

Licensing Sub Committee

Agenda

**Tuesday, 11 October 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]

Contact for further enquiries:

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Public Information

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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, 11 October 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.

PAGE NUMBER	WARD(S) AFFECTED
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3. ITEMS FOR CONSIDERATION



3.1 Application to Review the Premise Licence for (Tower Hamlets Pizza) 479 Cambridge Heath Road, London, E2 9BU

19 - 146

Bethnal Green West

Licensing Objectives:

- Public Nuisance
- Crime & Disorder

Review triggered by:

- Licensing Authority

Supported by

- Metropolitan Police
- Immigration

3.2 Application for a New Premise Licence for Limehouse Library Hotel, 638 commercial Road, London, E14 7HS

147 - 242

Limehouse

Licensing Objectives:

- Public Nuisance

Representations by:

- Local Resident(s)

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

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



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Agenda Item 1

DECLARATIONS OF INTERESTS AT MEETINGS– NOTE FROM THE MONITORING OFFICER

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

(i) Disclosable Pecuniary Interests (DPI)

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

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

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

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

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

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

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

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

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

Guidance on Predetermination and Bias

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

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

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

Further Advice contact: Janet Fasan, Monitoring Officer, Tel: 0207 364 4800.

APPENDIX A: Definition of a Disclosable Pecuniary Interest

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

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

TOWER HAMLETS



LICENSING COMMITTEE

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

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

1. Interpretation

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

2. Composition of Sub-Committee

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

3. Procedure

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

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

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

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

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

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

4. Exclusions

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

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

Guidance for Licensing Sub-Committee Meetings.

(1) Attendance at Meetings.

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

(2) Licensing Sub-Committee Role and Membership.

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

Licensing Sub- Committee Webpages

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

The pages include:

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

(3) Access to Committee Papers.

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

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

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

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

(5) What can be circulated?

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

(6) How will the applications be considered?

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

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

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

(8) Queries on reports.

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

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

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

LICENSING SUB COMMITTEE HEARING PROCEDURE

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

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

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

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

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Agenda Item 3.1

Committee: Licensing Sub-Committee	Date: 11 October 2022	Classification: UNRESTRICTED	Report No.	Agenda Item No.
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Report of: David Tolley Head of Environmental Health & Trading Standards Originating Officer: Corinne Holland Licensing Officer	Title: Licensing Act 2003 Application to Review the Premise Licence for (Tower Hamlets Pizza) 479 Cambridge Heath Road, London, E2 9BU Ward affected: Bethnal Green West
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1.0 Summary

Name and	Tower Hamlets Pizza
Address of premises:	479 Cambridge Heath Road London E2 9BU
Licence under review:	Licensing Act 2003 <ul style="list-style-type: none">▪ Provision of Late-Night Refreshments
Review triggered by:	Licensing Authority
Representations:	Police Immigration

2.0 Recommendations

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

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

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

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

Corinne Holland
020 7364 3986

3.0 Review Application

- 3.1 This is an application for a review of the premise licence for Tower Hamlets Pizza, 479 Cambridge Heath Road, London, E2 9BU. The review was triggered by the Licensing Authority.
- 3.2 A copy of the review application and supporting documents are attached in **Appendix 1**. This includes the previous and current Premise Licence.

4.0 The Premises

The premise licence was issued on 16th January 2018 to Mr Haroon Hamidi. Having initially made an invalid application on the 21st September 2021, which was rejected by the Licensing Authority, Mr Hamidi reapplied on 25th October 2021 to extend the hours on his Premise Licence for the Provision of Late Night Refreshments to 05:00 hours. Environmental Health (noise team) made a representation against this application due to the prevention of public nuisance. The matter was heard by the Licensing Sub Committee on 11th January 2022 and the application was refused. Mr Hamidi was informed of this decision by way of a letter served by email on 31st January 2022. On the 28th May 2022 the Licensing Authority received a transfer for the licence into the name of Mr Umid Hussain Khel.

- 4.1 Maps showing the premises and surrounding area are included in **Appendix 2**.

5.0 Representations

- 5.1 This hearing is required by the Licensing Act 2003, because a review has been triggered by the Licensing Authority.
- 5.2 The review is further supported by the following Responsible Authorities
Police – **Appendix 3**.
Immigration – **Appendix 4**
- 5.3 A letter received by the Licensing Authority from the Premises Licence Holder, Mr Umid Hussain Khel, on 13th August 2022 is included in – **Appendix 5**
- 5.4 Only representations that relate to the following licensing objectives are relevant:
- the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm
- 5.5 In the view of the responsible authorities it is necessary to achieve the licensing objectives of the prevention of public nuisance and prevention

of crime & disorder.

6.0 Review Explained

- 6.1 The Licensing Act 2003 was described by the Government at the time as “light touch” but as Baroness Blackstone stated in the Lords at the time of the second reading (26 Nov 2002) “Local residents and businesses as well as expert bodies, will have the power to request that the licensing authority review existing licences where problems arise. Such a review could result in the modification of the licence, its suspension, or ultimately, revocation.”
- 6.2 The Home Office has issued guidance under Section 182 of the Licensing Act 2003 in relation to reviews and that is contained in **Appendix 6**. It is available on the Government’s website, www.homeoffice.gov.uk. It was last revised in April 2018.
- 6.3 Members are particularly asked to note the comments in relation Crime and Disorder. In particular the home office advice is that “The role of the licensing authority when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure that the crime prevention objective is promoted.”
- 6.4 In relation to its advice on representations the home office has also advised that “there is no requirement for an interested party or responsible authority to produce a recorded history of problems at a premises to support their representations.” It has also issued revised guidance about Crime and Disorder. **See Appendix 7.**
- 6.5 Members should also note the Council’s Licensing Policy in relation to Crime and Disorder, the relevant parts of which are contained in **Appendix 8.**
- 6.6 Guidance Issued by the Home Office concerning Prevention of Public Nuisance **Appendix 9.**
- 6.7 London Borough of Tower Hamlets Policy in relation to the Prevention of Public Nuisance **Appendix 10.**
- 6.8 The Home Office has advised that in relation to reviews “ Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co-operation. ”

- 6.9 An interested party or a responsible authority can trigger a review at any time, but the grounds must be relevant to the licensing objectives. The form of the application, and the advertisement of the review are the subject of regulations (The Licensing Act 2003 (Premises Licences and Club Premises Certificate) Regulations 2005). In addition, the licensing authority has to satisfy itself of certain matters in relation to the Licensing Act 2003. The Licensing & Safety Team Leader is the delegated officer who deals with this on behalf of the Licensing Authority. All the matters stated in 5.0 were considered before any representations were accepted for inclusion in this report.
- 6.10 The Licensing Act 2003 requires that the Licensing Authority satisfies itself that it should reject the grounds for a review because:
- The ground is not relevant to one or more of the licensing objectives
 - In the case of an application by a local resident that the application is frivolous, vexatious or repetitious.

7.0 Review Advertisement

- 7.1 The review was advertised by a blue poster, next to the premises, by the Licensing Section. This was periodically monitored by the Section to ensure it was on continuous display, and replaced as necessary. It was also advertised at Mulberry Place, 5 Clove Crescent, London E14 2BG.
- 7.2 The party that triggers the review must notify the licence holder and responsible authorities. The review documents were sent to the licence holders.
- 7.3 The procedure for a review can be summarised as follows:
- A review is triggered by a responsible authority or interested party
 - Consultation is conducted for 28 full days
 - Other responsible authorities or interested parties may join in the review
 - Members conduct a hearing
 - Members make a determination
 - All the parties to the review have the right of appeal to the magistrates court (i.e. the licence holder, the person who triggered the review and those who have made a representation).

8.0 Licensing Officer Comments

- 8.1 When licence holders or designated premises supervisors move, leave a premises or dispose of their premises they remain responsible in law until they have informed the licensing authority and surrendered the licence or arranged a transfer, which may involve notification to the Police as well. Any licensees or designated premises supervisors who are not sure what to do should contact the licensing authority. Please note that should the DPS cease to work/be employed by the premises the

Licensing Authority will consider that there is no DPS for those premises. This consideration shall apply regardless of whether that person is still named on the Premises Licence, or whether they have asked for their name to be removed from it. This consideration shall apply until such time that an application is received to nominate a new premises supervisor. In such cases, the Licensing Authority shall expect no sales of alcohol to take place until an application to vary the DPS has been submitted to the Licensing Authority. (27.1 Licensing Policy)

- 8.2 The Governments advice in relation to reviews is contained in **Appendix 6**. Members must consider all the evidence and then decide from the following alternatives:
- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
 - exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
 - remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
 - suspend the licence for a period not exceeding three months;
 - revoke the licence.
- 8.3 The licence should only be suspended or revoked if Members believe that alterations to the existing licence, including imposing new conditions does not have a reasonable prospect of ensuring that the licensing objectives are met.
- 8.4 Members should bear in mind that conditions may not be imposed for any purpose other than to meet the licensing objectives.
- 8.5 In all cases the Members should make their decision on the civil burden of proof that is “the balance of probability.”
- 8.6 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.
- 9.0 **Legal Comments**
- 9.1 The Council’s legal officer will give advice at the hearing.
- 10.0 **Finance Comments**
- 10.1 There are no financial implications in this report.

11.0 Appendices

Appendix 1	Copy of the review application with supporting documents.
Appendix 2	Maps of the premises and surrounding area
Appendix 3	Police representation
Appendix 4	Immigration Representation
Appendix 5	Letter from Premise Licence Holder
Appendix 6	Guidance issued under Section 182 by the Home Office for reviews
Appendix 7	Guidance Issued by the Home Office under Section 182 of the Licensing Act 2003 concerning Crime and Disorder
Appendix 8	London Borough of Tower Hamlets Licensing Policy in relation to the prevention of Crime and Disorder
Appendix 9	Guidance Issued by the Home Office concerning Prevention of Public Nuisance
Appendix 10	London Borough of Tower Hamlets Policy in relation to the Prevention of Public Nuisance

Appendix 1



This form should be completed and forwarded to:

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

**Application for the review of a premises licence or club premises certificate
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I, Kathy Driver, Principal Licensing Officer, acting on behalf of the Licensing Authority **apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)**

Part 1 – Premises or club premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description	
Tower Hamlets Pizza 479 Cambridge Heath Road	
Post town London	Post code (if known) E2 9BU

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

Mr. Umid Hussain Khel

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

149847

Part 2 - Applicant details

Please tick yes

I am

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

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

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

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

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

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Kathy Driver Principal Licensing Officer London Borough of Tower Hamlets Mulberry Place 5 Clove Crescent London E14 2BG
Telephone number (if any) XXXXXXXXXX
E-mail (optional) XXXXXXXXXX

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

Please tick one or more boxes

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

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

The Licensing Authority are triggering this review on the grounds of prevention of crime and disorder and prevention of public nuisance.

The licence under review is licence number 149847 of which until 28th May 2022 was held by a Mr. Haroon HAMIDI. We received a transfer application on 28th May 2022 by a Mr Umid Hussain KHEL, this Licensing Authority believes the persons at the premises are linked and the business set up and its staff has not changed. I will show evidence of unauthorised activity throughout including whilst Mr. Khel has been in place.

The Licensing Authority seeks revocation of the licence and believes the evidence against it shows that no conditions can resolve the crime and disorder and public nuisance that has taken place on the premises.

The licence has been in place since 16th January 2018 of which Mr. Haroon HAMIDI was the licence holder. A transfer was made on 28th May 2022 for immediate effect, I exhibit Licence No; 26688 (as held by Mr. Haroon HAMIDI and the new licence under Mr. Umid Hussain KHEL as **Exhibit A**.

The Licensing Authority started to receive reports from local residents from 7th June 2021 stating they are operating 24 hours a day, we found web adverts for Pizza Pizza at 479 Cambridge Heath Road advertising opening hours 11:00 hours to 04:30 hours seven days a week. Mr. Haroon HAMIDI was the premises licence holder at the time of the report. A warning letter was sent to Mr. HAMIDI at his home address and the premises on 7th June 2021 and also his email address. An email was also sent to a Mr. JILLANI who at the time had paid the licence annual fee, see **Exhibits in B**.

Following this report Officers attended the premises on 11th September 2021 and at 02:20 the two officers were able to purchase two Pizza's. A Mr. JILLANI claimed to be the owner and was verbally warned by the officers and received a warning record. Please see **Exhibit C** for witness statement and visit record sheet.

On 21st September 2021 an application was received from Mr. Haroon HAMIDI to vary the premises to extend the hours, the application describes the variation "*We would like to increase our hours because business is busiest after 02:00 which is the time on our current*

license. Our business would be majorly affected if this change doesn't happen. The business does not have any equipment or appliances that would be loud enough to disturb our neighbours. Any customer that may cause a nuisance are kindly asked to leave the premises and customers that eat in are also reminded to keep the to a minimum."

The application was to extend the hours for late night refreshment until 05:00 hours thereby making it a 24 hour operation. This application was rejected due to the lack of advertisement. The application was later resubmitted on 25th October 2022, objections were received by Environmental Protection and the matter was heard at a Licensing Sub Committee Hearing on 11th January 2022. The applicant failed to attend and was heard in his absence and refused. I detail the extract of the minutes for the premises as **Exhibit D**. The applicant was informed of the decision by post and by email on 31st January 2022.

On 19th February 2022 the payment for the annual fee was paid and gave email address as islamhamidi@ [REDACTED] the same email given by Mr. Haroon HAMIDI.

On 30th March 2022 this Authority started to receive complaints again from residents about the premises continuing to trade beyond the licensed hours and stated they are operating 24/7 causing noise from bikes and staff and drunken customers and is causing disruption to sleep. They also state that despite trying to talk to the premises they have been met by offensive and abusive language.

Following this report a warning letter was again sent on 31st March 2022 to Mr. HAMIDI, the licence holder at the time, by post and by email, and was placed on our list to visit. See **Exhibits in E**.

A visit was made by officers on 2nd April 2022 at 02:16 hours, they ordered chicken wings and a pizza and was handed this at 02:26 and 02:29 respectively. The seller gave his name as Mr Muhammed Mangal JILLANI and said that the company Tower Hamlet Pizza Ltd had taken over a month ago. Mr. JILLANI was cautioned at that time. Please see **Exhibit F** for statements.

On 12th April 2022 Mr. Haroon HAMIDI was sent a letter advising that legal proceedings are now being undertaken and advised of the test purchases made. Mr. Mohammed Mangal JILLANI was also sent a copy of that letter. See **Exhibit G**

I received intelligence to suggest the premises had been taken over and noted on Companies House, several companies registered to the same property.

- Mr Haroon HAMIDI was registered as the Director of PPL Foods Ltd, incorporated from 9th June 2016. This company dissolved on 22nd October 2019.
- Mr. Mohammad Mangal JILLANI registered as the Director of Tower Hamlets Pizza Ltd. Incorporated from 8th March 2018 to date, this company is still active. Up to 8th April 2022 the company address was at 479 Cambridge Heath Road.

- Mr. Umi Hussain KHEL, registered as Director of Hamlet Pizza Ltd, incorporated from 17th February 2022. This company is also active. Also registered at 479 Cambridge Heath Road.

On 19th April 2022 I wrote to Mr. Umid Hussain KHEL advising of previous warnings and that Officers had visited and undertaken test purchases of unauthorised activity. See **Exhibit H**

The business rate information on the property had suggested Mr. HAMIDI was the rate payer from 01/04/17 to 31/03/17 and from 8th March 2018 to current as Mr. JILLANI, trading under Tower Hamlets Pizza Ltd. Mr. JILLANI claimed grant funding for covid in April 2020. An email to business rates indicated that Mr JILLANI sold his business to Umid Hussain KHEL on 16th February 2022.

On 13th May 2022 the licence holder, Mr Haroon HAMIDI was written to request CCTV footage for 2nd April 2022 and 7th May 2022, 2nd April being a test purchase and 7th May 2022 was one of the many reported nights where the residents had stated they had operated 24/7. The licence stipulates a condition:

1. A CCTV system shall be put in place; the cameras are to be of sufficient quality so that people's faces are clearly identifiable from the footage.
 - a. The cameras are to be placed in such a way as they cover areas of the premises specified by the Police.
 - b. The system is to record the footage and to keep it for a minimum of 30 days and a copy off CCTV footage is to be made available to Police or the Local Authority upon request and supplied within 24 hours.
 - c. While the premises are open to the public a member of staff must be on duty who can operate the CCTV system

See **Exhibit J**. No response was received indicating breach of condition.

On 17th May 2022 following information from business rates, I felt that we had not received any contact at all from any of those written to or the licence holder himself. Mr HAMIDI held the licence at this stage, not Mr KHEL, the new business rate payer, so therefore sent a further warning to ensure Mr. KHEL was aware of the situation of the premises and warned of offences should unauthorised activity continue. This was sent to Mr. KHEL at the premises address and also to Hamlet Pizza Ltd, his company address registered to 479 Cambridge Heath Road, London E2, See **Exhibit K**.

On 28th May 2022 officers attended the business at 02:20 hours ordered pizza and was supplied at 02:45 hours, the person that had supplied the food was given as ISLAM HAMIDI. Mr. Islam HAMIDI was formally cautioned by the officers in attendance. A statement of the officers visit and their record of visit is detailed as **Exhibit L**

On 28th May 2022 this Authority received the application for a transfer from Mr Haroon HAMIDI to Mr. Umid Hussain KHEL

On 13th June 2022 Mr. KHEL was written to and advised of the test purchase and also informed him legal proceedings will commence. I also requested CCTV footage for 28th May 2022 from 02:00 hours to 03:00 hours. See **Exhibit M**

On 16th June 2022 I received a telephone call from a Mr. Akil MAWABI who stated Mr. KHEL had asked him to call me to say the CCTV was not working and therefore could not collect CCTV footage. He said there was problems with the CCTV from previous owner. This person denied being involved in the premises management, I advised the person to tell Mr.KHEL to respond to my letter and confirm the CCTV was not working by email and for him to ring me himself. Mr. MAWABI was advised that they should not being operating beyond 2am. To date I have received no other communication in this regard and no CCTV. This is breach of condition 1 of the premises licence.

This Licensing Authority is undertaking legal proceedings for unauthorised licensable activities and breach of condition, of which Mr Haroon HAMIDI and Mr. Mohammad JILLANI were both invited for interview under the Police and Criminal Evidence Act, neither of them appeared.

Complaints from 5 local residents have continued throughout, all of which report the premises for operating beyond 2am on many occasions, detailing various fights and noise associated with the business operation. I list details of these at **Exhibit N**.

In addition to all of the evidence above, I have been advised by the Council's Planning Authority the premises planning permission only permits operation from 06:00 hours until 02:00 hours of which Planning do have a case open for investigation under Planning law.

I hope the evidence provided to you satisfies the criteria for Members to revoke the licence in its entirety.

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

Exhibit A – Licence No. 26688 and Licence No: 149847

Exhibit B - Warning Letters of 7/6/21

Exhibit C – Statements of visit of 11th September 2021

Exhibit D – Minutes of Licensing Sub Committee of 11th January 2022

Exhibit E – Warning letter of 31st March 2022

Exhibit F – Statement of visit of 2nd April 2022

Exhibit G – Letter of 12th April 2022

Exhibit H – Letter of 19th April 2022

Exhibit J – Letter of 13th May 2022

Exhibit K – Letter of 17th May 2022

Exhibit L – Statements of visit on 28th May 2022

Exhibit M – Letter of 13th June 2022

Exhibit N – Resident reported complaints.

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

If yes please state the date of that application

Day		Month		Year		

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

No.

Please tick yes

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

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

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION


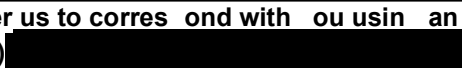
Part 3 – Signatures (please read guidance note 3)

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

Signature 

Date 30th June 2022

Capacity: Kathy Driver, Principal Licensing Officer, acting as Licensing Authority

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 5)	
London Borough of Tower Hamlets Licensing Section, 2 nd Floor Mulberry Place 5 Clove Crescent	
Post town London	Post code E14 2BG
Telephone number (if any) 	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) 	

Notes for Guidance

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

EXHIBIT A

(Pizza Pizza)
479 Cambridge Heath Road
London
E2 9BU

Licensable Activities authorised by the licence

The provision of late night refreshment

See the attached licence for the licence conditions

Signed by

David Tolley 
Head of Environmental Health & Trading Standards

Date: 16th January 2018



Part A - Format of premises licence

Premises licence number

26688

Part 1 - Premises details

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

(Pizza Pizza)
479 Cambridge Heath Road

Post town

London

Post code

E1 0HY

Telephone number

██████████

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

The provision of late night refreshment

The times the licence authorises the carrying out of licensable activities

The provision of late night refreshment - Indoors

- Sunday to Thursday, from 23:00 hours to 01:00 hours the following day
- Friday and Saturday, from 23:00 hours to 02:00 hours the following day

The opening hours of the premises

- Sunday to Thursday, from 11:00 hours to 01:30 hours the following day
- Friday and Saturday, from 11:00 hours to 02:30 hours the following day

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

Not applicable

Part 2

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

Mr Haroon Hamidi

[Redacted address]

Tel: [Redacted]

Email: islamhamidi [Redacted]

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

Not Applicable

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

Not Applicable

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

Not Applicable

Annex 1 - Mandatory conditions

Not Applicable

Annex 2 - Conditions consistent with the operating Schedule

1. A CCTV system shall be put in place; the cameras are to be of sufficient quality so that people's faces are clearly identifiable from the footage.
 - a. The cameras are to be placed in such a way as they cover areas of the premises specified by the Police.
 - b. The system is to record the footage and to keep it for a minimum of 30 days and a copy off CCTV footage is to be made available to Police or the Local Authority upon request and supplied within 24 hours.
 - c. While the premises are open to the public a member of staff must be on duty who can operate the CCTV system
2. Customers will not be sought by means of personal solicitation outside or in the vicinity of the premises.
3. Prominent, clear and legible notices shall be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.
4. Customers shall not be admitted to the premises beyond the opening hours
5. All details provided in staff training record book shall be made available to an authorise officer on request.
6. Log Book shall be kept on the premises and made available to an authorised officer on request.

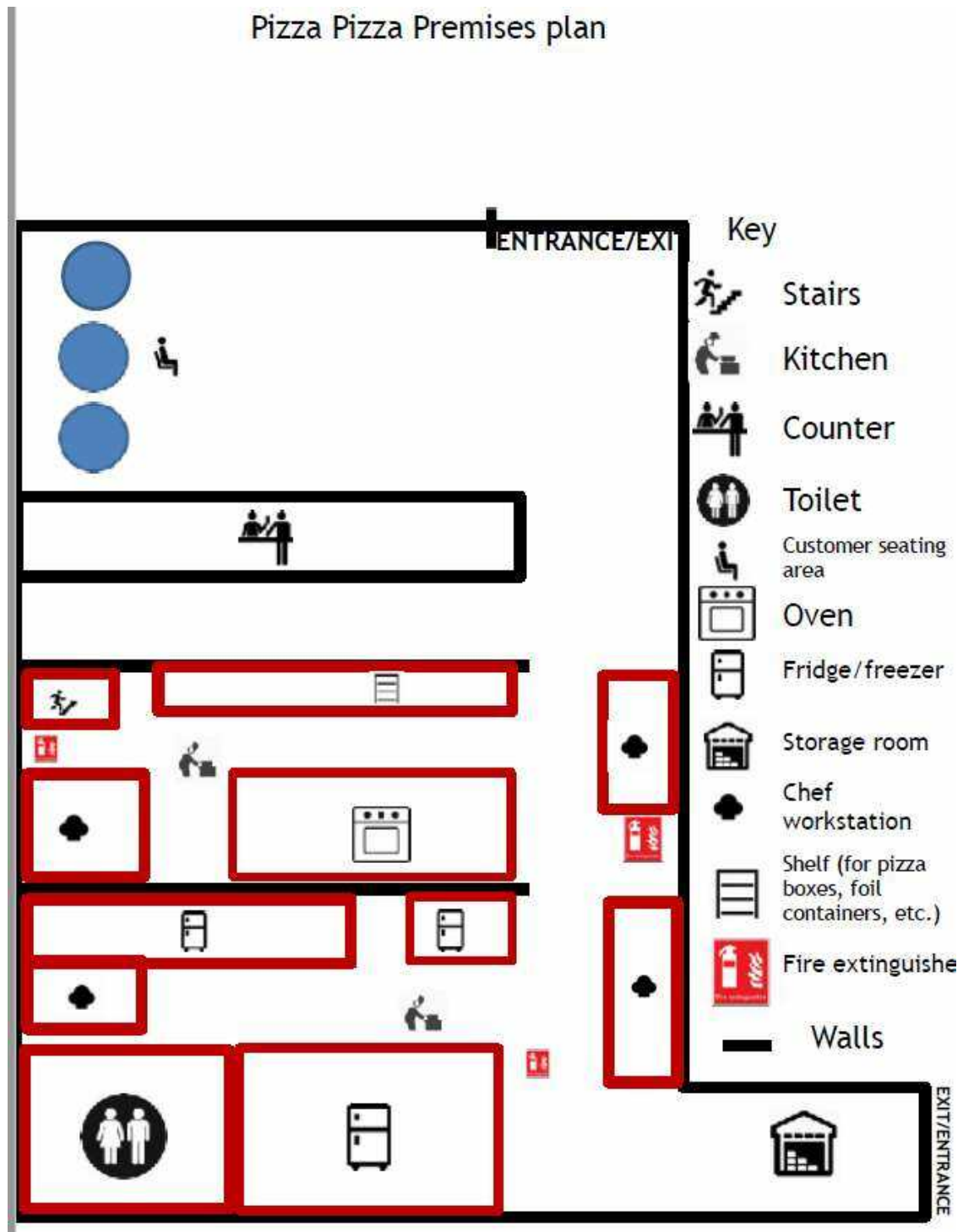
Annex 3 - Conditions attached after a hearing by the licensing authority

Not applicable

Annex 4 - Plans

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

11th December 2017 - Ground Floor





Part B - Premises licence summary

Premises licence number

26688

Premises details

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

(Pizza Pizza)
479 Cambridge Heath Road

Post town

London

Post code

E2 9BU

Telephone number

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The provision of late night refreshment

The times the licence authorises the carrying out of licensable activities

The provision of late night refreshment - Indoors

- Sunday to Thursday, from 23:00 hours to 01:00 hours the following day
- Friday and Saturday, from 23:00 hours to 02:00 hours the following day

The opening hours of the premises

- Sunday to Thursday, from 11:00 hours to 01:30 hours the following day
- Friday and Saturday, from 11:00 hours to 02:30 hours the following day

Name, (registered) address of holder of premises licence

Mr Haroon Hamidi



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

Not applicable

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

Not Applicable

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

Not Applicable

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

Not restricted



Lic No:
149847

(Hamlets Pizza)
479 Cambridge Heath Road
London
E2 9BU

Licensable Activities authorised by the licence

The provision of late night refreshment

See the attached licence for the licence conditions

Signed by

David Tolley 
Head of Environmental Health & Trading Standards

Date: 16th January 2018



Part A - Format of premises licence

Premises licence number

149847

Part 1 - Premises details

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

(Hamlets Pizza)
479 Cambridge Heath Road

Post town

London

Post code

E1 0HY

Telephone number

██████████

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

The provision of late night refreshment

The times the licence authorises the carrying out of licensable activities

The provision of late night refreshment - Indoors

- Sunday to Thursday, from 23:00 hours to 01:00 hours the following day
- Friday and Saturday, from 23:00 hours to 02:00 hours the following day

The opening hours of the premises

- Sunday to Thursday, from 11:00 hours to 01:30 hours the following day
- Friday and Saturday, from 11:00 hours to 02:30 hours the following day

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

Not applicable

Part 2

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

Mr Umid Hussain Khel

[Redacted address]

Tel: [Redacted]

Email: [Redacted]

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

Not Applicable

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

Not Applicable

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

Not Applicable

Annex 1 - Mandatory conditions

Not Applicable

Annex 2 - Conditions consistent with the operating Schedule

1. A CCTV system shall be put in place; the cameras are to be of sufficient quality so that people's faces are clearly identifiable from the footage.
 - a. The cameras are to be placed in such a way as they cover areas of the premises specified by the Police.
 - b. The system is to record the footage and to keep it for a minimum of 30 days and a copy off CCTV footage is to be made available to Police or the Local Authority upon request and supplied within 24 hours.
 - c. While the premises are open to the public a member of staff must be on duty who can operate the CCTV system
2. Customers will not be sought by means of personal solicitation outside or in the vicinity of the premises.
3. Prominent, clear and legible notices shall be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.
4. Customers shall not be admitted to the premises beyond the opening hours
5. All details provided in staff training record book shall be made available to an authorised officer on request.
6. Log Book shall be kept on the premises and made available to an authorised officer on request.

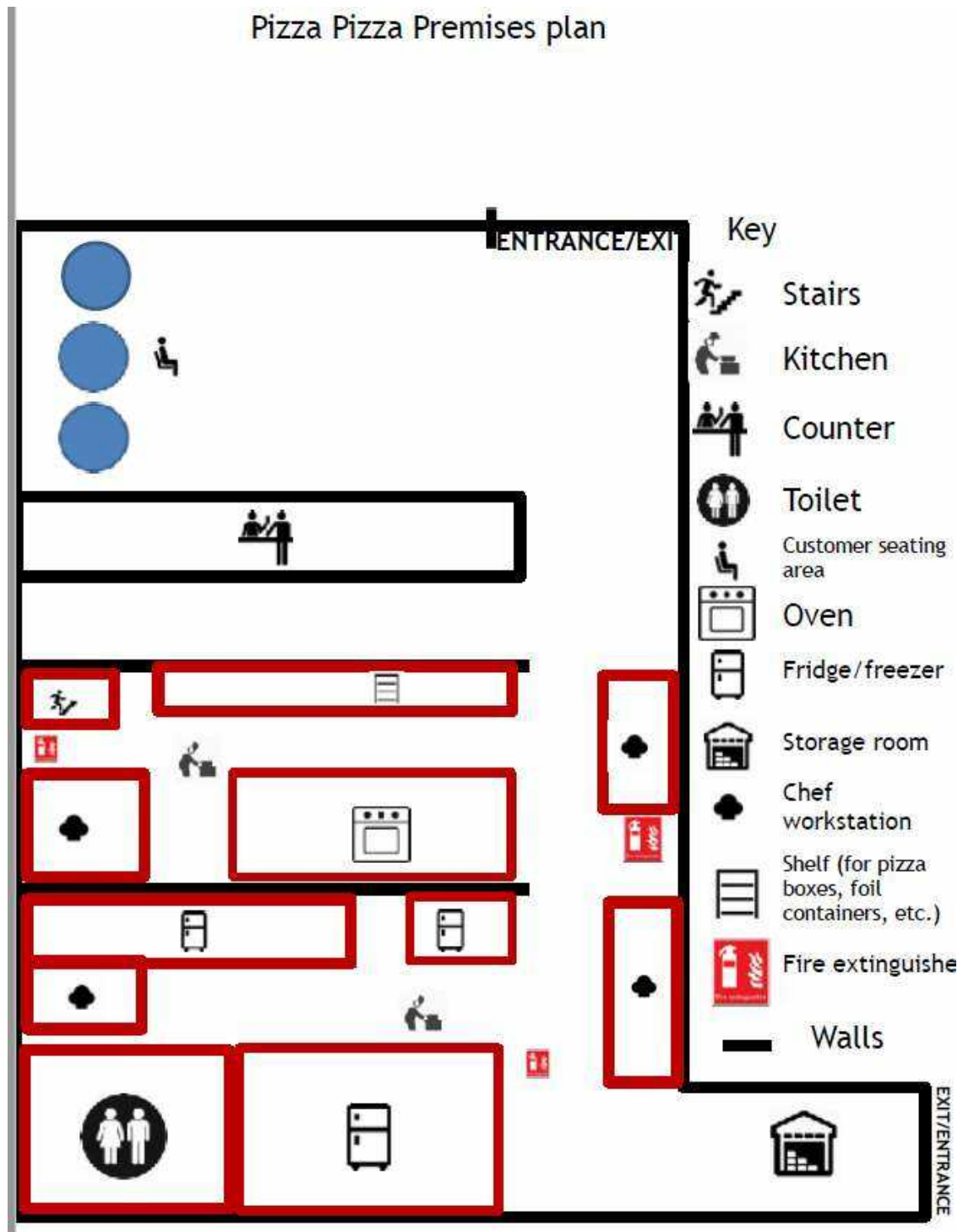
Annex 3 - Conditions attached after a hearing by the licensing authority

Not applicable

Annex 4 - Plans

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

11th December 2017 - Ground Floor





Part B - Premises licence summary

Premises licence number

149847

Premises details

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

(Hamlets Pizza)
479 Cambridge Heath Road

Post town

London

Post code

E2 9BU

Telephone number

[REDACTED]

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The provision of late night refreshment

The times the licence authorises the carrying out of licensable activities

The provision of late night refreshment - Indoors

- Sunday to Thursday, from 23:00 hours to 01:00 hours the following day
- Friday and Saturday, from 23:00 hours to 02:00 hours the following day

The opening hours of the premises

- Sunday to Thursday, from 11:00 hours to 01:30 hours the following day
- Friday and Saturday, from 11:00 hours to 02:30 hours the following day

Name, (registered) address of holder of premises licence

Mr Umid Hussain Khel

[Redacted address]

Tel: [Redacted]

Email: [Redacted]

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

Not applicable

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

Not Applicable

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

Not Applicable

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

Not restricted

EXHIBIT B



Mr Haroon Hamidi



Place Directorate
Public Realm
Environmental Health & Trading Standards

Head Of Service David Tolley

7th June 2021

Tel 020 7364 5171
Fax 020 7364 0863
Enquiries to Kath Driver
Email [REDACTED]

My reference P/PR/EHTS/LIC/105492

www.towerhamlets.gov.uk

Dear Sir,

Licensing Act 2003, Sections 136

Premises: Pizza Pizza/Swift Kebab House, 479 Cambridge Heath Road, London E2

This Licensing Authority have received a complaint that your premises are trading beyond licensed hours. It is noted from Just Eat website that you are recorded to trade until 04:30.

I must remind you your licensed hours are:

- Sunday to Thursday, from 23:00 hours to 01:00 hours the following day
- Friday and Saturday, from 23:00 hours to 02:00 hours the following day

You must cease the supply of hot food/hot drink no later than the above times.

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.

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 or both.

Your premises will be monitored for compliance and I will be contacting Just Eat to advise of your licensed hours.

Yours sincerely



Kathy Driver
Principal Licensing Officer

c.c. Premise Licence Holder email: [REDACTED]
Met Police, Licensing Team



The best of London in one borough

Tower Hamlets Council
Town Hall
Mulberry Place
5 Clove Crescent
E14 2BG

Kathy Driver

From: Kathy Driver
Sent: 07 June 2021 17:26
To: [REDACTED]
Subject: Pizza Pizza/Swift kebab House, 479 Cambridge Heath Road, London E2 9BU
Attachments: CambridgeHeathRd479.001.pdf

Dear Mr. Hamidi

Please find attached warning letter regarding your premises.

Please contact me should you require any further information.

Kind Regards,

Kathy Driver
Principal Licensing Officer
Licensing & Safety Team
Place Directorate
London Borough of Tower Hamlets
Mulberry Place
5 Clove Crescent
London E14 2BG

[REDACTED]
Licensing Hotline **020 7364 5008**

PLEASE NOTE OUR OFFICES HAVE CHANGED FROM 28TH MAY 2021

Licensing General Email: licensing@towerhamlets.gov.uk

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

www.towerhamlets.gov.uk

Follow us on: [Facebook](#) | [Twitter](#) | [LinkedIn](#) | [Instagram](#)

The Proprietor
479 Cambridge Heath Rd
London
E2 9BU

Place Directorate
Public Realm
Environmental Health & Trading Standards

Head Of Service David Tolley

7th June 2021

Tel 020 7364 5171
Fax 020 7364 0863
Enquiries to Kath Driver
Email [REDACTED]

My reference P/PR/EHTS/LIC/105492

www.towerhamlets.gov.uk

Dear Sir,

Licensing Act 2003, Sections 136

Premises: Pizza Pizza/Swift Kebab House, 479 Cambridge Heath Road, London E2 9BU

This Licensing Authority have received a complaint that your premises are trading beyond licensed hours. It is noted from Just Eat website that you are recorded to trade until 04:30.

The licensed hours for Late Night Refreshment are:

- Sunday to Thursday, from 23:00 hours to 01:00 hours the following day
- Friday and Saturday, from 23:00 hours to 02:00 hours the following day

You must cease the supply of hot food/hot drink no later than the above times.

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.

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 or both.

Your premises will be monitored for compliance and I will be contacting Just Eat to advise of your licensed hours.

Yours sincerely

[REDACTED]

Kathy Driver
Principal Licensing Officer

c.c. Met Police, Licensing Team



Kathy Driver

From: Kathy Driver
Sent: 07 June 2021 17:27
To: 'jillani' [REDACTED]
Subject: 479 Cambridge Heath Road, London E2
Attachments: CambridgeHeathRd479.002.pdf

It is noted your email is recorded for paying the annual fee in respect of the Premises Licence for the above property.

I therefore attach a warning letter for your noting.

A similar letter has gone to the premises licence holder recorded on the licence.

Kind Regards,

Kathy Driver
Principal Licensing Officer
Licensing & Safety Team
Place Directorate
London Borough of Tower Hamlets
Mulberry Place
5 Clove Crescent
London E14 2BG

[REDACTED]
Licensing Hotline **020 7364 5008**

PLEASE NOTE OUR OFFICES HAVE CHANGED FROM 28TH MAY 2021

Licensing General Email: licensing@towerhamlets.gov.uk

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

www.towerhamlets.gov.uk

Follow us on: [Facebook](#) | [Twitter](#) | [LinkedIn](#) | [Instagram](#)

EXHIBIT C

Witness Statement

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2015, r 16.2

URN:

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Statement of: **Amran Ali**

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

Occupation: **Health and Safety Officer**

This statement (consisting of **2** Pages(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Name / Signature:



Date: **17th June 2022**

Tick if witness evidence is visually recorded:

(Supply witness details on last page)

Statement

I am employed by the London borough of Tower Hamlets Council as a Health and Safety Officer within the Environmental Health and Trading Standards Service. I am an authorised officer as designated by the Health and Safety at Work etc. Act 1974. My day-to-day duties include carrying out inspections in commercial premises to assess compliance with health and safety legislation as well as investigating accidents and complaints. I also licence businesses that carry out special treatments and deal with cases of infectious diseases. On occasions, I work with my licensing colleagues to undertake surveillance and test purchase visits during late nights to check whether businesses are compliant with licensing legislations. These mainly relate to Late Night Refreshment licence, checking the conditions of premises alcohol licence and businesses trading without a licence or where a licence had been revoked.

On the 11th of September 2021, I was on shift with colleague Ibrahim Hussain, a Licensing Officer, to check and carry out test purchases from a number of premises in the Borough. At **2.20am**, Ibrahim and I noted several customers inside the fast-food pizza shop called **Pizza Pizza, 479 Cambridge Heath Road, London E2 9BU**. According to our records, the business had a Late-Night Refreshment (LNR) licence until 2.00am. We both entered the premises and posed as customers. I ordered two 7-

Name / Signature:



Date: **17th June 2022**

Witness Statement

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2015, r 16.2

inch pizzas and paid £7 in cash. We waited about 10-15 minutes while the pizzas were being prepared. During that time, more customers were walking in the shop and placing orders for hot food.

When the pizzas were ready, they were both handed over and I noted they were very hot. Ibrahim and I then identified ourselves as council officers and requested to speak to the person in charge. A gentleman called **Mohammed Jillani** came forward, who claimed to be the owner. We explained that his LNR licence is up until 2.00am but it was well past this time. We instructed him to close the shop which he did and warned him not to serve hot food or drink beyond 2.00am. We also advised him to contact the Licensing team if he wished to extend his LNR licence beyond 2.00am.

I completed a site visit report and handed over the top copy to **Mr Jillani**. I exhibit a copy of this report as **AMA.PP.001**. We then left the premises shortly after **2.50am**.

Name / Signature: _____



Date: 17th June 2022 _____

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

AMA.PP.001



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

Premises / Business Name: Pizza Place

Licence Holder/DPS (where known): Hassan Hassan

Address: 479 Cambridge Heath Road

Tel. No: [REDACTED]

Email: [REDACTED]

Intelligence Lead Visit (1L)

Compliance Visit (Proactive 1L)

Revisit (1R)

Notice Check (1N)

Visiting Officer: Aman Ali

App Officer Initials: AMA

Position: Health & Safety Officer

Signature: [REDACTED]

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

Offence of Licensing Act 2003	Section	Action Required
<input type="checkbox"/> Unauthorised sale of alcohol [no licence] [suspended licence] *strikeout as appropriate	136	<input type="checkbox"/> Cease sale by retail of alcohol with immediate effect
<input type="checkbox"/> Unauthorised provision of late night refreshment (hot food or drink between 23:00 and 05:00 hours) [no licence] [suspended licence] *strikeout as appropriate	136	<input 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 checked="" 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 checked="" 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: Muhammad Sultan

Signature: [REDACTED]

Position in business: Manager

Date: 11/02/2019

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

Premises Business Name/Address:



Pizza Pizza 477 Cambridge Heath Road

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:

The late night refreshment licence is up to 2:00am however we were serving after this time. The most serious not hot food or drink is served after 2:00am. - Once the 2 pizzas taken at approximately 2:00am. If you wish to extend the licence hours you can make an application to the Licensing Team.

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

Visiting Officer: [Redacted]
Date: 11/09/2021 2:50pm
Signature of Licensee / DPS / Person Seen: [Redacted]
Date: 9/8

ACTION TAKEN BY LBTH:

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

Witness Statement

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

URN:

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Statement of: Ibrahim Hussein

Age if under 18 (if over insert "over 18"): Over 18 **Occupation:** Licensing Officer

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

Name / Signature: _____  **Date:** 28/06/2021

Tick if witness evidence is visually recorded: (Supply witness details on last page)

Statement

My name is Ibrahim Hussain, and I am a Licensing Officer employed by the London Borough of Tower Hamlets (LBTH). I am authorised to enforce the Licensing Act 2003.

I was informed by Kathy Driver, Principal Licensing Officer that the at Pizza Pizza, 479 Cambridge Heath Road, London E2 9BU trading beyond licensing hours.

I was on shift with colleague Amran Ali, London borough of Tower Hamlets Council as a Health and Safety Officer within the Environmental Health and Trading Standards Service, On the 11th of September 2021 to check if complying with licensing hours and carry out test purchases from several premises in the Borough.

At 02.20 am, Amran and I noted quite a few customers inside the fast-food pizza shop called Pizza Pizza, 479 Cambridge Heath Road, London E2 9BU. According to our records, the business had a Late-Night Refreshment (LNR) licence until 2.00 am. We both entered the premises and posed as customers. Amran ordered two 7-inch pizzas and paid £7 in cash.

We waited about 10-15 minutes while the pizzas were being ready. Throughout that time, we waited inside the premises and witnessed more customers entering the shop and placing orders for hot food.

As soon as our order Pizza was prepared and handed over and checked food order was correct and enough hot, then we identified ourselves by showing council ID as council officers and requested to speak to the

Signed:  (witness) Date: 28/06/2021

(To be completed if applicable: being unable to read the above statement I, of, read it to him/her before he/she signed it.

Signed: Date:)

Witness Statement

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

person in charge. Mohammed Jillani came forward, who claimed to be the owner. We explained that his LNR licence is up until 2.00 am but it was well past this time. Amran Ali completed the LBTH Licensing Act 2003 Record of Contact inspection sheet. I informed Mr. Jillani to stop trading and advised him not to serve hot food or drink beyond 2.00 am. I have explained Mr. Jillani can apply for an increase of hours if required. Can apply through the LBTH site or can be emailed requesting an application.

Amran Ali completed a site visit inspection report and handed over the top copy to **Mr. Jillani**. I exhibit a copy of this report as **IHU.LIC.001**. We then left the premises shortly after **2.50 am**.

Signed: ... [redacted] (witness)

Date: 28/06/2021

(To be completed if applicable: being unable to read the above statement I,of, read it to him/her before he/she signed it.

Signed: Date:)

EXHIBIT D

LONDON BOROUGH OF TOWER HAMLETS**RECORD OF THE DECISIONS OF THE LICENSING SUB COMMITTEE****HELD AT 6.30 P.M. ON TUESDAY, 11 JANUARY 2022****THE COUNCIL CHAMBER, TOWN HALL, MULBERRY PLACE, 5 CLOVE
CRESCENT, LONDON, E14 2BG****Members Present:**

Councillor Mohammed Pappu (Chair)

Councillor Peter Golds (Member)

Councillor Rajib Ahmed (Member)

1. DECLARATIONS OF INTEREST

There were no declarations of pecuniary interest made by the members.

2. RULES OF PROCEDURE

The rules of procedure were noted.

3. MINUTES OF THE PREVIOUS MEETING(S)The minutes of the meeting held on the 23rd November 2021 were agreed and approved as a correct record.**4. ITEMS FOR CONSIDERATION****4.1 Application for a New Premise Licence for Dauns, 77 Wentworth Street,
London, E1 7TD****4.2 Application for a New Premise Licence for Poplar Spice, 201 East India
Dock Road, London, E14 0ED****4.3 Application for a Variation of a premises licence for Tower Hamlet's
Pizza, 479 Cambridge Heath Road, London, London E2 9BU****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:

- The Prevention of Crime and Disorder;

- Public Safety;
- The Prevention of Public Nuisance; and
- The Protection of Children from Harm.

Consideration

The Sub-Committee considered an application by Haroon Hamidi to vary the premises licence held in respect of Tower Hamlets Pizza, 479 Cambridge Heath Road, London, E2 ("the Premises"). The current licence permits the provision of late night refreshment from 23:00 hours to 01:00 hours Sunday to Thursday and from 23:00 hours to 02:00 hours on Fridays and Saturdays. The variation sought authorisation to provide late night refreshment to 05:00 hours seven days per week. The application attracted a representation from the Environmental Health Service, which considered that the application risked undermining the licensing objective of the prevention of public nuisance.

The applicant did not appear. The Sub-Committee's Legal Adviser confirmed with officers that the requisite notices had been sent and the Sub-Committee was advised that the applicant's son had acknowledged receipt of the hearing notices and confirmed that they would be attending remotely. There had been no other contact from the applicant. The Sub-Committee was given legal advice as to its powers to proceed or to adjourn pursuant to Regulation 20 of the Licensing Act 2003 (Hearings) Regulations 2005. The Sub-Committee determined to proceed.

Ms. Cadzow, Environmental Health Officer, addressed her representation. In essence she was concerned that there was insufficient information to address the potential for public nuisance, particularly in respect of noise and the late hours.

The application made reference to delivery hours but also suggested that people would be eating inside the Premises to 05:00 hours. The absence of the applicant at the hearing meant that the Sub-Committee could not explore how noise from patrons and delivery drivers, for example, could be controlled. There were no conditions offered to explain how noisy patrons would be dealt with. The Sub-Committee considered that a degree of noise nuisance was highly likely given the nature of the Premises and the late hours sought.

The Sub-Committee was therefore not satisfied that its concerns could be dealt with by the imposition of appropriate conditions and the application for variation is therefore refused.

Accordingly, the Sub Committee unanimously;

RESOLVED

That the application for a variation of the premises licence for Tower Hamlets Pizza, 479 Cambridge Heath Road, London, E2 be **REFUSED**.

5. EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003

Nil Items.

The meeting ended at 7.53 p.m.

Chair, Councillor Mohammad Pappu
Licensing Sub Committee

EXHIBIT E

Place Directorate
Public Realm
Environmental Health & Trading Standards

Mr Haroon Hamidi



Email: Islamhamidi@towerhamlets.gov.uk
Islamhamidi@towerhamlets.gov.uk

Head Of Service David Tolley

Tel 020 7364 5171

Fax 020 7364 0863

Enquiries to Kath Driver

Email 

www.towerhamlets.gov.uk

31st March 2022

My reference P/PR/EHTS/LIC/109925

Dear Sirs,

Licensing Act 2003, Sections 136

Premises: Pizza Pizza/Tower Hamlets Pizza, 479 Cambridge Heath Road, London E2 9BU

This Licensing Authority have received a complaint that your premises are operating beyond the hours permitted on your licence. The complainant also states that your delivery vehicles are causing disturbance whilst at your premises.

I remind you of your hours:

The provision of late night refreshment - Indoors

- Sunday to Thursday, from 23:00 hours to 01:00 hours the following day
- Friday and Saturday, from 23:00 hours to 02:00 hours the following day

You were refused any extension of hours at a Licensing Sub Committee on 11th January 2022 of which the decision was formally sent to you.

You have received formal written warning previously on 18th May 2017 due to test purchase undertaken when unlicensed, you have also received a warning letter regarding your hours on 7th June 2021.

Should evidence be found of unlicensed late night refreshment then we are likely to consider legal proceedings being taken against you.



The complainant has also been given advice on triggering a review of the licence.

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

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 or both.

I therefore invite you to make any comments you consider appropriate.

Yours sincerely

A black rectangular redaction box covers the signature of the Principal Licensing Officer.

Kathy Driver
Principal Licensing Officer

Kathy Driver

From: Kathy Driver
Sent: 31 March 2022 14:41
To: Islamhamidi [REDACTED] Islamhamidi [REDACTED]
Subject: Tower Hamlets Pizza/Pizza Pizza, 479 Cambridge Heath Road, London E2 9BU
Attachments: CambridgeHeathRd479.003.pdf

Please find attached letter and await your response.

Kind Regards,

Kathy Driver
Principal Licensing Officer
Licensing & Safety Team
Place Directorate
London Borough of Tower Hamlets
Mulberry Place
5 Clove Crescent
London E14 2BG

[REDACTED]

Licensing Hotline **020 7364 5008**

Licensing General Email: licensing@towerhamlets.gov.uk

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

www.towerhamlets.gov.uk

Follow us on: [Facebook](#) | [Twitter](#) | [LinkedIn](#) | [Instagram](#)

EXHIBIT F

Witness Statement

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

URN:

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Statement of: **Audrey Dembinski**

Age if under 18 (if over insert "over 18"): _____ Occupation: **Trading Standards Officer**

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


Name / Signature:  Date: **14th April 2022**

Tick if witness evidence is visually recorded: (Supply witness details on last page)

Statement

I am employed as a Trading Standards Officer for the London Borough of Tower Hamlets. In the early hours of Saturday morning on 2nd April 2022, I was carrying out Licensing visits on behalf of the Licensing team, which generally involved inspections and test purchases to ensure that Licensed premises are carrying out their obligations under The Licensing Act 2003. I was accompanied by my colleague, Senior Trading Standards Officer, Katalin Morath.

We were therefore tasked with ascertaining whether the premises Tower Hamlets Pizza at 479 Cambridge Heath Road, London E2 9BU, was adhering to its conditions of not serving food after 2am.

Signed: (witness)

Date: 14th April 2022

(To be completed if applicable: being unable to read the above statement I, of, read it to him/her before he/she signed it.

Signed: Date:)

Witness Statement

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

At 2:16am, I entered the premises of Tower Hamlets Pizza, accompanied by Officer Morath. Officer Morath ordered chicken wings (number 14 on the board) for £2.49. She was served by an Asian male. The server then went around the back to the cooking station and then re-appeared at approximately 2:18 and then took my order which was a Margherita pizza for £3.50. The seller then asked for £6 for our order, and I handed over a £10 note and he gave me £4.02 change. We then sat at a table and waited for our order. At 2.26am Officer Morath received her order. I took photographs of the order wrapped and unwrapped. I produce these photographs as exhibit AD/THP/1.

I then received the pizza at 2:29. I then took two photographs of both the chicken wings and pizza. I produce these photographs as exhibit AD/THP/2.

I then approached the seller and told him that we had just purchased some hot food and that this was after 2am. I took a photograph of the menu and price list displayed at the front of the premises. I produce this photograph as AD/THP/3. The seller gave his name as Mr Muhammad Mangal Jilani and said that the company was Hamlet Pizza Ltd which had taken over a month ago. Officer Morath completed the Licensing inspection sheet. I then proceeded to caution Mr Jilani at 2:34 and ask a series of questions. Mr Jilani gave his date of birth as [REDACTED] and his address as [REDACTED]

[REDACTED] Officer Morath then wrote down the questions and Mr Jilani's replies under caution.

Signed: [REDACTED](witness)

Date: 14th April 2022


(To be completed if applicable: being unable to read the above statement I,of, read it to him/her before he/she signed it.

Signed: Date:)

Witness Statement

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

Officer Morath then gave Mr Jilani the inspection sheet and we left the premises immediately afterwards.

Signed: (witness)

Date: 14th April 2022

(To be completed if applicable: being unable to read the above statement I, of, read it to him/her before he/she signed it.

Signed: Date:)

Witness Statement

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

URN:

Four empty boxes for the URN number.

Statement of: Katalin Morath

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

Over 18

Occupation:

Senior Trading Standards Officer

This statement (consisting of 2 Pages(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Name / Signature:

Katalin Morath



Date:

22nd April 2022

Tick if witness evidence is visually recorded:

Empty checkbox

(Supply witness details on last page)

Statement

I am Katalin Morath and I am employed by London Borough of Tower Hamlets Trading Standards Service as a Senior Trading Standards Officer. On the night of Friday 1st April/Saturday 2nd April 2022 I was working on Licensing Operation Dymock, carrying out visits on behalf of the Licencing department. We were given a number of premises to visit and these required various licencing condition checks and/or test purchases. I was working with my colleague Audrey Dembinski a Trading Standards Officer.

One of the premises was Tower Hamlets Pizza, 479 Cambridge Heath Road, London, E2 9BU. We were asked to check whether the business was selling hot food after the specified time on their licence 2am.

I went into Tower Hamlets Pizza with Audrey Dembinski at 2.16am on 2nd April 2022. I ordered a portion of chicken wings from an Asian male. He went in the back to kitchen area and when he came back out Audrey Dembinski ordered a margherita pizza at 2.18am. She paid for both of our orders, the chicken wings were £2.49 and the pizza was £3.50.2.26am and Audrey Dembinski received her pizza at 2.29. Audrey Dembinski took several photographs of the food. We went up to the counter and Audrey

Signed: [Redacted] (witness)

Date: ...22nd April 2022.....

(To be completed if applicable: being unable to read the above statement I, of, read it to him/her before he/she signed it.

Signed: Date:)

Witness Statement

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

Dembinski explained that we had purchased the food after 2pm. The seller gave his name as Muhammad Mangal Jilani. He said the company was taken over by Tower Pizza Ltd.

Audrey cautioned Mr Jilani at 2.34am and he said 'we applied for a licence I don't know what happened with that'

I noted down the questions and answers as follows:-

Q. You have a licence to sell up to 2 o'clock. We were served at 2.16. Why were you selling after 2?

A. I thought we had a licence until 2.30

Q. Can we take your date of birth?

A. [Redacted]

Q Home address?

A [Redacted].

Before we left the premise I completed a non-compliance inspection sheet for our visit and gave it to Mr Jilani. I produce a copy of the sheet as Exhibit KM/01.

Signed: ... [Redacted](witness)

Date: ...22nd April 2022.....

(To be completed if applicable: being unable to read the above statement I,of, read it to him/her before he/she signed it.

Signed: Date:)

EXHIBIT G



Mr Haroon Hamidi
6 Cecil Road
Ilford
IG1 2EW

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

12th April 2022

Place Directorate
Public Realm
Environmental Health & Trading Standards

Head Of Service David Tolley

Tel 020 7364 5171

Fax 020 7364 0863

Enquiries to Kathy Driver

Email

www.towerhamlets.gov.uk

My reference P/PR/LIC/PSU

Dear Mr. Hamidi

Licensing Act 2003, Sections 136

Premises: Pizza Pizza/Tower Hamlets Pizza, 479 Cambridge Heath Road, London E2 9BU

This Licensing Authority has warned you of unauthorised activity on 31st March 2022 and previously on 7th June 2021.

Officers have since visited your premises and on 2nd April 2022 at 2:16 am were able to purchase hot food and were supplied the food at 2:26am.

Officers also visited your premises on 11th September 2021 at 02:20am and were able to purchase pizza.

The matter is now being considered for legal proceedings.

I must remind you;

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.

A person guilty of an offence under section 136 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.

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You should contact your legal representative for further advice and you will be written to in due course on the legal investigation.

Yours sincerely



Kathy Driver
Principal Licensing Officer

c.c. Mohammed Manal Jilani Tower Hamlets Pizza Limited, 


EXHIBIT H



Umid Hussain Khel
Hamlet Pizza Limited
479 Cambridge Heath Road
London
E2 9BU

19th April 2022

My reference P/PR/LIC/PSU

Dear Mr. Khel

Licensing Act 2003, Sections 136

Premises: Pizza Pizza/Tower Hamlets Pizza, 479 Cambridge Heath Road, London E2 9BU

This Licensing Authority has warned you of unauthorised activity on 31st March 2022 and previously on 7th June 2021.

Officers have since visited your premises and on 2nd April 2022 at 2:16 am were able to purchase hot food and were supplied the food at 2:26am.

Officers also visited your premises on 11th September 2021 at 02:20am and were able to purchase pizza.

The matter is now being considered for legal proceedings.

I must remind you;

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.

A person guilty of an offence under section 136 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.

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You should contact your legal representative for further advice and you will be written to in due course on the legal investigation.

Yours sincerely



Kathy Driver
Principal Licensing Officer

EXHIBIT J

Place Directorate
Public Realm
Environmental Health & Trading Standards



Mr Haroon Hamidi
479 Cambridge Heath Road
London
E2 9BU

Head Of Service David Tolley

Mulberry Place
5 Clove Crescent
London E14 2BG

13th May 2022

Tel 020 7364 5171

Fax 020 7364 0863

My reference: EHTS/LIC/PSU10195

Enquiries to Kathy Driver

Email [REDACTED]

Dear Sir,

www.towerhamlets.gov.uk

Licensing Act 2003

Re: Pizza Pizza/Tower Hamlets Pizza, 479 Cambridge Heath Road, London E2 9BU

This Authority are investigating your premises for unlicensed late night refreshment, we believe there may have been offences committed on 2nd April 2022 and 7th May 2022.

As the registered Premises Licence Holder you will be aware that condition 1 (a) to (c) of the Premises Licence stipulates that CCTV must be maintained and recorded at all times customers remain on the premises and that viewing of recordings will be made available upon request of police or authorised officer. I therefore request that CCTV is downloaded and saved for this Licensing Authority to view for the following time periods:

2nd April 2022 between 02:00 hours and 03:00 hours

7th May 2022 between 02:30 hours and 05:00 hours.

The reports from the complaints suggest breaches of your Premises Licence occurred during these periods. These include supply of hot food with delivery vehicles located outside throughout this period.

Please ensure that the CCTV footage detailed above is ready for viewing or for collecting by 20th May 2022. I will contact you to arrange a suitable time to pick up the footage or to visit and view.

Yours sincerely,

[REDACTED]

Kathy Driver
Principal Licensing Officer

cc. Email: islamahamidi

Mr. Haroon Hamidi, [REDACTED]

EXHIBIT K



Mr. Umed Hussain Khel
479 Cambridge Heath Road
London
E2 9BU

Place Directorate
Public Realm
Environmental Health & Trading Standards

Head Of Service David Tolley

Tel 020 7364 5171
Fax 020 7364 0863
Enquiries to Kath Driver
Email [REDACTED]

17th May 2022

www.towerhamlets.gov.uk

My reference P/PR/EHTS/LIC/PSU10195

Dear Sir,

Licensing Act 2003, Sections 136

Premises: Pizza Pizza/Tower Hamlets Pizza, 479 Cambridge Heath Road, London E2 9BU

This Licensing Authority have been informed by colleagues in Business Rates and by your staff that you have recently taken over the premises.

I write to advise you that you do not hold a licence to operate hot food/hot drinks beyond 11pm in either your name or as a company to undertake late night refreshment between the hours of 11pm and 5am.

I should also advise you that we are currently investigating these premises for legal action for unlicensed late night refreshment.

We are receiving reports that the premises are trading beyond 11pm since you have taken over and therefore warn you below of the offences of undertaking unlicensed activities under Section 136 of 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.

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 or both.



The best of London in one borough

Tower Hamlets Council
Town Hall
Mulberry Place
5 Clove Crescent
E14 2BG

Should you wish to operate the supply of hot food hot drinks, this includes the delivery of such, you should make an application for a premises Licence. Please see our website for application forms and guidance on this at www.towerhamels.gov.uk/licensing.

Yours sincerely



Kathy Driver
Principal Licensing Officer

c.c. By Email; Police Licensing Unit



Hamlet Pizza Ltd
479 Cambridge Heath Road
London
E2 9BU

Place Directorate
Public Realm
Environmental Health & Trading Standards

Head Of Service David Tolley

Tel 020 7364 5171
Fax 020 7364 0863
Enquiries to Kath Driver
Email [REDACTED]

17th May 2022

www.towerhamlets.gov.uk

My reference P/PR/EHTS/LIC/PSU10195

Dear Sir,

Licensing Act 2003, Sections 136

Premises: Pizza Pizza/Tower Hamlets Pizza, 479 Cambridge Heath Road, London E2 9BU

This Licensing Authority have been informed by colleagues in Business Rates and by your staff that you have recently taken over the premises.

I write to advise you that you do not hold a licence to operate hot food/hot drinks beyond 11pm in either your name or as a company to undertake late night refreshment between the hours of 11pm and 5am.

I should also advise you that we are currently investigating these premises for legal action for unlicensed late night refreshment.

We are receiving reports that the premises are trading beyond 11pm since you have taken over and therefore warn you below of the offences of undertaking unlicensed activities under Section 136 of 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.

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 or both.



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Yours sincerely

A black rectangular redaction box covering the signature of Kathy Driver.

Kathy Driver
Principal Licensing Officer

c.c. By Email; Police Licensing Unit

EXHIBIT L

Witness Statement

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

URN:

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Statement of: Mohshin ALI

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

Occupation: Senior Licensing Officer

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

Name / Signature: 

Date: 30th June 2022

Statement

1. I am Mohshin ALI and I am employed by the London Borough of Tower Hamlets as a Senior Licensing Officer in the Licensing Section of Environmental Health & Trading Standards. I have been a Licensing Officer since July 2004 and I am duly authorised under the Licensing Act 2003.
2. I was instructed to carry out a number of enforcement visits with my colleague Nicola CADZOW, Environmental Health Officer as part of "Operation Dymock". On Saturday 28th May 2022 at 02:25 hrs, I walked towards the premises known as Hamlet Pizza, 479 Cambridge Heath Road, London E2 9BU and took a photo which I produce as **Exhibit MA/01**. I could see the shutters were halfway down and the lights were dim which gave me the impression that the premises may be closing. I could see three females standing outside the premises near three delivery motorbikes.
3. At 02:30 hrs, I stood on the opposite side of the road from the premises and took a photo which I produce as **Exhibit MA/02**. I could see two female customers had gone inside the premises and appeared to be waiting for their food order. I could also see two of the three delivery motorbikes had gone from their parked position. Shortly after, the customers left with their food and I took a photo of them leaving which I produce as **Exhibit MA/03**.
4. At 02:31 hrs, Officer CADZOW and I entered the premises and looked at the menu that was on display. At 02:33 hrs, I ordered a 9inch pizza which was priced at £9.99. An Asian

Name / Signature: 

Date: 30th June 2022

Witness Statement

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

looking male who I later identified himself as Islam HAMIDI took my order. I paid with a twenty pound note and was given a ten pound note as change. I also did not question where the one penny was to avoid any suspicion.

5. At 02:39 hrs, I took a photo of the menu which I produce as **Exhibit MA/04**. This also shows the light are turned down giving the impression that the premises was closing but clearly was not closed.
6. At 02:40 hrs, I saw one of the motorbike delivery driver had returned to the premises from making a delivery. I also looked for the summary of the premises licence was not displayed anywhere on the premises.
7. At 02:45, Mr HAMIDI handed over the hot pizza box. I opened the pizza box and took a photo of the hot pizza which I produce as **Exhibit MA/05**.
8. I then turned to Mr HAMIDI producing my producing my warrant card. Officer CADZOW and I introduced ourselves and asked to speak to the premises licence holder or the person in charge. I asked him to close the door to the premises to ensure no further customers come inside. The seller introduced himself "*Islam HAMIDI*" as the "*manager*" giving his date of birth as "██████████" and his address as "██████████". There was also another male staff working on the till along with him.
9. Mr HAMIDI started to explain himself so at 02:51 hrs, I cautioned him using my notebook as a reminder, "*You do not have to say anything, but it may harm your defence if you do not mention, when questioned, something which you later rely on in court. Anything you do say may be given in evidence. You are not under arrest. Do you understand?*".
10. I then continued on to simplify the caution to Mr HAMIDI, "*you have the right to say nothing or no comments to my questions, if this matter goes to Court and then you decide to give an explanation, the Court may think it would have been reasonable for you to give that explanation now prior to going to Court. This could harm your defence, and the Court or jury could come to their own conclusion as to why you did not give that explanation when given the opportunity to do so, if you do say anything then this may be used in court. Do*

Name / Signature: _____

██████████

Date: _____

30th June 2022

Witness Statement

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

you understand?". Mr HAMIDI replied "yes" indicating he understood.

11. I then recorded my questions and Mr HAMIDI's answers on my notebook as follows:

- **Officer ALI:** "Are you aware of the hours of your licence?"
- **Mr HAMIDI:** "Sunday to Thursday until 1am and Friday and Saturday until 2am"

- **Officer ALI:** "Where is the summary of the premises licence that should be on display?"
- **Mr HAMIDI:** " I don't have it. I'll print it tomorrow and will display"

- **Officer ALI:** "Why are you trading after your licensed hours?"
- **Mr HAMIDI:** "Just cleaning. Served because I thought you were hungry"

12. At 02:56 hrs, I finished my questions and asked Mr HAMIDI to read my notes and sign my note book if he agreed this was an accurate reflection of what he said. Mr HAMIDI printed his name and signed my notebook which I produce as **Exhibit MA/06**.

13. At 02:58 hrs, I filled in a "record of contact" form which I produce as **Exhibit MA/07**. Mr HAMIDI signed the form in his capacity as a "manager" and he was handed a carbon copy for his records. The form was also signed by myself and Officer CADZOW

14. I explained to Mr HAMIDI that trading without a licence carries a penalty of "imprisonment for a maximum of six months or an unlimited fine, or both".

15. At 03:03 hrs Officer CADZOW and I left the premises.

Name / Signature: _____



Date: 30th June 2022

I identify this exhibit as that referred to in the statement signed by me

Exhibit number: **EXHIBIT MA/01**

Date: **30th June 2022**

Name: **Mohshin Ali**

Signed: [REDACTED]

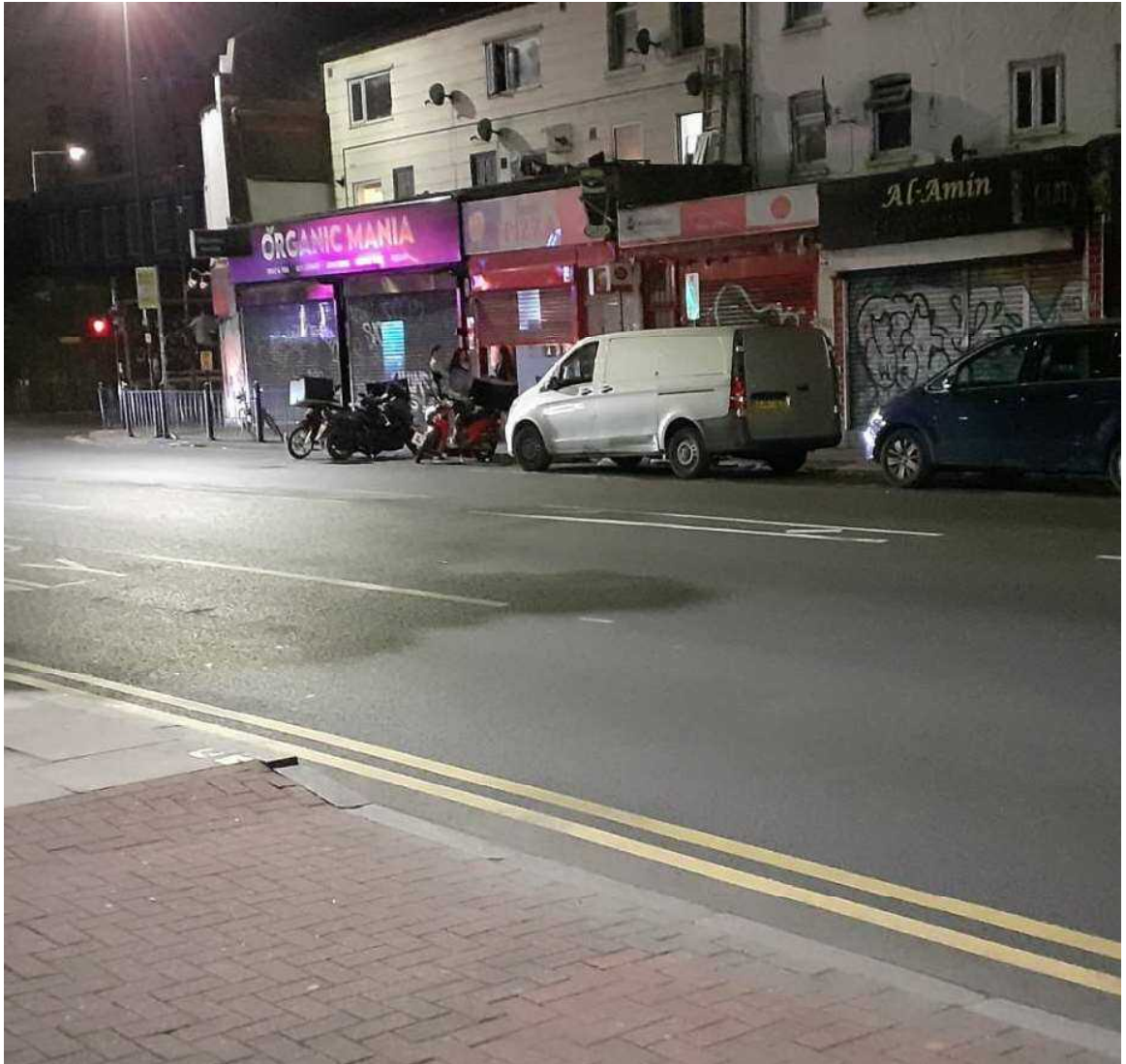


Photo taken on Saturday 28th May 2022 at 02:25 hours

I identify this exhibit as that referred to in the statement signed by me

Exhibit number: **EXHIBIT MA/02**

Date: **30th June 2020**

Name: **Mohshin Ali**

Signed: [REDACTED]



Photo taken on Saturday 28th May 2022 at 02:30 hours

I identify this exhibit as that referred to in the statement signed by me

Exhibit number: **EXHIBIT MA/03**

Date: **30th June 2020**

Name: **Mohshin Ali**

Signed: [REDACTED]



Photo taken on Saturday 28th May 2022 at 02:30 hours

I identify this exhibit as that referred to in the statement signed by me

Exhibit number: **EXHIBIT MA/04**

Date: **30th June 2020**

Name: **Mohshin Ali**

Signed: 



Photo taken on Saturday 28th May 2022 at 02:39 hours

I identify this exhibit as that referred to in the statement signed by me

Exhibit number: **EXHIBIT MA/05**

Date: **30th June 2020**

Name: **Mohshin Ali**

Signed: 



Photo taken on Saturday 28th May 2022 at 02:45 hours

I identify this exhibit as that referred to in the statement signed by me

Exhibit number: **EXHIBIT MA/07**

Date: **30th June 2020**


Name: **Mohshin Ali**

Signed: 

63

28/05/2022

Islam Hameedi manager



2:48 PM delivered pizza half

2:33 ordered, 2:31 ordered

9 mins pizza

2:40 - 4:00 pm

Asian delivery order

2:40 delivery order

Summary not on display

2:51 cashier given for order

Are you aware of the loss of your license

Monday - Sunday - Thursday

until 1am and 10:00pm

und 2am

- Q - where the summary
with license details
should be on display
- W - E don't have it
I'll look it tomorrow
and with display.
- Q - why are you
trading after your
leave hours
- A - Just clearing
some because I thought
we were hiring
2. Spauld - Area for sign

Islam Hamidi

Record of contact 2:58
filled in and signed
by Mr Hamidi 2:58
at 3:02 left premises
personally explained
various improvements
and mentioned that
pictures taken on phone
Mr summary and
was not able to produce
full license when requested
I then searched it
Heath was also working
on his list, Mr Hamidi
understood the caution
after explained to him.

I identify this exhibit as that referred to in the statement signed by me

Exhibit number: **EXHIBIT MA/07**

Date: **30th June 2020**

Name: **Mohshin Ali**

Signed: 

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: P-Town HAMLETS PIZZA	<input type="checkbox"/> Intelligence Lead Visit (1L)
Licence Holder / DPS / Person Seen: ISLAM HAMIDI	<input type="checkbox"/> Compliance Visit (Proactive 1L)
Address: 479 CAMBRIDGE HEATH RD	<input type="checkbox"/> Revisit (1R)
Tel. No: 	<input type="checkbox"/> Notice Check (1N)
Email: 	Visiting Officer (s): MOSHSHIN ALI + NICOLA CADZOW
	App Officer Initials: MAA + NCA
	Position: SENIOR LICENSING OFFICER + EHO
	Signature:  Time of visit:
	Tel: 020 7364 5008 Email: licensing@towerhamlets.gov.uk

Office 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 checked="" type="checkbox"/> Provision of Late Night Refreshment (hot food or drink between 23:00 and 05:00 hours) outside Licence hours	136	<input checked="" 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 checked="" 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 checked="" 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 checked="" 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: **ISLAM HAMIDI**

Signature: 

Position in business: **MANAGER**

Date: **28/05/2022**

This report only covers those areas checked at the time of the visit. It does not indicate compliance with any provision of Licensing Act 2003 or any associated legislation. If you have any queries regarding this report, please contact the Licensing and Safety Team or write to Environmental Health and Trading Standards, Mulberry Place, 5 Clove Crescent, London E14 2BG

www.towerhamlets.gov.uk/licensing

URN:

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Statement of: **Nicola Cadzow**

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

Occupation: **Environmental Health Officer**

This statement (consisting of 2 Pages(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Name / Signature:

Date: 30th May 2022

Statement

1. My name is Nicola CADZOW and I am employed as an Environmental Health Officer in the Noise Team with the London Borough of Tower Hamlets for eight years. I have worked for other London Boroughs and have been in Environmental Health for approximately fifteen years. My qualifications include BSc (Hons) Degree in Environmental Health from the University of Greenwich. My main duties are the enforcement of the Statutory Nuisance Provisions of Part III of the Environmental Protection Act 1990 and the Licensing Act 2003. My duties include investigating noise complaints received from Tower Hamlets residents relating to residential and commercial premises and take formal action where necessary including preparing and serving legal notices, preparing cases for prosecution or reviewing a license or new premise license application and compliance with the four licensing objectives.
2. **On 27th May 2022** while on Operation Dymock with my colleague Officer Mohshin Ali we were assigned to visit Hamlets Pizza 479 Cambridge Heath Road London E2 9BU after 02:00 hours in the morning to undertake a test purchase if the premises was open.
3. **At 02:20 hours of the 28th May 2022** we arrived and parked on Cambridge Heath Road.
4. **At 02:29 hours** from the opposite side of Cambridge Heath Road to Hamlets Pizza, 479 Cambridge Heath Road I observed that the shutters of the premises were pulled partially down and two persons were sitting at a table inside the venue. Please see the review exhibit NCA01.
5. **At 02:31 hours** Officer Ali and I entered Hamlets Pizza.
6. **At 02:33 hours** I entered Hamlets Pizza with Officer Ali who ordered a £9.99 Pizza. A cash transaction was made with a gentleman of Mediterranean appearance, who later identified himself as Islam Hamidi.

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005 , Rule 27.1

7. **At 02:40 hours** a delivery driver entered premises having returned from making a delivery

8. **At 02:45 hours** the cooked pizza was handed to Officer Ali. Mr Hamidi was requested to lower the shutter of the premises down. Mr Hamidi was then asked to confirm his name and position in the premises.

9. **At 02:51 hours** Mr Hamidi was then cautioned for trading after the premises license hours and Officer Ali broke down the caution in stages. Mr Hamidi was asked if he understood the caution and what was being said to him. He confirmed he did.

10. **At 02:56 hours** caution was completed and Mr Hamidi signed Officers Ali's notebook.

11. **At 02:58 hours** a record of contact form was completed by Officer Ali with the license breaches identified and what Mr Hamidi was required to do. Mr Hamidi signed the form, as did Officer Ali and I. A carbon copy of the form was given to Mr Hamidi

12. **At 03:02 hours on 28th May 2022** we left the premises.

Name / Signature:

Date:



EXHIBIT M



Mr. Umed Hussain Khel
Hamlet Pizza Ltd
479 Cambridge Heath Road
London
E2 9BU

Place Directorate
Public Realm
Environmental Health & Trading Standards

Head Of Service David Tolley

Tel 020 7364 5171

Fax 020 7364 0863

Enquiries to Kathy Driver

Email [REDACTED]

13th June 2022

www.towerhamlets.gov.uk

My reference P/PR/LIC/PSU/010195

Dear Mr. Khel

Licensing Act 2003, Sections 136

Premises: Pizza Pizza/Tower Hamlets Pizza, 479 Cambridge Heath Road, London E2 9BU

This Licensing Authority has warned you of unauthorised activity on 17th May 2022. The premises and its business operators have been warned multiple occasions, including 7/6/21; 31/3/22; 12/4/22; 19/4/22.

Despite our warnings to you and the business, Officers attended the premises on Saturday 28th May 2022 at 02:20 hours the premises were seen to be open, Officers were then able to go inside and order hot food at 02:33 hours. The pizza was handed to them at 02:45 hours. Mr. Islam Hamidi was formally cautioned by the officers who had served them.

I continue to receive reports, almost on a daily basis, that you continue to operate 24/7 despite the numerous warnings.

Legal proceedings have already commenced with interviews being arranged under PACE from previous test purchases being made. You will shortly be invited to attend a meeting under PACE following this test purchase.

As the new registered Premises Licence Holder, you will be aware that condition 1 (a) to (c) of the Premises Licence stipulates that CCTV must be maintained and recorded at all times customers remain on the premises and that viewing of recordings will be made available upon

M:\Licensing\Word97\ENFORCEMENT\Legalpro\Casework\2022\CambridgeHeathRd479\Warning Letters\CambridgeHeathRd479.008.doc

request of police or authorised officer. I therefore request that CCTV is downloaded and saved for this Licensing Authority to view for the following time periods:

Saturday 28th May 2022 from 02:00 hours to 03:00 hours.

Please arrange for this to be ready for collection on Friday 17th June 2022. If this is not convenient please contact me to re-arrange.

I should also inform you that due to the history of complaints, the warnings given and the test purchases being made and no communication from the business in response to any of the letters I have sent, we have no alternative but to trigger a review of the Licence. These papers are currently being drawn up of which you will receive soon.

Yours sincerely



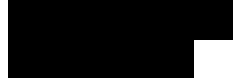
Kathy Driver

Principal Licensing Officer

c.c. 



Mr. Umed Hussain Khel
Hamlet Pizza Ltd



Place Directorate
Public Realm
Environmental Health & Trading Standards

Head Of Service David Tolley

Tel 020 7364 5171

Fax 020 7364 0863

Enquiries to Kathy Driver

Email



13th June 2022

www.towerhamlets.gov.uk

My reference P/PR/LIC/PSU/010195

Dear Mr. Khel

Licensing Act 2003, Sections 136

Premises: Pizza Pizza/Tower Hamlets Pizza, 479 Cambridge Heath Road, London E2 9BU

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M:\Licensing\Word97\ENFORCEMENT\Legalpro\Casework\2022\CambridgeHeathRd479\Warning Letters\CambridgeHeathRd479.008.doc

Saturday 28th May 2022 from 02:00 hours to 03:00 hours.

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Yours sincerely



Kathy Driver

Principal Licensing Officer

c.c. 

EXHIBIT N

Please find below extracts from residents complaints about the business operation

Complaints from resident A:

13/4/22	<p>Tower hamlet pizza 479 Cambridge Heath Road London E2 9BU is open without a license 7 days a week.</p> <p>I would like the tower hamlet council to take action against them as they have made life hell for us resident round the clock.</p> <p>They are trading illegally beyond 23:00 hours and must be stopped.</p>
18/4/22	<p>We were awake all night the same way as we have been for long long time.</p>
20/4/22	<p>Please for the sake of God close this pizza place at midnight or before as life is hell.</p> <p>It's 4:30am and there are countless drunken people, thugs, delivery drivers and many more people here making life hell for us and we can not sleep.</p>

Complaints from resident B:

28/3/22	<p>Please take my email very seriously as I do not want this to end up someone getting hurt or worse.</p> <p>am writing in regards to the pizza place on 479A Cambridge heath Road E29BU which Called with few different names Pizza Pizza. Tower hamlet pizza, city pizza and maybe more.</p>
28/3/22	<p>...but can not concentrate on our .. we can not get sleep at night and the noise is absolutely crazy.</p> <p>> This pizza place is open 7 days a week at least UNTILL 6:30 or even 7 am.</p> <p>> The noise from their bikes, staff and customers mostly drunk people which is attracted there at late hours of morning is so loud that we can not get even an hour of proper sleep at any night of the week specially weekends.</p> <p>> We can not take it anymore at the same time can not afford to relocate due to financial hardship as well as not having enough time due to long working hours.</p> <p>> I have mentioned few times that I will report them to the council, but their answer is "we don't give a s***"</p>
4/4/22	<p>There is another point which I would like to add in addition to my previous emails is that the licensed issued under the name of Pizza Pizza, but their sign board and names of the business is different and i think that is illegal itself.</p> <p>They use few different names online specially on justeat, ubereat, delivroo etc etc.</p> <p>They are operating with at least two names that I am aware so far, Tower hamlets pizza and pizza pizza and they are open at least until 6am 7 days a week.</p>
10/4/22	<p>They have closed the Bussiness and start operating under different name Tower Hamlet Pizza. The license you have mentioned in your previous email is for Pizza Pizza which does not exist even if it did, the timing is Sunday to Thursday is UNTILL 1:30 am, Friday and Saturday until 2:30am NOT 7am.</p>

	They have not got the late night license to operate beyond 23:00 hours. I find it extra ordinary as why the Tower Hamlet enforcement and licensing team can not taking any action against this illegal place in any way shape or form....
7/5/22	Its 05:18 in the morning and we are all awake as there are more than 10 motorbikes waiting for food to be collected from this place and many many customers inside ordering food.... there are so much noise and all it is people making extremely loud noise.
9/5/22	They are illegally operating after 11pm all the way to 6 or 7 am even if they don't need license after 5am. Wait until someone die before you take action
14/5/22	Its 04:06 am and already the fight is going on for at least an hour inside the hamlet pizza which 479 cambridge heath road E29BU. How you expect us to live like this when they are open illegally 24/7. ...
26/5/22	The pizza place of course gone worse as every single morning around 3 or 4am there is fights and arguments with the uber, delivroo and justeat delivery drivers as well as people taking drugs. All I am trying to say is our life is hell as a direct result of this pizza place running 24/7 illegally. All the takeaways in the area close at 11pm or latest Midnight. The only place open is tower hamlet pizza
8/6/22	We are still waiting for the council to take action against Hamlet pizza people of 479 Cambridge heath road. They are making even more noise as well many fights and arguments goes on every single nights of the week.

Resident C

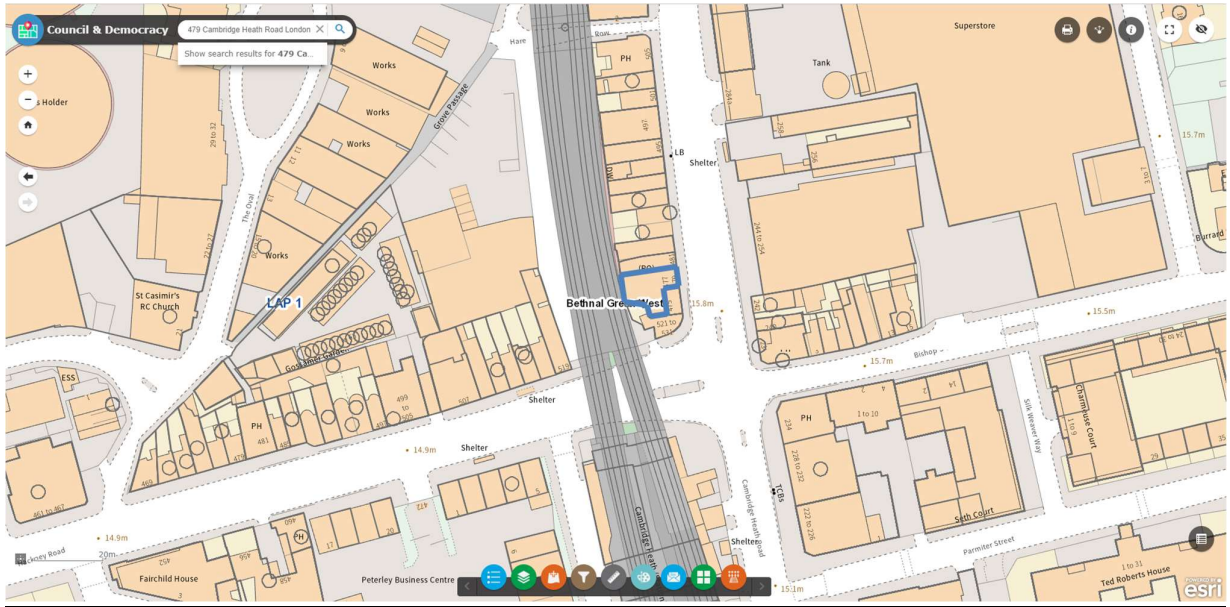
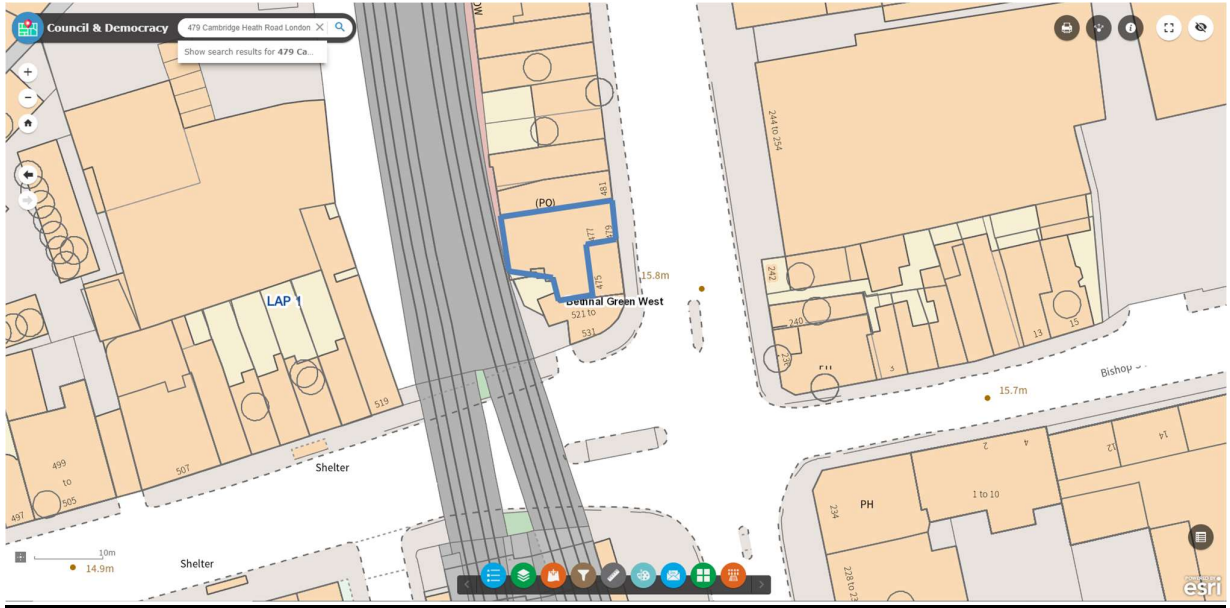
16/5/22	I would like the council to take immediate legal action against this pizza takeaway as they are never close. They are serving people round the clock 7 days a week none stop. Although I am aware of the pizza places legally operating until 11pm. This pizza takeaway attracted a lot of dodgy, drug dealers, drunk and very dangerous people and there are fights every single nights of the week. We are living a nightmare and there is nothing we can do other than the council to take action and close the place exactly at 11pm so we could live in peace. As far as we are aware there were someone stabbed few days ago and ended up in hospital luckily he survived. We have family, kids, work and want to live a normal life, but the place turned our lives upside down and should be shut immediately after 11pm
17/5/22	.. We need you to take action as we are suffering every single night specially between midnight to 5 or 6am.
20/5/22	.. It's 04:15 and for the past 4 hours or so we are awake and can not sleep because of this business that you have taken money and don't want to take action against. How could you expect us to take kids to school, work or function as normal when you are awake all night every night....

22/5/22	<p>Another weekend spent in hell as we couldn't sleep all night all the way to 6:30am.</p> <p>Saturday morning I went to the pizza place at 3:50, this morning/ Sunday mornings I went to speak to them at 3:13am, but all I got abuse from these disgusting thugs. They are dealing with drugs and are very dangerous people. The people coming around 3 or 4 am are all drug dealers. I have called the police and they advice me to contact the useless council as it's their duty to stop these people trading illegally..</p>
25/5/22	<p>The email is regarding the pizza place called Hamlet pizza or towers hamlet pizza also called pizza pizza of 479 Cambridge heath road E29BU which is open round the clock without having the license to operate beyond 23:00 hours.....</p> <p>We are living a life full of nightmares and can not get an hour of sleep ..They are open 24/7 and attract a lot of drug dealers, drunk people, delivery drivers, thugs etc etc and making a lot of noise all the way to 6 or 7am. The worst time is around 3 or 3:30 to 5am.</p> <p>First you made an excuse and now you are making another excuse of new ownership. I am sure someone in the council is advising them what to do to avoid being punished for operating illegally. They are the same people for at least 14 years or so based on the information from the neighbours and local shops.</p> <p>Please for the sake of God do make sure they are close by 23:00 hours and let us live in peace. We have kids and they are behind at school due to lack of sleep.</p>
4/6/22	<p>Yet another night from hell as these people get only worse. Please we are begging you to take action please against The hamlet pizza place at 479 Cambridgeheath road E29bu</p>
5/6/22	<p>Once again we and a night from hell as the hamlet pizza is still open from yesterday 10:30am all the way until now non stop....</p>
10/6/22	<p>Any idea if the Hamlet pizza ever close as they are open 24/7? We are sick and tired of them and for the sake of God make sure they operate under the hours they are permitted NOT 24/7</p>
13/6/22	<p>Once again I am writhing in regards to Hamlet pizza as they are trading between 10:00 to 08:00 seven days a week.</p> <p>..they owner .. is an extremely nasty and dangerous individual ...</p>
21/6/22	<p>Please for the love of God shut this pizza place as we are living a nightmare life. We have kids and we need to take them to school and we need to work.</p> <p>It's 1:30am but their bikes and customers and staff is making life impossible. WE CAN NOT SLEEP AS THE NOISE IS ABSOLUTELY LOUD AND CRAZY.</p>
27/6/22	<p>I am writing once again about these disgusting people at tower hamlet pizza as they are getting worse by the day and non stop 7 days a week 24 hours a day.</p> <p>This morning at 3:40am there was a bad fight and a lot of these thugs were screaming and I am pretty sure someone must've got hurt. ... they are extremely rude and disgusting. They said the shop is sold last week to another person and he was even worse than the previous owner.</p>

	They are all 6 or 7 brothers working at the same place and keep changing the ownership to avoid local authorities, but they are the same people as it was confirmed by many other businesses next to them.....
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Appendix 2

Maps – 479 Cambridge Heath Road



Appendix 3



Tom Lewis
Head of Licensing
Tower Hamlets Council

HT - Tower Hamlets Borough

Licensing Office
1st Floor Stoke Newington Police Station
33 Stoke Newington High Street
N16 8DS

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

Dear Sir,

Central East Police Licensing formally support the review of Tower Hamlets Pizza, 479 Cambridge Heath Road. It is clear from the evidence of Tower Hamlets Council that owners of the premises have continuously ignored the hours on their license by trading past them, as evidenced by the test purchase operations at the premises carried out by Tower Hamlets Council staff, and by the premises own website advertising to be open well past its licensable hours.

This has caused considerable nuisance and disturbance to local residents as the venues customers and delivery bikes have been so noisy as to prevent local residents from sleeping.

Despite warning letters being sent out by Tower Hamlets Council and two test purchases the premises has continued to operate past its hours with total disregard for the harmful effect on local residents, and showing contempt for the licensing act.

Of even more concern is the evidence supplied by the Home Office Immigration Enforcement unit that the premises was found that on two separate visits over a year apart the premises was on each occasion employing people who had no right to work in the UK.

The owners of Tower Hamlets Pizza have demonstrated a consistent attitude of contempt for the rule of law as if somehow it does not apply to them. Therefore no conditions can be attached to the license as they simply will not abide by them. We believe that the only course of action available is the revocation of the license, and we urge the Licensing Committee to take this action.

Kind Regards

Mark



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

Appendix 4



Immigration Enforcement

Immigration representation in support of an application for the review of a premises licence

On behalf of the Secretary of State, Home Office (Immigration Enforcement) makes representations in support of the following application for the review of a premises licence, relating to the prevention of crime and disorder objective, including the prevention of illegal working and immigration crime in licensed premises.

IE wishes to make representations on an application for a review of a premises licence.

Details of Premises:			
Premises Licence Holder:			
Name and Address of Premises:			
Tower Hamlets Pizza, 479, Cambridge Heath Road			
Post Town:	London	Post Code:	E2 9BU

Representations are being made for the following reasons:

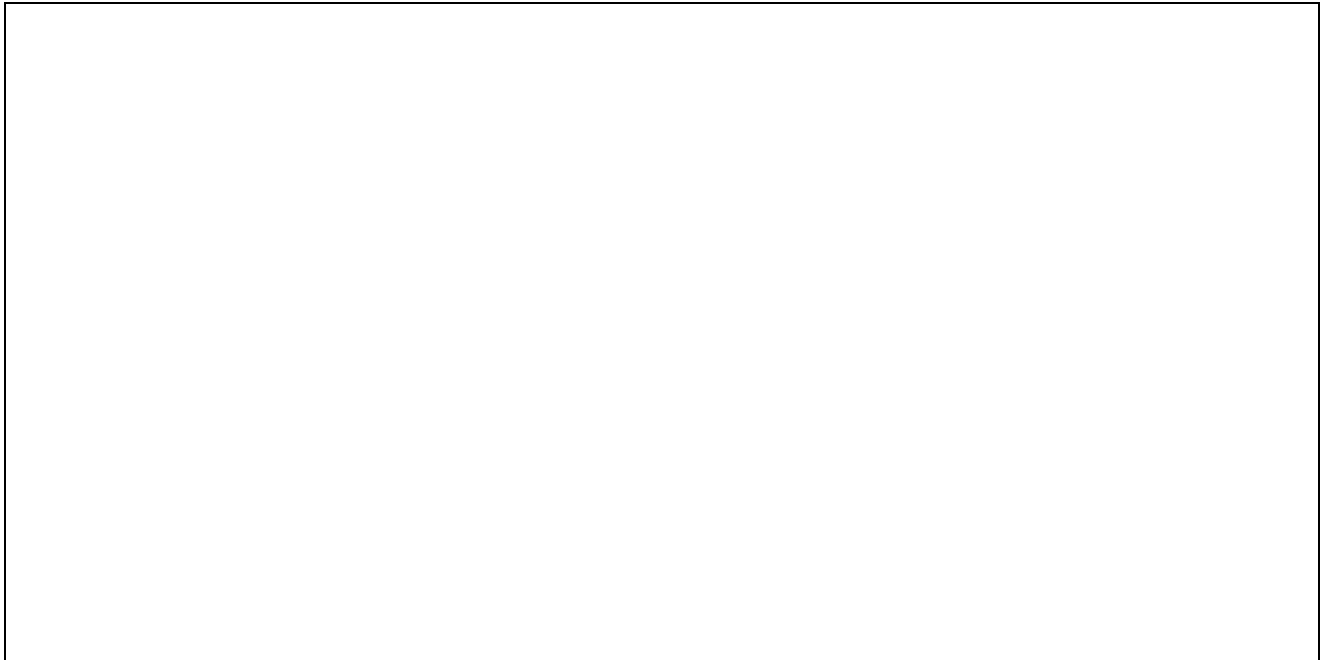
Immigration Enforcement conducted a visit to the above premises on 19th June 2017. During the visit 2 individuals were encountered that after Home Office checks had been conducted were both identified as being in the United Kingdom illegally, and therefore having no right to work.

A referral was made to the Civil Penalties Team for the employment of 2 illegal workers. After consideration of all available information a No Action Notice was issued.

A further visit by Immigration Enforcement was conducted to the premises on 10th September 2018. During the visit 4 individuals were encountered and arrested for illegal working.

A referral was made to the Civil Penalties Team for the employment of 4 illegal workers. After consideration of all available information a civil penalty was issued on 25th September 2019 for £20,000 to Tower Hamlets Pizza Limited for the employment of 2 illegal workers.

The penalty has been paid by instalments. The last payment was on 12/10/2021.



Signatures			
Signature of Responsible Authority			
Home Office Immigration Enforcement			
Date:	07/07/22	Capacity:	Responsible Authority

Details of Responsible Authority			
Name and Address:			
Home Office Immigration Enforcement, Alcohol Licensing and Late-Night Refreshments Team, [REDACTED]			
		Email address (optional):	[REDACTED]

Appendix 5

My reference: P/EHTS/LIC/150801/CH

Dear Corinne Holland,

As there are some of my business competitors who regularly complain to you that my Pizza shop has made life hell of the residents who live near the shop, and they blamed my business for disturbing their sleeping and rest during nights. They also make false allegations that they have children, and their children cannot sleep owing to the disturbance of my Pizza shop. I completely reject these false allegations and their statements as they do not have any factual grounds and they are not true because the people who make these false allegations do not live near my shop, and they are my business competitors who want to close down my business through these false allegations and their smart blame-games.

Hence, it is strongly requested to make sure and confirm their residence address by seeing their proof of address whether these people who make complaint lives near my Pizza shop or not because I am 100% sure that they do not live near my Pizza shop and they are my business competitors who want to close down my business and you will get the reality very soon when you ask about their proof of address. He further accused my Pizza shop of disturbing children's sleeping as there are no families living near my Pizza shop because most of the people who live near my Pizza shop are University students rather than children and families. Similarly, we are just providing take away and delivery services and even we do not receive orders by phone calls because we receive food orders by Apps, so you can investigate people who live on the top of my Pizza shop or who live around my Pizza shop whether my Pizza shop makes any disturbances to them or not. As there are clubs and many shops near my Pizza shop, the disturbance might be caused by them and their noisy environment rather than by my Pizza shop.

Therefore, it is very kindly requested to send an enquiry team to investigate the people who live near my Pizza shop whether they have been disturbed by my Pizza shop or not, and whether they have any complaints regarding my business or not. Moreover, I will really appreciate if you arrange an appointment in which I discuss all the complaints and issues with you related to my Pizza Shop, and I also want to know when is the hearing of my case? Thus, I am looking forward to your cooperation and immediate actions in this very serious regard.

Yours sincerely,

Umid Hussain Khel

Director

Pizza Pizza/ Tower Hamlets Pizza,

479 Cambridge Heath Road, London E2 9BU

Appendix 6

11. Reviews

The review process

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

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

Repetitious grounds of review

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

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

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

Powers of a licensing authority on the determination of a review

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

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

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

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

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

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

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

Reviews arising in connection with crime

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

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

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

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

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

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

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

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

Appendix 7

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

Updated April 2018

Crime and disorder

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

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

Appendix 8

Crime and Disorder

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

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

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

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

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

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

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

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

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

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

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

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

Smuggled goods

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

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

Olympic Park – Football Ground

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

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

Appendix 9

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

Updated April 2018

Public nuisance

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

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

Appendix 10

Prevention of Public Nuisance

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

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Agenda Item 3.2

Committee: Licensing Sub Committee	Date 11 October 2022	Classification Unrestricted	Report No.	Agenda Item No.
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Report of: David Tolley Head of Environmental Health & Trading Standards Originating Officer: Corinne Holland Licensing Officer	Title: Licensing Act 2003 Application for a new Premise Licence for Limehouse Library Hotel, 638 commercial Road, London, E14 7HS Ward affected: Limehouse
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1.0 Summary

Applicant:	Hazev Limited (Onder Sahan)
Name and Address of Premises:	Limehouse Library Hotel 638 Commercial Road London E14 7HS
Licence sought:	Licensing Act 2003 Sale by retail of Alcohol (on sales) Regulated Entertainment (Live & recorded music, Performance of dance) Late Night Refreshments
Objectors:	Residents

2.0 Recommendations

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

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

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

File
Section 182 Guidance
LBTH Licensing Policy

Corinne Holland
020 7364 3986

3.0 Background

- 3.1 This is an application for a new Premise Licence for Limehouse Library Hotel, 638 Commercial Road, London, E14 7HS.
- 3.2 The applicant has described the premises as: Hotel, restaurant, roof top terrace bar, meeting rooms, ballroom, spa and gym.
- 3.3 A copy of the application is shown in **Appendix 1**.
- 3.4 The hours applied for are as follows:

The terminal hours for all licensable activities have been reduced to 00:00 hours (midnight) in agreement with Environmental Health - see Appendix 13

Sale of Alcohol (on sales)

Monday to Sunday 24 hours – Lobby Lounge for Hotel Guests

Restaurant & Terrace Bar:

Monday – Wednesday 12:00 – 23:30 hours

Thursday – Saturday 12:00 – 00:00 hours (midnight)

Sunday 12:00 – 23:00 hours

Ballroom

Monday – Sunday 09:00 – 00:00 hours (midnight)

Provision of Regulated Entertainment

Live Music (indoors) – In the basement ballroom only

Monday – Sunday 09:00 – 00:00 hours (midnight)

Non-Standing timings

Christmas Eve & New Year's Eve 09:00 – 01:00 hours

Recorded Music (indoors & outdoors)

Monday – Sunday 06:30 – 00:00 hours (midnight)

Members may wish to note that 'background music' is not considered regulated entertainment and therefore not licensable.

Lobby Lounge – (unamplified background music)

Monday to Sunday 24 hours a day

Restaurant – (unamplified background music)

Monday – Wednesday 06:30 – 23:30 hours

Thursday – Saturday 06:30 – 00:00 hours (midnight)

Sunday 06:30 – 23:00 hours

Terrace Bar - (unamplified background music)
Monday – Wednesday 09:00 – 23:30 hours
Thursday – Saturday 09:00 – 00:00 hours (midnight)
Sunday 09:00 – 23:00 hours

Ballroom (amplified music)
Monday – Sunday 09:00 – 00:00 hours (midnight)

Non-Standing timings
Christmas Eve & New Year's Eve 09:00 – 01:00 hours

Performance of Dance (indoors in the ballroom)
Monday – Sunday – 12:00 – 00:00 hours (midnight)

Non-Standing timings
Christmas Eve & New Year's Eve 09:00 – 01:00 hours

Late Night Refreshments (Indoors)
Monday – Sunday – 23:00 – 00:00 hours (midnight)

Non-Standing timings
Christmas Eve & New Year's Eve 23:00 – 01:00 hours

Opening times
Monday – Sunday – 24 hours (00:30 hours to non residents)

4.0 **Location and Nature of the premises**

- 4.1 The site plan of the venue is included as **Appendix 2**.
- 4.2 Maps showing the vicinity are included as **Appendix 3**.
- 4.3 Photographs of the premises are included in **Appendix 4**.
- 4.4 Details of other licensed venues in the immediate vicinity are included as **Appendix 5**.

5.0 **Licensing Policy and Government Advice**

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

- 5.3 The Home Secretary has issued Guidance under Section 182 of the Licensing Act 2003. This is available on the Government's website, www.homeoffice.gov.uk. It was last revised in April 2018.
- 5.4 Relevant Sections of this advice are brought to Members attention within the Licensing Officers report. Members should note however, that in some areas Tower Hamlets, after a proper consideration of local circumstances, has not followed the Government's advice, or has developed it further.
- 6.0 Representations**
- 6.1 All representations have to meet basic legal and administrative requirements. If they fail to do so they cannot be accepted. When rejected the person sending in the representation must be written to, and an explanation for rejection given in writing.
- 6.2 A responsible authority or other person can make a representation. There are two tests for other persons and only one for a responsible authority. The two tests are contained in Section 18 of the Act.
- 6.3 All representations must be "about the likely effect of the grant of the premises licence on the promotion of the licensing objectives." Likely means something that will probably happen, i.e. on balance more likely than not.
- 6.4 Representations by responsible authorities do not have to meet the second test of not being vexatious and frivolous. Other persons have to meet this test.
- 6.5 The Home Office recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation.
- 6.6 Section 182 Advice by the Home Office concerning relevant, vexatious and frivolous representations is attached as **Appendix 6**.
- 6.7 All the representations in this report have been considered by the relevant officer (Team Leader Licensing & Safety) and determined to have met the requirements of the Licensing Act 2003.
- 6.8 This hearing is required by the Licensing Act 2003, because relevant representations have been made by the following.
- A. Szasz – **Appendix 7**
 - C Browne – **Appendix 8**
 - J Woo – **Appendix 9**
 - S.Tse – **Appendix 10**
 - D. Tsao – **Appendix 11**
- 6.9 Applicants response/mediation letter sent to all the residents above either by email or posted letter – **Appendix 12**

- 6.10 All of the responsible authorities have been consulted about this application. They are as follows:
- The Licensing Authority
 - The Metropolitan Police
 - The LFEPA (the London Fire and Emergency Planning Authority).
 - Planning
 - Health and Safety
 - Noise (Environmental Health)
 - Trading Standards
 - Child Protection
 - Public Health
 - Home office (Immigration Enforcement)
- 6.11 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
- 6.12 The objections relate to:
- Public nuisance
 - Crime and Disorder
 - ASB
- 6.13 Essentially, the relevant parties oppose the application because the applicant has not explained how within the context of the application they will meet licensing objective of the prevention of public nuisance and the prevention of crime and disorder.
- 6.14 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.
- 6.15 The applicant has offered measures in the operating schedule of the application that address the promotion of the Licensing Objectives. If there were no representations, the Licensing Authority would grant the licence, with conditions consistent with the operating schedule, which are relevant, proportionate and enforceable. Members are asked to consider the schedule and incorporate any conditions as necessary to address the licensing objectives.

7.0 Conditions consistent with Operating Schedule

1. The ballroom will be hired for private use only. All functions will be pre-booked and no members of the general public will be permitted.
2. 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 are open and conducting licensable activities. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available upon the request of Police or authorised officer throughout the preceding 31 day period, such copies shall in any event be provided within forty-eight (48) hours. Notices shall be displayed advertising that CCTV is in operation.
3. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:
 - (a) All crimes reported
 - (b) All ejections of patrons
 - (c) Any complaints received
 - (d) Any incidents of disorder
 - (e) Any faults in the CCTV system.
 - (f) Any refusal of the sale of alcohol
 - (g) Any visit by a relevant authority or emergency service.
4. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
5. No deliveries will be received or removal of rubbish, especially glass, take place between 23.00 and 08.00 daily.
6. The Challenge 25 proof of age policy will be operated and only a photographic driving licence, a valid passport, a valid UK Armed Forces photographic identity card with the bearer`s photograph on it or Home Office approved proof of age card with the bearer`s photograph and the PASS logo / hologram on it will be accepted as proof of age.
7. Training for all staff on under age sales will be documented and repeated at regular intervals. The training will ensure staff understand the principle of Challenge 25. The scheme shall be made available for inspection at the request of the Licensing Authority, Trading Standards and Metropolitan Police.
8. The premises will display publicity materials relating to the Challenge 25 scheme.

8.0 Conditions Agreed/Requested by Responsible Authority

Conditions agreed with the Environmental Health – Appendix 13

(Committee members to note section (a) of agreed email refers to 4 guest of residents as well as 24 hours for pre-booked events which are not in the application so should be removed).

1. Loudspeakers shall not be in the entrance lobby or outside the premise building or at the roof top bar.
2. All windows and external doors shall be kept closed after **21:00 hours**, or at any time when regulated entertainment takes place, except for the immediate access & egress of persons.
3. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises, which gives rise to a public nuisance or to affect neighbouring properties
4. No substantial deliveries to the premises shall take place between 22:00 hours and 08:00 hours the following day.
5. No idling of vehicle by drivers, delivery vehicles passengers, pick up or uber drivers outside the hotel or at Norway Place or use the residential parking of Earl Atlee and Park Height Court building thereby giving rise to noise that would cause public nuisance or affect the residents.
6. After 22:00 hours daily, 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.
7. Patrons are to use the entrance by Norway Place and not gather or congregate by Wharf Place which is the exit access road for the residents
8. Notices shall be prominently at all exits requesting and advising patrons to respect the needs of residents and businesses and leave the area quietly
9. The garden in front of the hotel forecourt is to be used as smoking designated area.

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 14 -20** Members are given general advice, and also have explanations of the Council’s Licensing Policy, Government advice and other legislation relating to the matters previously identified.

10.0 Legal Comments

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

11.0 Finance Comments

11.1 There are no financial implications in this report.

12.0 Appendices

Appendix 1	A copy of the application
Appendix 2	Site Plan
Appendix 3	Maps of the surrounding area
Appendix 4	Photographs of the premises
Appendix 5	Other licensed venues in the area
Appendix 6	Section 182 Advice by the DCMS- Relevant, vexatious and frivolous representations
Appendix 7-11	Representations from residents
Appendix 12	Applicants response letter to residents
Appendix 13	Conditions agreed with Environmental Health
Appendix 14	Licensing Officer comments on public nuisance
Appendix 15	S182 advice on public nuisance
Appendix 16	Licensing Officer comments on crime & disorder
Appendix 17	S182 advice on crime & disorder
Appendix 18	ASB leaving the premises
Appendix 19	Licensing Policy relating to hours of trading
Appendix 20	Planning

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

Other telephone number

Include country code.

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

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

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

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

Agent Business

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

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

City or town

County or administrative area

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

District

City or town

County or administrative area

Country

Contact Details

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.

Hotel, restaurant, roof top terrace bar, meeting rooms and ballroom, spa and gym.

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="09:00"/>	End	<input type="text" value="00:30"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="00:30"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="00:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="00:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="00:30"/>
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.

Live music will only be for functions held in the ballroom in the basement of the premises and will be amplified.

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.

Christmas Eve and New Year's Eve until 01:00

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

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.

Lobby Area - unamplified background music will be played 24 hours a day 7 days a week.

Restaurant - unamplified background music:
Monday 06:30 - 23:30

Continued from previous page...

Tuesday 06:30 - 23:30
Wednesday 06:30 - 23:30
Thursday 06:30 - 00:00
Friday 06:30 - 00:30
Saturday 06:30 - 00:30
Sunday 06:30 - 23:00

Terrace Bar - unamplified background music:

Monday 09:00 - 23:30
Tuesday 09:00 - 23:30
Wednesday 09:00 - 23:30
Thursday 09:00 - 00:00
Friday 09:00 - 00:30
Saturday 09:00 - 00:30
Sunday 09:00 - 23:00

Ballroom - amplified music:

Monday 09:00 - 00:30
Tuesday 09:00 - 00:30
Wednesday 09:00 - 00:30
Thursday 09:00 - 00:30
Friday 09:00 - 00:30
Saturday 09:00 - 00:30
Sunday 09:00 - 00:00

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.

Christmas Eve and New Year's Eve until 01:00

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

Continued from previous page...

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of 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.

Performances of dance will only be held in the ballroom if there is an event and will be 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.

Continued from previous page...

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.

Christmas Eve and New Year's Eve until 01:00

Section 13 of 21

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

[See guidance on regulated entertainment](#)

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

Yes No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

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

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.

Christmas Eve and New Year's Eve until 01:00

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

Continued from previous page...

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 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

Continued from previous page...

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

Please note that the premises are a hotel and alcohol will be sold to guests of the hotel from the Lobby lounge 24 hours a day, seven days a week. Different timings apply as follows to the following areas:

Restaurant:

- Monday 12:00 - 23:30
- Tuesday 12:00 - 23:30
- Wednesday 12:00 - 23:30
- Thursday 12:00 - 00:00
- Friday 12:00 - 00:30
- Saturday 12:00 - 00:30
- Sunday 12:00 - 23:00

Terrace Bar:

- Monday 12:00 - 23:30
- Tuesday 12:00 - 23:30
- Wednesday 12:00 - 23:30
- Thursday 12:00 - 00:00
- Friday 12:00 - 00:30
- Saturday 12:00 - 00:30
- Sunday 12:00 - 23:00

Ballroom: 09:00 - 00.30 Monday to Sunday

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

Name

First name

Family name

Date of birth

Enter the contact's address

Building number or name

District

City or town

County or administrative area

Country

Personal Licence number (if known)

Continued from previous page...

Issuing licensing authority
(if known)

Tower Hamlets Council

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

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

Continued from previous page...

FRIDAY

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

SATURDAY

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

SUNDAY

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

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.

1. The applicant company has developed and refurbished this building, being the old Limehouse Library, to a very high standard and is envisaged it will be an asset to the area.
2. The premises will be run by the applicant company who is very experienced with licensed premises and employ experienced management staff.
3. The applicant will operate the business in a responsible manner and actively promote the Licensing Objectives at all times.
4. Staff will receive training on regular basis with regards promotion of four Licensing Objectives.
5. The ballroom will be hired for private use only. All functions will be pre-booked and no members of the general public will be permitted.

Continued from previous page...

b) The prevention of crime and disorder

1. 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 are open and conducting licensable activities. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available upon the request of Police or authorised officer throughout the preceding 31 day period, such copies shall in any event be provided within forty-eight (48) hours. Notices shall be displayed advertising that CCTV is in operation.
2. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:
 - (a) All crimes reported
 - (b) All ejections of patrons
 - (c) Any complaints received
 - (d) Any incidents of disorder
 - (e) Any faults in the CCTV system.
 - (f) Any refusal of the sale of alcohol
 - (g) Any visit by a relevant authority or emergency service.
3. The premises will actively engage with and work with the local Police Team and the Police and Council Licensing Teams.

c) Public safety

1. A Fire Risk Assessment and Emergency Plan will be prepared and regularly reviewed. All staff will receive appropriate fire safety training and refresher training.
2. There will be clear fire safety signage and means of escape in case of fire. Notices throughout the building together with fire fighting equipment, emergency lighting and an appropriate means of raising the alarm in the event of fire. All appropriate regulations will be in force.
3. The premises license holder shall ensure all persons who work on the premises have provided satisfactory proof of identification and the right to work and have carried out checks on the home office website to verify identification, visa and the right to work documents.
4. All documents of members of staff will be retained for a period of 12 months post termination of employment and will be made available to the police, immigration and/or Licensing officers upon reasonable request.

d) The prevention of public nuisance

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.
2. At the request of patrons, taxis will be called to the premises.
3. No deliveries will be received or removal of rubbish, especially glass, take place between 23.00 and 08.00 daily.

e) The protection of children from harm

1. The Challenge 25 proof of age policy will be operated and only a photographic driving licence, a valid passport, a valid UK Armed Forces photographic identity card with the bearer's photograph on it or Home Office approved proof of age card with the bearer's photograph and the PASS logo / hologram on it will be accepted as proof of age.
2. Training for all staff on under age sales will be documented and repeated at regular intervals. The training will ensure staff understand the principle of Challenge 25. The scheme shall be made available for inspection at the request of the Licensing Authority, Trading Standards and Metropolitan Police.

Continued from previous page...

3. The premises will display publicity materials relating to the Challenge 25 scheme.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

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

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

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

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

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

Documents which demonstrate entitlement to work in the UK

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

Continued from previous page...

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

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

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

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

Continued from previous page...

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

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

Home Office online right to work checking service

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

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

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

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

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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

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

Continued from previous page...

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

Section 21 of 21

PAYMENT DETAILS

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

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

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

Band A - No RV to £4,300 = £100.00

Band B - £4,301 to £33,000 = £190.00

Band C - £33,001 to £8700 = 315.00

Band D - £87001 to £12500 = £450.00*

Band E - £125001 and over = 635.00*

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

Band D - £7001 to £12500 = £900.00

Band E - £125001 and over £1,905.00

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

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

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

Capacity 5000-9999 = £1,000.00

Capacity 10000 -14999 = £2,000.00

Capacity 15000-19999 = £4,000.00

Capacity 20000-29999 = £8,000.00

Capacity 30000-39000 = £16,000.00

Capacity 40000-49999 = £24,000.00

Capacity 50000-59999 = £32,000.00

Capacity 60000-69999 = £40,000.00

Capacity 70000-79999 = £48,000.00

Capacity 80000-89999 = £56,000.00

Capacity 90000 and over = £64,000.00

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

Continued from previous page...

* Fee amount (£)

100.00

DECLARATION

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

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

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

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

* Full name

EDDIE DERVISH

* Capacity

SOLICITOR (PARTNER)

* Date

23 / 06 / 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

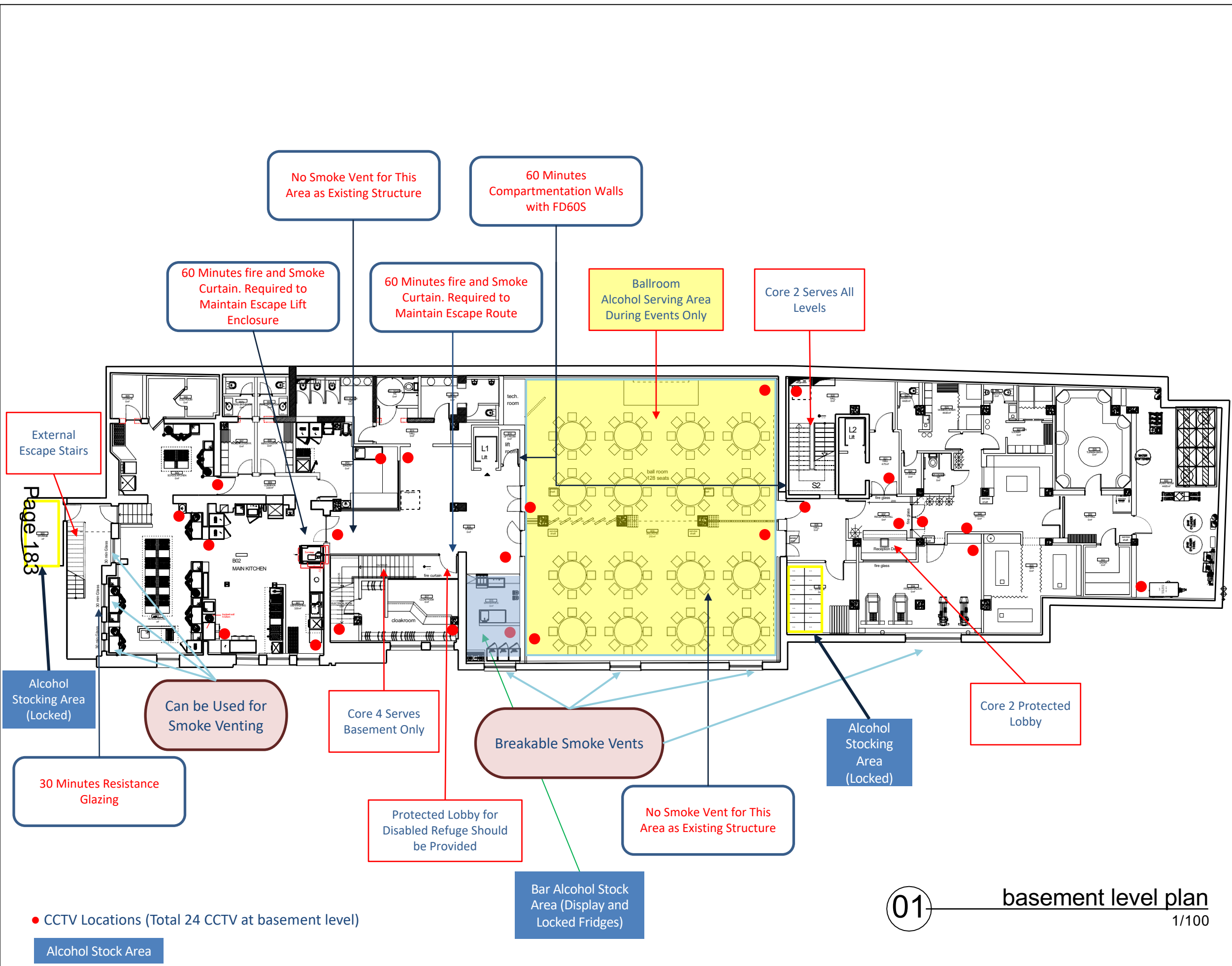
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT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



01 — basement level plan 1/100

GENERAL NOTES:
 1. All rights reserved
 2. Contractors must verify all dimensions on site before starting work.

LEGEND:

NO.	DATE	DESCRIPTION

PROJECT : 638 COMMERCIAL ROAD E14 7HS
 LIMEHOUSE, LONDON

CLIENT : HAZEVLTD.

KEY PLAN:

OYADA DESIGN LTD 5 Broomfield Rd, Richmond TW9 3DF London, UK

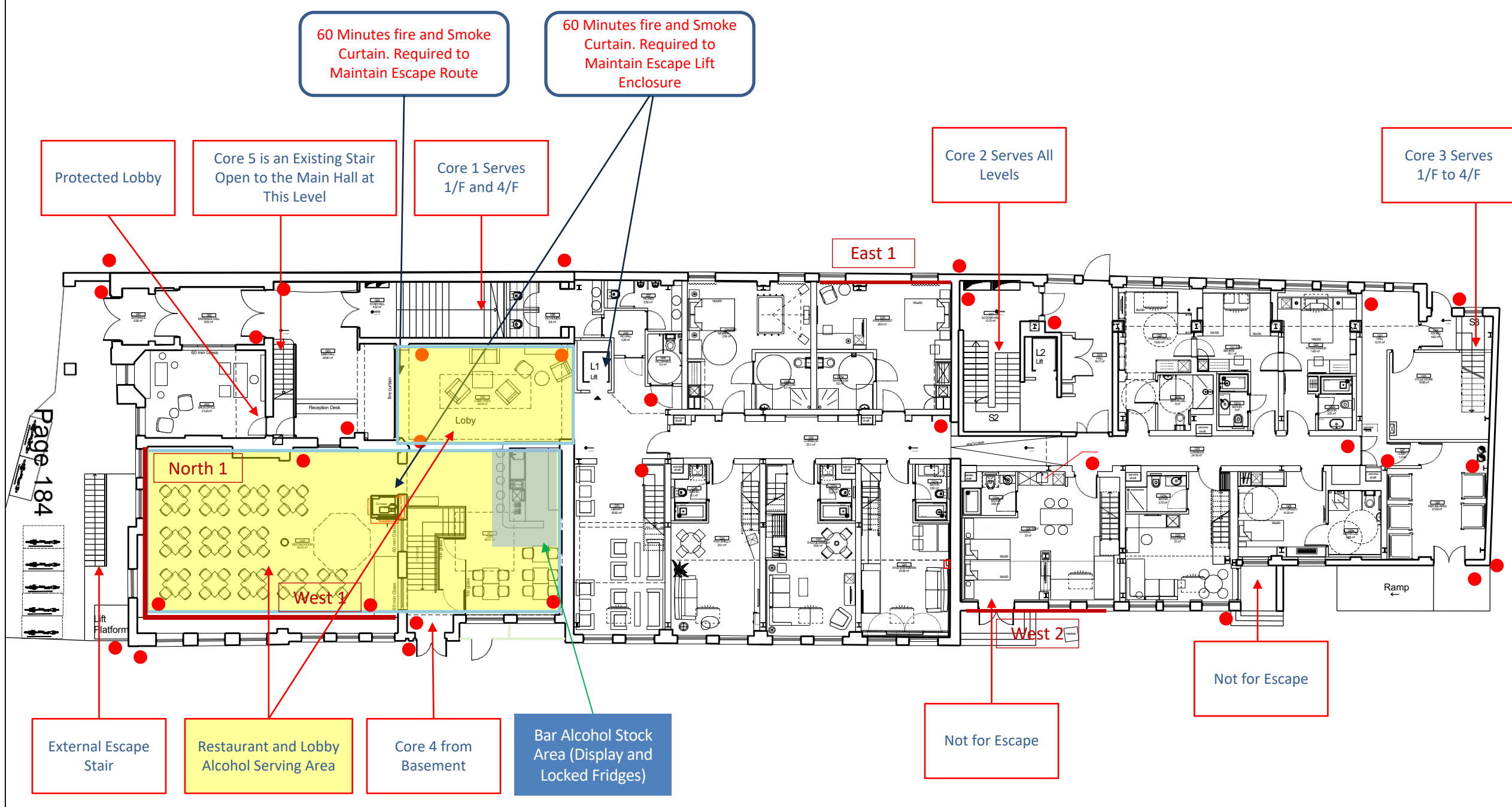
A ARCHITECTURAL

DRAWING TITLE: BASEMENT LEVEL PLAN	DRAWING NO. 70-LHL-AD-FP-001
DATE: 18.06.2020	SCALE: 1/100
PAPER: A1	REV. NO.:05

GENERAL NOTES:
 1. All rights reserved
 2. Contractors must verify all dimensions on site before starting work.

LEGEND:

No.	Date	Description



- CCTV Locations (Total 31 CCTV at ground floor)
- External Fire Spread Locations

Alcohol Stock Area

02 ground floor plan
1/100

PROJECT: 638 COMMERCIAL ROAD E14 7HS
LIMEHOUSE, LONDON

CLIENT: HAZEVLTD.

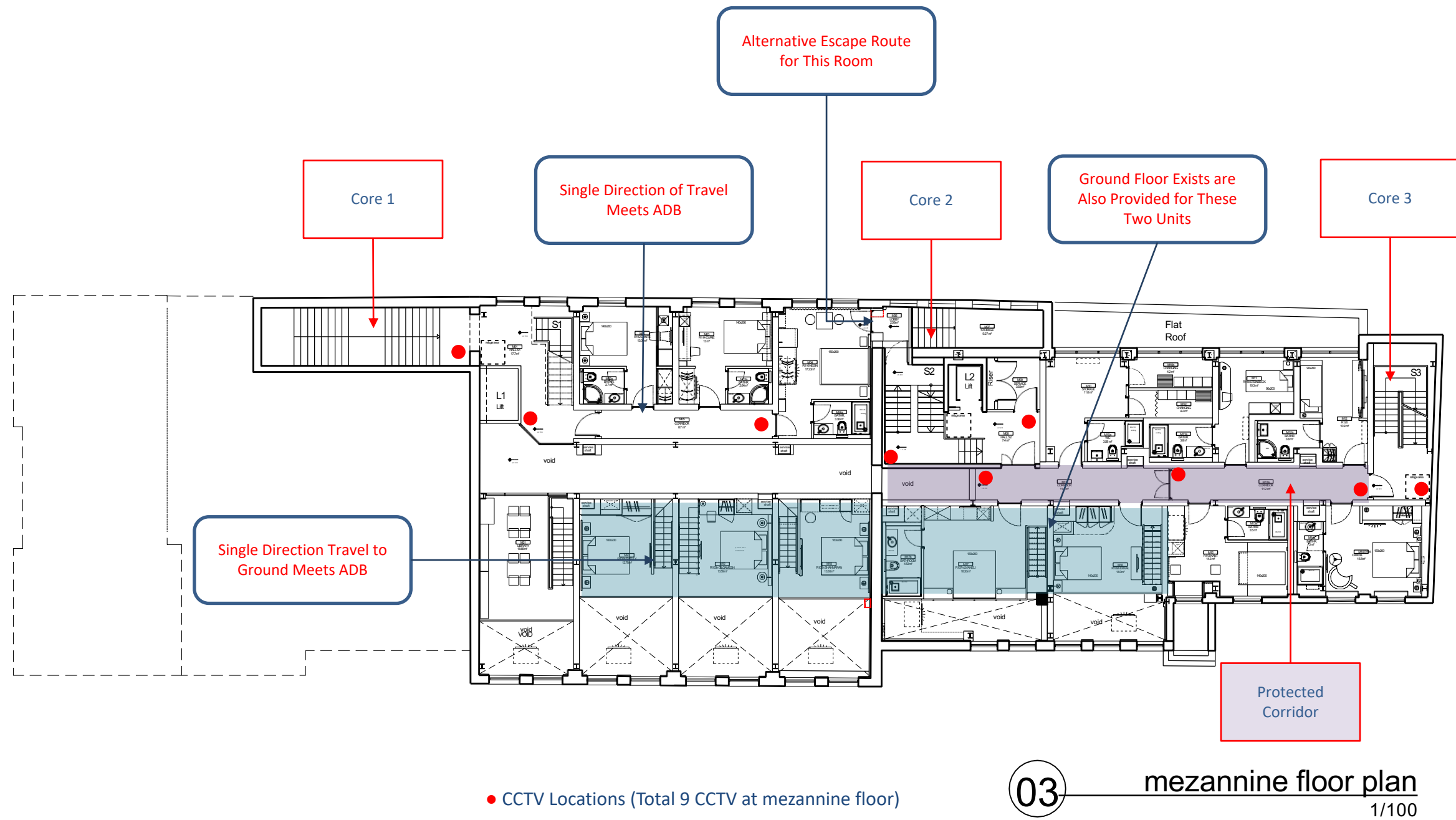
KEY PLAN:

OYADA DESIGN LTD 5 Broomfield Rd, Ruislip, Middx, London, UK

A ARCHITECTURAL

DRAWING TITLE: GROUND FLOOR PLAN		DRAWING NO: 70-LHL-AD-FP-002	
DATE: 18.06.2020	SCALE: 1/100	PAPER: A1	REV. NO.: 05

Page 184



03 mezzanine floor plan
1/100

GENERAL NOTES:
 1. All rights reserved
 2. Contractors must verify all dimensions on site before starting work.

LEGEND:

ID	Date	Description

PROJECT :	638 COMMERCIAL ROAD E14 7HS LIMEHOUSE, LONDON
CLIENT :	HAZEV LTD.
KEY PLAN :	

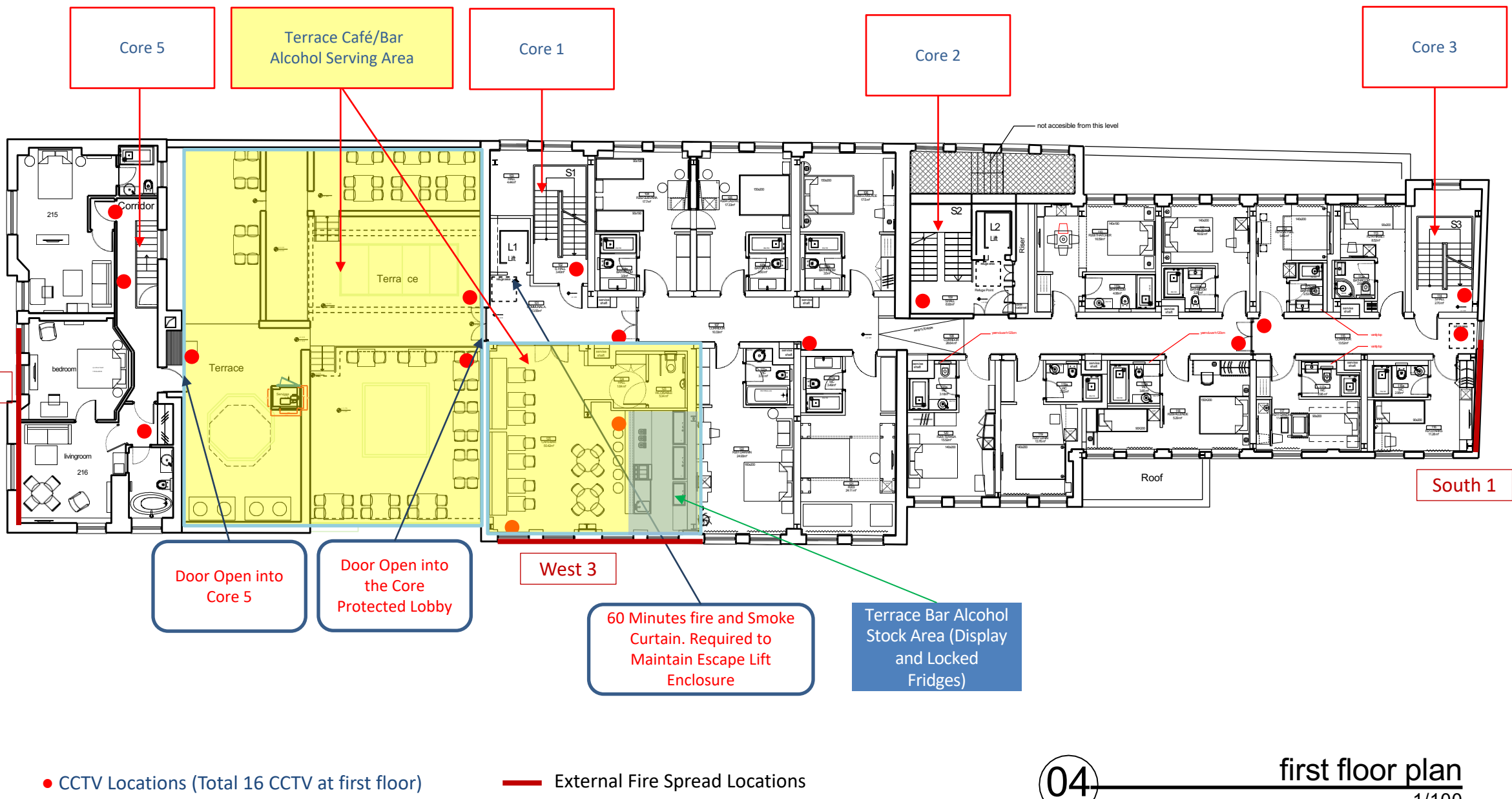
OYADA DESIGN LTD 5 Braem Court Braemfield Rd, Richmond TW9 3DF London, UK

A	ARCHITECTURAL			
	DRAWING TITLE:			
MEZANNINE FLOOR PL.				DRAWING NO:
18.06.2020				70-LHL-AD-FP-003
DATE:		SCALE:	PAPER:	REV. NO.:
18.06.2020		1/100	A1	05

GENERAL NOTES:
1. All rights reserved
2. Contractors must verify all dimensions on site before starting work.

LEGEND:

No	Date	Description



● CCTV Locations (Total 16 CCTV at first floor) — External Fire Spread Locations

Alcohol Stock Area

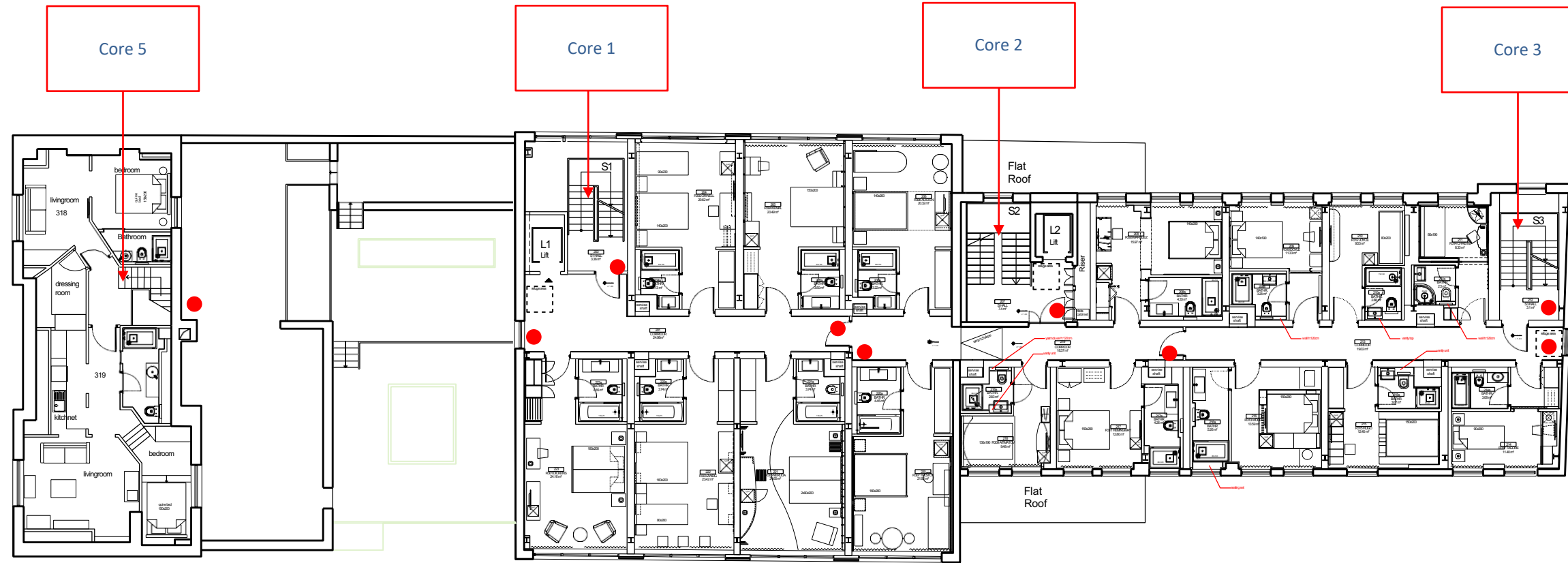
04 first floor plan
1/100

PROJECT :	638 COMMERCIAL ROAD E14 7HS LIMEHOUSE, LONDON
CLIENT :	HAZEV LTD.
KEY PLAN :	

OYADA DESIGN LTD 5 Broome Court Broomfield Rd, Ruislip TW9 3DF London, UK

A ARCHITECTURAL

DRAWING TITLE:	FIRST FLOOR PLAN	DRAWING NO.:	70-LHL-AD-FP-004
DATE:	18.06.2020	SCALE:	1/100
PAPER:	A1	REV. NO.:	05



● CCTV Locations (Total 9 CCTV at second floor)

05

Second Floor Plan

1/100

GENERAL NOTES:
 1. All rights reserved
 2. Contractors must verify all dimensions on site before starting work.

LEGEND:	GENERAL LEGEND
⊕	TABLE LAMP
⊗	LAMBIADER

NO.	DATE	DESCRIPTION
03	17.02.2020	due to interior design pack
02	06.02.2020	due to fire strategy comments
01	09.01.2020	
00	13.11.2019	

PROJECT : 638 COMMERCIAL ROAD E14 7HS
 LIMEHOUSE, LONDON

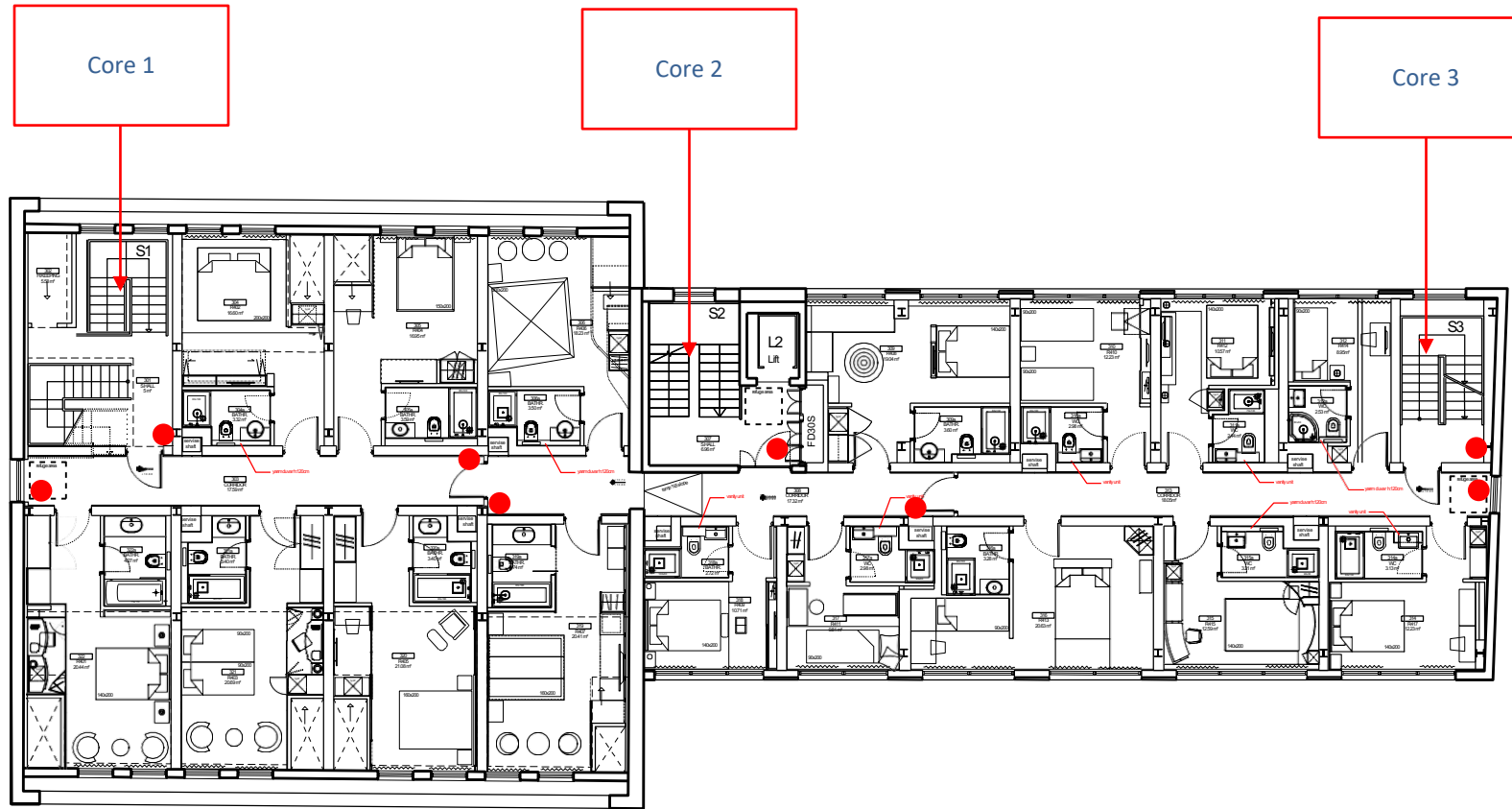
CLIENT : HAZEV LTD.

KEY PLAN :

OYADA DESIGN LTD 5 Broome Court Broomfield Rd, Romford T19 3DF London, UK

A ARCHITECTURAL

DRAWING TITLE:	DRAWING NO:
SECOND FLOOR PLAN	70-LHL-AD-FP-005
DATE:	SCALE:
18.06.2020	1/100
PAPER:	REV. NO.:
A1	05



• CCTV Locations (Total 8 CCTV at third floor)

06

Third Floor Plan

1/100

GENERAL NOTES:
 1. All rights reserved
 2. Contractors must verify all dimensions on site before starting work.

LEGEND:		GENERAL LEGEND	
+	TABLE LAMP		
⊙	LAMBDAER		

No.	Date	Description

PROJECT : 638 COMMERCIAL ROAD E14 7HS
 LIMEHOUSE, LONDON

CLIENT : HAZEV LTD.

KEY PLAN :

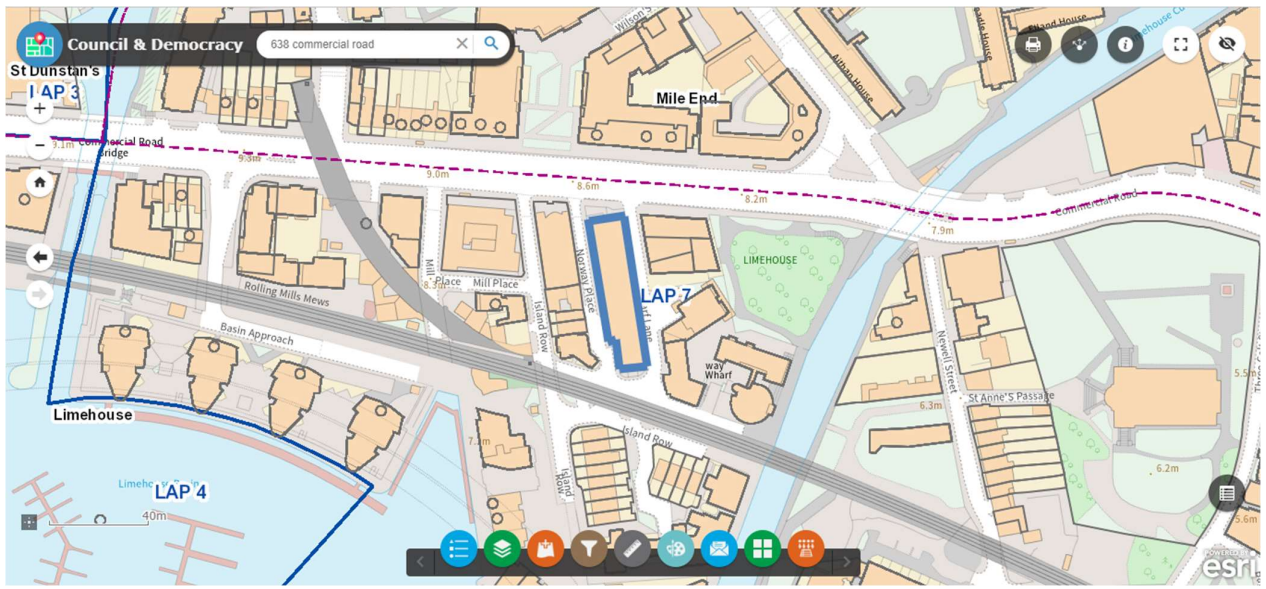
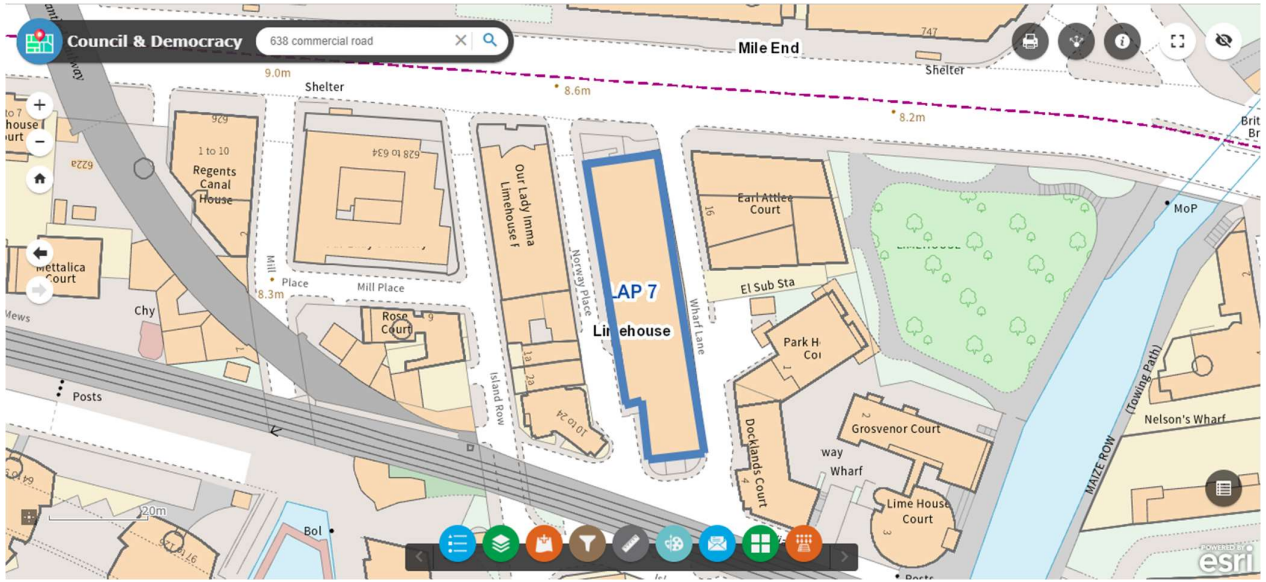
OYADA DESIGN LTD
 5 Broomfield Road, London, UK

A ARCHITECTURAL

DRAWING TITLE:		DRAWING NO:		
THIRD FLOOR PLAN		70-LHL-AD-FP-006		
DATE:	SCALE:	PAPER:	REV. NO.	
18.06.2020	1/100	A1	05	

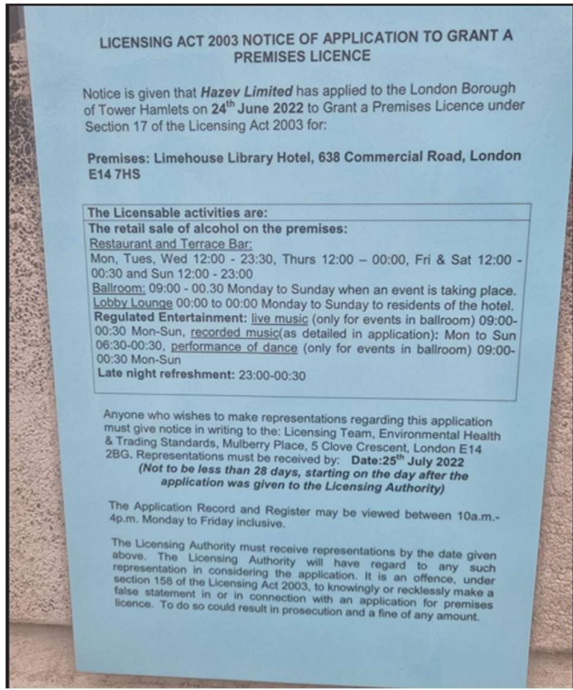
Appendix 3

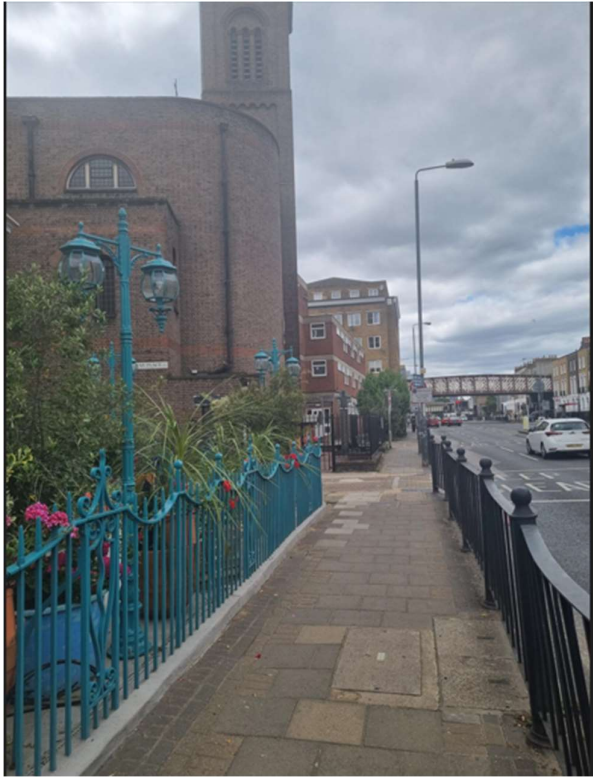
Maps – 638 Commercial Road



Appendix 4

Photos – 638 Commercial Road





Appendix 5

Address	Licensable activities/times	Opening hours
(Via Limehouse) 628-634 Commercial Road	<u>Sale of Alcohol (on sales only)</u> <ul style="list-style-type: none"> • Monday to Saturday from 11:00hrs to 23:00hrs • Sunday from 11:00hrs to 22:30hrs 	<ul style="list-style-type: none"> • Monday to Saturday from 11:00hrs to 23:00hrs • Sunday from 11:00hrs to 22:30hrs
(Tesco Stores Ltd) 657 Commercial Road	<u>Sale of Alcohol (off sales only)</u> Monday - Sunday from 06:00 hours to 23:00 hours	Monday - Sunday from 06:00 hours to 23:00 hours
(The Crown P.H.) 667 Commercial Road	<u>Sale of Alcohol (on sales only)</u> <ul style="list-style-type: none"> • On Sunday to Thursday, 11:00 hrs to 23:50 hrs • On Friday and Saturday, 11:00 hrs to 00:50 hrs <u>Recorded Music</u> <ul style="list-style-type: none"> • On Monday to Sunday, 11:00 hrs to 23:30 hrs Private parties only Christmas Eve 12:00 hrs to 01:30 hrs New Years Eve 12:00 hrs to 02:00 hrs	<ul style="list-style-type: none"> • On Sunday to Thursday, 11:00 hrs to 24:00 hrs • On Friday and Saturday, 11:00 hrs to 01:00 hrs
(Kirkem Restaurant) 663 Commercial Road	<u>Sale of Alcohol (on sales only)</u> (1) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 10am to 12pm. (2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12 noon to 11:30pm (3) On Christmas Day: 12 noon to 11:30pm; (4) On New Year's Eve, except on a Sunday, 11 a.m. to midnight; (5) On New Year's Eve on a Sunday, 12 noon to 11.30 p.m. (6) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted	There are no restrictions on the hours during which this premises is open to the public

	hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).	
(All Seasons Food & Wine) 799 - 801 Commercial Road	<u>Sale of Alcohol (off sales only)</u> <ul style="list-style-type: none"> • Monday to Saturday, from 08:00 to 02:00 hours the following day • Sunday, from 08:00 to 22:30 hours 	<ul style="list-style-type: none"> • Monday to Saturday, from 08:00 to 02:00 hours the following day • Sunday, from 08:00 to 22:30 hours

Appendix 6

Section 182 Advice by the Home Office Updated on April 2018

Relevant, vexatious and frivolous representations

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

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

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

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

Appendix 7

Re

Granting a Premises Licence for "Hazev Limited" for retail sale of alcohol
Premises: Limehouse Library Hotel, 638 Commercial Road, London E14 7HS
Application Date: 24 June 2022

- Notice screenshot attached next page. -

Dear Sir/Madam,

I wish to object to the application details on the grounds of prevention of residential nuisance.

The application enlists **sale of alcohol** on the **open air** Terrace Bar until **late evening hours**, including **workdays**.

The Terrace Bar is adjacent to a residential building at Earl Attlee Court, 16 Wharf Lane, postcode E14 7PD where I am resident. Many residential windows open right above the Terrace Bar.

I do have serious concerns that in summer evenings in particular the Terrace Bar will be busy with alcohol consuming customers who will become loud.

Residents at Earl Attlee Court will likely

- have to keep windows shut due to the noise
- get their flats warm up in summer due to closed windows
- not be able to get sufficient quality rest as result

On these grounds I strongly recommend amending the license so that the open air Terrace Bar is either – in order of preference

- A) not allowed to serve alcohol at all, or
- B) not allowed to serve alcohol on weekdays (working days), or
- C) not allowed to serve alcohol after 8pm, or
- D) not allowed to serve alcohol after 8pm on weekdays (working days)

Thank you taking into consideration residents' right to quality rest.

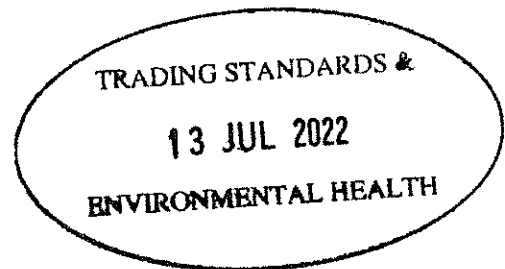
Kind regards,

Attila Szász

[REDACTED]

leaseholder at

[REDACTED]



London, 29 Jun 2022

LICENSING ACT 2003 NOTICE OF APPLICATION TO GRANT A PREMISES LICENCE

Notice is given that *Hazev Limited* has applied to the London Borough of Tower Hamlets on 24th June 2022 to Grant a Premises Licence under Section 17 of the Licensing Act 2003 for:

Premises: Limehouse Library Hotel, 638 Commercial Road, London E14 7HS

The Licensable activities are:

The retail sale of alcohol on the premises:

Restaurant and Terrace Bar:

Mon, Tues, Wed 12:00 - 23:30, Thurs 12:00 - 00:00, Fri & Sat 12:00 - 00:30 and Sun 12:00 - 23:00

Ballroom: 09:00 - 00:30 Monday to Sunday when an event is taking place.

Lobby Lounge: 00:00 to 00:00 Monday to Sunday to residents of the hotel.

Regulated Entertainment: live music (only for events in ballroom) 09:00-00:30 Mon-Sun, recorded music(as detailed in application): Mon to Sun 06:30-00:30, performance of dance (only for events in ballroom) 09:00-00:30 Mon-Sun

Late night refreshment: 23:00-00:30

Anyone who wishes to make representations regarding this application must give notice in writing to the: Licensing Team, Environmental Health & Trading Standards, Mulberry Place, 5 Clove Crescent, London E14 2BG. Representations must be received by: **Date: 25th July 2022**

(Not to be less than 28 days, starting on the day after the application was given to the Licensing Authority)

The Application Record and Register may be viewed between 10a.m.-4p.m. Monday to Friday inclusive.

The Licensing Authority must receive representations by the date given above. The Licensing Authority will have regard to any such representation in considering the application. It is an offence, under section 158 of the Licensing Act 2003, to knowingly or recklessly make a false statement in or in connection with an application for premises licence. To do so could result in prosecution and a fine of any amount.

Appendix 8

Corinne Holland

From: Chris Browne <[REDACTED]>
Sent: 22 July 2022 13:43
To: Licensing
Subject: Limehouse Library Hotel, 638 Commercial Road, London, E14 7HS Licensing Application

Follow Up Flag: Follow up
Flag Status: Completed

Chris Browne

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

20th July 2022

Licensing Team

Environmental Health & Trading Standards

Mulberry Place

5 Clove Crescent

London

E14 2BG

Dear Sir/Madam,

I am writing regarding the application by Hazev Limited to be granted a Licence under Section 17 of the Licensing Act 2003 to serve alcohol at Limehouse Library Hotel, 638 Commercial Road, London, E14 7HS.

I live on the [REDACTED] floor of Earl Attlee Court adjacent to Limehouse Library Hotel and my apartment overlooks the terrace bar. The hours the application would like to sell alcohol are unreasonably late when situated in a residential area and I do not want to be affected by noise from the terrace late at night or from the nuisance of late-night drinkers leaving the premises. The proposed hours are likely to have a direct impact of the residents of Earl Attlee Court.

I do not have any objection to alcohol being served on the premises however, I would like to see the sale of alcohol on the premises cease at 23:00 Sunday – Thursday and 23:30 Friday and Saturday.

I'm also conscious that Wharf Lane which runs down the side of Limehouse Library Hotel is a private road, I would not like to see this being used as a toilet or becoming as area of public nuisance when people leave the Limehouse Library Hotel premises late at night.

I also feel the proposed licence is the ballroom is too late and that serving alcohol until 00:30 Monday – Sunday is likely to be disruptive for the residents of Earl Attlee Court and the local area.

I hope you will give my objections some consideration. Can you please confirm receipt of this email?

Thanks



Appendix 9

Corinne Holland

From: Jonathan Woo [REDACTED]
Sent: 25 July 2022 14:02
To: Licensing
Subject: Limehouse Library Hotel, 638 Commercial Road, London, E14 7HS

Dear Sir/Madam

As a resident of Earl Attlee Court, whose property is facing the new Limehouse Library Hotel, I am writing to express my concerns regarding Hazev Limited's alcohol licence application.

This clearly produces a negative externality for nearby residents. Music from events, noise from patrons and potential anti social behaviour. In particular it appears that they are intending on serving alcohol until at least 11.30pm and up to 00.30am. I dont think it would be acceptable for myself or any of the residents of Earl Attlee Court to have a party that runs until these times. So why would it be acceptable for neighbouring businesses?

Not only is this a concern for the health and well being of residents of Earl Attlee Court, but I'm also concerned about the effect on property prices as a result of being next to a noisy late night venue.

How will the licensing team/Tower Hamlets council ensure that the impact on all stakeholders is taken into account when defining the terms of this licence?

Yours sincerely

Jonathan Woo
[REDACTED]
[REDACTED]
[REDACTED]

Appendix 10

Corinne Holland

From: Licensing
Sent: 25 July 2022 09:38
To: Corinne Holland
Subject: FW: Limehouse Library Hotel, 638 Commercial Road, London, E14 7HS - Premises Licenses under the Licensing Act 2003 Objection

From: Samantha T [REDACTED]
Sent: 24 July 2022 13:20
To: Licensing <[REDACTED]>; Samantha T <[REDACTED]>
Subject: Limehouse Library Hotel, 638 Commercial Road, London, E14 7HS - Premises Licenses under the Licensing Act 2003 Objection

To The Licensing Team,

Re: Premises, Limehouse Library Hotel, 638 Commercial Road, London, E14 7HS. Premises Licences under the Licensing Act 2003

I am a resident at [REDACTED] Earl Attlee Court, the building of which is directly next to the Limehouse Library Hotel which is apply for a Premises License under Section 17 of the Licensing Act 2003 and am responding to the application prior to the 25th July deadline.

I would like to raise the following objections to the Premises License,

- Tower Hamlets as a borough has one of the highest levels of crime in all of the London boroughs, particularly in relation to anti social behaviour and violence and sexual offences. (<https://www.police.uk/your-area/metropolitan-police-service/limehouse/?tab=Overview>). The addition of retail sales of alcohol on the premises will elevate the problem by making alcohol sales more freely available in such a residential area and will result in alcohol-related antisocial behaviour persisting into the night and early hours of the morning.
-
- The area directly behind The Limehouse Library Hotel is well known to be a hot-spot for anti-social behaviour. Empty laughing gas cannisters can be found every week scattered over the floor. Additionally, there have been persistent problems with graffiti on side of The Limehouse Library Hotel building directly outside of the entrance of Earl Attlee Court. The residence of Earl Attlee Court have requested that our building management install flood lights to improve the safety of the residence which have been fulfilled, however, we regularly find that these have been vandalised and have had to put grates over the lights to deter those who are smashing them. This is just an example of the level of anti-social behaviour which we have had to put up with without the addition of the late night alcohol license and the license is more than likely to increase this.
-
- Tower Hamlet's Statement Licensing Policy 2018-2023 states "We want to provide an environment that is safe and welcoming for all to enjoy. While at the same time we also want to ensure that we protect the quality of life for our residents by ensuring that we have sensible controls that keep anti-social behaviour, and undesirable developments selling hot food and drink between 23:00 and 05:00 to a minimum". The Licensing request for The Limehouse Library Hotel is for hours beyond this policy, particularly during the week.

-
- With regards to the Prevention of Public Nuisance, the premises is located a couple of metres next to residential buildings, including Earl Attlee Court. The Terrace Bar is directly opposite and overlooks all the flats situation on one side of Earl Attlee Court. The noise nuisance from the customers and premises will have an immediate and direct impact on its residence as well as reducing the personal privacy for those particular flats.
-
- Furthermore, Commercial Road is a red route with red lines. There is a one way system around the Limehouse Library Hotel via Norway Place and Wharf Lane which is used by surrounding residential buildings. The road is only wide enough for one vehicle. The increased provisions required for the Premises License will result in disruption from parked delivery vehicles of which there is no way to drive around and will cause the road to be blocked for this duration. This is also a similar problem and consideration for taxis and other pick up vehicles for non-residences of The Limehouse Hotel.

Kind regards,

Samantha Tse



Appendix 11

Kathy Driver

From: Debbie Tsao <[REDACTED]>
Sent: 25 June 2022 22:01
To: Licensing
Subject: E14 Hazev Limited

Dear sir/madam,

It came to our attention that the library hotel next door to us is requesting for a license to operate restaurant and terrace with alcohol retail.

I'm the owner of [REDACTED] Earl Attlee Court, [REDACTED]

I strongly object to this license due to risk of noise and that the building will attract drinking crowds. We are mainly a residential building with all people working on weekdays. With operating hours till midnight this would mean noise after midnight and would affect the rest.

Thank you for taking our objection in to account and will remain available if needed.

Kind Regards

Debbie Xiao Jun Tsao

Appendix 12



Your Ref

Date

Our Ref

11 August 2022

ED/Hazev Ltd/22-16584/SS

Mr Attila Szasz



Dear Mr Szasz,

Re: Hazev Limited Limehouse Library Hotel at 638 Commercial Road, London E14 7HS

I act for Hazev Limited with respect to their application for a Premises Licence in relation to the above property.

The local authority's licensing team have forwarded to me a copy of your representation to the application. My client would like to address your concerns and their reply is as follows:

"After a long preparation process of 6 years, Limehouse Library finally became ready to welcome its guests in June 2022 as a boutique hotel and culinary arts education centre. Subsequently, the application for the premises license was made. However, unfortunately, we have learned that you have objected to our application in the letter from the relevant authority.

Our boutique hotel and education centre project was designed in the best way to accommodate people who visit London for both touristic and business purposes whilst ensuring that the historical aspects of the building were preserved and renovated accordingly. Before we acquired the building, it was left vacant for years and this damaged the historical texture of the listed building and became the homeland of those involved in anti-social behaviour. At this point, the building was home to people that caused nuisances and disturbances to the surrounding community, consequently lowering the desirability of the area. With the great efforts of our project, Limehouse Library has now added value to the region, by revitalising a derelict building in the best way possible. We have attached a before and after photo for your reference.

We understand that there are concerns. However, many details were taken into consideration so that both our guests and the community would not be disturbed. As a result of this, we took measures in the design of



Members

A list of members can be provided upon request.

Office Hours

9.30am - 5.15pm Closed 1-2pm

the project to ensure a peaceful environment for all, such as sound and heat insulation and surrounding the terrace bar with glass partitions to ensure noise levels do not rise above the statutory / permitted decibels. The ballroom is also located in the basement and therefore, is fully sound-proofed from all angles. Furthermore, the concerns of deliveries, taxis and pick-up vehicles is something we have taken into consideration. Our dedicated loading bay allows for traffic to continue around these and should not be any different than any other resident receiving a delivery or ordering a cab. Our hotel is not a place like a nightclub or a pub. On the contrary, it is a decent resting place as well as an education centre for young people who are trying to give direction to their lives in the culinary arts industry, or for those who want to spend time with a new hobby or career change where they can relax in the hectic pace of life. We too would not want the community to be affected by the listed concerns, the same way we do not want our guests to be uncomfortable during their stay.

We would be happy and honoured to welcome you at our hotel in order for you to see first-hand the aforementioned. If you wish to do so, please kindly contact our solicitors to make arrangements to do so."

Please could you consider my client's response above and let me know if you wish to inspect the premises before providing your substantive response. Thank you.

I look forward to hearing from you.

Yours sincerely,

A black rectangular redaction box covering the signature of E. N. Dervish.

E. N. Dervish
Hugh-Jones LLP

Enc.



BEFORE



AFTER



BEFORE



AFTER

Appendix 13

Corinne Holland

From: Licensing
Sent: 25 July 2022 09:39
To: Corinne Holland
Subject: FW: M/150560 - Lime House Hotel -638 Commercial Road, London, E14 7HS

From: Onuoha Olere [REDACTED] >
Sent: 25 July 2022 09:28
To: Licensing <L [REDACTED]>
Subject: FW: M/150560 - Lime House Hotel -638 Commercial Road, London, E14 7HS

Dear Licensing,

Following applicant agent agreeing to conditions below in her email on 15th July 2022, I have no objection to make on this application.

(See below trail)

Olere

Dear all,

For the prevention of Public Nuisance perspective , I have inspected Lime House Library Hotel, which is situated at 638 Commercial Road, London, E14. This road is a red route zone and is the busiest road in the London Borough of Tower Hamlets with continuous heavy traffic and less opportunity for pedestrians. The hotel is adjacent to (on the right) by Our Lady Immaculate & Saint Fredrick Church, Limehouse separated or in between Norway Place, a dead-end Road. The church operates mostly in the morning and sometimes in the evening. On the left of the hotel is Earl Atleee Court Residential building and Park Height Court also a residential Building – the church and the buildings are the nearest properties to the hotel. I have attached photos and google screenshot map for viewing.

Upon review of the application and my inspection of the area for the license application for Lime House Library Hotel, with particular attention to the licensing objective for the prevention of public nuisance I wish for the following noise conditions to apply as below:-

Terminal Hour for ALL LICENSABLE ACTIVITIES to be:

- a. 24 Hours to hotel residents and their guests (Limit of 4 guests per resident) as well as pre-booked private events (details of all such events to be retained on site for a 6 month period);
- b. All licensable activities until midnight, with premises closing to non-residents and their guests at 00:30, seven days a week

Additional conditions to apply:

1. Loudspeakers shall not be in the entrance lobby or outside the premise building or at the roof top bar.
2. All windows and external doors shall be kept closed after **21:00 hours**, or at any time when regulated entertainment takes place, except for the immediate access & egress of persons.

3. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises, which gives rise to a public nuisance or to affect neighbouring properties
4. No substantial deliveries to the premises shall take place between 22:00 hours and 08:00 hours the following day.
5. No idling of vehicle by drivers, delivery vehicles passengers, pick up or uber drivers outside the hotel or at Norway Place or use the residential parking of Earl Atlee and Park Height Court building thereby
Giving rise to noise that would cause public nuisance or affect the residents.
6. After 22:00 hours daily, 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.
7. Patrons are to use the entrance by Norway Place and not gather or congregate by Wharf Place which is the exit access road for the residents
8. Notices shall be prominently at all exits requesting and advising patrons to respect the needs of residents and businesses and leave the area quietly
9. The garden in front of the hotel forecourt is to be used as smoking designated area.

I hope this helps

Kind regards

Olere

From: Sarah Sawyer <[REDACTED]>
Sent: 15 July 2022 18:29
To: Onuoha Olere <[REDACTED]>; Licensing <[REDACTED]>
Cc: Nicola Cadzow <[REDACTED]>
Subject: M/150560 - Lime House Hotel -638 Commercial Road, London, E14 7HS

Dear Olere,

Further to your email of the 08th July, I confirm my client agrees to all of your proposed conditions.

Kind regards,

Yours sincerely

Mrs S. J. Sawyer
(Licensing Executive/PA to Mr E. N. Dervish)

Hugh-Jones LLP
[REDACTED]

Appendix 14

Prevention of Public Nuisance

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

Appendix 15

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

Updated April 2018

Public nuisance

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

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

Appendix 16

Crime and Disorder

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

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

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

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

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

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

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

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

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

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

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

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

Smuggled goods

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

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

Olympic Park – Football Ground

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

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

Appendix 17

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

Updated April 2018

Crime and disorder

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

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

Appendix 18

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 19

Licensing Policy Relating to Hours of Trading

All applications have to be considered on their own merits.

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

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

(see 14.8 of the Licensing Policy)

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

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

(See 14.9 of the licensing policy)

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

- Theatres
- Cinemas
- Premises with club premises certificates

Appendix 20

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.