces germs on surfaces by removing contaminants and decreases risk of infection from surfaces.

When no people with confirmed or suspected COVID-19 are known to have been in a space, cleaning once a day is usually enough to sufficiently remove viruses that may be on surfaces and help maintain a healthy facility.

Routine Cleaning

- If less than 24 hours have passed since the person who is sick or diagnosed with COVID-19 has been in the space, clean and disinfect the space.
 - Determine what needs to be cleaned. Prioritize cleaning high-touch surfaces at least once a day. Generally, the more people who touch a surface, the higher the risk.
 - Consider the resources and equipment needed. Keep in mind the availability of cleaning products and the personal protective equipment (PPE) appropriate for the cleaners and disinfectants used using a HEPA filter
 - Ensure safe and correct use and storage of cleaning and disinfectant products
- If more than 24 hours have passed since the person who is sick or diagnosed with COVID-19 has been in the space, cleaning is enough.
- If more than 3 days have passed since the person who is sick or diagnosed with COVID-19 has been in the space, no additional cleaning (beyond regular cleaning practices) is needed.

Clean and Disinfect Your Facility When Someone is Sick

If there has been a sick person or someone who tested positive for COVID-19 in your facility within the last 24 hours, you should clean and disinfect the spaces they occupied.

- Before cleaning and disinfecting:
 - Close off areas used by the person who is sick and do not use those areas until after cleaning and disinfecting
 - Wait as long as possible (at least several hours) before you clean and disinfect
- While cleaning and disinfecting
 - Open doors and windows and use fans settings to increase air circulation in the venue
 - Wear a mask and gloves while cleaning and disinfecting

Focus on the immediate areas occupied by the person who is sick or diagnosed with COVID-19

- Vacuum the space if needed

Appendix 2



Show search results for **E3 2NR**

7.2m



7.0m

Remus Road

LAP 5

Sneed Road

Monier Road

Wyke Road

Beachy Road

Warehouse

Bow East

Stour R.

Warehouse

Warehouse

Stour Wharf

Bream Street

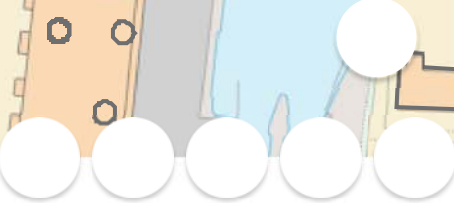
Navigation Walk

Works

Works

40m

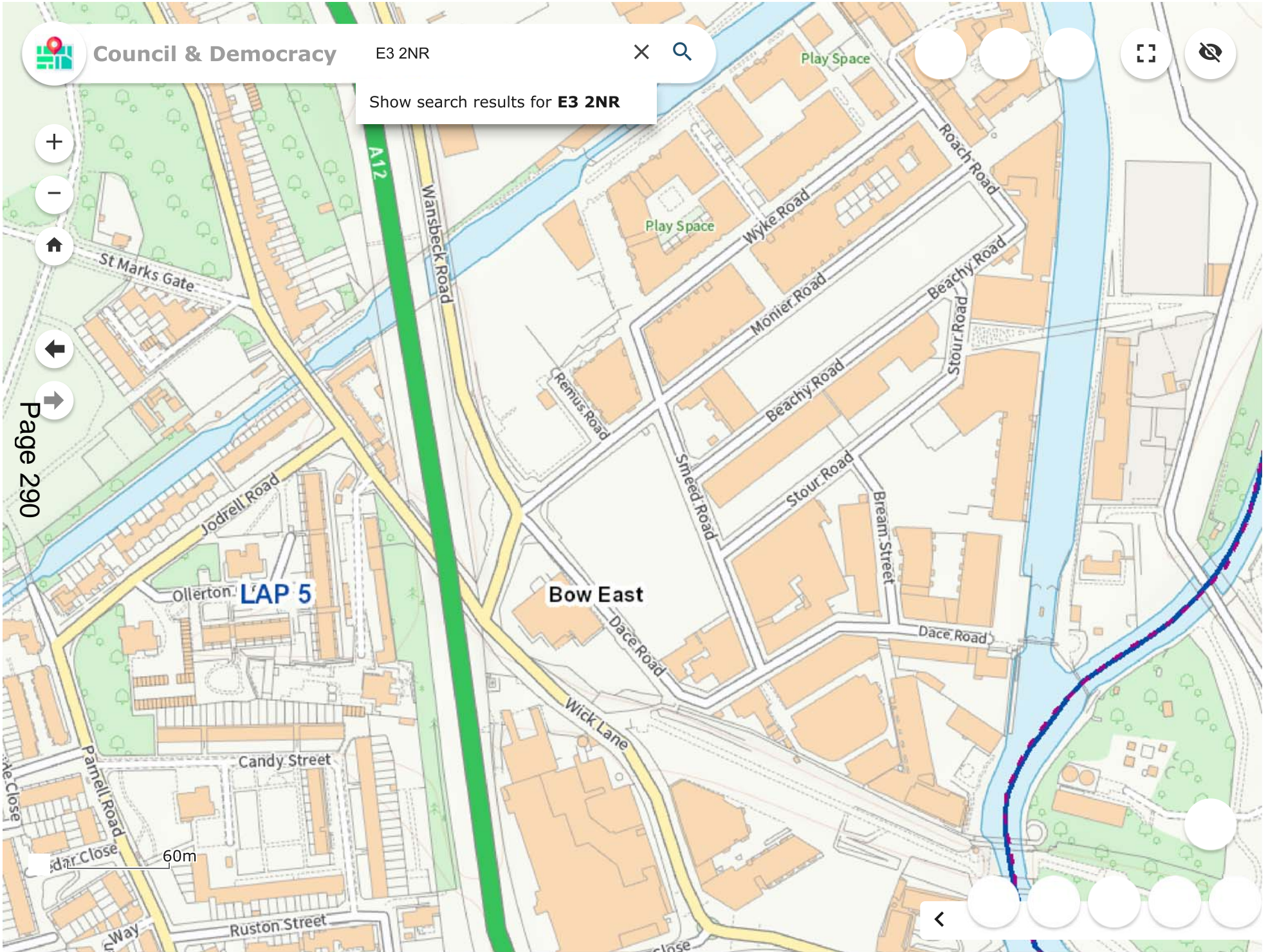
Monier Road



Har... Cut



Show search results for E3 2NR



60m



Appendix 3

Ibrahim Hussain

From: Nicola Cadzow
Sent: 26 November 2021 08:20
To: Licensing
Cc: Mark Perry; [REDACTED]
Subject: 143934 MAU REPRESENTATION TEN application for Algha Works, Smeed Road

Dear Licensing,

I have regarded the application for the Temporary Event Notice (TEN) for Algha Works, Smeed Road and the potential impact of public nuisance and measures to prevent noise generated from within the premises or outside it which could cause disturbance to people in the vicinity.

The applicant is proposing licensable activities:-

- **the provision of regulated entertainment, late night refreshment and sale & supply of alcohol from 22:00 hours until 05:00 in the morning into New Year's Day**

The applicant has not considered the potential music that may emanate from the premises or the potential behaviour of people arriving, leaving, drinking and congregating outside the event this may cause annoyance to some residents.

Sensitive premises: Residential and commercial premises in close proximity to 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; and
- The hours of operation (inclusive of proposals)

CONCLUSION

Environmental Protection **does not** support the TENs application for as there is insufficient information in the application to show how the applicant will promote the licensing objective for the prevention of public. There is a great likelihood of disturbance to residential premises at the noise sensitive hours sought. But I am willing to withdraw my objection if they agree to reduce their operating hours to 01:00 hours, and limit persons leaving the premises to drink or smoke outside throughout the event.

Kind regards

[REDACTED]
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