

# Licensing Sub Committee

## Agenda

**Tuesday, 19 July 2022 at 6.30 p.m.  
The Council Chamber, Town Hall, Mulberry  
Place, 5 Clove Crescent, London, E14 2BG**

**Contact for further enquiries:**

Simmi Yesmin, Senior Democratic Services Officer,  
simmi.yesmin@towerhamlets.gov.uk 020 7364 4120 1st Floor, Town Hall, Mulberry  
Place, 5 Clove Crescent, E14 2BG <http://www.towerhamlets.gov.uk/committee>

[The quorum for this body is 3 voting Members]

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## Public Information

### Viewing or Participating in Committee Meetings

The meeting will be broadcast live on the Council's website. A link to the website is detailed below. The press and public are encouraged to watch this meeting on line.

**Please note:** Whilst the meeting is open to the public, the public seating in the meeting room for observers may be limited due to health and safety measures. You are advised to contact the Democratic Services Officer to reserve a place.

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## **A Guide to Licensing Sub Committee**

The Licensing Sub Committee is made up of 3 Members of the Licensing Committee. In summary, the Sub Committee will determine applications to grant, vary or review a license submitted under the Licensing Act 2003 where representations have been made.

### **Public Engagement**

Meetings of the committee are open to the public to attend, and a timetable for meeting dates and deadlines can be found on the council's website.

# London Borough of Tower Hamlets

## Licensing Sub Committee

Tuesday, 19 July 2022

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. MINUTES OF THE PREVIOUS MEETING(S) (Pages 19 - 40)

To confirm as a correct record the minutes of the Licensing Sub-Committee held on 7<sup>th</sup> & 21<sup>st</sup> June 2022.

PAGE NUMBER	WARD(S) AFFECTED
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#### 4. ITEMS FOR CONSIDERATION



**4.1 Application for Variation of a Premises Licence for Adventure Bar, Unit 6 Frobisher passage, London E14**

**41 - 112**

**Canary Wharf**

Licensing Objectives:

- Public Nuisance
- Crime & Disorder

Representations by:

- Licensing Authority
- Metropolitan Police
- Environmental Health

**4.2 Application for a New Premises Licence for DZRT, 622 Roman Road, London E3 2RW**

**113 - 184**

**Bow East**

Licensing Objectives:

- Public Nuisance
- Crime & Disorder

Representations by:

- Licensing Authority

**5 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.

**Next Meeting of the Licensing Sub Committee**

Tuesday, 26 July 2022 at 6.30 p.m. to be held in The Council Chamber, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG



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# Agenda Item 1

## **DECLARATIONS OF INTERESTS AT MEETINGS– NOTE FROM THE MONITORING OFFICER**

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

### **(i) Disclosable Pecuniary Interests (DPI)**

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

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

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

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

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

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

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

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

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

### **Guidance on Predetermination and Bias**

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

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

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

**Further Advice** contact: 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**

<b>Date Last Reviewed:</b>	14 <sup>th</sup> June 2016
<b>Reviewed By:</b>	Senior Corporate and Governance Legal Officer
<b>Approved By:</b>	Licensing Committee
<b>Date Approved:</b>	14 <sup>th</sup> June 2016
<b>Version No.</b>	1
<b>Document Owner:</b>	Paul Greeno
<b>Post Holder:</b>	Senior Corporate and Governance Legal Officer
<b>Date of Next Scheduled Review:</b>	31 <sup>st</sup> 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](http://www.towerhamlets.gov.uk/committee) - 'agenda, reports, decisions and minutes', then click on 'Licensing Sub-Committee'.

The pages include:

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

### (3) Access to Committee Papers.

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

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

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

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

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

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

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

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

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

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

**(8) Queries on reports.**

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

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

Public Seating		Objectors Benches		Sub-Committee Members
Public Seating				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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## LONDON BOROUGH OF TOWER HAMLETS

### MINUTES OF THE LICENSING SUB COMMITTEE

HELD AT 6.30 P.M. ON TUESDAY, 7 JUNE 2022

COMMITTEE ROOM 1, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,  
LONDON, E14 2BG

#### Members Present in Person:

Councillor Kamrul Hussain (Chair)  
Councillor Suluk Ahmed  
Councillor Rebaka Sultana

#### Apologies:

None

#### Officers Present in Person:

Mohshin Ali (Senior Licensing Officer)  
Jonathan Melnick (Principal Lawyer-Enforcement)  
Simmi Yesmin (Democratic Services Officer, Committees, Governance)

Representing applicants	Item Number	Role
Thomas O'Maoileoin	4.2	(Legal Representative)
Toby Brown	4.2	(Applicant – Old Spitalfields Market)

Representing objectors	Item Number	Role
Nicola Cadzow	4.2	(Environmental Health Officer)
Andrew Woods	4.1	(Legal Representative on behalf of Premises Licence Holder)

#### 1. DECLARATIONS OF INTEREST

Councillor Suluk Ahmed, declared a personal interest in 4.2 on the basis that he was a ward councillor for Spitalfields and Banglatown, however he confirmed that he had not discussed this application prior to the hearing.

## 2. RULES OF PROCEDURE

The rules of procedures were noted.

## 3. MINUTES OF THE PREVIOUS MEETING(S)

The minutes of the meetings held on 5<sup>th</sup> April and 19<sup>th</sup> April 2022 were agreed and approved as a correct record.

## 4. ITEMS FOR CONSIDERATION

### 4.1 Application to Review the Premise Licence for Silver Sockeye, AKA The Terrible Thames) Wapping Pier King Henry's Stairs Wapping High Street London E1 2NR

At the request of the Chair, Mr Mohshin Ali, Licensing Officer, introduced the report which detailed the application for a review of the premises licence for Silver Sockeye, AKA The Terrible Thames, Wapping Pier King Henry's Stairs Wapping High Street, London E1 2NR. It was noted that the applicant had withdrawn their application following mediation.

The Sub Committee adjourned the meeting at 6.45pm and reconvened at 6.50pm.

#### The Licensing Objectives

#### Consideration

The Sub-Committee had been informed that the applicant for the review had reached an agreement with the premises licence holder and thus wished to withdraw the application. This had also been confirmed by the licence holder.

The Sub-Committee was advised that there is, however, no power to withdraw the review and that the hearing must nonetheless be held to determine it pursuant to s.52(2) of the Licensing Act 2003. Given that there were no relevant representations from any other person and that the parties do not wish any further action to be taken, therefore the Sub-Committee is satisfied that no further steps are needed to ensure the promotion of the licensing objectives.

The decision of the Sub-Committee is therefore to take no action.

Accordingly, the Sub Committee;

#### RESOLVED

That the application for a review of the premises licence for Silver Sockeye, AKA The Terrible Thames, Wapping Pier King Henry's Stairs Wapping High Street, London E1 2NR be resolved that **no further action is required.**

#### **4.2 Application for a Variation of a Premises Licence for Rapha Racing Cycle Club, Cafe & Store, Spitalfields Market, 61-63 Brushfield Street, London E1 6AA**

At the request of the Chair, Mr Mohshin Ali, Licensing Officer, introduced the report which detailed the application for a variation of the premises licence for Rapha Racing Cycle Club, Café & Store, Spitalfields Market, 61-63 Bushfield Street, London E1 6AA. It was noted that prior to the meeting a number of objections had been withdrawn including the representation from Licensing Authority, the two Resident Associations and six residents. However, the objections from Environmental Health and four individual residents remained.

At the request of the Chair, Mr Thomas O'Maoileoin, Legal Representative on behalf of the Applicant explained that there had been a lot of work done to engage and work with the objectors, which had resulted in most of the representations being withdrawn. There had, however, been some difficulty in contacting all the objectors due to the Jubilee celebrations. As a result of discussions between the applicant and those making representations, a substantial set of conditions had been agreed taking into account the concerns that had been raised. The Sub-Committee were told that the applicant was trying to change the nature of the premises to a more food led restaurant rather than a drinking establishment which it currently was.

Mr O'Maoileoin informed the Sub-Committee that the Premises currently had a few restrictions on the licence. The quid pro quo if the variation was to be granted was that the licence would become much more restrictive and, as a result of the conditions prohibiting vertical drinking and for alcohol to be sold only with meals, served seated at a table and by waiter/waitress service only. He explained that these conditions would ensure that the Premises could operate only as a restaurant. He also confirmed that these agreed conditions would apply at all times. He also highlighted that the external area would mirror the same conditions as inside of the premises with limited smokers and would be supervised by staff at all times.

Mr O'Maoileoin reiterated the fact that both the Residents Associations had withdrawn their objections, together with the Licensing Authority and some of the residents and that there had been no objections from the Police. He said that there were no objections in regard to the updated plans that had been submitted but the remaining objections related to the extended hours. It was noted that the premises was currently operating as a bar with no restrictions but if the variation were to be granted, there premises would operate as a restaurant and have conditions attached restricting and controlling the premises.

Mr O'Maoileoin then referred to the Cumulative Impact Zone policy and suggested that it met some of the exceptional circumstances to be granted an application in the CIZ, it was a food led premises, hours applied for were less than framework hours, had relevant good practices in place and staff would

be undergoing continuous training. He stated that if the licence was granted it would not negatively add to the problems of the CIZ.

Members then heard from Ms Nicola Cadzow, Environmental Health Officer. She told the Sub-Committee that she had tried to contact the Applicant without success. She referred to her representation on page 198 of the agenda and explained her concerns about the potential for noise breakout and public nuisance, that there remained concerns from other residents, and that the Premises were in the CIZ. She acknowledged that the hours were within framework hours but there were still concerns about noise from the external terrace area during noise sensitive hours applied for.

Ms Cadzow was of the view that the application failed to comply with the prevention of public nuisance, noise breakout and egress and did not support the application as the increase in hours would be a negative impact in the area.

In response to questions from Members the following was noted;

- It was confirmed by Ms Cadzow that she had not been made aware of any concerns about the operation of the Premises in the past. She was not aware of any noise complaints or anti-social behaviour associated with the Premises.
- The Spitalfields market had currently 100 market stalls, ten licence operators, security on-site 24 hours per day, seven days per week, that the management team were on-site from 08:00 hours to 21:00 hours every day, that they had direct access to the CCTV system from his phone, and that his office was adjacent to the Premises
- That an agreement had been reached with the resident at number 59 that noise would not be audible within their property. That being so, it was not feasible that there would be noise nuisance to any other person
- That if the licence were to be granted, the licence would be transferred in due course to a new operator when a new lease of the Premises was granted.
- That the operation of the external area would cease at 22:00 hours and be subject to conditions.
- If granted the licence would be a stronger licence, much more controlled with conditions and mechanisms in place if the operators didn't comply with conditions.
- The proposed conditions only permitted the Premises to operate as a restaurant, and were aware that any breach would be likely to lead to a review or a termination of the operators lease.

Concluding remarks were made by both parties.

### **The Licensing Objectives**

#### **Consideration**

The Sub-Committee considered an application by OSM Ltd. to vary the premises licence held in respect of Rapha Racing Cycle Club, Café & Store, 61-63 Brushfield Street, London E1 (“the Premises”). The Premises are currently licensed for the sale by retail of alcohol from 11:00 hours to 21:00 hours Monday to Sunday for consumption on the Premises and for the showing of films from 08:00 hours to 21:00 hours Monday to Sunday. The times at which the Premises are open to the public are 08:00 hours to 21:30 hours.

The variation sought was to update the plans and to extend the permitted hours for the sale of alcohol to 23:00 hours seven days per week. The application attracted representations against it from two of the responsible authorities (Licensing and Environmental Health), from nine residents, and two residents’ associations (SMRA and SPIRE). The representations were predominantly concerned with the potential impact of the variation upon the licensing objectives of the prevention of public nuisance and the prevention of crime and disorder.

The Sub-Committee was informed that as a result of discussions between the applicant and those making representations, a substantial list of conditions had been agreed. This led to the Licensing Authority, both residents’ associations, and six of the residents to withdraw their representations.

The Sub-Committee heard from Mr. O’ Maoileoin on behalf of the Applicant. He explained that there had been a lot of work done to engage and work with the objectors and which had resulted in most of the representations being withdrawn. There had, however, been some difficulty in contacting all because of the Jubilee celebrations. He informed the Sub-Committee that the Premises currently have few restrictions on the licence. The quid pro quo if the variation were to be granted was that the licence would become much more restrictive and, as a result of the conditions prohibiting vertical drinking and for alcohol to be sold only with meals, the Premises could operate only as a restaurant. He also confirmed that these agreed conditions would apply at all times.

Mr. O’ Maoileoin addressed the Sub-Committee on the Brick Lane CIZ, where the Premises are located, and commented that the Premises met the majority of the possible exceptions described. The Premises would not be alcohol-led, they were small (albeit with more than fifty covers), and would be operating within the Council’s preferred hours. There was no late-night refreshment provided nor were off-sales permitted.

During questions the Sub-Committee heard from Toby Brown, the Spitalfields Market Manager, as to how the agreed conditions would be implemented. He told the Sub-Committee that there were currently 100 market stalls, ten licence operators, security on-site 24 hours per day, seven days per week, that the management team were on-site from 08:00 hours to 21:00 hours every day, that he could access the CCTV system directly from his phone, and that his office was adjacent to the Premises. The site itself was an old bank, with two foot thick brick walls. An agreement had been reached with the resident at number 59 that noise would not be audible within their property. That being so, it was not feasible that there would be noise nuisance to any

other person; the properties above the Premises were residential. In addition, the number of licensed premises within the Market had reduced over the preceding decade and the layout was gradually changing so that the perimeter would be retail units rather than food.

The Sub-Committee heard from Nicola Cadzow on behalf of the Environmental Health Service. She told the Sub-Committee that she had tried to contact the Applicant without success. She repeated her representation that she was concerned about the potential for noise breakout and public nuisance, that there remained concerns from other residents, and that the Premises were in the CIZ. She confirmed that she had not been made aware of any concerns about the operation of the Premises in the past. She was not aware of any noise complaints or anti-social behaviour associated with the Premises.

None of the residents whose representations remained were present. Their objections were read and noted by the Sub-Committee. Their representations were concerned with the potential impact on the CIZ, with particular reference to the potential impact of public nuisance. None, however, referred to having experienced any problems with this venue in the past.

Mr. O' Maoileoin confirmed that if granted, the licence would be transferred in due course to a new operator when a new lease of the Premises was granted.

None of the representations commented upon the proposed variation to the plans. The Sub-Committee noted the presumption against granting variations within the CIZ. In this instance, however, the Sub-Committee was satisfied that the Applicant had satisfied it that there would be no additional impact on the CIZ. In the first instance, none of the representations made any specific reference to problems arising from the operation of the Premises. Although the Sub-Committee understood that the Premises were not currently operating, it would have expected there to have been some record of complaints.

The Sub-Committee also took account of the fact that the Premises were not food-led and that the Cumulative Impact Policy does not limit the possible exceptions; each case must be decided on its merits. The Premises, which can currently operate as a bar, would no longer be able to do so. The use of the outside area had been made subject to conditions so as to ensure no impact on the CIZ at later hours. There were limits on the number of smokers and a condition requiring that doors and windows be closed after 22:00 hours. There were appropriate conditions to reduce or eliminate noise disturbance to neighbouring properties. The Premises would be operating within framework hours. In addition, as the conditions only permitted the Premises to operate as a restaurant, any breach would be likely to lead to a review. Furthermore, however, those conditions could not be removed without an application to vary the licence, which would be highly likely to lead to a further Sub-Committee hearing.

The Sub-Committee also considered that there was a benefit in this particular case of having a licence that contained robust conditions that brought it up to

date and which would ultimately give greater protection to the CIZ than was currently afforded by the present licence. The decision of the Sub-Committee is therefore to grant the application to vary the plans, to extend the terminal hour to 23:00 hours Monday to Sunday and to extend the opening times as sought, and to impose the agreed conditions (subject to the removal of any duplicated conditions or those replaced as discussed at the hearing).

Therefore, Members made a decision and the decision was majority decision. Members granted the application with conditions.

Accordingly, the Sub Committee;

### **RESOLVED**

That the application for a variation of the premises licence for Rapha Racing Club, Café & Store, Spitalfields Market, 61-63 Brushfield Street, London E1 6AA be **GRANTED with conditions**

#### Sale of Alcohol (on sales only)

Monday to Sunday from 11:00 hours to 23:00 hours

#### Opening hours of the premises

Monday to Sunday from 11:00 hours to 23:30 hours

To update the plans of the premises as set out in the application.

#### Conditions

1. Alcohol shall not be removed from the premises, save for consumption in any delineated external area as shown on the plan attached to the licence.
2. Staff will be trained in the laws relating to under age sales, and that training shall be documented and repeated at 6 monthly intervals.
3. A refusals book will be maintained at the premises, and made available to an officer of a responsible authority upon request.
4. A first aid box will be available at the premises at all times.
5. The exterior of the building shall be cleared of litter at regular intervals.
6. 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.
7. The outside area shall be monitored by staff when it is in use. The

area will be cleaned regularly.

8. Suitable receptacles shall be provided for smokers to dispose of cigarette butts.
9. Signs will be displayed in the area requesting customers keep noise to a minimum.
10. Customers shall not be permitted to take alcohol beyond the boundary of the outside area.
11. No noise generated on the premises shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
12. A direct telephone number for the premises shall be available at all times and shall be made available to residents in the vicinity.
13. Amplified music shall not be played at a level which is audible within surrounding residential properties;
14. The extract system will be treated, filtered and cleaned internally and vented through the premises and out to atmosphere above the Market roof, not into the Market space. The extract fan will be located in the basement. As such it should have no adverse effect on the air quality at your windows nor produce any noise.
15. When the designated premises supervisor is not on the premises any or all persons authorised to sell alcohol will be authorised by the designated premises supervisor in writing. This shall be available on request by the Police or any authorised officer.
16. The premises shall install and maintain a comprehensive CCTV system. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
17. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
18. An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following:

- a) all crimes reported to the venue;
  - b) all ejections of patrons;
  - c) any complaints received concerning crime and disorder
  - d) any incidents of disorder;
  - e) all seizures of drugs or offensive weapons;
  - f) any faults in the CCTV system, searching equipment or scanning equipment;
  - g) any refusal of the sale of alcohol;
  - h) any visit by a relevant authority or emergency service
19. Challenge 25 proof of age scheme shall be operated at th premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
20. When the designated premise supervisor is not on the premises any or all persons authorised to sell alcohol will be authorised by the designated premises supervisor in writing. This shall be available on request by the Police or any authorised officer.
21. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
22. There shall be no vertical drinking at the premises.
23. All windows and external doors shall be closed at 22:00hrs, except for the immediate access and egress of persons;
24. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly;
25. A direct telephone number for the manager at the premises shall be available at all times the premises is open. This telephone number is to be made available to residents in the vicinity;
26. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises;
27. No bottles or glassware shall be placed in the external bins between 23:00hrs and 07:00hrs the following day

28. The rear ground floor terrace area shall only be used between the hours of 07:00hrs and 23:00hrs (22:30hrs on Sundays);
29. Licensable activities in the terrace area to the rear of the premises within the Spitalfields Market shall stop at 22:00hrs;
30. The rear ground floor terrace area to the rear of the premises within the Spitalfields Market shall be limited to 42 patrons;
31. The sale and supply of alcohol for consumption in the outside terrace shall only be by waiter or waitress service, served only to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal;
32. Licensable activities in the outside terrace shall be limited to the sale of alcohol and the provision of late night refreshment. No regulated entertainment shall be permitted;
33. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them;
34. Patrons permitted to temporarily leave and then re-enter the premises to smoke shall be restricted to a designated smoking area as marked on the plan;
35. Notices shall be prominently displayed in the smoking area requesting patrons to respect the needs of local residents and use the area quietly;
36. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 10 persons at any one time;
37. One or more butt bin shall be provided in the designated smoking area.

## 5. EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003

Members agreed to extend the decision deadlines for the applications below to the dates stated; Licensing applications were extended due to the impact of the pandemic, and were adjourned under regulation 11 of the Licensing Act 2003 (Hearings) Regulations 2005, it was in the public interest to do so, and did not require representation from parties to the applications.

<b>Premises</b>	<b>Extended to:</b>
Redchurch Studio, 58 Redchurch Street E2 7DP	<b>31/08/2022</b>
Oranj 14 Bacon Street London E1 6LF	<b>31/08/2022</b>
Unit 6 Frobisher Passage, Canary Wharf, London E14 4HA	<b>31/08/2022</b>

In2Sport, 40 Harbord Square, London, E14 9QH	<b>31/08/2022</b>
Studio Spaces Ltd), 110 Pennington Street, London E1W 2BB	<b>31/08/2022</b>
The Hungry Tummy, 24a Wentworth Street, London E1 7TF	<b>31/08/2022</b>
Oval Venues Ltd.- Oval Cafe, 11-12 The Oval	<b>31/08/2022</b>
Cheshire St Minimart, 68a Cheshire Street, London E1	<b>31/08/2022</b>
The Breakhouse Café, Unit 17 Bloc Riverbank, 455 Wick Lane London E3 2TB	<b>31/08/2022</b>

The meeting ended at 8.00 p.m.

Chair, Councillor Kamrul Hussain  
Licensing Sub Committee

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**LONDON BOROUGH OF TOWER HAMLETS**  
**MINUTES OF THE LICENSING SUB COMMITTEE**  
**HELD AT 6.30 P.M. ON TUESDAY, 21 JUNE 2022**

**THE COUNCIL CHAMBER, TOWN HALL, MULBERRY PLACE, 5 CLOVE  
CRESCENT, LONDON, E14 2BG**

**Members Present:**

Councillor Peter Golds (Chair)

Councillor Kabir Hussain  
Councillor Ahmodul Kabir

**Other Councillors Present:**

Councillor Abdal Ullah

**Officers Present:**

Corinne Holland	– (Licensing Officer)	
David Wong	– (Legal Services)	
Simmi Yesmin	– (Democratic Services Committees, Governance)	Officer,

<b>Representing applicants</b>	<b>Item Number</b>	<b>Role</b>
Julian Overton	3.2	(Legal Representative)
Will Cutteridge	3.2	(Applicant)

<b>Representing objectors</b>	<b>Item Number</b>	<b>Role</b>
Mohshin Ali	3.2	(Licensing Officer)
Kathy Driver	3.2	(Licensing Officer)

**Apologies****1. DECLARATIONS OF INTEREST**

Councillor Peter Golds declared a personal interest in item 3.2, Application for a new premises licence for Brussels Wharf Market, Wapping Wall, London E1W 3SG on the basis that he has visited the market in the past but confirmed he had not discussed this application prior to the meeting.

## 2. RULES OF PROCEDURE

The rules of procedure were noted.

## 3. ITEMS FOR CONSIDERATION

### 3.1 Application for variation of a Premises Licence for The Space Spitalfields, 44 Commercial Street, London, E1 6LT

At the onset of the meeting, Ms Simmi Yesmin, Democratic Services Officer informed the Sub Committee that no interested parties had registered to speak at the meeting and that all parties had been written to with the notification of the meeting and agenda within the agreed timescales. The applicant had confirmed that she would not be attending the meeting and did not wish to take part in the meeting virtually due to work commitments. However, she had sent in a statement for the Sub Committee to note – this was circulated to the Sub Committee.

At the request of the Chair, Ms Corinne Holland, Licensing Officer, introduced the report which detailed the application for a variation of the premises licence for The Space Spitalfields, 44 Commercial Street, London E1 6LT. It was noted that objections had been received from a local resident and on behalf of a resident association in relation to the prevention of public nuisance and the prevention of crime and disorder.

The Chair stated that as sufficient notification of the meeting was given and since the Applicant had confirmed that they would not be attending, the meeting would go ahead in the absence of the Applicant and objectors, the merits of the case to be considered on the basis of the Applicant's and objectors' respective written submissions within the agenda pack when the Sub-Committee retired to deliberate upon the applications on the agenda for tonight's Sub-Committee meeting..

### **The Licensing Objectives**

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

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

### **Consideration**

Each application must be considered on its own merits. The Chair confirmed that as no interested party to the application was present at the meeting the Sub-Committee had carefully considered all of the written evidence before them, including the application, the representations made and the general advice and guidance contained in the agenda pack with particular regard to the prevention of public nuisance and the prevention of public disorder.

The Sub-Committee noted that the premises are in a cumulative impact zone (CIZ), and so, the effect of a premises subject to a licensing application being in a CIZ is that there is a rebuttable presumption that where relevant representations are received by one or more of the responsible authorities and/or other persons objecting to the application, the application will be refused.

The Sub-Committee noted that under the Council's Statement of Licensing Policy, the Applicant can rebut the above presumption if they can demonstrate that their application for a premises licence would not undermine any of the four licensing objectives by not adding to the cumulative impact of licensed premises already in the CIZ.

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

The Sub-Committee noted the fact that the applicant did not attend the meeting despite receiving sufficient notification of the meeting and despite the applicant having been given the choice to join the meeting remotely in light of their belated email to the Committee Services Clerk expressing difficulties with attending in person. The applicant had not requested an adjournment of the meeting. The Sub-Committee went on to consider the application on the basis of what was in the papers, also noting that in the absence of the applicant, it was not possible to ask the applicant any questions, and so had to take all representations by all parties to this application as set out on the papers. The Sub-Committee considered that the application as it stood on the papers, did not show how the application, if granted, would not add to the above cumulative impact, particularly with regard to the licensing objective of preventing public nuisance.

Accordingly, the Sub Committee unanimously;

### **RESOLVED**

That the application for a Variation of the Premises Licence for The Space Spitalfields, 44 Commercial Street, London E1 6LT be **REFUSED**.

### **3.2 Application for a New Premise Licence for Brussels Wharf Market, Wapping Wall, London, E1W 3SG**

At the request of the Chair, Ms Corinne Holland, Licensing Officer, introduced the report which detailed the application for a new premises licence for

Brussels Wharf Market, Wapping Wall, London E1W 3SG. It was noted that objections had initially been received on behalf of officers from Environmental Health and the Licensing Authority in relation to the prevention of public nuisance and the prevention of crime and disorder. However, the Sub Committee were informed that prior to the meeting, the Environmental Health Officer had withdrawn their objection and had agreed to a condition. Ms Holland also referred the Sub Committee to the supplemental agenda circulated, which included supporting documents from the Applicant and from the Licensing Authority objecting to the licence.

At this point of the hearing, because the Applicant was facing an ongoing investigation into alleged offences in relation to the Licensing Act 2003, and bearing in mind the Applicant's legal rights in that regard, Ms Holland read out to the Applicant from page 3 of the Supplemental agenda, the caution that he did not have to say anything, but it may harm his defence if he did not mention, when questioned, something which he may later rely on in court and that anything he did say may be given in evidence.

At the request of the Chair, Mr Julian Overton, Legal Representative on behalf of the Applicant explained that the market was a weekly run market operating on Saturdays, it was a popular market and had support from local businesses and residents. The market was not alcohol led, any non-regulated music and regulated entertainment was ancillary to the market trade, and that there had been no reported public nuisance or issues since they had been trading. He then referred Members to the supplemental agenda at pages 9-17 which included character references for the Applicant.

Mr Overton pointed out that there had been no representations against the granting of the application from the Police or local residents during the consultation period. It was noted that representations received from Environmental Health relating to noise nuisance were no longer being pursued, as the Applicant had agreed to the condition proposed by Environmental Protection.

Mr Overton suggested that the Licensing Authority's objection related to crime, rather than crime and disorder, and that it related to the conduct of the Applicant in the way that they applied themselves to the market and the temporary events notices (TEN) process. Mr Overton presented the Applicant as having found the temporary event notice application process extremely difficult to understand, so that he had not got things right, and found the process and rules confusing, with applications being rejected. Mr Overton further presented that the Applicant was therefore now seeking a premises licence because he had found that the temporary events notice process clearly had not worked well with the way in which he was conducting business, as was evident from the emails from the Licensing Authority and the inadvertent commission of an offence of trading without a TEN in December of last year.

Mr Overton then turned to the four Facebook posts in respect of which it was suggested by the Licensing Authority that the market had conducted licensable activities without a temporary events notice being in place. Mr

Overton stated that this was not the case as they were advertisements for the market etc. and there was no evidence that the market operated on any of the days the Facebook posts were made. He pointed out that there were occasions where TEN applications were rejected, then granted so giving rise to confusion.

Turning to events on 3<sup>rd</sup> December 2021, Mr Overton explained that the market had operated on that occasion without a TEN in place, but there had been a flaw in the application, so that a TEN was rejected very late in the day, whereupon the Applicant was fearful that he would let down suppliers, traders and customers, and therefore very foolishly allowed the market to trade. Mr Overton presented that the caution given to the Applicant at the start of this hearing made it difficult for the Applicant to show his remorse, and therefore Mr Overton apologised for this breach on behalf of the Applicant.

At this point, Councillor Abdal Ullah, local Ward Councillor spoke in support of the application as a user and visitor of the market. He briefly expressed his support for the market, and gave examples of how the market was a safe and family friendly market bringing the Wapping community together. He explained how the market had made a positive impact on the area with a physical presence deterring any crime and disorder that had occurred in past years. The Applicant's willingness to engage and help in community events was also mentioned by Councillor Abdal Ullah.

Members then heard from Mr Mohshin Ali, Licensing Officer. He explained that the Licensing Authority was not against the market, but the objection was in relation to the complaints received. He referred to his representations on page 160 of the agenda and highlighted in respect of that, the non-compliances with the Licensing Act 2003. He said that on 3<sup>rd</sup> December 2021, there was the sale of alcohol without a TEN in place, undermining the licensing objective of the prevention of crime and disorder. He explained that on 2<sup>nd</sup> December, Ms Kathy Driver emailed Mr Cutteridge in relation to the fact that the maximum number of TENs available for the year had been reached, and therefore no further TEN's could be granted for the remainder of that year. Mr Ali pointed out that without a TEN, it remained open to an operator to supply alcohol for free or to inform patrons that they could bring their own alcohol, since neither of those possibilities required a licence. Mr Ali mentioned that this had been pointed out to the Applicant by email.

Mr Ali also mentioned the noise complaint of 30<sup>th</sup> October 2021, and another complaint which was not on the Council system, but was sent direct to the organisers on 26<sup>th</sup> June 2021. The latter was not mentioned in Mr Ali's representations, as it had been raised direct between a resident and the Applicant.

Mr Ali appreciated that the Applicant had obviously struggled in getting to grips with the licensing process. However, Mr Ali felt that the Licensing Act 2003 was clear, as were the reasons for compliance, and therefore he believed that if the application were granted, it would send out the wrong message.

Ms Kathy Driver, Licensing Officer and witness called by the Licensing Authority started by clarifying the point that there was no TEN in place for 30<sup>th</sup> October 2021, but the noise complaint was in relation to a band playing outside, and there was no mention of alcohol being sold on that day.

The Members were informed that Licensing Services received approximately 22 TEN applications from the 1<sup>st</sup> December 2021 to 6<sup>th</sup> December 2021, but the premises already had had 17 TENs, and the legal maximum was 20 TENs per year, hence the Applicant had reached their maximum. Members were informed that officers tried to work with the Applicant in relation to compliance with the legislation. Due to the likely demand for licensable activities from patrons over the Christmas period, officers had worked with the Applicant in seeking to identify another plot of land, which could then be treated as separate premises from Brussels Wharf, for the purposes of the maximum number of TENs permitted per premises.

Despite officers' attempts to help the Applicant in this regard, the TEN application for 3<sup>rd</sup>-5<sup>th</sup> December 2021 was invalid, as it was not submitted within the required time limit, and therefore had been rejected. The Applicant had been advised of this, and had been advised not to carry out licensable activities, but when enforcement officers visited the market on 3<sup>rd</sup> December 2021, they witnessed licensable activities being conducted there, despite that advice.

In response to questions from Members the following was stated;

- It was confirmed that there was no evidence that Easter Sunday trading had occurred.
- That the applicant now having sought legal advice was clear on the policy and procedure for applying for TENs etc.
- That there had been no objections from the police or residents.

Concluding remarks were made by both parties.

### **The Licensing Objectives**

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

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

### **Consideration**

Each application must be considered on its own merits. The Chair confirmed that the Sub-Committee had carefully considered all of the evidence before them and heard oral representations made at the meeting by the Applicant's Legal Representative, a Local Ward Councillor and Officers representing the Licensing Authority.

The Sub-Committee noted the objections from the Licensing Authority, regarding the instances where the Applicant had traded without a Temporary Event Notice (TEN), and an instance of noise nuisance complaint.

The Sub-Committee noted the explanation given by the Applicant's Legal Representative in relation to these objections from the Licensing Authority. The Sub-Committee noted the representation by the Applicant's Legal Representative that he had fallen foul of what the Applicant's Legal Representative described as bureaucratic complexities of licensing application process. The Sub-Committee also noted the Applicant's Legal Representative pointing to the Applicant previously lacking legal advice and guidance.

The Sub-Committee were concerned about the management of the market, but were satisfied that with the benefit of the legal advice which he was now getting since the previous matters complained of by officers, the Applicant now had a better understanding of what was needed to comply with licensing requirements and what was required to uphold the licensing objectives.

The Sub-Committee noted that there had been no complaints since 30<sup>th</sup> October 2021, and representations by the Ward Councillor regarding the Applicant's good character and community spirit.

The Sub-Committee considered that on the balance of probabilities, there was no evidence of crime and disorder or public nuisance since the dates of the matters complained of by objectors. The Sub-Committee were satisfied that the Applicant following his solicitor's advice would uphold the licensing objectives, following the conditions proposed in the papers.

Therefore, Members made a decision and the decision was unanimous. Members granted the application with conditions.

Accordingly, the Sub Committee unanimously

### **RESOLVED**

That the application for a New Premises Licence for Brussels Wharf Market, Wapping Wall, London E1W 3SG be **GRANTED** with conditions.

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

Saturday from 10:00 hours – 17:00 hours

#### Regulated Entertainment in the form of live and recorded music (outdoors)

Saturday from 10:00 hours – 17:00 hours

Opening times

Saturday from 10:00 hours – 17:00 hours

Conditions

1. No more than 20% of the market stalls shall supply alcohol for on or off sales .
2. No open containers of alcohol shall be removed from the market perimeter.
3. Clear signage at point of sale and exit points informing customers that no open containers of alcohol shall be removed from the market perimeter.
4. That staff shall patrol the perimeter of the market to ensure that patrons with open containers do not leave the market perimeter.
5. A personal Licence holder is to be present on the premises at all times when alcohol is being supplied.
6. An incident log shall be kept at the premises and made available on request to an authorised officer of the local authority or the police. It must be completed within 24 hours of the incident and will record the following:
  - Crimes reported to the venue
  - Complaints received regarding crime and disorder.
  - Any incidents of disorder
  - Any refusal of the sale of alcohol.
  - Complaints received relating to noise
  - Any visit by a relevant authority or emergency service.
7. Premises management shall publicise and operate an attended telephone number by which any public noise enquiries and complaints can be made during the operating hours of the market. A written record of enquiries and complaints alongside details of the management actions taken in response shall be kept and made available to Officers of the Police or Council on request.
8. The sound level from any amplified live and recorded music shall remain within the control of the premises management at all times.
9. Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
10. All staff involved in the sale of alcohol shall be trained in the age check 'Challenge 25' policy. A record of their training, including the dates that each member of staff is trained, shall be available for inspection at the premises on request by the Council's authorised officers or the Police.

11. Age check or 'Challenge 25' signage shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale to inform customers that an age check 'Challenge 25' policy applies and proof of age may be required.

12. A register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the policy. The register shall be available for inspection at the premises on request by Council authorised officers or the Police.

13. While live or recorded music takes place, the licensee or management shall undertake regular monitoring of noise levels at the nearest noise-sensitive locations. A record shall be kept of monitoring, including the date, time and location of monitoring; the name of the monitor; and any action taken. Music noise levels shall not be at a level to cause a nuisance to noise sensitive residential and commercial premises. Records shall be kept for no less than six months and shall be made available upon request by a police officer or an authorised officer of Tower Hamlets Council.

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

Nil items.

The meeting ended at 7.45 p.m.

Chair, Councillor Peter Golds  
Licensing Sub Committee

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# Agenda Item 4.1

Committee :	Date	Classification	Report No.	Agenda Item No.
<b>Licensing Sub Committee</b>	19 July 2022	<b>Unclassified</b>		

Report of : <b>David Tolley</b> <b>Head of Environmental Health &amp; Trading Standards</b>	Title: <b>Licensing Act 2003 Application for variation of a Premises Licence for Adventure Bar, Unit 6 Frobisher passage, London E14</b>
Originating Officer: <b>Kathy Driver</b> <b>Principal Licensing Officer</b>	Ward affected: <b>Canary Wharf</b>

## 1.0 Summary

Applicant: **+Venture Battersea Limited**  
Name and **Adventure Bar**  
Address of Premises: **Unit 6**  
**Frobisher Passage**  
**London E14 5HA**

Licence sought: **Licensing Act 2003**  
**The Sale of Alcohol**  
**Provide Late Night Refreshment**  
**Provide regulated entertainment**

Objectors: **Licensing Authority**  
**Environmental Protection**  
**Metropolitan Police**

## 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

Kathy Driver  
020 7364 5171

### 3.0 **Background**

- 3.1 This is an application for a premises licence for Adventure Bar, Unit 6 Frobisher Passage, London E14 5HA.
- 3.2 A copy of the application is enclosed as **Appendix 1**.
- 3.3 The applicant has described the premises as a licensed premises, applying for the sale of alcohol, live music, recorded music, performance of dance and late night refreshment.
- 3.4 The hours that have been applied for are as follows:-

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

Monday to Sunday from 10:00 hours to 03:00 hours

**The Provision of Late Night Refreshment (indoors):**

Monday to Sunday from 23:00 hours to 03:00 hours

**The Provision of Regulated Entertainment in the form of:  
Live Music; recorded music; performance of dance**

Monday to Sunday from 10:00 hours to 03:00 hours

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

Monday to Sunday from 10:00 hours to 03:30 hours

**There are further non-standard times applied for all the above activities:**

From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

An additional hour to the standard and non-standard times on the day when British Summertime commences.

### 4.0 **Location and Nature of the premises**

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

## 5.0 Licensing Policy and Government Advice

- 5.1 The Council has adopted a licensing policy and this is available from the Licensing Section, and at the hearing. The revised policy came into effect on 1<sup>st</sup> November 2018 with an update on the CIZ policy in November 2021.
- 5.2 Relevant Sections of the policy are brought to the attention of Members within the Licensing Officers report.
- 5.3 The Home Secretary has issued Guidance under Section 182 of the Licensing Act 2003. This is available on the Government's website, [www.homeoffice.gov.uk](http://www.homeoffice.gov.uk). It was last revised in April 2018.
- 5.4 Relevant Sections of this advice are brought to Members attention within the Licensing Officers report. Members should note however, that in some areas Tower Hamlets, after a proper consideration of local circumstances, has not followed the Government's advice, or has developed it further.

## 6.0 Representations

- 6.1 All representations have to meet basic legal and administrative requirements. If they fail to do so they cannot be accepted. When rejected the person sending in the representation must be written to, and an explanation for rejection given in writing
- 6.2 A responsible authority or other person can make a representation. There are two tests for other persons and only one for a responsible authority. The two tests are contained in Section 18 of the Act.
- 6.3 All representations must be "about the likely effect of the grant of the premises licence on the promotion of the licensing objectives." Likely means something that will probably happen, i.e. on balance more likely than not.
- 6.4 Representations by responsible authorities do not have to meet the second test of not being vexatious and frivolous. Other persons have to meet this test.
- 6.5 This hearing is required by the Licensing Act 2003, because relevant representations have been made by the following:

Licensing Authority - See **Appendices 5**

Environmental Protection – See **Appendix 6**

Metropolitan Police – See **Appendix 7**

- 6.6 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
  - Primary Care Trust (Public Health England)
  - Home office Immigration Enforcement
- 6.7 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
- 6.8 The objections cover allegations of
- Anti social behaviour from patrons leaving the premises
  - Noise while the premise is in use
  - Disturbance from patrons leaving the premises
  - Access and egress problems
- 6.9 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.
- 6.10 The applicant has offered measures in the operating schedule of the application that address the promotion of the Licensing Objectives. If there were no representations, the Licensing Authority would grant the licence, with conditions consistent with the operating schedule, which are relevant, proportionate and enforceable. Members are asked to consider the schedule and incorporate any conditions as necessary to address the licensing objectives.
- 7.0 Conditions consistent with Operating Schedule**
- 7.1 The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Licensing Police. All entry and exit points will be covered enabling frontal identification of every person

entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping.

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

- 7.2 A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
- 7.3 An incident log shall be maintained at the premises and made available on request to an authorised officer, the Local Authority or Police. The register shall record the following:
  - A. All crimes reported to the venue.
  - B. All ejections of patrons.
  - C. Any complaints received concerning crime and disorder.
  - D. Any incidents of disorder.
  - E. All seizures of drugs or offensive weapons.
  - F. Any faults in the CCTV system or searching equipment or scanning equipment.
  - G. Any refusal of the sale of alcohol.
  - H. Any visit by a relevant authority or emergency service.
- 7.4 A minimum of two SIA door staff shall be employed at the premises from 10pm until closing on Fridays and Saturdays.
- 7.5 The premises licence holder shall ensure that all door supervisors employed at the premises wear a current identification badge, issued by the Security Industry Authority, in a conspicuous position to the front of their upper body.
- 7.6 A register of security personnel employed on the premises shall be maintained in a legible format, and made available to Police upon reasonable request. The register should be completed by the DPS/duty manager/nominated staff member at the commencement of work by each member of security staff, and details recorded should include full name, SIA badge number, contact details and time of commencement of duties. The security operative should then sign their name against these details.
- 7.7 A minimum of 1 SIA door staff shall be employed at the premises from 10pm until closing on Thursdays. On other occasions a risk assessment will be compiled as to whether door staff are required and if so, how many and for what times.

- 7.8 The area immediately outside the premises, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
- 7.9 An entry, closure and dispersal policy for controlling the opening of the premises and the departure of customers from the premises at the conclusion of the licensed activities shall be put in place and shall be actively operated. The policy shall be in written form and made available upon request by an authorised officer of the Police and authorised officers.
- 7.10 Notices will be prominently displayed at exits requesting the public to respect the need of local residents and to leave the premises and the area quietly.
- 7.11 Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
- 7.12 Off sales shall only be sold for consumption in the outside area shown on the proposed licensing plans, which shall be monitored by staff at all times.
- 7.13 A challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
- 7.14 All staff responsible for selling alcohol shall receive regular training in the Licensing Act 2003 in terms of the licensing objectives, offences committed under the Act and conditions of the Premises Licence. Written records of staff training in relation to the Licensing Act 2003 shall be retained and made available to police and authorised officers of the Licensing Authority on reasonable request.

## **8.0 Conditions Requested by Responsible Authorities**

- 8.1 Conditions have been requested by the Police in their representation, these have not as yet been agreed with the applicant, please see **Appendix 7**.

## **9.0 Licensing Officer Comments**

- 9.1 The Live Music Act removed licensing requirements for the following:
- amplified live music and recorded music between 8am and 11pm before audiences of no more than 500 people on premises authorised to sell alcohol for consumption on the premises;
  - unamplified live music between 8am and 11pm in all venues.

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

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

9.3 Guidance issued under section 182 of the Licensing Act 2003

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

those requested.” (10.14)

- ❖ Mandatory conditions must be imposed (10.25) and censorship avoided (10.17).
- ❖ The Guidance states: “It is still permitted to sell alcohol using promotions (as long as they are compatible with any other licensing condition that may be in force), and the relevant person should ensure that the price of the alcohol is not less than the permitted price. Detailed guidance on the use of promotions is given in the guidance document available on the Gov.uk website.” (10.58)
- ❖ Also, “Licensing authorities should not attach standardised blanket conditions promoting fixed prices for alcoholic drinks to premises licences or club licences or club premises certificates in an area.” (10.21)

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

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

9.6 In all cases Members should consider whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.

9.7 The Government has advised that conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. Conditions cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff and standardised conditions should be avoided where they cannot be shown to be appropriate. (1.16/1.17)

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

9.9 In **Appendices 8-13** Members are given general advice, and also have explanations of the Council’s Licensing Policy, Government advice and other legislation relating to the matters previously identified.

## 10.0 Legal Comments

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

## **11.0 Finance Comments**

11.1 There are no financial implications in this report.

## **12.0 Appendices**

<b>Appendix 1</b>	A copy of the application
<b>Appendix 2</b>	Site Plan
<b>Appendix 3</b>	Maps of the surrounding area
<b>Appendix 4</b>	Other licensed venues in the area
<b>Appendix 5</b>	Representations by the Licensing Authority
<b>Appendix 6</b>	Representations by Environmental Protection
<b>Appendix 7</b>	Representations by the Metropolitan Police
<b>Appendix 8</b>	Licensing Officer comments on Anti-Social Behaviour on the premises
<b>Appendix 9</b>	Licensing officer comments on anti-social behaviour patrons leaving the premises
<b>Appendix 10</b>	Licensing officer comments on Access and egress problems
<b>Appendix 11</b>	Licensing officer comments on Noise when the premises is in use
<b>Appendix 12</b>	Planning
<b>Appendix 13</b>	Licensing Policy relating to hours of trading.

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# Appendix 1

**Section 1 of 21**

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

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

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

Are you an agent acting on behalf of the applicant?

- Yes  No

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

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

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

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

**Applicant Business**

Is the applicant's business registered in the UK with Companies House?  Yes  No

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

Registration number

Business name

VAT number

Legal status

If the applicant's business is registered, use its registered name.

Put "none" if the applicant is not registered for VAT.

*Continued from previous page...*

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

**Agent Business**

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

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

Is your business registered outside the UK?  Yes  No

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

*Continued from previous page...*

Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent Business Address**

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 21**

**PREMISES DETAILS**

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

**Premises Address**

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

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

## Section 3 of 21

### APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

### Confirm The Following

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

## Section 4 of 21

### NON INDIVIDUAL APPLICANTS

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

#### Non Individual Applicant's Name

Name

#### Details

Registered number (where applicable)

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

Continued from previous page...

Limited Company

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

\* Date of birth  /  /   
dd mm yyyy

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

**Section 5 of 21**

**OPERATING SCHEDULE**

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

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

Provide a general description of the premises

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

Licensed Premises

*Continued from previous page...*

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

**Section 6 of 21**

**PROVISION OF PLAYS**

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes  No

**Section 7 of 21**

**PROVISION OF FILMS**

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes  No

**Section 8 of 21**

**PROVISION OF INDOOR SPORTING EVENTS**

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 21**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 21**

**PROVISION OF LIVE MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

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

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="03:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="03:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="03:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="03:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="03:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the performance of live music take place indoors or outdoors or both?

- Indoors
  Outdoors
  Both

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

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

State any seasonal variations for the performance of live music

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

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

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

New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

An additional hour to the standard and non-standard times on the day when British Summertime commences.

**Section 11 of 21**

**PROVISION OF RECORDED MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors                       Outdoors                       Both

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

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

Continued from previous page...

State any seasonal variations for playing recorded music

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

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

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

New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

An additional hour to the standard and non-standard times on the day when British Summertime commences.

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes
- No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of dance take place indoors or outdoors or both?

- Indoors       Outdoors       Both

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

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

State any seasonal variations for the performance of dance

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

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

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

New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

An additional hour to the standard and non-standard times on the day when British Summertime commences.

**Section 13 of 21**

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

[See guidance on regulated entertainment](#)

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

- Yes       No

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

- Yes       No

Continued from previous page...

### Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

- Indoors       Outdoors       Both

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

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

State any seasonal variations

Continued from previous page...

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

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

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

New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

An additional hour to the standard and non-standard times on the day when British Summertime commences.

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

- Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises     Off the premises     Both

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

State any seasonal variations

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

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

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

New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

An additional hour to the standard and non-standard times on the day when British Summertime commences.

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

**Name**

First name

Family name

Date of birth   
dd    mm    yyyy

Continued from previous page...

**Enter the contact's address**

Building number or name

District

City or town

County or administrative area

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

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

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

Reference number for consent form (if known)

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

**Section 16 of 21**

**ADULT ENTERTAINMENT**

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

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

None

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

Page 65  
End

End

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

Continued from previous page...

TUESDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="03:30"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="03:30"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="03:30"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="03:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="03:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="03:30"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

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

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

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

New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

An additional hour to the standard and non-standard times on the day when British Summertime commences.

**Section 18 of 21**

**LICENSING OBJECTIVES**

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

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

*Continued from previous page...*

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

Not to be added as conditions:-

The Applicant:

The Applicant is part of the Adventure Bar Group (operating now within Nightcap).

Adventure operate nine different premises, many in Cumulative Impact or stress areas, particularly in the West End of London.

They also operate a rooftop bar opposite Waterloo Station, London, trading until 2am on Friday and Saturday and with a maximum occupancy of 600.

In Birmingham, they operate, having been granted a new licence, a basement on Burlington Arcade/Stephenson Street with a maximum occupancy of 440 until 2am with closing at 2.30am.

Most recently they have applied for a new licence until midnight for what was previously Digbeth Arena in Birmingham, now trading as Luna Springs, with an occupancy of 2,000.

Adventure are serious, successful and accomplished operators who do not compromise in terms of quality of offer, professional and effective management and thorough staff training.

b) The prevention of crime and disorder

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

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

An incident log shall be maintained at the premises and made available on request to an authorised officer, the Local Authority or Police. The register shall record the following: A. All crimes reported to the venue. B. All ejections of patrons. C. Any complaints received concerning crime and disorder. D. Any incidents of disorder. E. All seizures of drugs or offensive weapons. F. Any faults in the CCTV system or searching equipment or scanning equipment. G. Any refusal of the sale of alcohol. H. Any visit by a relevant authority or emergency service.

A minimum of two SIA door staff shall be employed at the premises from 10pm until closing on Fridays and Saturdays.

The premises licence holder shall ensure that all door supervisors employed at the premises wear a current identification badge, issued by the Security Industry Authority, in a conspicuous position to the front of their upper body.

A register of security personnel employed on the premises shall be maintained in a legible format, and made available to Police upon reasonable request. The register should be completed by the DPS/duty manager/nominated staff member at the commencement of work by each member of security staff, and details recorded should include full name, SIA badge number, contact details and time of commencement of duties. The security operative should then sign their name against these details.

*Continued from previous page...*

A minimum of 1 SIA door staff shall be employed at the premises from 10pm until closing on Thursdays. On other occasions a risk assessment will be compiled as to whether door staff are required and if so, how many and for what times.

c) Public safety

The area immediately outside the premises, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.

An entry, closure and dispersal policy for controlling the opening of the premises and the departure of customers from the premises at the conclusion of the licensed activities shall be put in place and shall be actively operated. The policy shall be in written form and made available upon request by an authorised officer of the Police and authorised officers.

d) The prevention of public nuisance

Notices will be prominently displayed at exits requesting the public to respect the need of local residents and to leave the premises and the area quietly.

Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.

Off sales shall only be sold for consumption in the outside area shown on the proposed licensing plans, which shall be monitored by staff at all times

e) The protection of children from harm

A challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

All staff responsible for selling alcohol shall receive regular training in the Licensing Act 2003 in terms of the licensing objectives, offences committed under the Act and conditions of the Premises Licence. Written records of staff training in relation to the Licensing Act 2003 shall be retained and made available to police and authorised officers of the Licensing Authority on reasonable request.

**Section 19 of 21**

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

*Continued from previous page...*

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

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

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

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

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

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

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

*Continued from previous page...*

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

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

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

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

*Continued from previous page...*

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

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

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

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

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

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

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

## **Section 20 of 21**

### **NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

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

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

*Continued from previous page...*

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

## Section 21 of 21

### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

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

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

Band A - No RV to £4,300 = £100.00

Band B - £4,301 to £33,000 = £190.00

Band C - £33,001 to £8700 = 315.00

Band D - £87001 to £12500 = £450.00\*

Band E - £125001 and over = 635.00\*

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

Band D - £7001 to £12500 = £900.00

Band E - £125001 and over £1,905.00

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

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

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

Capacity 5000-9999 = £1,000.00

Capacity 10000 -14999 = £2,000.00

Capacity 15000-19999 = £4,000.00

Capacity 20000-29999 = £8,000.00

Capacity 30000-39000 = £16,000.00

Capacity 40000-49999 = £24,000.00

Capacity 50000-59999 = £32,000.00

Capacity 60000-69999 = £40,000.00

Capacity 70000-79999 = £48,000.00

Capacity 80000-89999 = £56,000.00

Capacity 90000 and over = £64,000.00

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

Continued from previous page...

\* Fee amount (£)

315.00

## DECLARATION

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

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

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

Poppleston Allen Solicitors

\* Capacity

Solicitors for and on behalf of the applicant

\* Date

31 / 03 / 2022  
dd mm yyyy

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/tower-hamlets/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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

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

**OFFICE USE ONLY**

Applicant reference number	<input type="text" value="VC/P58352/23"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

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

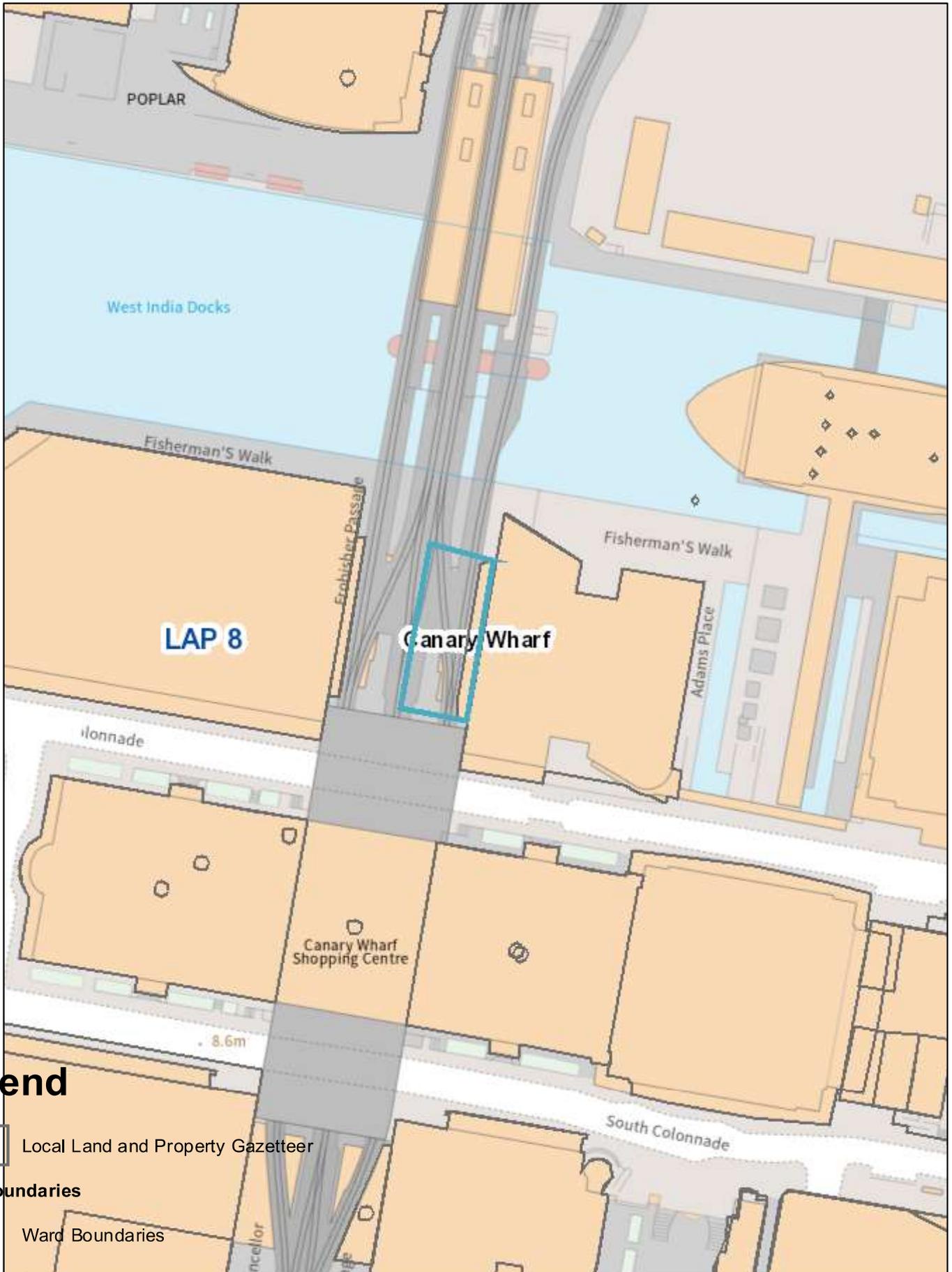
# Appendix 2



# Appendix 3



# Unit 6 Frobisher Passage



## Legend

 Local Land and Property Gazetteer

### Ward Boundaries

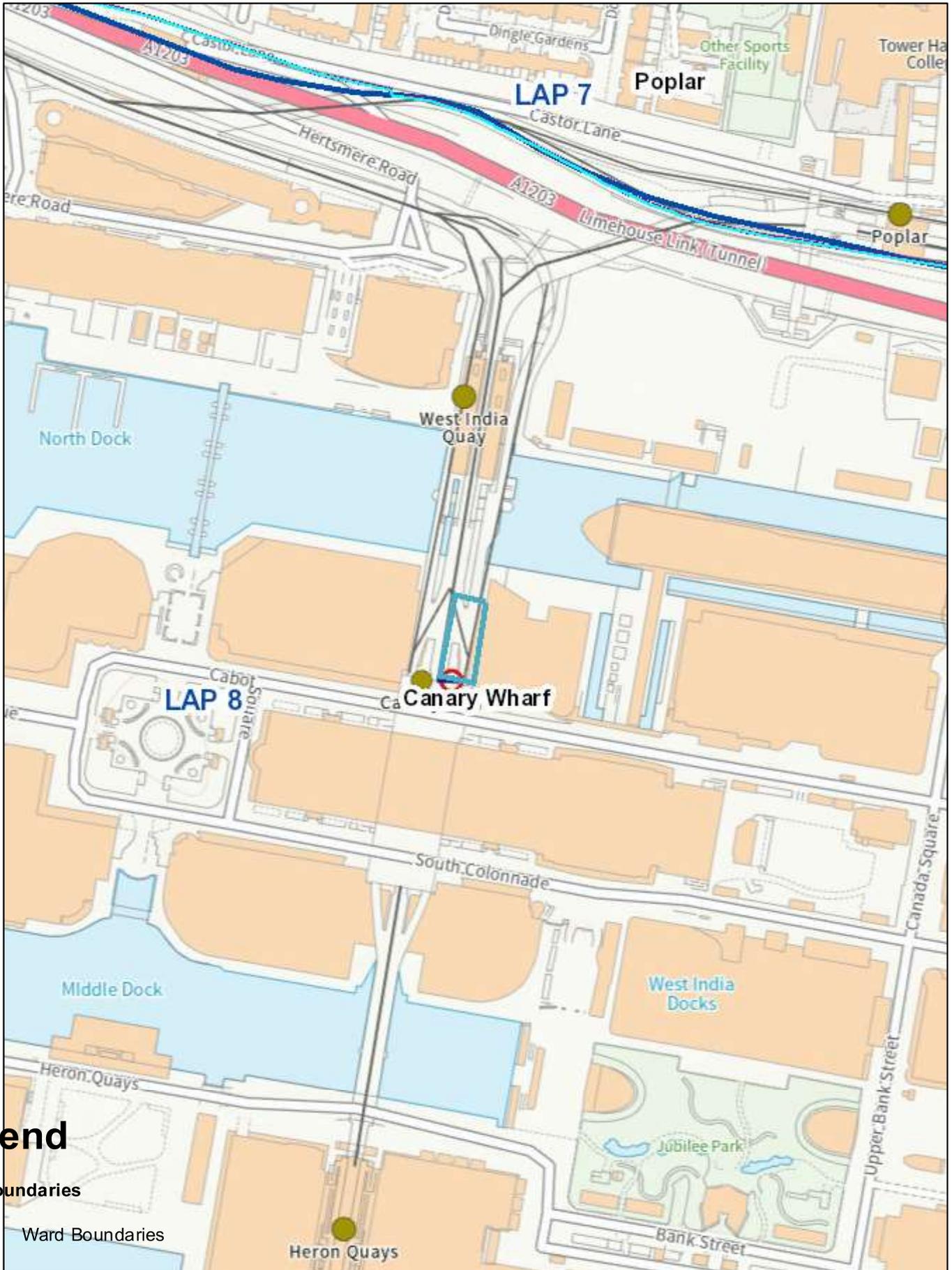
 Ward Boundaries

### LAP Boundaries

 LAP Boundaries



# Unit 6 Frobisher Passage



## Legend

Ward Boundaries

Ward Boundaries

LAP Boundaries

LAP Boundaries

# Appendix 4

Premises in close proximity to Unit 6 Frobisher Passage, Canary Wharf, London E14

Name and address	Licensable activities and hours	Opening hours
<p><b>Fairgame, 10-70 Fishermans Walk</b></p>	<p><b>The sale of alcohol:</b> Monday to Saturday from 07:00 hrs to 01:00 hrs Sunday from 07:00 hrs to midnight</p> <p><b>Regulated Entertainment (Indoors Only) consisting of: Films; Live Music ; Performance of Dance and anything of similar nature:</b> Monday to Sunday from 08:00 hrs to midnight</p> <p><b>Recorded Music:</b> Monday to Saturday from 08:00 hrs to 01:00 hrs Sunday from 08:00 hrs to midnight</p> <p><b>Late Night Refreshment (indoors):</b> Monday to Saturday from 23:00 hrs to 01:00 hrs Sunday from 23:00 hrs to midnight</p>	<p>Monday to Saturday from 07:00 hrs to 01:30 hrs Sunday from 07:00 hrs to 00:30 hrs</p>
<p><b>Try Market Hall Canary Wharf Limited</b></p>	<p><b>The provision of films, the provision of live and recorded music, performances of dance, the sale of alcohol and anything similar to E, F, or G.</b> Monday to Sunday from 08:00 hours to 01:00 hours on the day following</p> <p><b>The provision of late night refreshment</b> Monday to Sunday from 23:00 hours to 01:00 hours on the day following</p> <p>All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p> <p>An additional hour to the standard and non-standard times on the day when British Summertime commences.</p>	<p>Monday to Sunday from 06:00 hours to 01:30 hours on the day following.</p> <p>All opening hours shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p> <p>An additional hour to the standard and non-standard times on the day when British Summertime commences.</p>
<p><b>(Barclays Capital)</b> 5 The North Colonnade</p>	<p><b>Alcohol</b> Monday to Friday, from 07:00 hours to 23:00 hours</p>	<p>Monday to Friday, from 07:00 hours to 23:00 hours</p>

# Appendix 5

## **Kathy Driver**

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**From:** Corinne Holland  
**Sent:** 28 April 2022 17:56  
**To:** [REDACTED]  
**Cc:** Kathy Driver  
**Subject:** Adventure Bar, Unit 6 Frobisher Passage, London, E14 5HA

Dear Vicky

I am the licensing officer acting as the responsible authority for the Licensing Authority and make the following representation to this premise licence application.

The hours and licensable activities are as below

### **Live and recorded music / Performance of dance / sale of alcohol**

Monday – Sunday 10:00 – 03:00 hours

### **Late night refreshments**

Monday- Sunday 23:00 – 03:00 hours

### **Non-standard hours**

NYE

Extra hour for British Summertime

This application has no details as to what the premises is going to be. In Section 5 of the operating schedule where it states 'provide a general description of the premises' all that is written is 'licensed premises' For an application that is requesting live/recorded music/performance of dance/ late night refreshments and the sale of alcohol until 03:00 hours there is very little information in order to make a proper assessment.

Looking at the website for Adventure Bars /Nightcap this premises looks like it could be a cocktail style bar aimed at a relatively young crowd if like their other premises.

Why has 'performance of dance' has been applied for? What is intended for this to be used for?

### **SIA**

Door staff have been proposed for 2 x SIA on Friday & Saturday from 10:00pm and 1 x SIA on a Thursday . This is insufficient if the premises is going to be a late night bar where the consumption of alcohol is the primary activity. There needs to be door staff on the outside with a minimum of least one male and one female to control entry. There also needs to be at least two SIA within the premises keeping a check on the patrons and their behaviour. The door staff on the entry door should not have leave their position to assist with any issues or ejections inside the premises. There needs to be sufficient staff patrolling the premises inside to be able to deal with this.

### **Capacity**

The plan shows tables and chairs throughout and states 162 covers so is this application for a restaurant/bar. There is nothing in the application to the capacity of the venue as a whole. How many people can be accommodated with seating and standing taken into account?

### **Off sales**

The application states that off sales shall only be consumed in the outside area shown on the licensing plan which shall be monitored by staff at all times. This area is unclear on the plan as there is no specific external area marked. The capacity of this external area, its location and the hours it is proposed to be utilised needs to be clarified.

### **Nightclub**

With the hours requested it could be thought that this premises is going to be a nightclub. Is there any intention of this? If so will it be in-house DJ's or will there be external promoters. From experience external promoters can cause problems if they attract the wrong crowd. Under these circumstances the promoters will need to be risk assessed by the premises in case there is a history of crime & disorder at previous venues. If this is the case the Licensing Authority would want to be informed of the events that are taking place on a regular basis.

### **Access/Egress**

With a premises wanting to close at 03:30 hours this could cause noise disturbance to any residents/hotel occupants in Canary Wharf. Patrons are likely to be under the influence of alcohol having been drinking for a number of hours and usually talk very loudly/shout/scream on their route home or to transport links.

Although the Licensing Authority do not object to a bar being located in this premises I currently object to this application as it is in its current form as there are too few details to make an informed assessment. The hours requested are too late and I feel that this will lead to crime & disorder and public nuisance due to the high level of intoxicated patrons leaving the premises as late as 03:30 hours. There are also insufficient SIA to deal with potential problems.

Kind regards

### **Corinne Holland**

Licensing Officer  
Environmental Health and Trading Standards  
Place Directorate  
London Borough of Tower Hamlets  
2<sup>nd</sup> Floor, Mulberry Place  
5 Clove Crescent  
London  
E14 2BG

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# Appendix 6

## Kathy Driver

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**From:** Licensing  
**Sent:** 27 April 2022 15:01  
**To:** Kathy Driver  
**Subject:** FW: 148056 MAU REPRESENTATION New Premises license application for Adventure Bar Unit 6, Frobisher Passage, London E14 5HA

---

**From:** Nicola Cadzow <Nicola.Cadzow@towerhamlets.gov.uk>  
**Sent:** 27 April 2022 13:56  
**To:** Licensing <Licensing@towerhamlets.gov.uk>  
**Cc:** [REDACTED]  
**Subject:** 148056 MAU REPRESENTATION New Premises license application for Adventure Bar Unit 6, Frobisher Passage, London E14 5HA

Dear Licensing,

Having considered the new premise license application Adventure Bar Unit 6, Frobisher Passage, London I have to consider the impact of the licensing objectives, particular for Environmental Protection the prevention of public nuisance and the prevention of noise generated from within the premises or outside to be causing disturbance to people in the vicinity.

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

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

The applicant is proposing licensable activities: Regulated Entertainment (Live and recorded music), Late night refreshment, Supply of Alcohol as follows:

- **Monday to Thursday 10am until 03:00 hours, closing 30 minutes later at 03:30 hours (four hours above framework hours)**
- **Friday and Saturday 10am until 03:00 hours, closing 30 minutes later at 03:30 hours (three and a half hours above framework hours)**
- **Sunday 10am until 03:00 hours, closing 30 minutes later at 03:30 hours (5 hours above framework hours)**
- **Late night refreshment from 23:00 hours until 03:00 hours, 7 days a week**

Also, there is insufficient information in the operating schedule of the licence application to show how the applicant will promote the licensing objective for the prevention of public nuisance.

**Noise Sensitive premises:** residential and commercial premises in close proximity to Unit 6, Frobisher Passage, London E14 5HA

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 and egress to and from the venue, by patrons, especially due to patrons likely to be in high spirits; and
- The hours of operation.

## **CONCLUSION**

Environmental Protection **does not** support the application for Unit 6, Frobisher Passage, London E14 5HA as there is great likelihood of disturbance to residential premises at the noise sensitive hours sought, and there is insufficient information in the operation schedule to promote the licensing objective for the prevention of public nuisance.

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

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# Appendix 7



Tom Lewis  
Head of Licensing  
Tower Hamlets Council

**HT - Tower Hamlets Borough**

Licensing Office  
Shoreditch Police Station

Email: [mark.j.perry@met.police.uk](mailto:mark.j.perry@met.police.uk)  
[www.met.police.uk](http://www.met.police.uk)

25<sup>th</sup> May 2021

Dear Sir,

Central East Police Licensing formally object to the application for a Premises License for Adventure Bar at Unit 6 Frobisher Passage Canary Wharf E14 5HA. This objection is on the grounds of preventing Crime and Disorder and Public Nuisance, Protecting Children from Harm.

The applicant is asking in essence to be able to run a nightclub / late night bar until 3:30 am every day. While we do not object in principle to such a venue operating in Canary Wharf, what we do object to is the very late hours requested and the lack of conditions to ensure that the licensing objectives are upheld, staff and customers are protected and local residents are not disturbed.

The venue is located in Canary Wharf in close proximity to flats and a hotel, we fear that having a venue open so late will cause noise nuisance especially as customers leave the venue under the influence of alcohol, where peoples voices tend to be louder and their decision making impaired and the risk of alcohol related crime, disorder and public nuisance is increased. There is no background noise to absorb any noise generated by customers of the venue and the venue has failed to provide a egress plan or noise management plan to say how they would prevent such issued occurring, despite saying they would have such policies.

In a similar way the venue has not said how they will manage queue of customers coming into the venue so they do not cause nuisance or and the customers can be managed effectively.

We are also concerned that despite being open to 3:30 am every day they have only offered have two SIA security from 10 pm on Friday and Saturday. We feel that this is

wholly inadequate, if a venue is serving alcohol to customers until 3am then the risk of disorder offering is increased as the risk of people becoming intoxicated is increased, therefore the venue needs to have sufficient SIA security provision each day, not just on Friday and Saturday. We say that the venue needs to have 4 SIA on busy nights, two to manage the entrance and two to manage the inside area.

The venue should also have a security policy to show how they would deal with ejections, abusive customers and crimes that occur in their venue.

We also believe that a venue operating to such late hours will attract people who wish to sell drugs to those attending, commit theft or other offences we therefore require the venue to have an ID scanner and a searching of customers which will deter those from entering the venue. The ID scanner will also assist the venue in preventing those under 18 from entering the venue as it will help spot fake ID.

Given the applicant wants to sell alcohol for such a long hours we believe that the applicant should have welfare policy in place to show how it would deal with intoxicated and vulnerable customers. This should include availability of free water for customers and WAVE training for staff, and the provision of a dedicated welfare officer.

We believe that failure to reduce the times the venue is open and failure to have the requested conditions below added to the license will lead to an increase in crime and disorder and a failure to uphold the licensing objectives. We therefore ask that this application as it is rejected and the amended hours and

**All Licensable Activity:**

Monday to Wednesday 10:00 hours to 00:00 hours

Thursday to Saturday 10:00 hours to 01:30

Sunday 10:00 hours to 23:00 hours

**Hours Open to the Public**

Monday to Wednesday 10:00 hours to 00:30 hours; and

Thursday to Saturday 10:00 hours to 02:00 midnight

Sunday 10:00 hours to 23:30 hours

Conditions:

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

2.A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

3.There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.

4.When the designated premise supervisor is not on the premises any or all persons authorised to sell alcohol will be authorised by the designated premises supervisor in writing. This shall be available on request by the Police or any authorised officer.

5.A minimum of (4) SIA licensed door supervisors shall be on duty On Thursday, Friday, Saturday, and Sunday from 8pm till after the customers have been dispersed. Monday Tuesday and Wednesday it shall be 2 SIA licensed door staff from 8pm till after the customers have been dispersed. All SIA ratios are to be 50% male and female.

6. An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following:

- a) All crimes reported to the venue;
- b) All ejections of patrons;
- c) Any complaints received concerning crime and disorder
- d) Any incidents of disorder;
- e) All seizures of drugs or offensive weapons;

- f) Any faults in the CCTV system, searching equipment or scanning equipment;
- g) Any refusal of the sale of alcohol;
- h) Any visit by a relevant authority or emergency service.

7. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:

- a) Call the police (and, where appropriate, the London Ambulance Service) are called without delay;
- b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
- c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
- d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

9. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

11. No open containers of alcohol to be taken outside the premises.

12. A record shall be kept detailing all refused sales of alcohol. The record must include the date and time of the refused sale, the name of the member of staff who refused the sale, and the reason for the refusal, and what the outcome was, i.e. if left with friends, taxi called etc. The record shall be available for inspection at the premises by a police or Authorised Council Officer all times whilst the premises is open.

13. All persons entering or re-entering the premises shall be searched by a SIA licensed member of staff while monitored by the premises CCTV system. The search shall include a metal detecting search using an arch or wand, followed by a physical search, and a full bag search.

14. The premises must have a detailed documented security plan that must include an ejections policy, search policy, anti-theft policy which must be made available to police upon request.

15. A written entry policy shall be in place and implemented at the premises to move customers into the premises in such a way as to cause minimum disturbance or nuisance to neighbours. The policy shall include details on queue management to ensure any queue to enter the premises the premises is managed effectively and supervised by door staff to ensure that there is no public nuisance or obstruction to the public highway.
16. A written egress policy shall be in place and implemented at the premises to move customers into the premises in such a way as to cause minimum disturbance or nuisance to neighbours. The policy shall include details on queue management to ensure any queue to enter the premises is managed effectively and supervised by door staff to ensure that there is no public nuisance or obstruction to the public highway.
17. The premises shall adopt the Central East Police Licensing Drugs Policy.
18. The premises will carry out a risk assessment into all artists and promoters appearing at the venue. The purpose of this is to identify any risks and measures that can be put in place to mitigate against them. Research will include but is not limited to contacting venues they have appeared recently and looking at their social media sites. Mitigating measures will include but is not limited to SIA numbers, male and female SIA ratio, SIA placement. This risk assessment, including all identified risks and mitigating measures taken, must be a documented and made available to Police upon request.
19. The premises shall use an ID scanner that uses photographic identification documents such as ID cards, passports etc, all persons entering the premises where regulated entertainment is provided, and or after 8pm shall have their ID scanned by this device.
20. The premises' s security, egress, dispersal plans and searching policy as well as searching effectiveness shall be reviewed every 6 months and the results made available to Police upon request.
21. A Toilet attendant shall be in operation in all toilets when events which include regulated entertainment are taking place, or when internal risk assessments require it. This attendant must report any sightings or suspicion of drug use or dealing to a member of security immediately via radio link.

22. The premises is to have a Welfare Policy that includes a dedicated Welfare Officer, (see condition 23) this policy will detail how the venue will protect its customers who become vulnerable from such things as intoxication, drugs, and other customers.
23. A dedicated welfare officer, to be employed at the venue on Thursday, Friday and Saturday nights from 8pm until close. The welfare officer 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. All welfare interventions and outcomes to be logged in the welfare log.
24. 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.
25. 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.
26. No entry or re-entry shall be permitted to the premises (save for returning smokers) later than 1 hour before the premises closes.
27. The premises's smoking area shall be have a barrier separating it from the rest of the estate and be managed by a member of staff.

Kind Regards

Mark



PC Mark Perry  
Central East Licensing Unit  
Metropolitan Police Service (MPS)  
T: [REDACTED] Email [mark.j.perry@met.police.uk](mailto:mark.j.perry@met.police.uk)  
A: Licensing Office, 2nd Floor Stoke Newington Police Station

# Appendix 8

## Anti-Social Behaviour on the Premises

### Licensing Policy

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

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

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

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

### Police Powers

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

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

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

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

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

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

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

The Guidance recognises working with Home Office Immigration Enforcement in the prevention of immigration crime. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check are retained at the licensed premises.

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

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

#### Guidance Issued by the Office of Fair Trading

This relates to attempts to control minimum prices.

#### Other Legislation

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

# Appendix 9

## **Anti-Social Behaviour from Patrons Leaving the Premises**

### General Advice

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

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

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

### Licensing Policy

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

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

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

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

## Cumulative Impact

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

## Police Powers

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

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

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

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

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

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

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

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

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

## Other Legislation

### Crime and Disorder Act 1998

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

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

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

# Appendix 10

## Access and Egress Problems

Such as:

Disturbance from patrons arriving/leaving the premises on foot

Disturbance from patrons arriving/leaving the premises by car

Lack of adequate car parking facilities

Close proximity to residential properties

### Comment

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

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

### General Advice

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

The hours of operation also need to be considered.

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

### Licensing Policy

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

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

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

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

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

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

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

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

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

Licence conditions should not duplicate other legislation (1.16).

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

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

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

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

# Appendix 11

## Noise while the premise is in use

### General Advice

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

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

### Licensing Policy

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

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

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

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

### Police Powers

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

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

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

Licence conditions should not duplicate other legislation (1.16).

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

### Other Legislation

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

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

# Appendix 12

## **Planning**

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

# Appendix 13

## **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

# Agenda Item 4.2

Committee : <b>Licensing Sub Committee</b>	Date 19 July 2022	Classification <b>Unclassified</b>	Report No.	Agenda Item No.
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Report of : <b>David Tolley</b> <b>Head of Environmental Health &amp; Trading Standards</b>  Originating Officer: <b>Kathy Driver</b> <b>Principal Licensing Officer</b>	Title: <b>Licensing Act 2003 Application for a Premises Licence for DZRT, 622 Roman Road, London E3 2RW</b>  Ward affected: <b>Bow East</b>
--	---

## 1.0 Summary

Applicant: **Ahmed Karim Chowdhury**  
Name and **DZRT**  
Address of Premises: **622 Roman Road**  
**London E3 2RW**

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

Objectors: **Licensing Authority**

## 2.0 Recommendations

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

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

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

File  
Section 182 Guidance  
LBTH Licensing Policy

Kathy Driver  
020 7364 5171

### 3.0 **Background**

- 3.1 This is an application for a variation of the premises licence for
- 3.2 A copy of the application is enclosed as **Appendix 1**.
- 3.3 The applicant has described the premises as dessert takeaway and delivery service operating in evening and late night.
- 3.4 The hours have been amended since the application was made and agreed the following timing with Environmental Protection:-

#### **The Provision of Late Night Refreshment (indoors):**

Sunday to Thursday from 23:00 hours to midnight  
Friday and Saturday from 23:00 hours to 01:00 hours

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

Hours for opening have not been mentioned in the Environmental Protection agreement and will need to be clarified but the applicant has stated the following hours of operation under late night refreshment with the original application:

Sunday to Thursday from 14:00 hours to 01:00 hours  
Friday and Saturday from 14:00 hours to 02:00 hours

### 4.0 **Location and Nature of the premises**

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

### 5.0 **Licensing Policy and Government Advice**

- 5.1 The Council has adopted a licensing policy and this is available from the Licensing Section, and at the hearing. The revised policy came into effect on 1<sup>st</sup> November 2018 with an update on the CIZ policy in November 2021.
- 5.2 Relevant Sections of the policy are brought to the attention of Members within the Licensing Officers report.

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

## 6.0 Representations

- 6.1 All representations have to meet basic legal and administrative requirements. If they fail to do so they cannot be accepted. When rejected the person sending in the representation must be written to, and an explanation for rejection given in writing
- 6.2 A responsible authority or other person can make a representation. There are two tests for other persons and only one for a responsible authority. The two tests are contained in Section 18 of the Act.
- 6.3 All representations must be "about the likely effect of the grant of the premises licence on the promotion of the licensing objectives." Likely means something that will probably happen, i.e. on balance more likely than not.
- 6.4 Representations by responsible authorities do not have to meet the second test of not being vexatious and frivolous. Other persons have to meet this test.
- 6.5 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.
- 6.6 This hearing is required by the Licensing Act 2003, because relevant representations have been made by:.

Licensing Authority - See **Appendix 5**

The Licensing Authority request a number of conditions should Members decide to grant the application.

- 6.7 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
- Primary Care Trust (Public Health England)
- Home office Immigration Enforcement

6.8 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

6.9 The objections cover allegations of:

- Anti social behaviour from patrons leaving the premises
- Disturbance from patrons leaving the premises on foot
- Disturbance from patrons leaving the premises by car

6.10 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.

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

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

7.1 None applicable.

## 8.0 **Conditions Agreed with Environmental Protection**

8.1 Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly and not to loiter outside whilst the premises whilst operating.

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

8.3 The premises licence holder will display notices requiring drivers of delivery vehicles not to leave vehicle engines idling outside the premises

whilst the premises is in operation

## 9.0 Licensing Officer Comments

9.1 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.

### 9.2 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)

9.3 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.

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

9.5 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.

9.6 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)

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

9.8 In **Appendices 6-8** Members are given general advice, and also have explanations of the Council’s Licensing Policy, Government advice and other legislation relating to the matters previously identified.

## 10.0 Legal Comments

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

## **11.0 Finance Comments**

11.1 There are no financial implications in this report.

## **12.0 Appendices**

<b>Appendix 1</b>	A copy of the application
<b>Appendix 2</b>	Site Plan
<b>Appendix 3</b>	Maps of the surrounding area
<b>Appendix 4</b>	Other licensed venues in the area
<b>Appendix 5</b>	Representations of Licensing Authority
<b>Appendix 6</b>	Licensing officer comments on Access and egress problems
<b>Appendix 7</b>	Planning
<b>Appendix 8</b>	Licensing Policy relating to hours of trading.

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# Appendix 1



\* required information

### Section 1 of 15

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

System reference

Not Currently In Use

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

Your reference

DZRTRoman

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

Are you an agent acting on behalf of the applicant?

- Yes  No

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

### Applicant Details

#### Name

First name

Ahmed Karim

Family name

Chowdhury

#### Contact Details

E-mail

[Redacted]

Telephone number

[Redacted]

Fax number

Other telephone number

- Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

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

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

### Applicant Business

Is the applicant's business registered in the UK with Companies House?

- Yes  No

Is the applicant's business registered outside the UK?

- Yes  No

**Continued from previous page...**

Commercial register

Registration number

Business name

If the applicant's business is registered, use its registered name.

VAT number

Put "none" if the applicant is not registered for VAT.

Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**User Profile**

**Name**

First name

Family name

Continued from previous page...

**Contact Details**

E-mail

Telephone number

Fax number

Other telephone number

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

Are you:

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

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

**Your Business**

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

Is your business registered outside the UK?  Yes  No

Commercial register  The entity with which your business is registered, for example "Amsterdam Chamber of Commerce".

Registration number

Business name  If your business is registered, use its registered name.

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

Legal status

Your position in the business

Home country  The country where the headquarters of your business is located.

*Continued from previous page...*

**Address**

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

**Address**

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

**Section 2 of 21**

**PREMISES DETAILS**

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

**Premises Address**

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

- Address     OS map reference     Description

*Continued from previous page...*

**Address**

Building number or name	DZRT 622
Street	Roman Road
District	
City or town	London
County or administrative area	
Postcode	E3 2RW
Country	United Kingdom

**Contact Details**

E-mail	
Telephone number	
Fax number	
Other telephone number	
Non-domestic rateable value of premises (£)	12,250

### Section 3 of 21

#### APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

#### Confirm The Following

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

### Section 4 of 21

#### INDIVIDUAL APPLICANT DETAILS

##### Name

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

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

- Yes                       No

First name

Ahmed

Family name

Chowdhury

Is the applicant 18 years of age or older?

- Yes                       No

Continued from previous page...

**Address**

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

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

- Yes                       No

Building number or name	<input type="text" value="19"/>
Street	<input type="text" value="Alexandra Road"/>
District	<input type="text"/>
City or town	<input type="text" value="Romford"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="RM1 2DL"/>
Country	<input type="text" value="United Kingdom"/>

**Contact Details**

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

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

- Yes                       No

E-mail	<input type="text" value="[REDACTED]"/>
Telephone number	<input type="text" value="[REDACTED]"/>
Other telephone number	<input type="text"/>
Date of birth	<input type="text" value="[REDACTED]"/> dd      mm      yyyy
Nationality	<input type="text" value="[REDACTED]"/>
Right to work share code	<input type="text"/>
	<input type="button" value="Remove this applicant"/>

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

**Non Individual Applicant's Name**

Name

**Details**

Registered number (where applicable)

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

Continued from previous page...

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Fax number

Other telephone number

Date of birth  /  /   
dd mm yyyy

Nationality

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

**Section 5 of 21**

**OPERATING SCHEDULE**

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

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

Provide a general description of the premises

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

We serve desserts. We are a takeaway and delivery service (no dine in) and operate in the evening and late night (no later than 02:00). We do not sell alcohol and we provide hot and cold cakes/puddings/milkshakes etc. We have established business through lockdown and would lose a lot if we didnt get this license as the majority of our business is when

Continued from previous page...

conventional dessert shops shut for dine in. At any one time we have a maximum of 6/7 customers in the shop.

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

**Section 6 of 21**

**PROVISION OF PLAYS**

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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End

**Continued from previous page...**

Will the performance of a play take place indoors or outdoors or both?

- Indoors                       Outdoors                       Both

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

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

State any seasonal variations for performing plays

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

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

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

**Section 7 of 21**

**PROVISION OF FILMS**

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

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

**Continued from previous page...**

THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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End

Will the exhibition of films take place indoors or outdoors or both?

- Indoors       Outdoors       Both

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

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

State any seasonal variations for the exhibition of film

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

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

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

**Section 8 of 21**

**PROVISION OF INDOOR SPORTING EVENTS**

[See guidance on regulated entertainment](#)

Continued from previous page...

Will you be providing indoor sporting events?

Yes

No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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

State any seasonal variations for indoor sporting events

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

Continued from previous page...

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

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

**Section 9 of 21**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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Continued from previous page...

SUNDAY

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End

Will the boxing or wrestling entertainment take place indoors or outdoors or both?

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

- Indoors
- Outdoors
- Both

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

State any seasonal variations for boxing and wrestling entertainment

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

Non-standard timings. Where the premises will be used for the boxing or wrestling entertainment at different times from those listed in the column on the left, list below

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

**Section 10 of 21**

**PROVISION OF LIVE MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes
- No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

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

**Continued from previous page...**

WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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End

Will the performance of live music take place indoors or outdoors or both?

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

- Indoors       Outdoors       Both

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

State any seasonal variations for the performance of live music

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

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

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

Continued from previous page...

**Section 11 of 21**

**PROVISION OF RECORDED MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

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Start

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

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

- Indoors                       Outdoors                       Both

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

Continued from previous page...

State any seasonal variations for playing recorded music

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

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

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

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

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Start

End

WEDNESDAY

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THURSDAY

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FRIDAY

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End

Continued from previous page...

SATURDAY

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End

SUNDAY

Start

End

Start

End

Will the performance of dance take place indoors or outdoors or both?

- Indoors
- Outdoors
- Both

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

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

State any seasonal variations for the performance of dance

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

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

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

**Section 13 of 21**

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

[See guidance on regulated entertainment](#)

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

- Yes
- No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

Continued from previous page...

TUESDAY

Start

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End

WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

Start

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Start

End

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

Will this entertainment take place indoors or outdoors or both?

- Indoors       Outdoors       Both

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

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

State any seasonal variations for entertainment

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

## Page 140

Continued from previous page...

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

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

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

**Continued from previous page...**

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

- Indoors                       Outdoors                       Both

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

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

There is no music just serving the local customers directly and via delivery portals such as Uber and Deliveroo

State any seasonal variations

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

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

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

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

- Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

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

Continued from previous page...

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises       Off the premises       Both

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

State any seasonal variations

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

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

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

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

*Continued from previous page...*

**Name**

First name

Family name

Date of birth  /  /   
dd mm yyyy

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number  
(if known)

Issuing licensing authority  
(if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

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

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

Reference number for consent form (if known)

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

**Section 16 of 21**

**ADULT ENTERTAINMENT**

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

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

Continued from previous page...

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

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

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

*Continued from previous page...*

**Section 18 of 21**

**LICENSING OBJECTIVES**

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

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

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

Please see below. Some of the questions are a little vague.

b) The prevention of crime and disorder

Our customers are well behaved and usually young families wanting some dessert. 80% of our business is delivery.

c) Public safety

The shop is fully insured. There is no access to the kitchen for the public.

d) The prevention of public nuisance

We ask customers to vacate the shop as soon as they have received their orders.

e) The protection of children from harm

Children are our future and everything possible should be done to protect them from harm.

**Section 19 of 21**

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

*Continued from previous page...*

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

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

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

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

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

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

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

*Continued from previous page...*

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

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

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

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

**Continued from previous page...**

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

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

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

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

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

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

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

**Section 20 of 21**

**NOTES ON REGULATED ENTERTAINMENT**

**Continued from previous page...**

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

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

**Continued from previous page...**

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

**Section 21 of 21**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

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

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

Band A - No RV to £4,300 = £100.00

Band B - £4,301 to £33,000 = £190.00

Band C - £33,001 to £8700 = 315.00

Band D - £87001 to £12500 = £450.00\*

Band E - £125001 and over = 635.00\*

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

Band D - £7001 to £12500 = £900.00

Band E - £125001 and over £1,905.00

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

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

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

Capacity 5000-9999 = £1,000.00

Capacity 10000 -14999 = £2,000.00

Capacity 15000-19999 = £4,000.00

Capacity 20000-29999 = £8,000.00

Capacity 30000-39000 = £16,000.00

Capacity 40000-49999 = £24,000.00

Capacity 50000-59999 = £32,000.00

Capacity 60000-69999 = £40,000.00

Capacity 70000-79999 = £48,000.00

Capacity 80000-89999 = £56,000.00

Capacity 90000 and over = £64,000.00

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

Continued from previous page...

Fee amount (£)

450.00

## ATTACHMENTS

## AUTHORITY POSTAL ADDRESS

### Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

## DECLARATION

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

Ticking this box indicates you have read and understood the above declaration

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

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Full name

Ahmed Karim Chowdhury

Capacity

Director

Date

19 / 04 / 2022  
dd mm yyyy

Remove this signatory

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
  2. Go back to to upload this file and continue with your application.
- Don't forget to make sure you have all your supporting documentation to hand.

Continued from previous page...

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

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

**OFFICE USE ONLY**

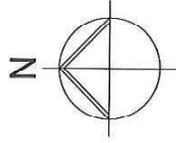
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Fee paid	<input type="text"/>
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Approval deadline	<input type="text"/>
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Is Digitally signed	<input type="checkbox"/>

**Digital Signature Information**

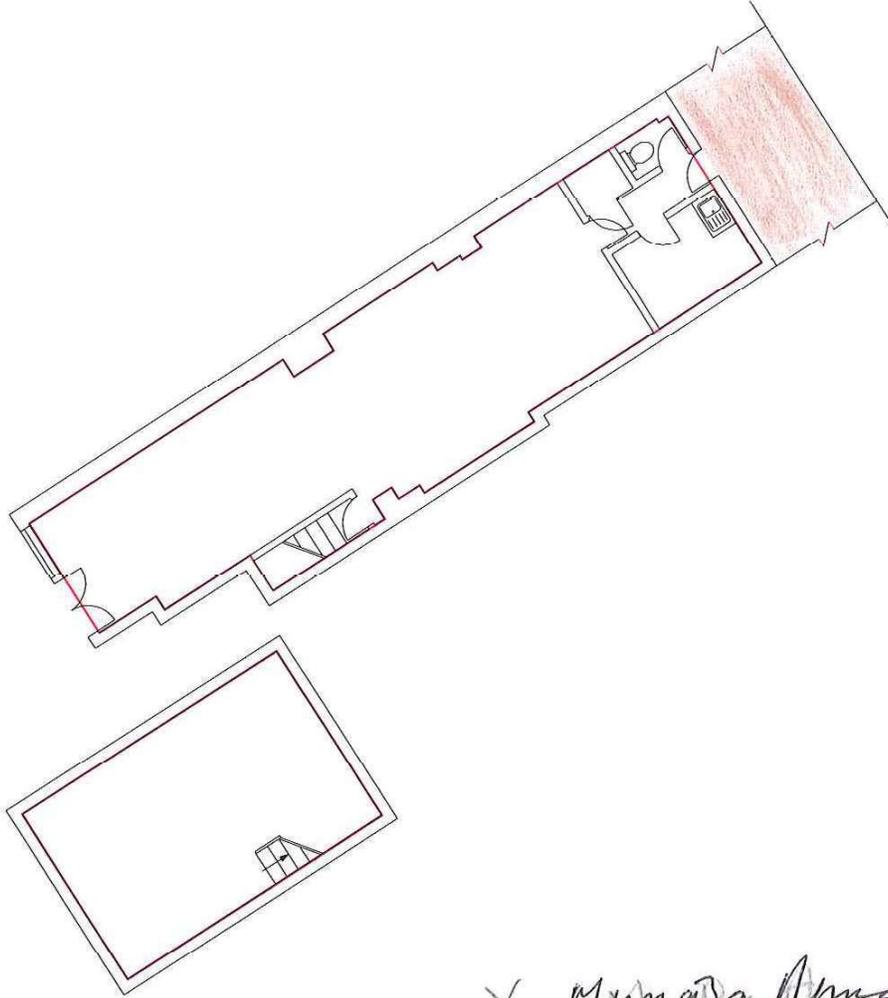
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Signer's contact information	<input type="text"/>
Signing time	<input type="text"/>
Signer status	<input type="text"/>
Signature status	<input type="text"/>
Certificate issuer	<input type="text"/>

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

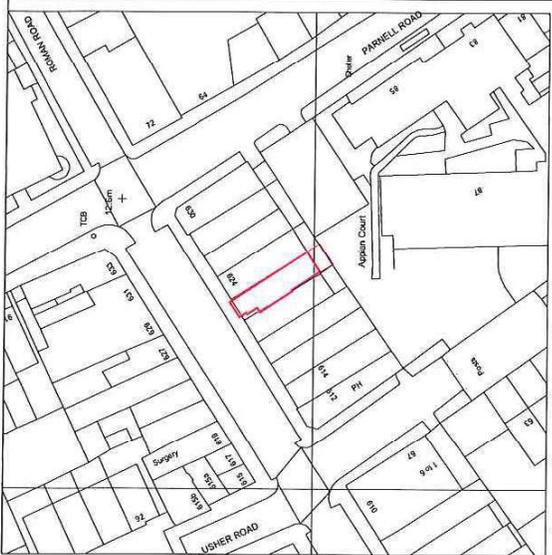
# Appendix 2



Floor Level	Cellar, Ground Floor
Address	622 Roman Road, E3 2RW
Date	26/06/18
Scale	1:150 @ A4
Drawn by	
Contact Details	Tel: 020 8418 2300 www.talbotpropertyservices.co.uk

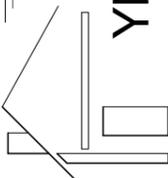


X *Munaza Ahmed* X

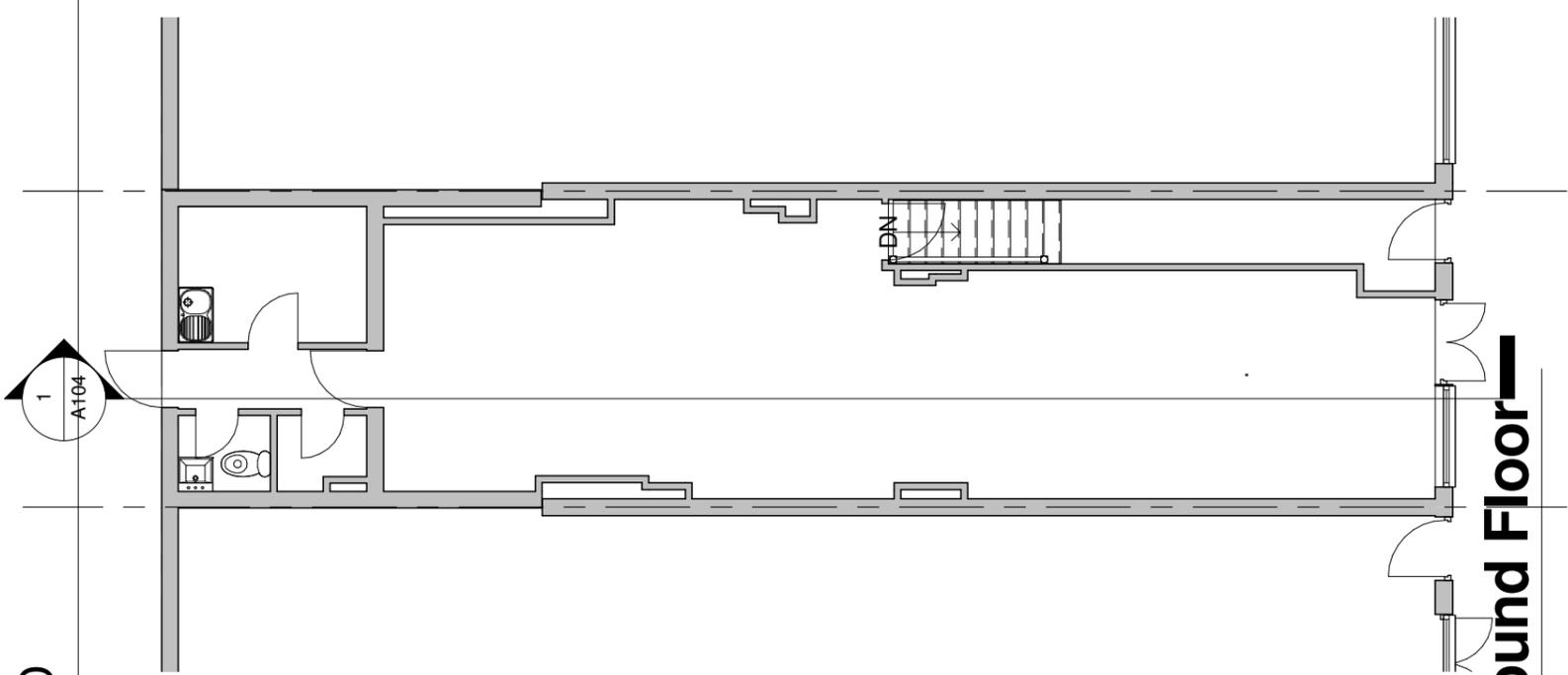
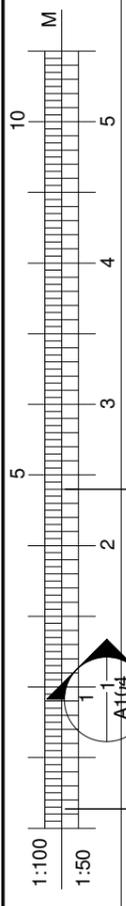


Location Plan - Scale 1:1250

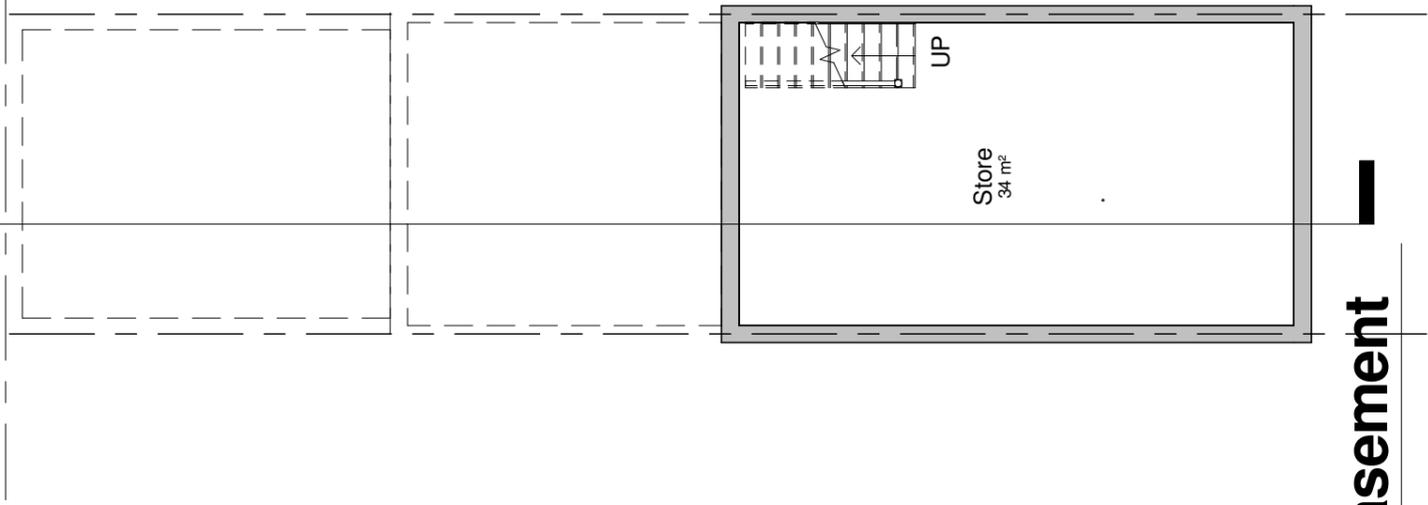
To ensure that your plan remains Land Registry Compliant please ensure that Page Scaling is selected to 'None' or Page Size is set to 'Actual'



**YMS DESIGN LTD**

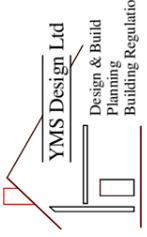


**1** Existing Ground Floor  
1 : 100



**2** Existing Basement  
1 : 100

**Note**  
 1. All informations and dimensions to be checked on site.  
 2. This drawing is not to be scaled.  
 3. All work and materials to be in accordance with current applicable Building Act & the Town and Country Planning Act.  
 4. This drawing subject to approval by relevant Local Authority.



YMS Design Ltd  
 Design & Build  
 Planning  
 Building Regulation  
 12 Lascelles Close, London E11 4QE  
 TEL: 020 3620 9407, M: 078 8883 6710  
 YMSDESIGN @ 2018

Rev	Description	Date

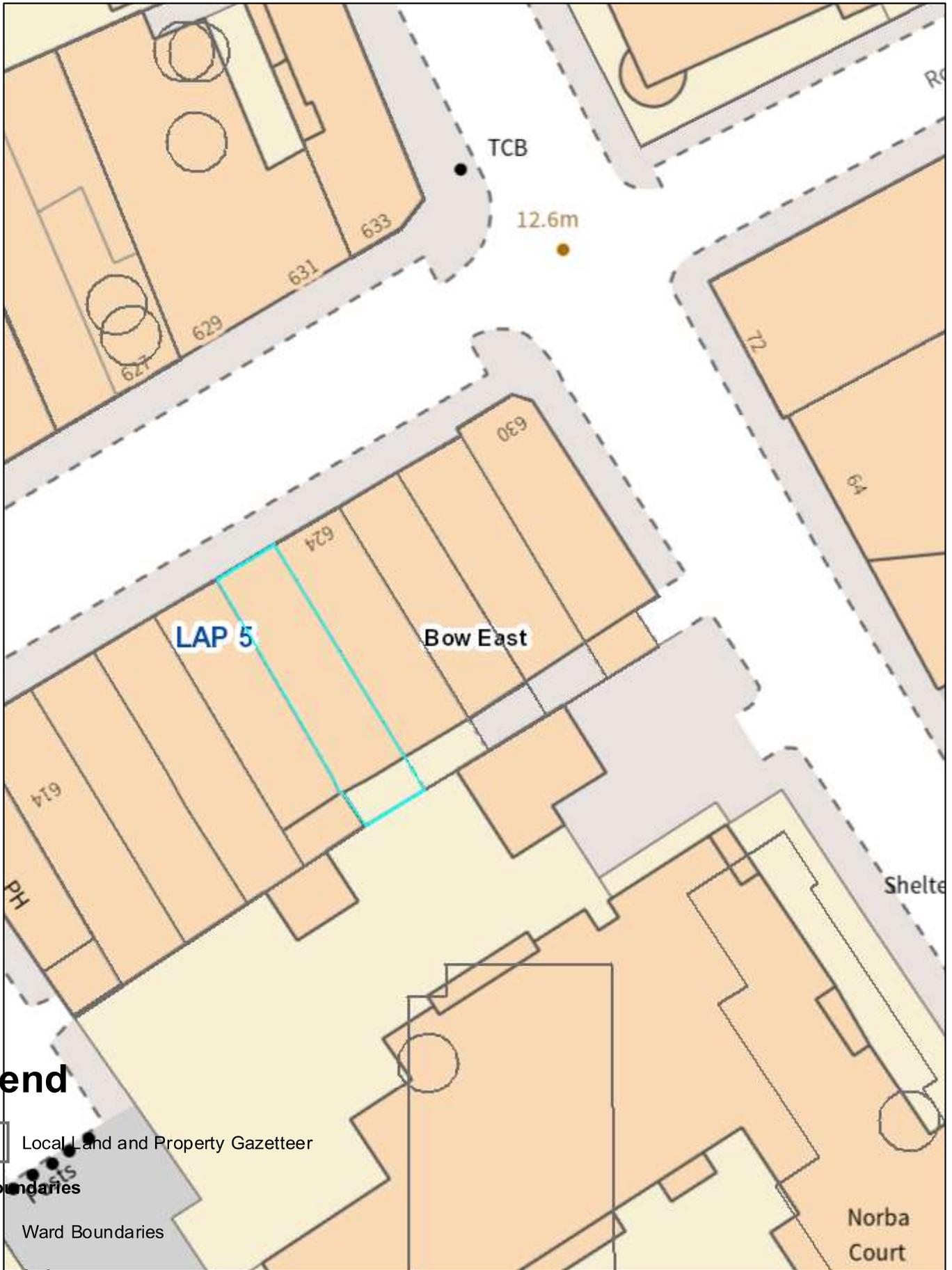
**Project Name**  
 Change Of use from A1 to Sui  
 Generis Nails & Beauty Saloon  
**Address**  
 622 Roman Road  
 London  
 E3 2RW

**Drawing Title** EXISTING PLANS  
**Council** TOWER HAMLET  
**Project number** 622-RRL  
**Date** 15/10/2018  
**Drawn by** YS  
**Checked by** YS  
**Drawing No.** **A100**  
**Scale** 1 : 100@ A3

# Appendix 3



# 622 Roman Road



## Legend

- Local Land and Property Gazetteer
- Ward Boundaries
- Ward Boundaries
- LAP Boundaries
- LAP Boundaries



# 622 Roman Road



## Legend

-  Local Land and Property Gazetteer
- Ward Boundaries**
-  Ward Boundaries
- LAP Boundaries**
-  LAP Boundaries

# Appendix 4

Premises in close proximity to 622 Roman Road, London E3

Name and address	Licensable activities and hours	Opening hours
<p><b>(Flava Pizza)</b>  <b>612 Roman Road</b>  <b>London E3 2RW</b></p>	<p><u>Late Night Refreshment</u>  Monday to Saturday 23:00 hours to midnight.</p>	<p>Monday to Thursday 10:00 hrs to midnight  Friday &amp; Saturday 12:00 hrs to midnight  Sunday 12:00 hrs to 23:00hrs</p>
<p><b>(Muxima)</b>  <b>618 Roman Road</b>  <b>London E3 2RW</b></p>	<p><b><u>The provision of regulated entertainment</u></b>  <b>Provision of Live Music, plays, showing of Films or performances of dance and anything of a similar description to this:</b>  Monday to Sunday 12:00 hours to 22:30 hours</p> <p><b>Provision of recorded Music:</b>  Monday to Thursday 08:00 hours to 23:00 hours  Friday 08:00 hours to 00:00 hours  Saturday 10:00 hours to 00:00 hours  Sunday 10:00 hours to 22:30 hours</p> <p><b><u>The provision of late night refreshment:</u></b>  Friday and Saturday 23:00 hours to 00:00 hours</p> <p><b><u>The sale by retail of alcohol (On sales):</u></b>  Monday to Thursday 08:00 hours to 23:00 hours  Friday 08:00 hours to 00:00 hours  Saturday 10:00 hours to 00:00 hours  Sunday 10:00 hours to 22:30 hours</p>	<p>Monday to Thursday 08:00 hours to 23:00 hours  Friday 08:00 hours to 00:00 hours  Saturday 10:00 hours to 00:00 hours  Sunday 10:00 hours to 22:30 hours</p>
<p><b>(Roman Food and Wine)</b>  <b>630 Roman Road</b>  <b>London E3</b></p>	<p>Monday to Saturday, from 07:00 hours to 23:00 hours  Sunday, from 08:00 hours to 22:30 hours</p>	<p>Monday to Saturday, from 07:00 hours to 23:00 hours  Sunday, from 07:00 hours to 22:30 hours</p>

# Appendix 5

Place Directorate  
Public Realm

Environmental Health and Trading Standards  
Head Of Service David Tolley

Licensing Section  
Mulberry Place  
5 Clove Crescent  
London E14 2BG

Tel 020 7364 5008

Fax 020 7364 0863

Enquiries to **Lavine Miller-Johnson**

Email [lavine.miller-johnson@towerhamlets.gov.uk](mailto:lavine.miller-johnson@towerhamlets.gov.uk)

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



London Borough Tower Hamlets  
Licensing Authority  
Mulberry Place  
5 Clove Crescent  
London E14 2BG

8<sup>th</sup> June 2022

My reference: P/PR/EHTS/LIC/149347

Dear Sir/Madam,

**Licensing Act 2003**

**Re: DZRT 622 Roman Road London E3 2RW**

I am acting in my capacity as Responsible Authority on behalf of the Licensing Authority to make representations against the above application on the grounds of the prevention of public nuisance, protection of children from harm and crime and disorder.

The applicant has not provided sufficient detail for the Licensing Authority to be satisfied that adequate measures are in place whilst licensable activities take place. The applicant has not offered any conditions in the operation schedule. The plan which has been provided shows very little detail.

The applicant has stated that the premises will be used for providing takeaway (directly) and delivery via Uber Eats and Deliveroo for the following hours:

**Late Night Refreshments (Indoors)**

Sunday to Thursday from 14:00 hours to 01:00 hours

Friday to Saturday from 14:00 hours to 02:00 hours

If the applicant is to provide takeaway and delivery only with no **indoor** dining, they have not stated that provisions are **outdoors** only in the application.

In the application, the applicant has stated the following regarding how they will uphold the licensing objectives:



- **The prevention of crime & disorder** – *Our customers are well behaved and usually young families wanting some dessert. 80% of our business is delivery.*
- **Public Safety** – *The Shop is fully insured. There is no access to the kitchen for the public.*
- **The prevention of public nuisance** – *we ask customers to vacate the shop as soon as they have received their orders.*
- **The protection of children from harm** – *Children are our future and everything possible should be done to protect them from harm*

### **Background**

Before applying for a premises licence for late night refreshments, the premises received a complaint from a local resident.

**04/04/2022** - Noise nuisance/ASB from male customers outside of the premises.

**From:**

**Sent:** 04 April 2022 00:42

**To:** Licensing <[Licensing@towerhamlets.gov.uk](mailto:Licensing@towerhamlets.gov.uk)>

**Subject:** Noise complaint for DZRT 622 Roman Rd, Bow, London E3 2RW

Hello,

*I'm a resident at XXXX Roman Road and I'm reaching to log a noise complaint for the DZRT shop operating at 622 Roman Rd, Bow, London E3 2RW.*

*Since the shop has opened there have been regular loud gatherings at late hours of groups of young males.*

*One example of such gathering was tonight 04/04 at 12:20 am when a group of 5-6 young males were gathered in front of the shop having a loud conversation. When I asked them if they could be quieter, they were disrespectful and did not lower their voices. After a few minutes I asked again to which they started arguing disrespectfully again and then started playing loud music from their cars before finally leaving after further 20 minutes.*

*We experience this almost on a weekly basis and is deeply disturbing not just because of the noise levels but also because of the disrespectful attitude and behaviour of the visitors.*



*Additionally, as a female resident I do not feel safe when groups of males hang out under my window in the middle of the night and are being loud and disrespectful on a regular basis. This is not a safe and pleasant residential environment.*

*Thank you in advance for your consideration and action.*

**04/04/2022** – research was carried out on the internet to investigate the opening hours of the premises. See attached **LMI/001**

**05/04/2022** - Principal licensing officer sent a warning letter to the owner of the business Mr Ahmed Chowdhury. See attached **LMI/002**

**16/04/2022** – At 23:21 hours, Tower Hamlets officers carried out a DYMOCK visit whereby a positive test purchase of hot dessert was made. The owner Mr Ahmed Chowdhury, whom the warning letter was addressed to was present at the time of the test purchase. See attached **LMI/003**

**19/04/2022** – Tower Hamlets licensing team received an application for an LNR licence. In the operating schedule of the application (Section 5 of 21), the applicant, Mr Ahmed Chowdhury stated that they wanted the licence for LNR to start from **17/04/2022**.

The requested start date on the application for LNR was commencing before the application was submitted.

The application received on **19/04/2022** was rejected due to incorrect advertisement of the application and a subsequent application was submitted.

This Licensing Authority does not have confidence in that the applicant would operate a business for LNR in accordance with the Licensing Act 2003.

In the warning letter (**LMI/002**) Mr Chowdhury was advised of the following.

*Under the Licensing Act 2003 it is an offence for anyone who carries on or attempts to carry on a licensable activity on or from any premises without or not in accordance with an authorisation.*

**The ACT covers;**

- 1) *the sale by retail of alcohol (off or on sales)*
- 2) *the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club (or permitted guest)*

- 3) *the provision of regulated entertainment (with or without a licence to sell alcohol)*
- 4) ***the provision of late night refreshment (selling meals and hot drinks after 23:00 hours and before 05:00 hours)***

He was further advised to cease trade immediately.

Mr Chowdhury did not take note of the above warning and continued to trade being caught operating past 23:00 hours on **16/04/2022**.

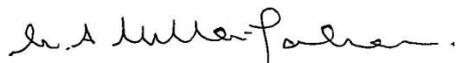
Further to the above, this Licensing Authority noted the lack of understanding of the licensing objectives and therefore feels that with the lack of information to be able to come to an agreement at this stage and therefore request for this application to be rejected.

However if the members are minded to grant this licence, to consider my representation and also consider the following conditions:

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

- f) any faults in the CCTV system, searching equipment or scanning equipment;
  - g) any visit by a relevant authority or emergency service.
- 
- 4) A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
  - 5) During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
  - 6) Notices shall be prominently displayed at all exits requesting patrons and delivery drivers to respect the needs of local residents and businesses and leave the area quietly.
  - 7) There shall be no idling of vehicles.
  - 8) There shall be no loitering of customers out of the premises.
  - 9) Delivery drivers must wait for orders inside of the premises.
  - 10) All children entering the premises must be accompanied by a suitable adult after 21:00 hours.

Yours sincerely,



**Lavine Miller-Johnson**  
**Licensing Officer**

**LMI/001**

Deliver to location

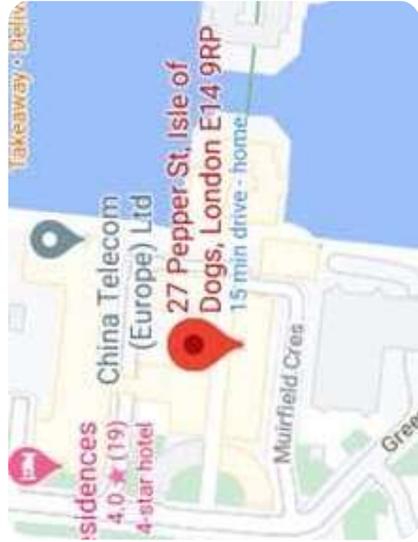
Login | Register



Menu (/Menu)  
 Allergens (Allergens)  
 Our Story (/our story)  
 Locations (/locations)



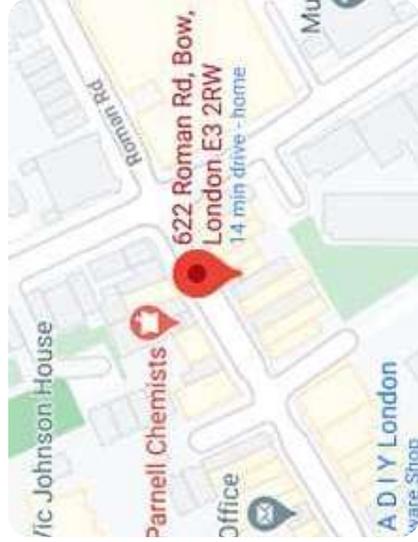
# VISIT OUR STORES



## CANARY WHARF

27 Pepper Street, Canary Wharf,  
London, E14 9RP

[Get Directions](#)



## ROMAN ROAD

622 Roman Road, London, E3 2RW

[Get Directions](#)

**DZRT**

**@HOTEL RAFAYEL**

34 Lombard Street, London, SW11  
3RF

[Get Directions](#)

**DZRT**

**CAMDEN TOWN**

178 Hawley Wharf Chalk Farm Road  
London NW1 8AA

[Get Directions](#)

## OPENING TIMES

MONDAY - THURSDAY: 5PM - 1AM

FRIDAY - SATURDAY: 2PM - 2AM

SUNDAY: 2PM - 1AM



(<https://www.facebook.com/dzrtinc>)

(<https://twitter.com/dzrtinc>)



(<https://www.instagram.com/dzrtinc/>)

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## HEAD OFFICE

622 ROMAN ROAD,

E3 2RW, LONDON, UK

[INFO@DZRT.CO.UK](mailto:INFO@DZRT.CO.UK) ([MAILTO:INFO@DZRT.CO.UK](mailto:INFO@DZRT.CO.UK))

ROMAN ROAD: 07383 777 888 (TEL: 07383 777 888)

CANARY WHARF: 07367 323 232 (TEL: 07367 323 232)

[Terms & Conditions \(/terms/\)](#) | [Privacy Policy \(/privacypolicy/\)](#) | [Allergens \(/allergens/\)](#) | [Returns Policy \(/refund/\)](#) |

[Contact \(/Contact\)](#) | [Franchise \(/franchise\)](#)

**LMI/002**

Mr Ahmed Karim Chowdhury  
DZRT London Limited  
DZRT  
622 Roman Road  
London  
E3 2RW

5<sup>th</sup> April 2022

**Place Directorate  
Public Realm**

**Environmental Health & Trading Standards**

Head Of Service **David Tolley**

2<sup>nd</sup> Floor, Mulberry Place  
5 Clove Crescent  
London  
E14 2BG

Tel **020 7364 5008**

Fax **020 7364 0863**

Enquiries to **Licensing**

Email **licensing@towerhamlets.gov.uk**

**www.towerhamlets.gov.uk**



My reference P/PR/EHTS/LIC/109987

Dear Sir,

**Licensing Act 2003 Section 136**

**Premises: DZRT, 622 Roman Road, London E3 2RW**

This Authority has received a complaint of the premises operating into the early hours of the morning and causing noise and disturbance to residents with people congregating outside.

Having looked on your website the hours stated for your business are Monday to Thursday 5pm to 1am; Friday to Saturday 2pm to 2am and Sunday from 2pm to 1am.

According to the Council records you do not hold a licence under the Licensing Act 2003 and must inform you that any supply of hot food or hot drinks, such as hot waffles would be deemed late night refreshment and therefore would require a licence under the above Act for the supply between 11pm and 5am.

The Act further stipulates Hot (food or drink) as:

*Food or drink supplied on or from any premises is "hot" for the purposes of this Schedule if the food or drink, or any part of it,—*

*(a) before it is supplied, is heated on the premises or elsewhere for the purpose of enabling it to be consumed at a temperature above the ambient air temperature and, at the time of supply, is above that temperature, or*

*(b) after it is supplied, may be heated on the premises for the purpose of enabling it to be consumed at a temperature above the ambient air temperature.*

**It is an offence for anyone who carries on, or attempts to carry on a licensable activity on or from any premises without or not in accordance with an authorisation.**

The ACT covers;

- 1) the sale by retail of alcohol (off or on sales)
- 2) the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club (or permitted guest)
- 3) the provision of regulated entertainment (with or without a licence to sell alcohol)
- 4) the provision of late night refreshment (selling meals and hot drinks after 23:00 hours and before 05:00 hours)

**A person guilty of an offence under section 136 (1) of the ACT is liable on a summary conviction to imprisonment for a term not exceeding six months or an unlimited fine.**

**You are advised to cease the unauthorised licensing activity with immediate effect.**

For further advice please contact your legal representative. Licence application forms and further details are available upon request from the Licensing Authority, please visit our website:

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

Yours sincerely



**Kathy Driver  
Principal Licensing Officer**

By email : [dzrtlondon@gmail.com](mailto:dzrtlondon@gmail.com)

C.c. Police Licensing Unit - [cemailbox-towerhamletslicensing@met.police.uk](mailto:cemailbox-towerhamletslicensing@met.police.uk)

LONDON BOROUGH OF TOWER HAMLETS:  
 LICENSING ACT 2003 RECORD OF CONTACT  
 Licensing and Safety Team, Environmental Health and Trading Standards  
 Mulberry Place, 5 Clove Crescent, London E14 2BG



Premises / Business Name: DZRT DZRT LONDON LTD

Licence Holder / DPS / Person Seen: ANNIE CHAMBERLAIN

Address: 522 ADELPH ROAD  
EB 2EW

Tel. No: [REDACTED]

Email: DZRTLONDON@GMAIL.COM

Intelligence Lead Visit (1L)

Compliance Visit (Proactive 1L)

Revisit (1R)

Notice Check (1N)

Visiting Officer (s): LEON OGDON & ANITA OGDON

App Officer Initials: LOJ / AOB

Position: FOOD & FHO

Signature: [Signature] Time of visit: 23.21

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

Offence of Licensing Act 2003	Section	ACTION REQUIRED:
<input type="checkbox"/> Unauthorised sale of alcohol [No Licence] [Suspended Licence] *strikeout as appropriate	136	<input type="checkbox"/> Cease Sale By Retail of Alcohol with immediate effect
<input checked="" type="checkbox"/> Unauthorised Provision of Late Night Refreshment (hot food or drink between 23:00 and 05:00 hours) [No Licence] [Suspended Licence] *strikeout as appropriate	136	<input checked="" type="checkbox"/> Cease the Provision of Late Night Refreshment with immediate effect
<input type="checkbox"/> Unauthorised Regulated Entertainment [No Licence] [Suspended Licence] *strikeout as appropriate	136	<input type="checkbox"/> Cease Regulated Entertainment with immediate effect.
<input type="checkbox"/> Sale of Alcohol outside licensed hours	136	<input type="checkbox"/> Remove all Alcohol from Sale
<input type="checkbox"/> Provision of Late Night Refreshment (hot food or drink between 23:00 and 05:00 hours) outside Licence hours	136	<input type="checkbox"/> Display Part 2 Summary of the Premises Licence
<input type="checkbox"/> Alcohol displayed for unauthorised Sale [No Licence] [Suspended Licence] [Outside Licensed Hours] *strikeout as appropriate	137	<input type="checkbox"/> Ensure a copy of the full Premises Licence is available for inspection on the premises
<input type="checkbox"/> Keeping Alcohol on the premises for unauthorised Sale [No Licence] [Suspended Licence] [Outside Licensed Hours] *strikeout as appropriate	138	<input type="checkbox"/> Ensure a letter of authorisation signed by the DPS is on the premises to enable staff to sell alcohol on their behalf
<input type="checkbox"/> Breach of licence condition(s) (specify condition text box below)	136	<input type="checkbox"/> Licensable activity must only be carried out within the hours detailed on your Premises Licence
<input type="checkbox"/> Selling Alcohol with no authorisation from DPS / No DPS present	136	<input type="checkbox"/> Alcohol must only be Displayed for Sale within the licence hours detailed on your Premises Licence
<input type="checkbox"/> Failure to display Premises Licence Summary	57	<input type="checkbox"/> Cease the Sale by Retail of Alcohol until a DPS is in place and named on the Premises Licence
<input type="checkbox"/> Failure to produce the full Premises Licence	57	<input type="checkbox"/> Comply with all conditions stated on the Premises Licence, in particular ones found to be in breach detailed on second sheet
<input type="checkbox"/> Sale of Alcohol to a person who is drunk	141	<input type="checkbox"/> See Action detailed on second sheet
<input type="checkbox"/> Allowing disorderly conduct on licensed premises	140	
Other Offences NOT Licensing Act 2003 (please insert legislation here)		

**ACTION TAKEN BY LBTH:**

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

Licence holder / DPS cautioned

Person seen: ANNIE CHAMBERLAIN

Signature: [Signature]

Position in business: OWNER

Date: 10/11/21

Premises Business Name/Address:

DZRT 602 ROMAN ROAD ES 2RW



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

Action:

I ALAN KAY (DNR 2710) AND MEL CULBERTSON (DNR 1191) ARRIVED AT YOUR PREMISES AT 23.21HRS AND WE DRIPPED ONE STRAWBERRY YOGURT WAFFLE AND COFFEE AND STRAW ICE-CREAM. I PAID THE WAFFLE LADY (KUNY) WHO ATTENDED TO US £4.00 AND I WAS GIVEN CHANGE OF £19.50.

WE RECEIVED THE ALICE AND IT WAS HOT. WAFFLE. YOU ARE TO STOP SELLING THIS FOOD IMMEDIATELY AND CONTACT THE LICENSING AND SAFETY DEPARTMENT AND APPLY FOR A HOT NIGHT REFRESHMENT LICENCE.

WE WAS DIRECTED TO THE MR HANSEN (DNR 1191) AND YOU CONFIRMED YOUR LOG AS 26.2.1981. YOU CONFIRMED THAT YOU OWN THE PREMISES LTD COMPANY REG-12507401.

THE LICENSING DEPARTMENT'S CONTACT DETAILS ARE ON THE OTHER SHEET. YOU WILL BE CONTACTED BY THE LICENSING DEPARTMENT WITH INFORMATION WHAT ACTION THEY WILL TAKE. IN SOME SITUATIONS PROSECUTION IS SOMETIMES CONSIDERED.

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

Visiting Officer:

LEWIS JONES & ALAN KAY

Date: 16/04/22 Time: 23:50

Signature of Licensee / DPS / Person Seen

\*Circle as appropriate

[Redacted Signature]

Date: 16/04/22 Time: 03:50

ACTION TAKEN BY LBTH:

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

LMI/003

DYMOCK visit Image of hot food purchased on 16/04/2022 at 23:21



# Appendix 6

## Access and Egress Problems

Such as:

Disturbance from patrons arriving/leaving the premises on foot

Disturbance from patrons arriving/leaving the premises by car

Lack of adequate car parking facilities

Close proximity to residential properties

### Comment

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

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

### General Advice

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

The hours of operation also need to be considered.

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

### Licensing Policy

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

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

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

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

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

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

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

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

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

Licence conditions should not duplicate other legislation (1.16).

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

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

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

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

# Appendix 7

## **Planning**

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

# Appendix 8

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

All applications have to be considered on their own merits.

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

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

(see 14.8 of the Licensing Policy)

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

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

(See 14.9 of the licensing policy)

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

- Theatres
- Cinemas
- Premises with club premises certificates

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