



Licensing Sub Committee

Agenda

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

Contact for further enquiries:

Farzana Chowdhury, 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

Viewing or Participating in Committee Meetings

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

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

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A Guide to Licensing Sub Committee

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

Public Engagement

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



London Borough of Tower Hamlets

Licensing Sub Committee

Monday, 5 December 2022

6.30 p.m.

APOLOGIES FOR ABSENCE

To receive any apologies for absence.

1. DECLARATIONS OF INTEREST (Pages 9 - 10)

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 11 - 20)

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 for a New Premise Licence for All My Friends, Unit 1 Hamlets Industrial Estate, 96 White Post Lane, London E9 5EN

21 - 102

Bow East

Licensing Objectives:

- Public Nuisance

Representations by:

- Environmental Health



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**3.2 Application for a Temporary Event Notice for Unit 1
Hamlet Industrial Estate, 96 White Post Lane, London E9
5EN**

103 - 136

Bow East

Licensing Objectives:

- Public Nuisance

Representations by:

- Environmental Health
- Metropolitan Police

**3.2 Application for a Variation of a premises licence for
Wicked Fish Queens Yard White Post Lane London E9
5EN**

137 - 214

Bow East

Licensing Objectives:

- Public Nuisance
- Crime & Disorder

Representations by:

- Metropolitan Police

**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.

Next Meeting of the Licensing Sub Committee

Tuesday, 13 December 2022 at 6.30 p.m. to be held in The Council Chamber, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG



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Town Hall
Mulberry Place
5 Clove Crescent
E14 2BG

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Agenda Item 1

DECLARATIONS OF INTERESTS AT MEETINGS– NOTE FROM THE MONITORING OFFICER

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

(i) Disclosable Pecuniary Interests (DPI)

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

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

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

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

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

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

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

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

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

Guidance on Predetermination and Bias

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

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

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

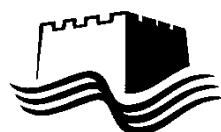
Further Advice contact: Janet Fasan, Monitoring Officer, Tel: 0207 364 4800.

APPENDIX A: Definition of a Disclosable Pecuniary Interest

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

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

TOWER HAMLETS



LICENSING COMMITTEE

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

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 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:	Date	Classification	Report No.	Agenda Item No.
Licensing Sub Committee	05 December 2022	Unrestricted		

Report of: David Tolley Head of Environmental Health & Trading Standards	Title: Licensing Act 2003 Application for a new Premise Licence for All My Friends, Unit 1 Hamlets Industrial Estate, 96 White Post Lane, London E9 5EN
Originating Officer: Lavine Miller-Johnson Licensing Officer	Ward affected: Bow East

1.0 Summary

Applicant: **DL South LTD**

Name and
Address of Premises: **DL South LTD**
Unit 1 Hamlets Industrial Estate
96 White Post Lane
E9 5EN

Licence sought: **Licensing Act 2003**
Supply of Alcohol
Regulated Entertainment
Late Night Refreshment

Objectors: **Environmental Health**

2.0 Recommendations

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

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

Brief description of "background paper"

Tick if copy supplied for
register

If not supplied, name and telephone
number of holder

File
Section 182 Guidance
LBTH Licensing Policy

Lavine Miller-Johnson
020 7364 2665

3.0 Background

- 3.1 This is an application for a new Premise Licence for All My Friends, Unit 1 Hamlets Industrial Estate, 96 White Post Lane, London E9 5EN
- 3.2 The applicant has described the premises as: Unit one is a two floor industrial unit, previously converted for use as a bar & restaurant. It is located in the Hamlet Industrial Estate which itself is located on the east side of the canal in the centre of Hackney Wick. The premises already has a licence (NO 27491) but the master landlord has requested that we apply for our own licence. The new business concept will be called "All My Friends" and will comprise of A hi-fi listening bar, record shop and restaurant featuring two traders.
- 3.3 A copy of the application is shown in **Appendix 1**.
- 3.4 The hours applied for are as follows:

Supply of Alcohol (On and off sales)

Sunday to Wednesday from 08:00 hours 23:30 hours
Thursday from 08:00 hours to 00:30 hours
Friday to Saturday from 08:00 hours to 01:30 hours

Regulated Entertainment – Recorded Music (Indoors)

Sunday to Wednesday from 23:00 hours to 00:00 hours
Thursday from 23:00 hours to 01:00 hours
Friday to Saturday from 23:00 hours to 02:00 hours

Late Night Refreshment - (Indoors & outdoors)

Sunday to Wednesday from 23:00 hours to 00:00 hours
Thursday from 23:00 hours to 01:00 hours
Friday to Saturday from 23:00 hours to 02:00 hours

Opening times

Sunday to Wednesday from 07:00 hours to 00:00 hours
Thursday from 07:00 hours to 01:00 hours
Friday to Saturday from 07:00 hours to 02:00 hours

4.0 Location and Nature of the premises

- 4.1 The site plan of the venue is included as **Appendix 2**
- 4.2 Existing copy of the premises licence **Appendix 3**
- 4.3 Maps showing the vicinity are included as **Appendix 4**.
- 4.4 Photographs of the premises are included in **Appendix 5**.
- 4.5 Details of other licensed venues in the immediate vicinity are included as **Appendix 6**.

5.0 Licensing Policy and Government Advice

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

6.0 Representations

- 6.1 All representations have to meet basic legal and administrative requirements. If they fail to do so they cannot be accepted. When rejected the person sending in the representation must be written to, and an explanation for rejection given in writing.
- 6.2 A responsible authority or other person can make a representation. There are two tests for other persons and only one for a responsible authority. The two tests are contained in Section 18 of the Act.
- 6.3 All representations must be "about the likely effect of the grant of the premises licence on the promotion of the licensing objectives." Likely means something that will probably happen, i.e. on balance more likely than not.
- 6.4 Representations by responsible authorities do not have to meet the second test of not being vexatious and frivolous. Other persons have to meet this test.
- 6.5 The Home Office recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation.
- 6.6 Section 182 Advice by the Home Office concerning relevant, vexatious and frivolous representations is attached as **Appendix 7**.
- 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.

- **Environmental Health – Appendix 8**

- 6.9 All of the responsible authorities have been consulted about this application. They are as follows:
- The Licensing Authority
 - The Metropolitan Police
 - The LFEPA (the London Fire and Emergency Planning Authority).
 - Planning
 - Health and Safety
 - Noise (Environmental Health)
 - Trading Standards
 - Child Protection
 - Public Heath
 - Home office (Immigration Enforcement)
- 6.10 In addition the application was required to be advertised in a local newspaper and by a blue poster. Only objections that relate to the following licensing objectives are relevant:
- the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm
- 6.11 The objections relate to:
- Public nuisance
 - Crime and disorder
- 6.12 Essentially, the relevant parties oppose the application because the applicant has not explained how within the context of the application they will meet licensing objective of the prevention of public nuisance and the prevention of crime and disorder.
- 6.13 There are strict time limits to any representations. The time limits are contained in The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005.
- 6.14 The applicant has offered measures in the operating schedule of the application that address the promotion of the Licensing Objectives. If there were no representations, the Licensing Authority would grant the licence, with conditions consistent with the operating schedule, which are relevant, proportionate and enforceable. Members are asked to consider the schedule and incorporate any conditions as necessary to address the licensing objectives.

7.0 Conditions consistent with Operating Schedule

1. All staff to be trained in alcohol awareness and made aware of their

responsibilities under the Licensing Act 2003;

2. Staff will refuse alcohol to already intoxicated or overly aggressive customers;
3. A comprehensive health and safety risk assessment will be in place.
4. A first Aid kit will be available;
5. Signs to ask patrons to leave quietly will be put up;
All doors and windows will be kept closed after 10pm if entertainment is taking place. No music shall be played outdoors after 10pm.
6. No alcohol to be sold to anyone under 18. Operate Challenge 21 scheme with all alcohol sales. All alcohol refusals will be logged;
Inline with current guidance, we are happy to change this to challenge 25
7. Children under the age of 16 will not be allowed on the premises unless they are accompanied by someone 18 or over.

8.0 Conditions Agreed/Requested by Responsible Authority

Conditions agreed with the Police – **Appendix 9**

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

- c) any complaints received concerning crime and disorder
 - d) any incidents of disorder;
 - e) all seizures of drugs or offensive weapons;
 - f) any faults in the CCTV system, searching equipment or scanning equipment;
 - g) any visit by a relevant authority or emergency service.
4. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:
- a) the police (and, where appropriate, the London Ambulance Service) are called without delay;
 - b) all measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
 - c) the crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
 - d) such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.
5. Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
6. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record must show the outcome of the person who was intoxicated. The record shall be available for inspection at the premises by the police or an authorised officer at all times whilst the premises is open.
7. The premises shall have a welfare policy that will show how venue staff will manage customers who become vulnerable through intoxication or drugs, such a policy will include but is not limited to the use of dedicated "welfare officers" at peak times who will be easily identifiable, to customers, their role will be to monitor the welfare of customers, including identifying any customers who may be at risk of becoming overly intoxicated and liaising with management/security staff to assist them where necessary. staff training on customer welfare such as "WAVE" and availability of free water to customers. The policy must be written, reviewed yearly, and made available to Police upon request.
8. The premises must have a detailed documented security plan that must include but is not limited to an ejections policy, search policy and queue

management policy, this document must be made available to police upon request.

9. The premises shall have a written egress policy, that includes but is not limited to, a premises wind down plan (music turned down and lights turned up prior to closing time), and customer dispersal plan. The policy is to be made available to Police upon request.
10. The premises must risk assess all events taking place at the venue, this will include but is not limited to:
 - Contacting venues where artists / performers / promoters have performed to see if there have been any issues.
 - Looking at social media sites of artists / performers / promoters etc to check that they are consistent with booking details
 - Identifying risks such as potential drug use, underage attendees, violence and disorder.
 - Once potential risks have been identified then mitigation measures must be put in place and documented. The risk assessments must be written down, kept for 1 year and made available to Police upon request.

9.0 Licensing Officer Comments

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

9.2 Guidance issued under section 182 of the Licensing Act 2003

- ❖ As stated in the guidance it is “provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act.” It is a key medium for promoting best practice, ensuring consistent application and promoting fairness equal treatment and proportionality (1.7).
- ❖ Also “as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons. Departure from this Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.” Therefore licensing authorities will need to give full reasons for their actions (1.9).

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

covered elsewhere.

- 9.6 The Government has advised that conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. Conditions cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff and standardised conditions should be avoided where they cannot be shown to be appropriate. (1.16/1.17)
- 9.7 The Council's Licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.
- 9.8 In **Appendices 10-14** 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** Existing premises licence (no.27491)
- Appendix 4** Maps of the surrounding area
- Appendix 5** Photographs of the premises
- Appendix 6** Other licensed venues in the area
- Appendix 7** Section 182 Advice by the DCMS- Relevant, vexatious and frivolous representations
- Appendix 8** Representation from EHO
- Appendix 9** Conditions agreed with Police
- Appendix 10** Licensing Officer comments on public nuisance
- Appendix 11** S182 advice on public nuisance
- Appendix 12** ASB – Access/Egress
- Appendix 13** Licensing Policy relating to hours of trading
- Appendix 14** Planning

Appendix 1



Tower Hamlets
Application for a premises licence
Licensing Act 2003

For help contact
licensing@towerhamlets.gov.uk
Telephone: 020 7364 5008

* required information

Section 1 of 21

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

System reference

Not Currently In Use

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

Your reference

[Redacted]

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

Stuart

* Family name

Glen

* E-mail

[Redacted]

Main telephone number

[Redacted]

Include country code.

Other telephone number

[Redacted]

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

Are you:

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

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

Applicant Business

Is your business registered in the UK with Companies House?

Yes No

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

Registration number

14250010

Business name

DL SOUTH LTD

If your business is registered, use its registered name.

VAT number

-

none

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

Legal status

Private Limited Company

Continued from previous page...

Your position in the business	Director	The country where the headquarters of your business is located.
Home country	United Kingdom	
Registered Address		Address registered with Companies House.
Building number or name	Suite 1a, 2nd Floor Hunter House	
Street	150 Hutton Road	
District		
City or town	Shenfield	
County or administrative area	Essex	
Postcode	CM15 8NL	
Country	United Kingdom	

Section 2 of 21

Premises Details

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

Premises Address

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

- Address OS map reference Description

Postal Address Of Premises

Building number or name	Unit 1 Hamlet Industrial Estate
Street	96 White Post Lane
District	
City or town	London
County or administrative area	Tower Hamlets
Postcode	E9 5EN
Country	United Kingdom

Further Details

Telephone number	[REDACTED]
Non-domestic rateable value of premises (£)	29,250

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 21**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

DL SOUTH LTD

Details

Registered number (where applicable)

14250010

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

Continued from previous page...

Limited Liability Company

Address

Building number or name	Suite 1a, 2nd Floor Hunter House
Street	150 Hutton Road
District	
City or town	Shenfield
County or administrative area	Essex
Postcode	CM15 8NL
Country	United Kingdom

Contact Details

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text"/> / <input type="text"/> / <input type="text"/> dd mm yyyy
* Nationality	British

Documents that demonstrate entitlement to work in the UK

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? 05 / 10 / 2022
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.

Unit one is a two floor industrial unit previously converted for use as a bar & restaurant, It located in the Hamlet industrial estate which itself is located on the east side of the canal in the centre of Hackney Wick. The premises already has a licence (NO 27491) but the master landlord has requested that we apply for our own licence and having spoken with Mark Perry at met police this will give us a chance to update the licence and improve conditions etc.

Continued from previous page...

restaurant featuring two traders:

- True Craft - Sourdough pizza - <https://www.truecraftlondon.co.uk/>
- Sho Foo Doh - Japanese Fusion - <https://londontheinside.com/location/sho-foo-doh-at-filly-brook/>

The last few hours will be drinks, laidback, majority seated, cocktails etc

There will also be the option for a third guest food trader if there is sufficient trade to support it in the future.

We have requested some evening extensions to the Licensable activities Thursday to Saturday but other than this have left the application much the same as the previous granted licence.

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

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

Yes No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

Yes No

Section 11 of 21

Continued from previous page...

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

Yes

No

Standard Days And Timings

MONDAY

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.

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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.

Recorded music, live music and any other deregulated activity may take place between the hours of 08:00 and 23:00

Continued from previous page...

State any seasonal variations for playing recorded music

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

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

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

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Yes No

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

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.

Start

End

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

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

THURSDAY

Start	23:00	End	01:00
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	23:00	End	02:00
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	23:00	End	02:00
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

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

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

Indoors

Outdoors

Both

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

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

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 longer on a particular day e.g. Christmas Eve.

Continued from previous page...

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start
Start

End
End

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

TUESDAY

Start
Start

End
End

WEDNESDAY

Start
Start

End
End

THURSDAY

Start
Start

End
End

FRIDAY

Start
Start

End
End

SATURDAY

Start
Start

End
End

SUNDAY

Start
Start

End
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.

Continued from previous page...

State any seasonal variations

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

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

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

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

Name

First name	Stuart
Family name	Glen
Date of birth	<input type="text"/> / <input type="text"/> / <input type="text"/> dd mm yyyy

Enter the contact's address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	United Kingdom
Personal Licence number (if known)	<input type="text"/>
Issuing licensing authority (if known)	<input type="text"/>

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

Continued from previous page...

- 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

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.

Start

End

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	07:00	End	02:00
Start		End	

SUNDAY

Start	07:00	End	
Start		End	00:00

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.

The numbered conditions below are the conditions from the existing licence, We have left them numbered so that they can be easily identified. In light of the later times requested Thurs-Sat we have added a few addition suggested conditions and welcome input from the responsible authorities to evolve a set of satisfactory conditions for the revised activities.

My previous experience of this kind of operation is that I successfully designed and ran the Costa del Tottenham concept based on Ashley road in Tottenham over the slow lockdown relaxation. This was a table service food and drink led offer voted best place to go during restrictions. I have developed a robust in house training scheme for our regular staff team guided by our staff handbook and training sessions which include fire safety, emergency procedures, WAVE & "Ask for Angela". We will continue to train management and supervisors in first aid and mental health awareness. Our current Staff Training Handbook is attached as appendix 3 and further evidence of certificated training can be provided on request.

1. All staff to be trained in alcohol awareness and made aware of their responsibilities under the Licensing Act 2003;

b) The prevention of crime and disorder

2. Staff will refuse alcohol to already intoxicated or overly provocative customers;

Continued from previous page...

In addition to this condition we recognize that there may be additional conditions that the police wish to add in particular to control crime & disorder, and safety during busy football event days.

Additional conditions to be added after consultation with the police:

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

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

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

- a) all crimes reported to the venue;
- b) all ejections of patrons;
- c) any complaints received concerning crime and disorder
- d) any incidents of disorder;
- e) all seizures of drugs or offensive weapons;
- f) any faults in the CCTV system, searching equipment or scanning equipment;
- g) any visit by a relevant authority or emergency service.

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

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

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

6. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record must show the outcome of the person who was intoxicated. The record shall be available for inspection at the premises by the police or an authorised officer at all times whilst the premises is open.

7. The premises shall have a welfare policy that will show how venue staff will manage customers who become vulnerable through intoxication or drugs, such a policy will include but is not limited to the use of dedicated "welfare officers" at peak times who will be easily identifiable, to customers, their role will be to monitor the welfare of customers, including identifying any customers who may be at risk of becoming overly intoxicated and liaising with management/security staff to assist them where necessary. staff training on customer welfare such as "WAVE" and availability of free water to customers. The policy must be written, reviewed yearly, and made available to Police upon request

8. The premises must have a detailed documented security plan that must include but is not limited to an ejections policy, search policy and queue management policy, this document must be made available to police upon request.

9. The premises shall have a written egress policy, that includes but is not limited to, a premises wind down plan (music turned down and lights turned up prior to closing time), and customer dispersal plan. The policy is to be made available to

Continued from previous page...

Police upon request.

10. The premises must risk assess all events taking place at the venue, this will include but is not limited to:

- Contacting venues where artists / performers / promoters have performed to see if there have been any issues.
- Looking at social media sites of artists / performers / promoters etc to check that they are consistent with booking details
- Identifying risks such as potential drug use, underage attendees, violence and disorder.

Once potential risks have been identified then mitigation measures must be put in place and documented. The risk assessments must be written down, kept for 1 year and made available to Police upon request.

c) Public safety

3. A comprehensive health and safety risk assessment will be in place.

4. A First Aid Kit will be available;

d) The prevention of public nuisance

5. Signs to ask patrons to leave quietly will be put up;

All doors and windows will be kept closed after 10pm if entertainment is taking place.

No music shall be played outdoors after 10pm

e) The protection of children from harm

6. No alcohol to be sold to anyone under 18. Operate Challenge 21 scheme with all alcohol sales. All alcohol refusals will be logged;

In line with current guidance we are happy to change this to challenge 25.

7. Children under the age of 16 will not be allowed on the premises unless they are accompanied by someone 18 or over.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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

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

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

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

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

Documents which demonstrate entitlement to work in the UK

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

Continued from previous page...

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

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

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

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

Continued from previous page...

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

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

Home Office online right to work checking service

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

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

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

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

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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

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

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:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

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

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

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

Band A - No RV to £4,300 = £100.00

Band B - £4,301 to £33,000 = £190.00

Band C - £33,001 to £8700 = 315.00

Band D - £87001 to £12500 = £450.00*

Band E - £125001 and over = 635.00*

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

Band D - £7001 to £12500 = £900.00

Band E - £125001 and over £1,905.00

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

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

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

Capacity 5000-9999 = £1,000.00

Capacity 10000 -14999 = £2,000.00

Capacity 15000-19999 = £4,000.00

Capacity 20000-29999 = £8,000.00

Capacity 30000-39000 = £16,000.00

Capacity 40000-49999 = £24,000.00

Capacity 50000-59999 = £32,000.00

Capacity 60000-69999 = £40,000.00

Capacity 70000-79999 = £48,000.00

Capacity 80000-89999 = £56,000.00

Capacity 90000 and over = £64,000.00

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

Continued from previous page...

* Fee amount (£)

190.00

DECLARATION

1 * 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

Stuart Glen

* Capacity

Director

* Date

06 / 09 / 2022

dd mm yyyy

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

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

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

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

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

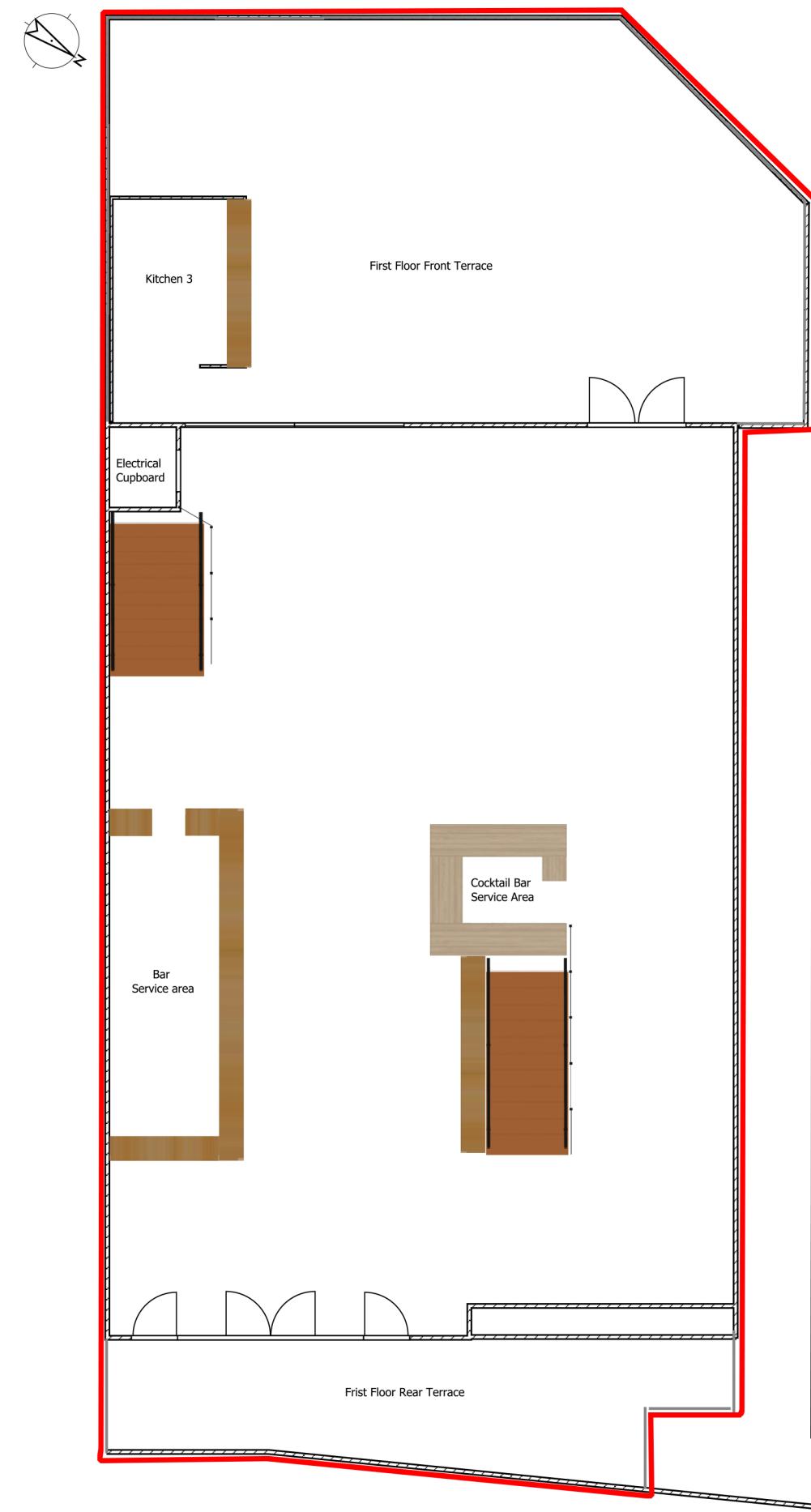
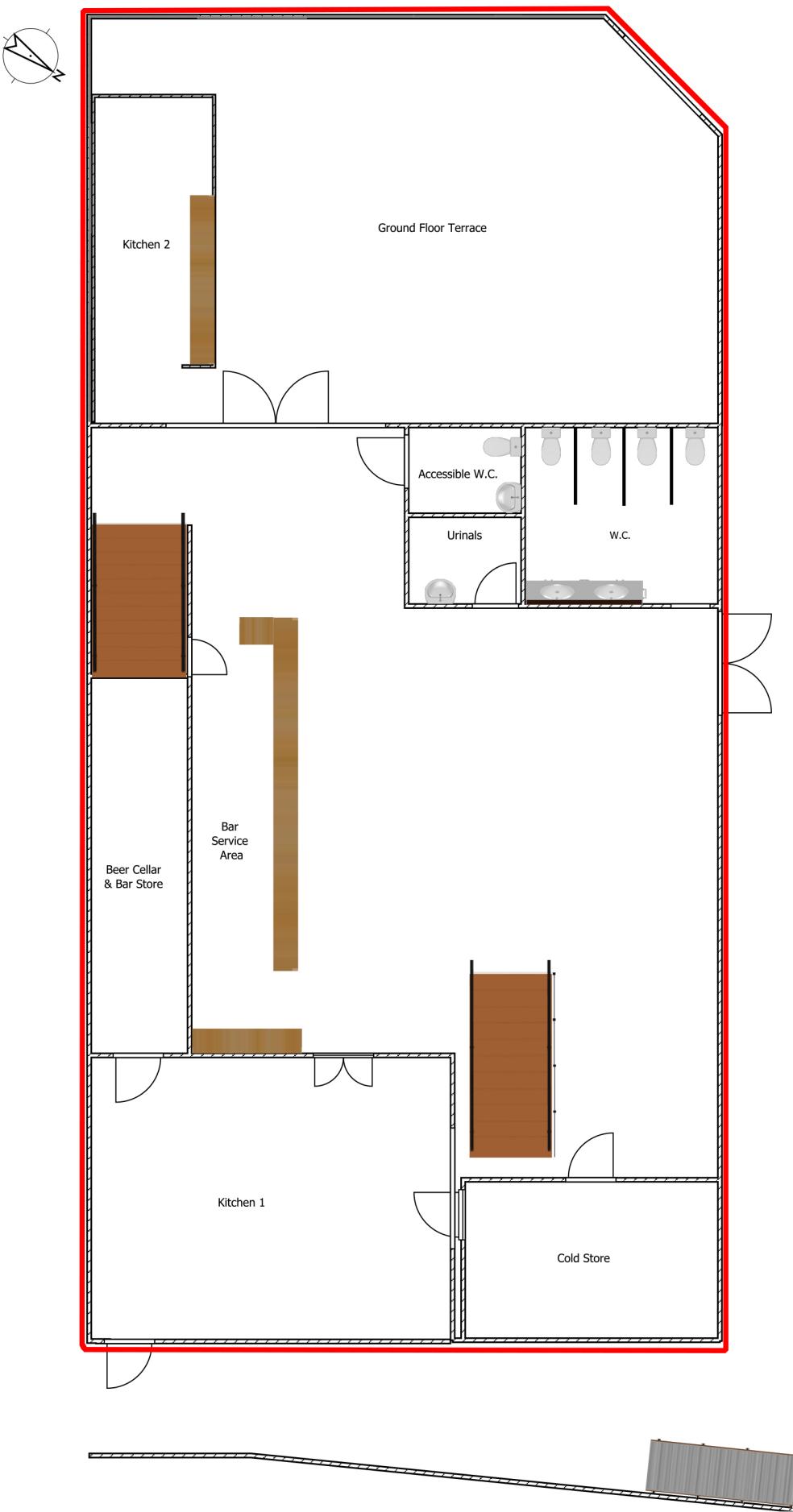
OFFICE USE ONLY

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

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

Appendix 2

Unit 1 Hamlet Industrial Estate, 96 White Post Lane, Hackney E9 5EN - Redline plans Ground & First Floor - not to scale



Appendix 3



Lic No:
27491

(Greenhouse)
Unit 1 Hamlet Industrial Estate
96 White Post Lane
London
E9 5EN

Licensable Activities authorised by the licence

The sale by retail of alcohol
The provision of regulated entertainment

See the attached licence for the licence conditions

Signed by

David Tolley [REDACTED]
Environmental Health & Head of Trading Standards

Date: 17th September 2013



LICENSING ACT 2003

Part A - Format of premises licence

Premises licence number

27491

Part 1 - Premises details

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

(Greenhouse)
Unit 1 Hamlet Industrial Estate
96 White Post Lane

Post town London	Post code E9 5EN
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Telephone number 020 8985 8001
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Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

The sale by retail of alcohol
The provision of regulated entertainment

The times the licence authorises the carrying out of licensable activities

Regulated Entertainment in the form of live music (indoors)

- From Monday to Saturday from 18:00hrs to 23:00hrs
- Sunday from 08:00hrs to 23:00hrs

Regulated Entertainment in the form of recorded music (indoors)

- From Monday to Sunday from 18:00hrs to 23:00hrs

The Supply of alcohol (both on and off premises)

- From Monday to Sunday from 08:00hrs to 23:00hrs

The opening hours of the premises

- Monday to Sunday from 07:00hrs to 23:30hrs

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

- On and off sales

Part 2

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

Greenhouse London Limited
Unit 1
Hamlet Industrial Estate
96 White Post Lane
London
E9 5EN

Stuart Glen: [REDACTED]

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

- Registered Number: 11961762

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

Kell Louise Miles
[REDACTED]
[REDACTED]

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

Licence Number: [REDACTED]

Issuing Authority: [REDACTED]

Annex 1 - Mandatory conditions

1.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises;
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability)
 2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
 3.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

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

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

Annex 2 - Conditions consistent with the operating Schedule

1. All staff to be trained in alcohol awareness and made aware of their responsibilities under the Licensing Act 2003;
2. Staff will refuse alcohol to already intoxicated or overly aggressive customers;
3. A comprehensive health and safety risk assessment will be in place.
4. A First Aid Kit will be available;
5. Signs to ask patrons to leave quietly will be put up;
6. No alcohol to be sold to anyone under 18. Operate Challenge 21 scheme with all alcohol sales. All alcohol refusals will be logged;
7. Children under the age of 16 will not be allowed on the premises unless they are accompanied by someone 18 or over.

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:

13th August 2013 (hand drawn)



Part B - Premises licence summary

Premises licence number

27491

Premises details

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

(Greenhouse)
Unit 1 Hamlet Industrial Estate
96 White Post Lane

Post town
London

Post code
E9 5EN

Telephone number

020 8985 8001

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

The sale by retail of alcohol
The provision of regulated entertainment

The times the licence authorises the carrying out of licensable activities	<p><u>Regulated Entertainment in the form of live music (indoors)</u></p> <ul style="list-style-type: none"> • From Monday to Saturday from 18:00hrs to 23:00hrs • Sunday from 08:00hrs to 23:00hrs <p><u>Regulated Entertainment in the form of recorded music (indoors)</u></p> <ul style="list-style-type: none"> • From Monday to Sunday from 18:00hrs to 23:00hrs <p><u>The Supply of alcohol (both on and off premises)</u></p> <ul style="list-style-type: none"> • From Monday to Sunday from 08:00hrs to 23:00hrs
The opening hours of the premises	<ul style="list-style-type: none"> • Monday to Sunday from 07:00hrs to 23:30hrs
Name, (registered) address of holder of premises licence	<p>Greenhouse London Limited Unit 1 Hamlet Industrial Estate 96 White Post Lane London E9 5EN</p>
Where the licence authorises supplies of alcohol whether these are on and / or off supplies	<p>On and off sales</p>
Registered number of holder, for example company number, charity number (where applicable)	<p>Registered Number: 11961762</p>
Name of designated premises supervisor where the premises licence authorises for the supply of alcohol	<p>Kelly Louise Miles</p>
State whether access to the premises by children is restricted or prohibited	<p>Children under the age of 16 will not be allowed on the premises unless they are accompanied by someone 18 or over.</p>

Appendix 4

All My Friends Unit 1 Hamlets Industrial Estate 96 White Post Lane- Map of surrounding area



Appendix 5

All My Friends Unit 1 Hamlets Industrial Estate 96 White Post Lane - Images of the premises and surrounding area



Appendix 6

(All My Friends)- Nearby licensed premises

Name and address	Licensable activities	Opening times
Crate Bar & Pizzeria) White Building Unit ,7 Queens Yard White Post Lane London E9 5EN	<p>The times the licence authorises the carrying out of licensable activities</p> <p>Sale by retail of alcohol (on and off sales)</p> <ul style="list-style-type: none"> • Monday to Wednesday, from 09:00 hours to 23:30 hours • Thursday to Sunday, from 09:00 hours to 01:30 hours the following days <p>The provision of late night refreshment – Indoors</p> <ul style="list-style-type: none"> • Monday to Wednesday, from 23:00 hours to 23:30 hours • Thursday to Sunday, from 23:00 hours to 01:30 hours the following days <p>The provision of regulated entertainment – Indoors and outdoors Plays, Films,</p> <ul style="list-style-type: none"> • Monday to Wednesday, from 09:00 hours to 00:00 hours (midnight) • Thursday to Sunday, from 09:00 hours to 02:00 hours the following days <p>Live Music, recorded music (outside only until 21:00 hours)</p> <ul style="list-style-type: none"> • Monday to Wednesday, from 09:00 hours to 00:00 hours (midnight) • Thursday to Sunday, from 09:00 hours to 02:00 hours the following days <p>Performance of dance</p> <ul style="list-style-type: none"> • Monday to Wednesday, from 09:00 hours to 23:30 hours • Thursday to Sunday, from 09:00 hours to 01:30 hours the following days <p>On and off sales</p>	<ul style="list-style-type: none"> • Monday to Wednesday, from 09:00 hours to 00:00 hours (midnight) • Thursday to Sunday, from 09:00 hours to 02:00 hours the following days

(All My Friends)- Nearby licensed premises

<p>Gorilla Technologies Ltd Unit 4a, Queens Yard 43 White Post Lane London E9 5EN</p>	<p>The sale by retail of alcohol Monday to Sunday from 08:00 hours to 00:00 hours</p> <p>Off sales only</p>	Monday to Sunday from 08:00 hours to 00:00 hours
<p>(Colour Factory) Unit 8a, Queens Yard White Post Lane London E9 5EN</p>	<p>The sale by retail of alcohol The provision of regulated entertainment (consisting of plays, films, indoor sporting events, performance of dance, live & recorded music & anything of similar description) The provision of late night refreshment</p> <p>The sale by retail of alcohol (on & off sales)</p> <ul style="list-style-type: none"> • Monday to Thursday 09:00 hours to 23:00 hours • Friday & Saturday 09:00 hours to 03:30 hours the following day • Sunday 09:00 hours to 00:00 hours (midnight) <p>The provision of late night refreshment – Indoors and outdoors</p> <ul style="list-style-type: none"> • Friday and Saturday, from 23:00 hours to 02:00 hours the following day <p>The provision of regulated entertainment <u>(Plays, Performances of Dance) – indoors</u></p> <ul style="list-style-type: none"> • Monday to Thursday 09:00 hours to 23:30 hours • Friday & Saturday 09:00 hours to 04:00 hours (the following day) • Sunday, from 09:00 hours to 00:00 hours (midnight) <p><u>(Films) - indoors</u></p> <ul style="list-style-type: none"> • Monday to Thursday 09:00 hours to 23:30 hours • Friday & Saturday, from 09:00 hours to 04:00 hours the following day 	<ul style="list-style-type: none"> • Monday to Thursday 09:00 hours to 23:30 hours • Friday & Saturday 09:00 hours to 04:00 hours (the following day) • Sunday, from 09:00 hours to 00:00 hours (midnight) <p>Non-standard timings: For the 20 occasions per year for Live music, recorded Music, later night refreshment until 02:30 am, closing at 03:00 am, including the New Year's Eve closing at 04:00 am that the Police and Environmental Health are informed of each of these events at least 10 working days before they occur, so that they may consider each event, and if there is any reason to believe that the Licensing Objectives will not be met, have the right to refuse an event.</p>

(All My Friends)- Nearby licensed premises

	<ul style="list-style-type: none">• Sunday 09:00 hours to 00:00 hours (midnight) <p><u>(Indoor Sporting Event)</u></p> <ul style="list-style-type: none">• Monday to Thursday, from 09:00 hours to 23:30 hours• Friday & Saturday 09:00 hours to 04:00 hours (the following day)• Sunday, from 09:00 hours to 00:00 hours (midnight) <p><u>Live Music & Recorded Music (indoors & outdoors) – Live music cease 23:00 hours outside)</u></p> <ul style="list-style-type: none">• Monday to Thursday 09:00 hours to 23:30 hours• Friday & Saturday 09:00 hours to 04:00 hours (the following day)• Sunday 09:00 hours to 00:00 hours (midnight) <p><u>Anything of a similar description to Live Music, Recorded Music or Performance of Dance – indoors and outdoors</u></p> <ul style="list-style-type: none">• Monday to Thursday 09:00 hours to 23:30 hours• Friday & Saturday 09:00 hours to 04:00 hours (the following day)• Sunday, from 09:00 hours to 00:00 hours (midnight) <p><u>Non-standard timings:</u></p> <ul style="list-style-type: none">• For the 20 occasions per year for <u>Live music, recorded Music, late night refreshment</u> until 02:30 hours the following day, closing at 03:00 hours the following day, including the New Year's Eve closing at 04:00 hours the following day that the Police and Environmental Health are informed of each of these events at least 10 working days before they occur, so that they may consider each event, and if there is any reason to believe that the Licensing	
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(All My Friends)- Nearby licensed premises

	<p>Objectives will not be met, have the right to refuse an event.</p> <p>On and off sales</p>	
Old Street Brewery) Unit 1, Queens Yard White Post Lane Hackney Wick	<p>The sale by retail of alcohol – On and off sales</p> <ul style="list-style-type: none"> Monday to Sunday, from 10:00 hrs to 00:00 hrs (midnight) <p>The provision of late-night refreshments – Indoors and outdoors</p> <ul style="list-style-type: none"> Sunday to Wednesday, from 23:00 hrs to 23:30 hrs Thursday to Saturday, from 23:00 hrs to 00:00 hrs (midnight) <p>The provision of regulated entertainment – Indoors and outdoors (Recorded Music only)</p> <ul style="list-style-type: none"> Sunday to Wednesday, from 10:00 hrs to 00:00 hrs (midnight) Thursday to Saturday, from 12:00 hrs to 00:30 hrs the following day <p>On and off sales</p>	<ul style="list-style-type: none"> Sunday to Wednesday, from 10:00 hrs to 00:00 hrs (midnight) Thursday to Saturday, from 10:00 hrs to 00:30 hrs the following day
(The Brewshed) Unit 14A Queens Yard 43 White Post Lane London E9 5EN	<p>The Supply of Alcohol (both on and off premises)</p> <ul style="list-style-type: none"> Sunday to Thursday from 09:00hrs to 23:30hrs Friday to Saturday from 09:00hrs to 00:30hrs (the following day) <p>Late Night Refreshment (indoors)</p> <ul style="list-style-type: none"> Sunday to Thursday from 23:00hrs to 23:30hrs Friday to Saturday from 23:00hrs to 00:30hrs (the following day) <p>Regulated Entertainment in the form of Plays (indoors) the Provision of Films (indoors), the Provision of Indoor Sporting Events (indoors) the Provision of Live Music (indoors), the Provision of Recorded Music (indoors)</p>	<ul style="list-style-type: none"> Sunday to Thursday from 09:00hrs to 00:00hrs midnight) <p>Friday to Saturday from 09:00hrs to 01:00hrs (the following day)</p>

(All My Friends)- Nearby licensed premises

	<p>and Provisions of Performance of Dance</p> <ul style="list-style-type: none"> • Sunday to Thursday from 09:00hrs to 23:00hrs • Friday to Saturday from 09:00hrs to 00:00hrs (midnight) <p>Non-Standard Timings</p> <ul style="list-style-type: none"> • The premises can have 25 non-standard timings a year. These timings will extend the licensed hours to 02:00 <p>On and off sales</p>	
<p>The Yard Theatre) Unit 2a Queens Yard White Post Lane London E9 5EN</p>	<p><u>The supply of alcohol (on sales only)</u></p> <ul style="list-style-type: none"> • Sunday to Wednesday from 12:00hrs (midday) to 00:00hrs (midnight) • Thursday from 12:00hrs (midday) to 02:00hrs (the following day) • Friday to Saturday from 12:00hrs (midday) to 03:00hrs (the following day) <p><u>The provision of regulated entertainment in the form of plays (indoors), films (indoors), performances of dance (indoors)</u></p> <ul style="list-style-type: none"> • Monday to Sunday from 12:00hrs (midday) to 23:00hrs <p><u>The provision of regulated entertainment in the form of live music (indoors), recorded music (indoors)</u></p> <ul style="list-style-type: none"> • Sunday to Wednesday from 18:00hrs to 00:00hrs (midnight) • Thursday from 18:00hrs to 02:00hrs (the following day) • Friday to Saturday from 18:00hrs to 03:00hrs (the following day) <p><u>The provision of late night refreshment</u></p> <ul style="list-style-type: none"> • Sunday to Wednesday from 23:00hrs to 00:00hrs (midnight) • Thursday from 23:00hrs to 02:00hrs (the following day) • Friday to Saturday from 23:00hrs to 03:00hrs (the following day) 	<ul style="list-style-type: none"> • Sunday to Wednesday from 12:00hrs (midday) to 00:00hrs (midnight) • Thursday from 12:00hrs (midday) to 02:00hrs (the following day) • Friday to Saturday from 18:00hrs to 03:00hrs (the following day) <p><u>Non-Standard Times</u></p> <ul style="list-style-type: none"> • 40 nights per year opening times and licensable activities extended until 6am

(All My Friends)- Nearby licensed premises

	<p><u>Non-Standard Times (supply of alcohol, late night refreshment and recorded music only)</u></p> <ul style="list-style-type: none"> • 40 nights per year opening times and licensable activities extended until 6am • On sales only 	
(O'Donnell Moonshine Ltd) Unit 9C (I) 2nd Floor Queens Yard 43 Whitepost Lane London E9 5EN	<p>The sale by retail of alcohol Monday to Friday from 10:00 hours to 19:00 hours</p> <p>Off sales only</p>	The premises are closed to the public
(O'Donnell Moonshine Ltd) Unit 9C (F) Queens Yard White Post Lane London E9 5EN	<p>Sale by retail of alcohol (off sales)</p> <ul style="list-style-type: none"> • Monday to Friday, from 10:00 to 18:30 	The premises are closed to the public
Howling Hops Unit 9 Queens Yard White Post Lane London E9 5EN	<p>The sale by retail of alcohol The provision of regulated entertainment</p> <p><u>The Supply of Alcohol (both on and off premises)</u></p> <ul style="list-style-type: none"> • Sunday to Thursday from 12:00hrs (midday) to 23:00hrs • Friday to Saturday from 12:00hrs Midday to 01:30hrs <p><u>Provision of Regulated Entertainment:</u> <u>Plays, Films, Indoor Sporting Events,</u> <u>Live Music (indoors), Recorded Music</u> <u>(indoors), Performance of Dance,</u> <u>Anything of a similar Description</u></p> <ul style="list-style-type: none"> • Sunday to Thursday from 12:00hrs (midday) to 23:00hrs • Friday and Saturday from 12:00hrs (midday) to 01:30hrs <p><u>The Provision of Late Night Refreshments</u></p> <ul style="list-style-type: none"> • Friday and Saturday 23:00hrs – 0200hrs <p>On and off sales</p>	<ul style="list-style-type: none"> • Sunday to Thursday from 12:00hrs to 23:30hrs • Friday to Saturday from 12:00hrs to 02:00hrs (the following day)

(All My Friends)- Nearby licensed premises

<p>Crate Group (London) Ltd Unit 1 66-78 White Post Lane London E9 5EN</p>	<p>Sale of alcohol (on & off sales) Monday – Sunday 11:00 hours – 23:00 hours</p> <p>Regulated Entertainment in the form of Live music / recorded music /performance of dance (inside & outside) Monday – Sunday 11:00 hours – 23:00 hours</p> <p>On and off sales</p>	<p>Monday – Sunday 07:00 – 23:30 hours</p>
<p>Hackney Wick Underground Unit 2-3 66-78 White Post Lane London E9 5EN</p>	<p>Provisions of regulated entertainment consisting of Provisions Plays, films, performance of dance (indoors/outdoors) Monday to Sunday from 10:00 hours to 23:59</p> <p>Provision of Live and Recorded Music (indoors/outdoors) Monday to Sunday from 10:00 hours to 22:00 hours</p> <p>Supply of alcohol (on and off sales) Monday to Sunday from 10:00 hours to 23:59 hours</p> <p>On and off sales</p>	<p>Monday to Sunday from 06:00 hours to 23:59</p>
<p>Run the Booze Unit 3-4, Hamlet Industrial Estate 96 White Post Lane London E9 5EN</p>	<p>The sale of alcohol (off sales) Monday – Thursday 12:00 hours – 00:00 hours (midnight) Friday - Saturday 12:00 hours – 02:00 hours Sunday 12:00 hours – 23:00 hours</p> <p>Provision of Late Night Refreshments (indoors & outdoors) Monday – Thursday 23:00 hours – 00:00 hrs (midnight) Friday – Saturday 23:00 hours – 02:00 hours</p> <p>Off sales</p>	<p>No public access</p>
<p>The Lot Yard 31-33 White Post Lane E9 5EN</p>	<p>Supply of Alcohol on and off sales Monday to Sunday from 11:00 hours to 22:00 hours</p>	<p>Monday to Sunday form 09:00 hours to 22:30 hours</p>
<p>Farmdrop Ltd Kitchen 2, Unit 3, Hamlets Industrial Estate</p>	<p>The sale by retail of alcohol (off sales only)</p>	<p>Premises not open to the public</p>

(All My Friends)- Nearby licensed premises

96 White Post Lane London E9 5EN	Monday – Sunday 07:00 hours – 23:00 hours Off sales	
(Whitepost Cafe) Schwartz Wharf 92 White Post Lane Hackney Wick London E9 5EN	<p>The sale by retail of alcohol - <u>on sales</u></p> <ul style="list-style-type: none"> • Monday to Thursday from 11:00hrs to 23:00hrs • Friday from 11:00hrs to 00:00hrs (midnight) • Saturday from 11:00hrs to 01:00hrs (the following day) • Sunday from 11:00hrs to 22:00hrs <p>The sale by retail of alcohol - <u>off sales</u></p> <ul style="list-style-type: none"> • Monday to Sunday from 11:00hrs to 21:00hrs <p>The Provision of Late Night Refreshment (indoors):</p> <ul style="list-style-type: none"> • Friday from 23:00hrs to 00:00hrs (midnight) • Saturday from 23:00hrs to 00:00hrs (midnight) <p>The Provision of Regulated Entertainment in the form of Recorded Music indoors):</p> <ul style="list-style-type: none"> • Monday to Thursday from 11:00hrs to 23:00hrs • Friday from 11:00hrs to 00:00hrs (midnight) • Saturday from 11:00hrs to 01:00hrs (the following day) • Sunday from 11:00hrs to 22:00hrs <p>Non-standard times:</p> <ul style="list-style-type: none"> • Sundays before Bank Holidays 11:00hrs to 01:00hrs (the following day) • New Year's Eve 11:00hrs to 09:00hrs (the following day) • Morning British Standard Time commences to allow clock going back on hour 	<ul style="list-style-type: none"> • Monday to Thursday from 11:00hrs to 23:00hrs • Friday from 11:00hrs to 00:30hrs (the following day) • Saturday from 11:00hrs to 01:30hrs (the following day) • Sunday from 11:00hrs to 22:30hrs <p>Non-standard times:</p> <ul style="list-style-type: none"> • Sundays before Bank Holidays 11:00hrs to 01:00hrs (the following day) • New Year's Eve 11:00hrs to 09:00hrs (the following day) • Morning British Standard Time commences to allow clock going back on hour
(Hurk Limited) Unit 8 29 White Post Lane	Supply of alcohol (Indoors & Outdoors) Monday to Thursday from 11:30 hours to 23:30 hours	The opening hours of the premises

(All My Friends)- Nearby licensed premises

London E9 5EN	<p>Friday to Saturday from 11:30 hours to 00:00 hours Sunday from 11:30 hours to 22:30 hours</p> <p><u>Non-standard timings</u> Until 01:30 on the evening preceding a Bank Holiday. Until 4am on New Years Eve, until 01:30 on New Year's Day.</p> <p><u>Regulated Entertainment Plays & Recorded Music (Indoors & Outdoors)</u> Monday to Thursday from 11:30 hours to 23:30 hours Friday to Saturday from 11:30 hours to 00:00 hours Sunday from 11:30 hours to 22:30 hours</p> <p><u>Non-standard timings</u> Until 01:30 on the evening preceding a Bank Holiday. Until 4am on New Years Eve, until 01:30 on New Year's Day.</p> <p>On and off sales</p>	<p><u>Hours premises are open to the public</u></p> <p>Monday to Thursday from 11:30 hours to 23:00 hours Friday to Saturday from 11:30 to 23:30 hours Sunday from 11:30 to 22:00 hours</p> <p><u>Non-standard timings</u> Until 01:30 on the evening preceding a Bank Holiday. Until 4am on New Year's Eve, until 01:30 on New Year's Day.</p>
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Appendix 7

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 vexatious or frivolous 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 8

Lavine Miller-Johnson

From: Licensing
Sent: 12 October 2022 15:25
To: Lavine Miller-Johnson
Subject: FW: 152933 MAU REPRESENTATION All My Friends Unit 1 Hamlet Industrial Estate 96 White Post Lane

From: Nicola Cadzow <[REDACTED]>
Sent: 12 October 2022 15:14
To: Licensing <Licensing@towerhamlets.gov.uk>; Corinne Holland <[REDACTED]>
Cc: 'MARK.J.Perrin' <[REDACTED]> Stuart <[REDACTED]>
Subject: 152933 MAU REPRESENTATION All My Friends Unit 1 Hamlet Industrial Estate 96 White Post Lane

Dear Licensing,

Having considered the premises license application for All My Friends Unit 1 Hamlet Industrial Estate 96 White Post Lane and having liaised with the applicant i have to consider the impact of the licensing objectives, particular for Environmental Protection the prevention of public nuisance and the prevention of noise generated from within the premises or external areas to be causing disturbance to people in the vicinity.

The applicant has agreed to noise conditions

- All windows and external doors shall be kept closed after 22:00 hours, or at any time when regulated entertainment takes place, except for the immediate access & egress of persons.
- No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises, which gives rise to a public nuisance.

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

- Noise breakout from the venue affecting neighbouring residents,
- Access & egress to and from the venue including patrons in the external area until 23:00 hours whilst the premises is in operation

CONCLUSION

Environmental Protection **does not** support the application for All My Friends Unit 1 Hamlet Industrial Estate 96 White Post Lane as there is great likelihood of disturbance to residential premises by permitting loud speakers in external space, and use of the external space until 23:00 hours, as proposed by the applicant.

If the committee are minded to grant this application I would ask that the following conditions be considered:

1. Loundspeakers shall not be located in the entrance lobby or outside the premise building.
2. The external areas shall not be used after 22:00 hours, except for patrons permitted to temporarily leave and the re-enter the premises, e.g. to smoke, and shall be limited to 10 persons at any one time.

Kind regards

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

[REDACTED]
www.towerhamlets.gov.uk

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Section 61 consent

To apply for all Control of Pollution Act 1974 Section 61 consents, dispensations and variations please apply here:
https://www.towerhamlets.gov.uk/lgnl/environment_and_waste/environmental_health/pollution/Guidance-for-Section-61-Applications.aspx

Click here to see the Tower Hamlets Noise map: <https://towerhamlets.maps.arcgis.com/apps/webappviewer/index.html?id=ab567dca90424100b0026259e447d911>



Appendix 9

Lavine Miller-Johnson

From: MARK.J.Perry [REDACTED]
Sent: 15 October 2022 02:03
To: stuar... [REDACTED] Licensin...
Cc: daniel... [REDACTED]; eugen... [REDACTED]; rhys... [REDACTED]
Subject: RE: New premises license application All My Friends "Unit 1, Hamlet Industrial Estate", 96 White Post Lane, London

Follow Up Flag: Follow up
Flag Status: Completed

Hi Stuart,

Thanks for agreeing terms, Tower Hamlets Council please see conditions agreed with the applicant.

Kind Regards

Mark



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



I stand for Professionalism,
Compassion, Integrity,
Courage and Respect

NOT IN MY Met

CTRL+CLICK TO
REPORT WRONGDOING

From: Stuart Glen [REDACTED]
Sent: 14 October 2022 14:42
To: Perry Mark J - [REDACTED]
Cc: Daniel Jones <[REDACTED]>; Eugene Wild [REDACTED]; Rhys Rose [REDACTED]
Subject: Re: New premises license application All My Friends "Unit 1, Hamlet Industrial Estate", 96 White Post Lane, London

Hi Mark

Apologies I thought we had replied, no problem on all of below.

We accept all of these conditions below.

Best regards

Stuart

On Fri, 14 Oct 2022, 07:50 , <[REDACTED]> wrote:

Hi all,

Just wanted to check that you were happy with the below proposed conditions I sent to Stuart.
Can you let me know so I can inform Tower Hamlets Council:

Kind Regards

Mark

Hi Stuart,

Thanks for sending me the application, apologies for the delay but I have been dealing with festivals and on leave. I have no objection to the hours you have requested but I would like the following conditions added to the license. Have a look through and feel free to contact me if you want to discuss them.

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

2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following:
 - a) all crimes reported to the venue;
 - b) all ejections of patrons;
 - c) any complaints received concerning crime and disorder
 - d) any incidents of disorder;
 - e) all seizures of drugs or offensive weapons;
 - f) any faults in the CCTV system, searching equipment or scanning equipment;
 - g) any visit by a relevant authority or emergency service.
4. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:
 - a) the police (and, where appropriate, the London Ambulance Service) are called without delay;
 - b) all measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
 - c) the crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
 - d) such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.
5. Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

6. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record must show the outcome of the person who was intoxicated. The record shall be available for inspection at the premises by the police or an authorised officer at all times whilst the premises is open.
7. The premises shall have a welfare policy that will show how venue staff will manage customers who become vulnerable through intoxication or drugs, such a policy will include but is not limited to the use of dedicated “welfare officers” at peak times who will be easily identifiable, to customers, their role will be to monitor the welfare of customers, including identifying any customers who may be at risk of becoming overly intoxicated and liaising with management/security staff to assist them where necessary. staff training on customer welfare such as “WAVE” and availability of free water to customers. The policy must be written, reviewed yearly, and made available to Police upon request
8. The premises must have a detailed documented security plan that must include but is not limited to an ejections policy, search policy and queue management policy, this document must be made available to police upon request.
9. The premises shall have a written egress policy, that includes but is not limited to, a premises wind down plan (music turned down and lights turned up prior to closing time), and customer dispersal plan. The policy is to be made available to Police upon request.
10. The premises must risk assess all events taking place at the venue, this will include but is not limited to:
 - Contacting venues where artists / performers / promoters have performed to see if there have been any issues.
 - Looking at social media sites of artists / performers / promoters etc to check that they are consistent with booking details
 - Identifying risks such as potential drug use, underage attendees, violence and disorder.

Once potential risks have been identified then mitigation measures must be put in place and documented. The risk assessments must be written down, kept for 1 year and made available to Police upon request.

Appendix 10

Prevention of Public Nuisance

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

Appendix 11

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

Updated April 2018

Public nuisance

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

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

Appendix 12

Access and Egress Problems

Such as:

Disturbance from patrons arriving/leaving the premises on foot

Disturbance from patrons arriving/leaving the premises by car

Lack of adequate car parking facilities

Close proximity to residential properties

Comment

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

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

General Advice

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

The hours of operation also need to be considered.

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

Licensing Policy

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

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

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

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

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

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

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

Licence conditions should not duplicate other legislation (1.16).

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

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

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

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

Appendix 13

Licensing Policy Relating to Hours of Trading

All applications have to be considered on their own merits.

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

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

(see 14.8 of the Licensing Policy)

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

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

(See 14.9 of the licensing policy)

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

- Theatres
- Cinemas
- Premises with club premises certificates

Appendix 14

Planning

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

Agenda Item 3.2

Committee :	Date	Classification	Report No.	Agenda Item No.
Licensing Sub-Committee	05 December 2022	Unclassified		

Report of: David Tolley Head of Environmental Health & Trading Standards Originating Officer: Mohshin Ali Senior Licensing Officer	Title: Licensing Act 2003 Temporary Event Notice for Unit 1 Hamlet Industrial Estate, 96 White Post Lane, London E9 5EN Ward affected: Bow East
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1.0 Summary

Applicant: **Stuart Glen**

Address of Premises: **Unit 1 Hamlet Industrial Estate
96 White Post Lane
London
E9 5EN**

Objectors: **Metropolitan Police
Environmental Protection**

2.0 Recommendations

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

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

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

Licensing Act 2003 Section 182 Guidance
Licensing Policy
File

Mohshin Ali
020 7364 5498

3.0 Background

- 3.1 This is an application for a Standard Temporary Event Notice.
- 3.2 Enclosed is a copy of the application. (**See Appendix 1**).
- 3.3 The applicant has described the nature of the event as follows:
"The tens notice given is to allow us to operate New years celebrations at All My Friends."
- 3.4 The premises that has been applied for is: Unit 1 Hamlet Industrial Estate, 96 White Post Lane, London E9 5EN
- 3.5 The dates and times that have been applied for are as follows:

The sale by retail of alcohol and the provision of regulated entertainment
 - 23:00-23:59, 31/12/2022
 - 00:00-05:00 & 23:00-23:59, 01/01/2023
 - 00:00-05:00, 02/01/2023
- 3.6 A map showing the relevant premises and immediate area is included as **Appendix 2**.

4.0 Premises Licence

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

5.0 Temporary Event Notices

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

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

6.0 **Objections**

- 6.1 The Police objections are contained in **Appendix 4**.
- 6.2 Environmental Protection objections are contained in **Appendix 5**.

7.0 **Advice to Members**

- 7.1 The Police Reform and Social Responsibility Act 2011 amended legislation whereby Environmental Protection alongside Police can

object to Temporary Event Notice under any of the licensing objectives.

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

8.0 Legal Comments

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

9.0 Finance Comments

- 9.1 There are no financial implications in this report.

10.0 Appendices

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

Appendix 1



**Tower Hamlets
Temporary Event Notice
Licensing Act 2003**

For help contact
licensing@towerhamlets.gov.uk
Telephone: 020 7364 5008

* required information

Section 1 of 9

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

System reference

Not Currently In Use

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

Your reference

[Redacted]

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

Stuart

* Family name

Glen

* E-mail

[Redacted]

Main telephone number

[Redacted]

Include country code.

Other telephone number

[Redacted]

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

Are you:

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

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

Continued from previous page...

Your Address

* Building number or name

Address official correspondence should be sent to.

* Street

* City or town

County or administrative area

* Postcode

* Country

Section 2 of 9

APPLICATION DETAILS (See also guidance on completing the form, general notes and note 1)

Have you had any previous or maiden names?

Yes

No

* Your date of birth

Applicant must be 18 years of age or older

dd mm yyyy

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Correspondence Address

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

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

Yes

No

Building number or name

ANSWER The answer is 1000. The area of the rectangle is 1000 square centimeters.

City or town

County or administrative area

Country

United Kingdom

Continued from previous page...

Additional Contact Details

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

Yes

No

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

E-mail

Telephone number

Other telephone number

Section 3 of 9

THE PREMISES

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

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). [\(See also guidance on completing the form, note 2\)](#)

* Does the premises have an address?

Yes

No

Address

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

Yes

No

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

* Building number or name

Unit 1 Hamlet Industrial Estate

* Street

96 White Post Lane

District

Hackney Wick

* City or town

London

County or administrative area

Tower Hamlets

* Postcode

E9 5EN

* Country

United Kingdom

* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

Neither

Premises licence

Club premises certificate

* Premises licence number

27491

Location Details

* Provide further details about the location of the event

The premises is a previously converted industrial unit in the Hamlet Industrial estate close to the popular queens yard and next door to skeeters axe throwing with the river lea navigation canal to the rear. It has had a licence on the site since 2013

Continued from previous page...

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below ([see also guidance on completing the form, note 3](#))

Describe the nature of the premises below ([see also guidance on completing the form, note 4](#))

It is a two storey building in good repair and has recently been refurbished to reopen as a multi kitchen restaurant, record store and hang out space capable of hosting small events. It is constructed of concrete and brick with modifications internally to function as a multi kitchen restaurant and events venue. There is a ground and first floor outdoor terrace to the front and a smaller first floor terrace to the rear.

Describe the nature of the event below ([see also guidance on completing the form, note 5](#))

The tens notice given is to allow us to operate New years celebrations at All My Friends.

Section 4 of 9

LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises

([see also guidance on completing the form, note 6](#)):

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment [\(See also guidance on completing the form, note 7\)](#)
- The provision of late night refreshment
- The giving of a late temporary event notice

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

[\(See also guidance on completing the form, note 8\)](#)

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

([see also guidance on completing the form, note 9](#))

Event start date

31 / 12 / 2022
dd mm yyyy

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

Event end date

02 / 01 / 2023
dd mm yyyy

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Continued from previous page...

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)
[\(see also guidance on completing the form, note 10\)](#)

23:00-23:59 31/12/2022
00:00-05:00 & 23:00-23:59 01/01/2023
00:00-05:00 02/01/2023

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers
[\(see also guidance on completing the form, note 11\)](#)

270

Note that the maximum number of people cannot exceed 499.

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both
[\(see also guidance on completing the form, note 12\)](#):

- On the premises only
- Off the premises only
- Both

Section 5 of 9

RELEVANT ENTERTAINMENT [\(See also guidance on completing the form, note 13\)](#)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

none

Section 6 of 9

PERSONAL LICENCE HOLDERS [\(See also guidance on completing the form, note 14\)](#)

Do you currently hold a valid personal licence? Yes No

Provide the details of your personal licence below.

Issuing licensing authority

[REDACTED]

Licence number

[REDACTED]

Date of issue

dd mm yyyy

Any further relevant details

Page 110

Continued from previous page...

Section 7 of 9

PREVIOUS TEMPORARY EVENT NOTICES [\(See also guidance on completing the form, note 15\)](#)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

Yes No

State the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year

29

Have you already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or
 - b) Begins 24 hours or less after the event period proposed in this notice?
- Yes No

Section 8 of 9

ASSOCIATES AND BUSINESS COLLEAGUES [\(See also guidance on completing the form, note 16\)](#)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or
 - b) Begins 24 hours or less after the event period proposed in this notice?
- Yes No

Continued from previous page...

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes No

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

Yes No

- a) Ends 24 hours or less before; or
- b) Begins 24 hours or less after the event period proposed in this notice?

Section 9 of 9

CONDITION [\(See also guidance on completing the form, note 18\)](#)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

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.

This formality requires a fixed fee of £21

DECLARATION [\(See also guidance on completing the form, note 19\)](#)

(i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six (6) months, or to both.

* For completion by the Licensing Authority

* I acknowledge receipt of this temporary event notice

* SIGNATURE _____ On behalf of the Licensing Authority NAME OF OFFICER _____ DATE _____

*

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

Stuart Glen

* Capacity

Applicant

Continued from previous page...

* Date

07 / 11 / 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/temporary-event-notice/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.

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

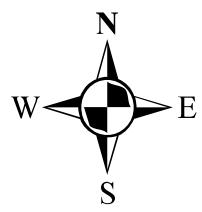
Approval deadline

Error message

Is Digitally signed

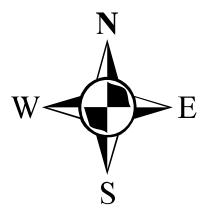
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Appendix 2

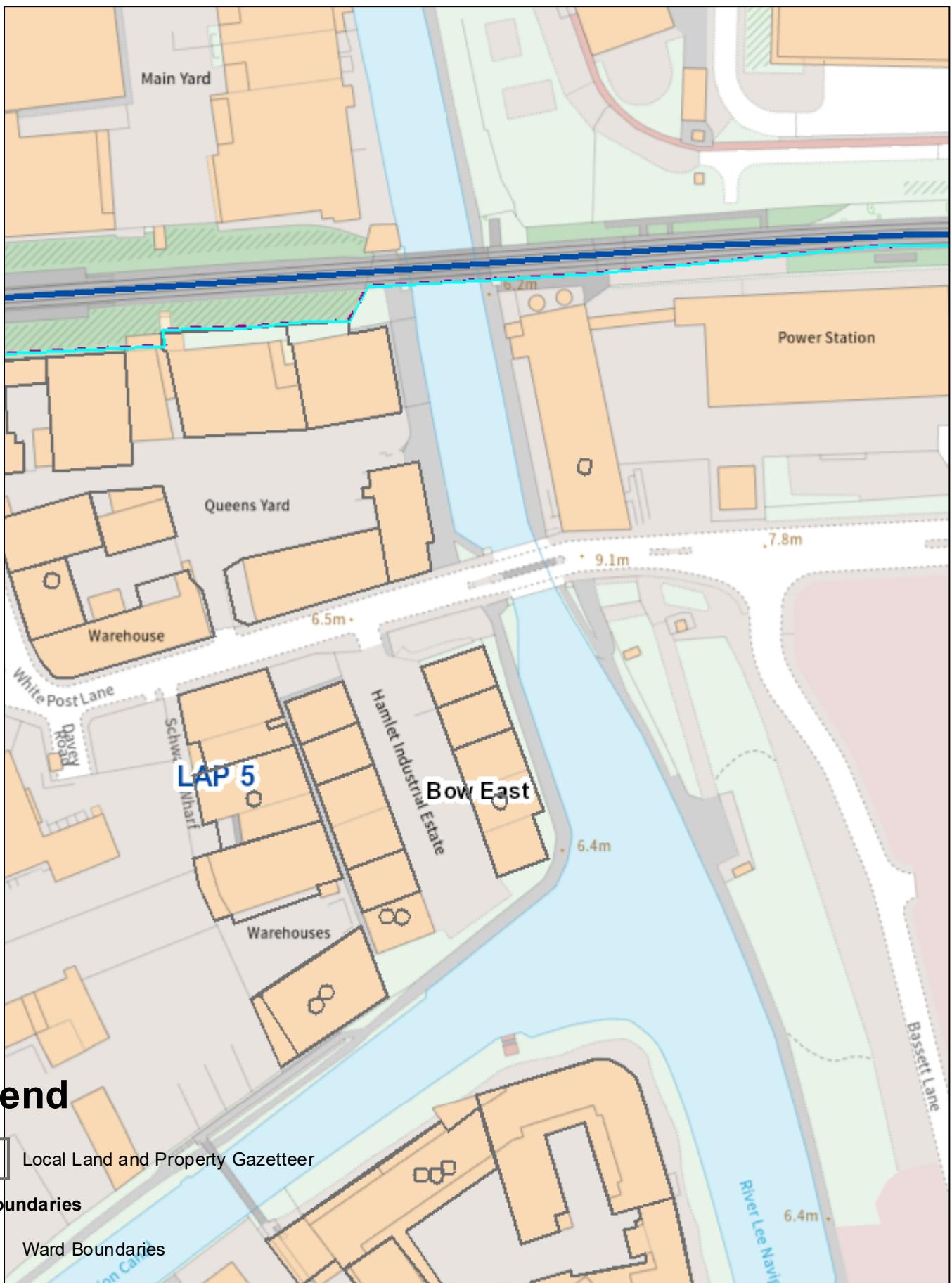


ArcGIS Web Map





ArcGIS Web Map



Legend



Local Land and Property Gazetteer

Ward Boundaries

Ward Boundaries

LAP Boundaries

LAP Boundaries

Appendix 3



Lic No:
27491

(Greenhouse)
Unit 1 Hamlet Industrial Estate
96 White Post Lane
London
E9 5EN

Licensable Activities authorised by the licence

The sale by retail of alcohol
The provision of regulated entertainment

See the attached licence for the licence conditions

Signed by

David Tolley

Environmental Health & Head of Trading Standards

Date: 17th September 2013



LICENSING ACT 2003

Part A - Format of premises licence

Premises licence number

27491

Part 1 - Premises details

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

(Greenhouse)
Unit 1 Hamlet Industrial Estate
96 White Post Lane

Post town London	Post code E9 5EN
----------------------------	----------------------------

Telephone number


Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

The sale by retail of alcohol
The provision of regulated entertainment

The times the licence authorises the carrying out of licensable activities

Regulated Entertainment in the form of live music (indoors)

- From Monday to Saturday from 18:00hrs to 23:00hrs
- Sunday from 08:00hrs to 23:00hrs

Regulated Entertainment in the form of recorded music (indoors)

- From Monday to Sunday from 18:00hrs to 23:00hrs

The Supply of alcohol (both on and off premises)

- From Monday to Sunday from 08:00hrs to 23:00hrs

The opening hours of the premises

- Monday to Sunday from 07:00hrs to 23:30hrs

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

- On and off sales

Part 2

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

Greenhouse London Limited
Unit 1
Hamlet Industrial Estate
96 White Post Lane
London
E9 5EN

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

- Registered Number: 11961762

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

Kelly Louise Miles

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

Licence Number:

Issuing Authority:

Annex 1 - Mandatory conditions

1.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises;
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability)
 2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
 3.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

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

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

Annex 2 - Conditions consistent with the operating Schedule

1. All staff to be trained in alcohol awareness and made aware of their responsibilities under the Licensing Act 2003;
2. Staff will refuse alcohol to already intoxicated or overly aggressive customers;
3. A comprehensive health and safety risk assessment will be in place.
4. A First Aid Kit will be available;
5. Signs to ask patrons to leave quietly will be put up;
6. No alcohol to be sold to anyone under 18. Operate Challenge 21 scheme with all alcohol sales. All alcohol refusals will be logged;
7. Children under the age of 16 will not be allowed on the premises unless they are accompanied by someone 18 or over.

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:

13th August 2013 (hand drawn)



Part B - Premises licence summary

Premises licence number

27491

Premises details

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

(Greenhouse)
Unit 1 Hamlet Industrial Estate
96 White Post Lane

Post town
London

Post code
E9 5EN

Telephone number

020 8985 8001

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

The sale by retail of alcohol
The provision of regulated entertainment

The times the licence authorises the carrying out of licensable activities	<p><u>Regulated Entertainment in the form of live music (indoors)</u></p> <ul style="list-style-type: none"> • From Monday to Saturday from 18:00hrs to 23:00hrs • Sunday from 08:00hrs to 23:00hrs <p><u>Regulated Entertainment in the form of recorded music (indoors)</u></p> <ul style="list-style-type: none"> • From Monday to Sunday from 18:00hrs to 23:00hrs <p><u>The Supply of alcohol (both on and off premises)</u></p> <ul style="list-style-type: none"> • From Monday to Sunday from 08:00hrs to 23:00hrs
The opening hours of the premises	<ul style="list-style-type: none"> • Monday to Sunday from 07:00hrs to 23:30hrs
Name, (registered) address of holder of premises licence	<p>Greenhouse London Limited Unit 1 Hamlet Industrial Estate 96 White Post Lane London E9 5EN</p>
Where the licence authorises supplies of alcohol whether these are on and / or off supplies	<p>On and off sales</p>
Registered number of holder, for example company number, charity number (where applicable)	<p>Registered Number: 11961762</p>
Name of designated premises supervisor where the premises licence authorises for the supply of alcohol	<p>Kelly Louise Miles</p>
State whether access to the premises by children is restricted or prohibited	<p>Children under the age of 16 will not be allowed on the premises unless they are accompanied by someone 18 or over.</p>

Appendix 4

Mohshin Ali

From: MARK.J.Perry [REDACTED]
Sent: 10 November 2022 23:05
To: stuart [REDACTED]
Cc: Nicola Cadzow
Subject: Objection TEN Support the Cause 31 December 2022 to 2nd January 2023 Unit 1 Hamlet Industrial Estate
Attachments: Objection Unit NYE 22 TEN 1 96 White Post Lane.doc

Follow Up Flag: Follow up
Flag Status: Completed

Dear all,

Please Central East Police Licensing's objection of the for Unit 1 Hamlet Industrial Estate.

Kind Regards

Mark



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



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TERRITORIAL POLICING

Working together for a safer London

Tom Lewis
Head of Licensing
Tower Hamlets Council

HT - Tower Hamlets Borough

Licensing Office
Shoreditch Police Station

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

10/11/2022

Dear Sir,

Central East Police Licensing formally object to the application for the Temporary Event Notice for, Unit 1 Hamlet Industrial Estate, 96 White Post Lane E9 5EN, for an event until 5am on New Years day and the 2nd January 2023.

Our objection is on the grounds of preventing crime and disorder and public nuisance. The applicant wants to be able to host two late night events where 270 people will be consuming alcohol until 5am. Yet they have given no details of the event, which makes it almost impossible to risk assess.

The more alcohol people consume the more their decision making process is impaired and the more likely they are to become either the victim of or perpetrator of alcohol related crime and disorder. The applicant has not said how they will manage the risk of crime and disorder taking place, there is no mention of SIA security, welfare officers or a ejection policy.

The area around the venue has also seen an increase in residential housing build over the last few years, including premises very close to the premises. Having an event in a venue with limited sound insulation followed by 270 people leaving at 5 am with raised drunken voices will in the opinion of the Police lead to public nuisance. The applicant has not said how they will prevent this.

We believe these events will cause both crime and disorder and public nuisance and we therefore ask that this event is refused.

Kind Regards

Mark



PC Mark Perry

Central East Licensing Unit

Metropolitan Police Service (MPS)

Email [REDACTED]

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



Appendix 5

Mohshin Ali

From: Nicola Cadzow
Sent: 10 November 2022 14:17
To: Licensing
Cc: 'MARK.J.Perry [REDACTED]'; Stuart Glen
Subject: 154795 REPRESENTATION TEN Greenhouse/Wadadli Kitchen "Unit 1, Hamlet Industrial Estate", 96 White Post Lane

Follow Up Flag: Follow up
Flag Status: Completed

Dear Licensing

I have regarded the application for the TENs for Greenhouse/Wadadli Kitchen Unit 1, Hamlet Industrial Estate, 96 White Post Lane, London and the potential impact of public nuisance and measures to prevent noise generated from within the premises or outside it which could cause disturbance to people in the vicinity.

The applicant is proposing licensable activities: Sale by retail of alcohol, late night refreshment and regulated entertainment:

1st January 2023 until 05:00 hours in the morning

2nd January 2023 until 05:00 hours in the morning

Noise Sensitive premises: residential and commercial premises in close proximity to Unit 1, Hamlet Industrial Estate, 96 White Post Lane

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

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

CONCLUSION

Environmental Protection **does not** support the application for Greenhouse/Wadadli Kitchen Unit 1, Hamlet Industrial Estate, 96 White Post Lane as there is great likelihood of disturbance to residential premises at the noise sensitive hours sought.

I am willing to consider withdrawing my representation if the hours for licensable activities are reduced to 01:00 hours in the morning as opposed to 01:00 hours in the morning.

Kind regards

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

[REDACTED]
www.towerhamlets.gov.uk

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Section 61 consent

To apply for all Control of Pollution Act 1974 Section 61 consents, dispensations and variations please apply here:
https://www.towerhamlets.gov.uk/lgnl/environment_and_waste/environmental_health/pollution/Guidance-for-Section-61-Applications.aspx

Click here to see the Tower Hamlets Noise map:

<https://towerhamlets.maps.arcgis.com/apps/webappviewer/index.html?id=ab567dca90424100b0026259e447d911>



Agenda Item 3.3

Committee:	Date	Classification	Report No.	Agenda Item No.
Licensing Sub-Committee	05 December 2022	Unclassified		

Report of: David Tolley Head of Environmental Health and Trading Standards Originating Officer: Lavine Miller-Johnson Licensing Officer	Title: Licensing Act 2003 Application for a variation of a premises licence for Wicked Fish Queens Yard White Post Lane London E9 5EN Ward affected: Bow East
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1.0 Summary

Licence holder: **Wicked Fish LTD**

Name and **Wicked Fish
Queens Yard**

Address of Premises: **White Post Lane London E9 5EN**

Licence sought: **Licensing Act 2003 - Variation**
• **To add supply of alcohol**

Representations: **Police**

2.0 Recommendations

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

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

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

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

**Lavine Miller-Johnson
020 7364 2665**

3.0 Background

- 3.1 This is an application for a variation of a premises licence for, Wicked Fish, Queens Yard White Post Lane, London E9 5EN
- 3.2 A copy of the existing licence is enclosed as **Appendix 1**. The licensable activities and timings are as follows:

Late Night Refreshment

Sunday to Thursday from 23:00 -01:00 HRS

Friday to Saturday from 23:00 - 04:00 HRS

Non-standard timing

Christmas Eve and New Year's Eve

Christmas Eve and Christmas Day 23:00 hours to 05:00 hours

New Years Eve 23:00 hours to 05:00 hours (the day following), New Year's Day 23:00 hours to 05:00 hours

The opening hours of the premises

Sunday – Thursday from 06:00 hours to 01:30 hours

Friday -Saturday from 06:00 hours to 04:30 hours

Non-standard timing

Christmas Eve and Christmas Day 23:00 hours to 05:00 hours

New Years Eve 23:00 hours to 05:00 hours (the day following), New Year's Day 23:00 hours to 05:00 hours

- 3.3 A copy of the variation application is enclosed as **Appendix 2**. The applicant has described the variation as, to add the supply of alcohol for consumption on and off the premises. They also apply for the removal and amendment of conditions.
- 3.4 The licensable activities, timings, and condition to be amended have been applied for are as follows:

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

- Sunday to Thursday from 12:00hrs to 00:00hrs (midnight)
- Friday to Saturday from 12:00 hours to 01:00 hours (the following day)

Remove the following conditions:

- Condition 5 - No alcohol to be consumed on the premises.
- Condition 8 - Signage clearly displayed, no alcohol to be consumed on the premises

Amend the following condition:

- Condition 9 currently reads as - One (1) SIA covering the seated area to reinforce this.
- To be amended to – One SIA door supervisor shall be employed on the premises Friday and Saturdays.

4.0 Location and Nature of the premises

- 4.1 Maps of the venue are included as **Appendix 3**.
- 4.2 Photographs showing the vicinity are included as **Appendix 4**.
- 4.3 Details of the nearest licensed venues 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 with an update on the CIZ policy in November 2021.
- 5.2 Relevant Sections of the policy are brought to the attention of Members within the Licensing Officers report.
- 5.3 The Home Secretary has issued Guidance under Section 182 of the Licensing Act 2003. This is available on the Government's website, www.homeoffice.gov.uk. It was last revised in April 2018.
- 5.4 Relevant Sections of this advice are brought to Members attention within the Licensing Officers report. Members should note however, than in some areas Tower Hamlets, after a proper consideration of local circumstances, has not followed the Government's advice, or has developed it further.

6.0 Representations

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

- 6.5 The Home Office recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation.
- 6.6 Section 182 Advice by the Home Office concerning relevant, vexatious and frivolous representations is attached as **Appendix 6**.
- 6.7 All the representations in this report have been considered by the relevant officer (Team Leader Licensing & Safety) and determined to have met the requirements of the Licensing Act 2003.
- 6.8 This hearing is required by the Licensing Act 2003, because relevant representations have been made by the following:
- Metropolitan Police (Licensing) - (**Appendix 7**)
- 6.9 The Licensing Authority has considered the advice and redacted the representations accordingly.
- 6.10 All of the responsible authorities have been consulted about this application. They are as follows:
- The Licensing Authority
 - The Metropolitan Police
 - London Fire Brigade
 - Planning Department
 - Health and Safety
 - Environmental Health Noise Team
 - Trading Standards
 - Child Protection
 - Public Health
 - Home Secretary (Home Office Immigration Enforcement)
- 6.11 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 Essentially, the relevant parties oppose the application because the applicant has not explained how within the context of the application, they will meet the licensing objective(s), particularly the prevention of public nuisance and the prevention of crime and disorder.
- 6.13 There are strict time limits to any representations. The time limits are contained in The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005.
- 6.14 The applicant has offered measures in the operating schedule of the application that address the promotion of the Licensing Objectives. If there were no representations, the Licensing Authority would grant the

licence, with conditions consistent with the operating schedule, which are relevant, proportionate and enforceable. Members are asked to consider the schedule and incorporate any conditions as necessary to address the licensing objectives.

7.0 Conditions consistent with Operating Schedule

- 7.1 The following conditions are contained within the existing premises licence:

Annex 2 - Conditions consistent with the operating Schedule

1. An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following:
 - a) all crimes reported to the venue;
 - b) all ejections of patrons;
 - c) any complaints received concerning crime and disorder
 - d) any incidents of disorder;
 - e) all seizures of drugs or offensive weapons;
 - f) any faults in the CCTV system, searching equipment or scanning equipment;
 - g) any visit by a relevant authority or emergency service.
2. In the event that a serious assault is committed on the premises (or appears to have been committed) the management if safe to do so, will immediately ensure that:
 - a) the police (and, where appropriate, the London Ambulance Service) are called without delay;
 - b) all measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
 - c) the crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
 - d) such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.
3. All outside tables and chairs shall be rendered unusable by (00:00) Sunday to Thursday and (03:30) Friday to Saturday.
4. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly
5. No alcohol to be consumed on the premises.

6. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
7. Three (3) people working at all times at the venue.
8. Signage clearly displayed, no alcohol to be consumed on the premises
9. One (1) SIA covering the seated area to reinforce this.

8.0 Conditions in consultation with the responsible authorities/other person

8.1 N/A

9.0 Licensing Officer Comments

- 9.1 The Business & Planning Act 2020 came into force on Wednesday 22nd July 2020 and provides a temporary permission for businesses that have a premises licence that permits them to sell alcohol in regards to the ability to sell alcohol as an off sale, i.e. for consumption off the premises. The permission will end on 30th September 2023 unless the legislation is changed by the Secretary of State.

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

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

The new off-sales permission will permit off-sales to be made at a time when the licensed premises are open for the purposes of selling alcohol for consumption on the premises, subject to a cut off time of 11pm or the cut off time of the current licensed hours stated on the licence, whichever is earlier. Measures also temporarily suspend existing licence conditions in so far as they are inconsistent with the new off-sales permission. Further Guidance on this can be found at <https://www.gov.uk/government/publications/guidance-for-temporary-alcohol-licensing-provisions-in-the-business-and-planning-bill>

- 9.2 The Live Music Act removed licensing requirements for the following:

- amplified live music and recorded music between 8am and 11pm before audiences of no more than 500 people on premises authorised to sell alcohol for consumption on the premises;
 - unamplified live music between 8am and 11pm in all venues.
 - Further exemptions apply see Section 16.5-16.6 of Section 182 Guidance.
- 9.3 The following is intended simply to advise Members of the relevant aspects of the Boroughs Licensing Policy, guidance from the Secretary of State, legislation and good practice (See 6.2). Members may depart from the Council's Licensing Policy and/or Government advice, provide they consider it appropriate to do so, and have clear reasons for their decision.
- 9.4 Guidance issued under section 182 of the Licensing Act 2003
- ❖ As stated in the guidance it is “provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act.” It is a key medium for promoting best practice, ensuring consistent application and promoting fairness equal treatment and proportionality (1.7).
 - ❖ Also “as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons. Departure from this Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.” Therefore licensing authorities will need to give full reasons for their actions (1.9).
 - ❖ Also Members should note “A Licensing Authority may depart from its own policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the licensing objectives.” (1.12)
 - ❖ Also, “The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives.” Therefore, conditions may not be imposed for the purpose other than promoting the licensing objectives and in some cases no additional conditions will be appropriate. (10.8)
 - ❖ Necessary conditions should emerge from a risk assessment by the applicant, which should then be reflected in the operating schedule (10.4).

- ❖ The Guidance states: “Where there are objections to an application to extend the hours during which licensable activities are to be carried on and the licensing authority determines that this would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.” (10.14)
 - ❖ Mandatory conditions must be imposed (10.25) and censorship avoided (10.17).
 - ❖ The Guidance states: “It is still permitted to sell alcohol using promotions (as long as they are compatible with any other licensing condition that may be in force), and the relevant person should ensure that the price of the alcohol is not less than the permitted price. Detailed guidance on the use of promotions is given in the guidance document available on the Gov.uk website.” (10.58) Also, “Licensing authorities should not attach standardised blanket conditions promoting fixed prices for alcoholic drinks to premises licences or club licences or club premises certificates in an area.” (10.21)
- 9.5 The Licensing Act 2003 permits children of any age to be on the premises which primarily sells alcohol providing they are accompanied by an adult. It is not necessary to make this a condition.
- 9.6 In all cases the Members should make their decision on the civil burden of proof, that is “the balance of probability.”
- 9.7 In all cases Members should consider whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.
- 9.8 The Government has advised that conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. Conditions cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff and standardised conditions should be avoided where they cannot be shown to be appropriate. (1.16/1.17)
- 9.9 The Council’s Licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.
- 10.0 In **Appendices 9 - 14** 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.

11.0 Legal Comments

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

12.0 Finance Comments

12.1 There are no financial implications in this report.

13.0 Appendices

- | | |
|--------------------|--|
| Appendix 1 | A copy of the existing licence |
| Appendix 2 | A copy of the variation application |
| Appendix 3 | Map of surrounding area |
| Appendix 4 | Photographs showing vicinity of the venue |
| Appendix 5 | Details of nearest licensed venues |
| Appendix 6 | Home Office concerning relevant, vexatious and frivolous representations |
| Appendix 7 | Representation from The Metropolitan Police (Licensing) |
| Appendix 8 | Agent and Police mediation |
| Appendix 9 | Licensing Officer comments on noise while the premise is in use |
| Appendix 10 | Licensing Officer comments on access/egress Problems |
| Appendix 11 | Licensing Officer comments on crime and disorder on the premises |
| Appendix 12 | Licensing Officer comments on crime and disorder from patrons leaving the premises |
| Appendix 13 | Planning |
| Appendix 14 | Licensing Policy relating to hours of trading |

Appendix 1



Lic No:
147703

**Wicked Fish
Queens Yard
White Post Lane
London
E9 5EN**

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 Trading Standards & Environmental Health

**Date: 21st December 2021
Variation 25th April 2022**

OFFICE USE	Receipt No: 069558	Paid: 190	Date: 19/03/2022
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**Part A - Format of premises licence**

Premises licence number

147703

Part 1 - Premises details**Postal address of premises, or if none, ordnance survey map reference or description**

**Queens Yard
White Post Lane**

Post town	Post code
London	E9 5EN

Telephone number

Tel: [REDACTED]
Email: [REDACTED]

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The provision of late-night refreshment (Outside and Inside)

The times the licence authorises the carrying out of licensable activities**Late Night Refreshment**

Sunday to Thursday from 23:00 -01:00 HRS
Friday to Saturday from 23:00 - 04:00 HRS

Non-standard timing

Christmas Eve and New Year's Eve
Christmas Eve and Christmas Day 23:00 hours to 05:00 hours
New Years Eve 23:00 hours to 05:00 hours (the day following), New Year's Day 23:00 hours to 05:00 hours

The opening hours of the premises

Sunday – Thursday from 06:00 hours to 01:30 hours
Friday -Saturday from 06:00 hours to 04:30 hours

Non-standard timing

Christmas Eve and Christmas Day 23:00 hours to 05:00 hours
New Years Eve 23:00 hours to 05:00 hours (the day following), New Year's Day 23:00 hours to 05:00 hours

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**

Wicked Fish Ltd
19 Mallard Close
Hackney Wick
London
E9 5JL

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

13463506

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

N/A

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

N/A

Annex 1 - Mandatory conditions

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

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

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

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

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

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

Annex 2 - Conditions consistent with the operating Schedule

1. An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following:
 - a) all crimes reported to the venue;
 - b) all ejections of patrons;
 - c) any complaints received concerning crime and disorder
 - d) any incidents of disorder;

- e) all seizures of drugs or offensive weapons;
 - f) any faults in the CCTV system, searching equipment or scanning equipment;
 - g) any visit by a relevant authority or emergency service.
2. In the event that a serious assault is committed on the premises (or appears to have been committed) the management if safe to do so, will immediately ensure that:
 - a) the police (and, where appropriate, the London Ambulance Service) are called without delay;
 - b) all measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
 - c) the crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
 - d) such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.
 3. All outside tables and chairs shall be rendered unusable by (00:00) Sunday to Thursday and (03:30) Friday to Saturday.
 4. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly
 5. No alcohol to be consumed on the premises.
 6. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
 7. Three (3) people working at all times at the venue.
 8. Signage clearly displayed, no alcohol to be consumed on the premises
 9. One (1) SIA covering the seated area to reinforce this.

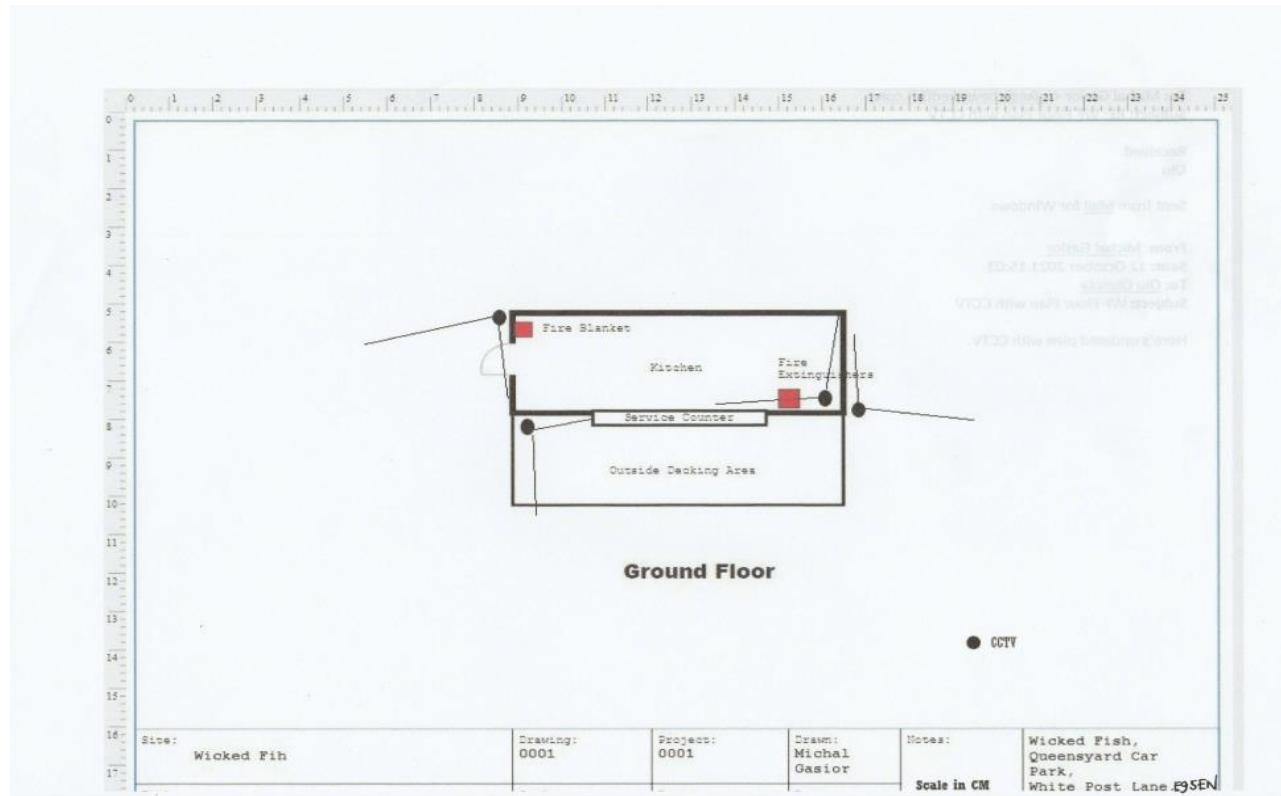
Annex 3 - Conditions attached after a hearing by the licensing authority

Not applicable

Annex 4 - Plans

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

22nd November 2021 (*Ground floor plan drawing number 0001.*)





Part B - Premises licence summary

Premises licence number

147703

Premises details

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

Wicked Fish
Queens Yard
White Post Lane

Post town

London

Post code

E9 5EN

Telephone number

Tel: [REDACTED]

Email: [REDACTED]

Where the licence is time limited the dates

N/A

Licisable activities authorised by the licence

The provision of late-night refreshment

The times the licence authorises the carrying out of licensable activities

Late Night Refreshment

Sunday to Thursday from 23:00hrs -01:00hrs
Friday to Saturday from 23:00 - 04:00hrs

Non-standard timing

Christmas Eve and New Year's Eve
Christmas Eve and Christmas Day 23:00 hours to 05:00 hours
New Years Eve 23:00 hours to 05:00 hours

	(the day following), New Year's Day 23:00 hours to 05:00 hours
The opening hours of the premises	Sunday to Thursday from 06:00hrs -01:30hrs Friday to Saturday from 06:00 - 04:30hrs Non-standard timing Christmas Eve and Christmas Day 23:00 hours to 05:00 hours New Years Eve 23:00 hours to 05:00 hours (the day following), New Year's Day 23:00 hours to 05:00 hours
Name, (registered) address of holder of premises licence	Wicked Fish Ltd 19 Mallard Close Hackney Wick London E9 5JL
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)	13463506
Name of designated premises supervisor where the premises licence authorises for the supply of alcohol	N/A
State whether access to the premises by children is restricted or prohibited	No restrictions

Appendix 2



Tower Hamlets
Application to vary a premises licence
Licensing Act 2003

For help contact
licensing@towerhamlets.gov.uk
Telephone: 020 7364 5008

* required information

Section 1 of 18

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

System reference

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

Your reference

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

Are you an agent acting on behalf of the applicant?

Yes No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Is the applicant:

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

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

Applicant Business

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

Yes

No

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

Registration number

Business name

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

VAT number

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

Legal status

Continued from previous page...

Applicant's position in the business	DIRECTOR	
Home country	United Kingdom	The country where the applicant's headquarters are.
Registered Address		Address registered with Companies House.
Building number or name	19	
Street	MALLARD CLOSE	
District	HACKNEY WICK	
City or town	LONDON	
County or administrative area		
Postcode	E9 5JL	
Country	United Kingdom	

Agent Details

* First name	OLU	
* Family name	OLUSOLA	
* E-mail	[REDACTED]	
Main telephone number	[REDACTED]	Include country code.
Other telephone number	[REDACTED]	

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.

Your Address

* Building number or name	[REDACTED]	Address official correspondence should be sent to.
* Street	[REDACTED]	
	[REDACTED]	
* City or town	[REDACTED]	
County or administrative area	[REDACTED]	
* Postcode	[REDACTED]	
* Country	United Kingdom	

Continued from previous page...

Section 2 of 18

APPLICATION DETAILS

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

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number 147703

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 WICKED FISH
Street QUEENSYARD
District WHITE POST LANE
City or town LONDON
County or administrative area TOWER HAMLETS
Postcode E9 5EN
Country United Kingdom

Premises Contact Details

Telephone number [REDACTED]
Non-domestic rateable value of premises (£) 30,000

Section 3 of 18

VARIATION

Do you want the proposed variation to have effect as soon as possible? Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

Continued from previous page...

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

Describe Briefly The Nature Of The Proposed Variation

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

1. THE SUPPLY OF ALCOHOL FOR CONSUMPTION ON & OFF THE PREMISES: SUNDAYS - THURSDAYS: 12:00 - 00:00 HRS, FRIDAYS & SATURDAYS: 12:00 - 01:00 HRS
2. REMOVAL OF CONDITIONS Nos.5 & No. 8
3. CONDITION No.9 TO BE AMENDED TO: 1 No SIA DOOR SUPERVISOR SHALL BE EMPLOYED ON THE PREMISES FRIDAYS & SATURDAYS.

Section 4 of 18

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

- Yes No

Section 5 of 18

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

- Yes No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes No

Section 8 of 18

Continued from previous page...

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

Yes No

Section 9 of 18

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

Yes No

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

Yes No

Section 11 of 18

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

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes No

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes No

Section 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Provide 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.

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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.

Continued from previous page...

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

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

SAME AS ON THE EXISTING LICENCE

Section 14 of 18

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.

Provide 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.

N/A

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Provide 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.

Start

End

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

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 above, list below.

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

SAME AS IN EXISTING LICENCE

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

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

PREMISES LICENCE IS ATTACHED

Section 16 of 18

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.

Continued from previous page...

The Premises will continue to comply with the conditions on the existing licence and any proposed conditions by any of the responsible authorities for the promotion of the licensing objectives.

We also proposed the removal of conditions preventing the sale of alcohol and request for the amendment of the condition on the employment of Door Supervisor.

It is to be noted that, SIA Registered Door Supervisors are employed to patrol the entire Queensyard on normal and event days.

b) The prevention of crime and disorder

A CCTV shall be installed inside and outside the premises. The Camera will cover both the internal and external parts of the premises. Recording must be constant and kept for a minimum of 31 days the dates and time settings on the CCTV must be correct. A trained member of Staff will be on duty to operate the system whenever the premises is open. A signage will be displayed at the premises reminding customers of the presence and recording of a CCTV System. A Door Supervisor shall be employed to oversee orderliness and exercise control at the premises, especially on event days to ensure prompt service delivery. Management will ensure staff members are adequately trained on anti-violent strategies to prevent disorderly conduct, or any kind of anti-social behavior.

c) Public safety

The premises and the surrounding areas of the Queensyard will be patrolled by door supervisors to ensure safety and comfort of patrons and guests.

d) The prevention of public nuisance

Prominent notices will be displayed near the exit routes requesting customers to leave promptly and quietly. Customers will be reminded to have respect for the neighbors of other adjoining business premises.

Incident record book shall continue to be kept and maintained on the premises.

e) The protection of children from harm

A 'Challenge 25' shall be adopted as the age verification policy at the premises. The premises will not allow unaccompanied children on the premises. Any unaccompanied child below 16 will not be served after 9pm. refusals shall be documented and record of refusals will record the date, time of refusal, and the name of the staff that refused the sale. Training records shall be kept on the premises and made available on request by the Police and apremises, the premises will not allow unaccompanied children on the premises. Any unaccompanied child below 16 will not be served after 9pm. refusals shall be documented and record of refusals will record the date, time of refusal, and the name of the staff that refused the sale. Training records shall be kept on the premises and made available on request by the Police and authorized officers of the Licensing Authority.

Section 17 of 18

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 18 of 18

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.

Variation 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 £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 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 - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

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

* Fee amount (£)

190.00

DECLARATION

Continued from previous page...

I/WE UNDERSTAND THAT IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

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

OLU OLUSOLA

* Capacity

AGENT

* Date

06 / 08 / 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/change-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, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

OFFICE USE ONLY

Applicant reference number

[]

Fee paid

[]

Payment provider reference

[]

ELMS Payment Reference

[]

Payment status

[]

Payment authorisation code

[]

Payment authorisation date

[]

Date and time submitted

[]

Approval deadline

[]

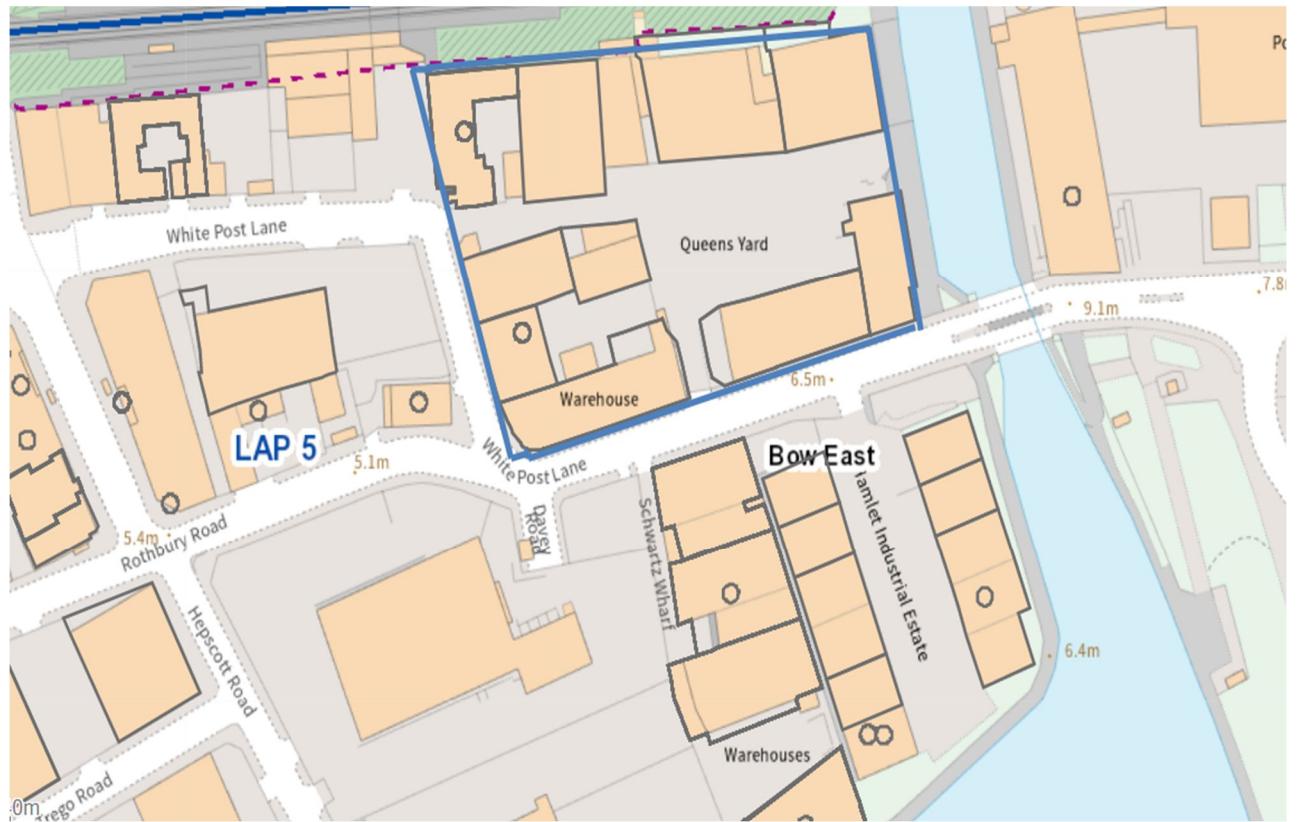
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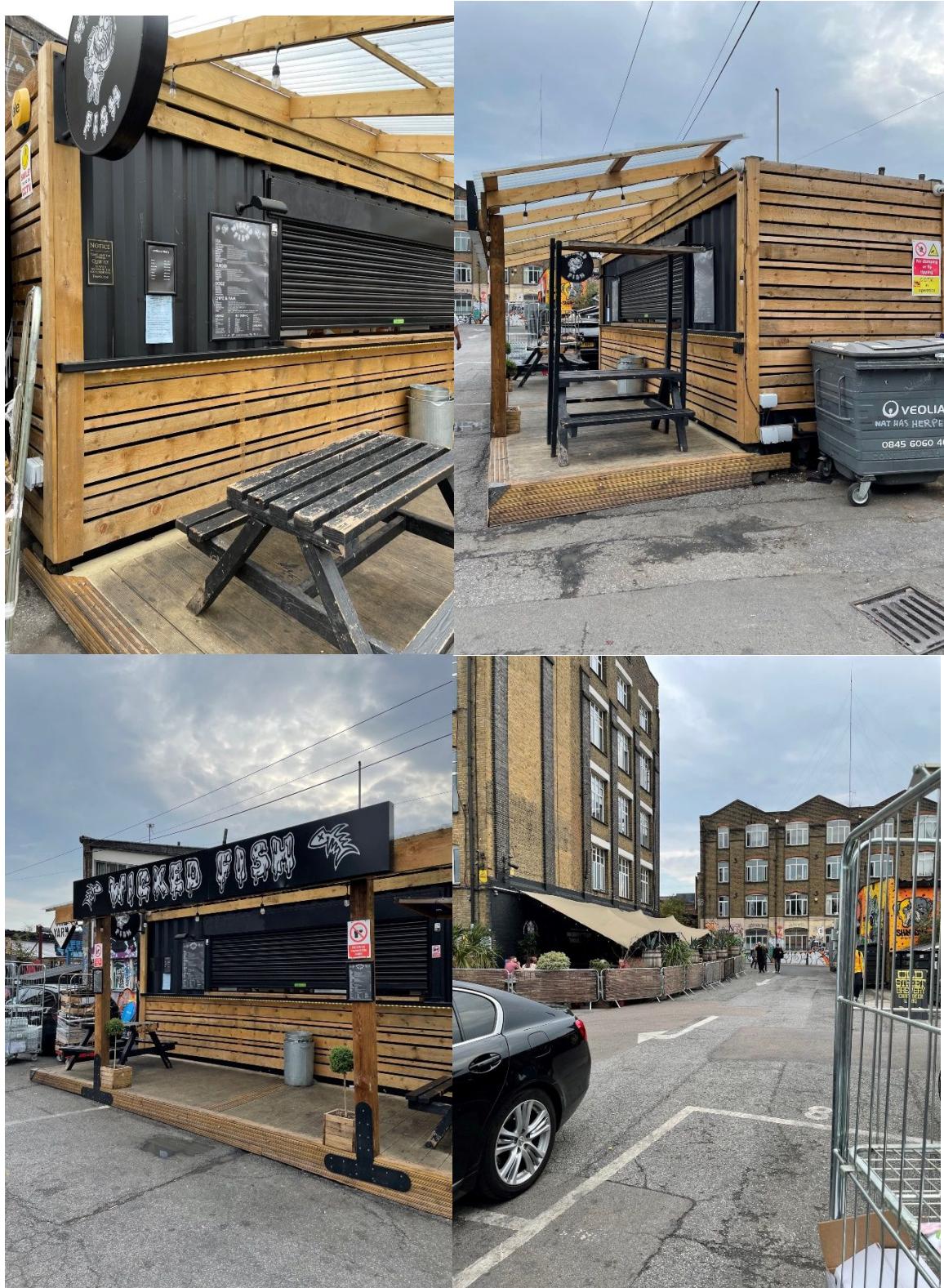
Appendix 3

Wicked Fish -Queens Yard White Post Lane E9 5EN – Map of surrounding area



Appendix 4

Wicked Fish Queens Yard White Post Lane E5 5EN - Photographs showing vicinity of the venue



Appendix 5

(Wicked Fish) Queens Yard - Nearby licensed premises

Name and address	Licensable activities	Opening times
Crate Bar & Pizzeria) White Building Unit ,7 Queens Yard White Post Lane London E9 5EN	<p>The times the licence authorises the carrying out of licensable activities</p> <p>Sale by retail of alcohol (on and off sales)</p> <ul style="list-style-type: none"> • Monday to Wednesday, from 09:00 hours to 23:30 hours • Thursday to Sunday, from 09:00 hours to 01:30 hours the following days <p>The provision of late night refreshment – Indoors</p> <ul style="list-style-type: none"> • Monday to Wednesday, from 23:00 hours to 23:30 hours • Thursday to Sunday, from 23:00 hours to 01:30 hours the following days <p>The provision of regulated entertainment – Indoors and outdoors</p> <p>Plays, Films,</p> <ul style="list-style-type: none"> • Monday to Wednesday, from 09:00 hours to 00:00 hours (midnight) • Thursday to Sunday, from 09:00 hours to 02:00 hours the following days <p>Live Music, recorded music (outside only until 21:00 hours)</p> <ul style="list-style-type: none"> • Monday to Wednesday, from 09:00 hours to 00:00 hours (midnight) • Thursday to Sunday, from 09:00 hours to 02:00 hours the following days <p>Performance of dance</p> <ul style="list-style-type: none"> • Monday to Wednesday, from 09:00 hours to 23:30 hours • Thursday to Sunday, from 09:00 hours to 01:30 hours the following days <p>On and off sales</p>	<ul style="list-style-type: none"> • Monday to Wednesday, from 09:00 hours to 00:00 hours (midnight) • Thursday to Sunday, from 09:00 hours to 02:00 hours the following days

(Wicked Fish) Queens Yard - Nearby licensed premises

<p>Gorilla Technologies Ltd Unit 4a, Queens Yard 43 White Post Lane London E9 5EN</p>	<p>The sale by retail of alcohol Monday to Sunday from 08:00 hours to 00:00 hours Off sales only</p>	Monday to Sunday from 08:00 hours to 00:00 hours
<p>(Colour Factory) Unit 8a, Queens Yard White Post Lane London E9 5EN</p>	<p>The sale by retail of alcohol The provision of regulated entertainment (consisting of plays, films, indoor sporting events, performance of dance, live & recorded music & anything of similar description) The provision of late night refreshment The sale by retail of alcohol (on & off sales) <ul style="list-style-type: none"> • Monday to Thursday 09:00 hours to 23:00 hours • Friday & Saturday 09:00 hours to 03:30 hours the following day • Sunday 09:00 hours to 00:00 hours (midnight) <p>The provision of late night refreshment – Indoors and outdoors</p> <ul style="list-style-type: none"> • Friday and Saturday, from 23:00 hours to 02:00 hours the following day <p>The provision of regulated entertainment <u>(Plays, Performances of Dance) – indoors</u></p> <ul style="list-style-type: none"> • Monday to Thursday 09:00 hours to 23:30 hours • Friday & Saturday 09:00 hours to 04:00 hours (the following day) • Sunday, from 09:00 hours to 00:00 hours (midnight) <p><u>(Films) - indoors</u></p> <ul style="list-style-type: none"> • Monday to Thursday 09:00 hours to 23:30 hours • Friday & Saturday, from 09:00 hours to 04:00 hours the following day </p>	<ul style="list-style-type: none"> • Monday to Thursday 09:00 hours to 23:30 hours • Friday & Saturday 09:00 hours to 04:00 hours (the following day) • Sunday, from 09:00 hours to 00:00 hours (midnight) <p>Non-standard timings: For the 20 occasions per year for Live music, recorded Music, later night refreshment until 02:30 am, closing at 03:00 am, including the New Year's Eve closing at 04:00 am that the Police and Environmental Health are informed of each of these events at least 10 working days before they occur, so that they may consider each event, and if there is any reason to believe that the Licensing Objectives will not be met, have the right to refuse an event.</p>

(Wicked Fish) Queens Yard - Nearby licensed premises

	<ul style="list-style-type: none">• Sunday 09:00 hours to 00:00 hours (midnight) <p><u>(Indoor Sporting Event)</u></p> <ul style="list-style-type: none">• Monday to Thursday, from 09:00 hours to 23:30 hours• Friday & Saturday 09:00 hours to 04:00 hours (the following day)• Sunday, from 09:00 hours to 00:00 hours (midnight) <p><u>Live Music & Recorded Music (indoors & outdoors) – Live music cease 23:00 hours outside)</u></p> <ul style="list-style-type: none">• Monday to Thursday 09:00 hours to 23:30 hours• Friday & Saturday 09:00 hours to 04:00 hours (the following day)• Sunday 09:00 hours to 00:00 hours (midnight) <p><u>Anything of a similar description to Live Music, Recorded Music or Performance of Dance – indoors and outdoors</u></p> <ul style="list-style-type: none">• Monday to Thursday 09:00 hours to 23:30 hours• Friday & Saturday 09:00 hours to 04:00 hours (the following day)• Sunday, from 09:00 hours to 00:00 hours (midnight) <p><u>Non-standard timings:</u></p> <ul style="list-style-type: none">• For the 20 occasions per year for <u>Live music, recorded Music, late night refreshment</u> until 02:30 hours the following day, closing at 03:00 hours the following day, including the New Year's Eve closing at 04:00 hours the following day that the Police and Environmental Health are informed of each of these events at least 10 working days before they occur, so that they may consider each event, and if there is any reason to believe that the Licensing	
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(Wicked Fish) Queens Yard - Nearby licensed premises

	<p>Objectives will not be met, have the right to refuse an event.</p> <p>On and off sales</p>	
Old Street Brewery) Unit 1, Queens Yard White Post Lane Hackney Wick	<p>The sale by retail of alcohol – On and off sales</p> <ul style="list-style-type: none"> Monday to Sunday, from 10:00 hrs to 00:00 hrs (midnight) <p>The provision of late-night refreshments – Indoors and outdoors</p> <ul style="list-style-type: none"> Sunday to Wednesday, from 23:00 hrs to 23:30 hrs Thursday to Saturday, from 23:00 hrs to 00:00 hrs (midnight) <p>The provision of regulated entertainment – Indoors and outdoors (Recorded Music only)</p> <ul style="list-style-type: none"> Sunday to Wednesday, from 10:00 hrs to 00:00 hrs (midnight) Thursday to Saturday, from 12:00 hrs to 00:30 hrs the following day <p>On and off sales</p>	<ul style="list-style-type: none"> Sunday to Wednesday, from 10:00 hrs to 00:00 hrs (midnight) Thursday to Saturday, from 10:00 hrs to 00:30 hrs the following day
(The Brewshed) Unit 14A Queens Yard 43 White Post Lane London E9 5EN	<p>The Supply of Alcohol (both on and off premises)</p> <ul style="list-style-type: none"> Sunday to Thursday from 09:00hrs to 23:30hrs Friday to Saturday from 09:00hrs to 00:30hrs (the following day) <p>Late Night Refreshment (indoors)</p> <ul style="list-style-type: none"> Sunday to Thursday from 23:00hrs to 23:30hrs Friday to Saturday from 23:00hrs to 00:30hrs (the following day) <p>Regulated Entertainment in the form of Plays (indoors) the Provision of Films (indoors), the Provision of Indoor Sporting Events (indoors) the Provision of Live Music (indoors), the Provision of Recorded Music (indoors)</p>	<ul style="list-style-type: none"> Sunday to Thursday from 09:00hrs to 00:00hrs midnight) <p>Friday to Saturday from 09:00hrs to 01:00hrs (the following day)</p>

(Wicked Fish) Queens Yard - Nearby licensed premises

	<p>and Provisions of Performance of Dance</p> <ul style="list-style-type: none"> • Sunday to Thursday from 09:00hrs to 23:00hrs • Friday to Saturday from 09:00hrs to 00:00hrs (midnight) <p>Non-Standard Timings</p> <ul style="list-style-type: none"> • The premises can have 25 non-standard timings a year. These timings will extend the licensed hours to 02:00 <p>On and off sales</p>	
<p>The Yard Theatre) Unit 2a Queens Yard White Post Lane London E9 5EN</p>	<p><u>The supply of alcohol (on sales only)</u></p> <ul style="list-style-type: none"> • Sunday to Wednesday from 12:00hrs (midday) to 00:00hrs (midnight) • Thursday from 12:00hrs (midday) to 02:00hrs (the following day) • Friday to Saturday from 12:00hrs (midday) to 03:00hrs (the following day) <p><u>The provision of regulated entertainment in the form of plays (indoors), films (indoors), performances of dance (indoors)</u></p> <ul style="list-style-type: none"> • Monday to Sunday from 12:00hrs (midday) to 23:00hrs <p><u>The provision of regulated entertainment in the form of live music (indoors), recorded music (indoors)</u></p> <ul style="list-style-type: none"> • Sunday to Wednesday from 18:00hrs to 00:00hrs (midnight) • Thursday from 18:00hrs to 02:00hrs (the following day) • Friday to Saturday from 18:00hrs to 03:00hrs (the following day) <p><u>The provision of late night refreshment</u></p> <ul style="list-style-type: none"> • Sunday to Wednesday from 23:00hrs to 00:00hrs (midnight) • Thursday from 23:00hrs to 02:00hrs (the following day) • Friday to Saturday from 23:00hrs to 03:00hrs (the following day) 	<ul style="list-style-type: none"> • Sunday to Wednesday from 12:00hrs (midday) to 00:00hrs (midnight) • Thursday from 12:00hrs (midday) to 02:00hrs (the following day) • Friday to Saturday from 18:00hrs to 03:00hrs (the following day) <p>Non-Standard Times</p> <ul style="list-style-type: none"> • 40 nights per year opening times and licensable activities extended until 6am

(Wicked Fish) Queens Yard - Nearby licensed premises

	<p><u>Non-Standard Times (supply of alcohol, late night refreshment and recorded music only)</u></p> <ul style="list-style-type: none"> • 40 nights per year opening times and licensable activities extended until 6am • On sales only 	
<p>(O'Donnell Moonshine Ltd) Unit 9C (I) 2nd Floor Queens Yard 43 Whitepost Lane London E9 5EN</p>	<p>The sale by retail of alcohol Monday to Friday from 10:00 hours to 19:00 hours</p> <p>Off sales only</p>	The premises are closed to the public
<p>(O'Donnell Moonshine Ltd) Unit 9C (F) Queens Yard White Post Lane London E9 5EN</p>	<p>Sale by retail of alcohol (off sales)</p> <ul style="list-style-type: none"> • Monday to Friday, from 10:00 to 18:30 	The premises are closed to the public
<p>Howling Hops Unit 9 Queens Yard White Post Lane London E9 5EN</p>	<p>The sale by retail of alcohol The provision of regulated entertainment</p> <p><u>The Supply of Alcohol (both on and off premises)</u></p> <ul style="list-style-type: none"> • Sunday to Thursday from 12:00hrs (midday) to 23:00hrs • Friday to Saturday from 12:00hrs Midday to 01:30hrs <p><u>Provision of Regulated Entertainment:</u> <u>Plays, Films, Indoor Sporting Events,</u> <u>Live Music (indoors), Recorded Music (indoors), Performance of Dance,</u> <u>Anything of a similar Description</u></p> <ul style="list-style-type: none"> • Sunday to Thursday from 12:00hrs (midday) to 23:00hrs • Friday and Saturday from 12:00hrs (midday) to 01:30hrs <p><u>The Provision of Late Night Refreshments</u></p> <ul style="list-style-type: none"> • Friday and Saturday 23:00hrs – 0200hrs <p>On and off sales</p>	<ul style="list-style-type: none"> • Sunday to Thursday from 12:00hrs to 23:30hrs • Friday to Saturday from 12:00hrs to 02:00hrs (the following day)

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 vexatious or frivolous 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



Tom Lewis
Head of Licensing
Tower Hamlets Council

HT - Tower Hamlets Borough

Licensing Office
Shoreditch Police Station

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

16th August 2022

Dear Sir,

Central East Police Licensing formally object to the application to vary the license of Wicked Fish, on the grounds of preventing crime and disorder and public nuisance.

The premises is situated in Queens Yard in Hackney Wick, an area of increasing crime, disorder and public nuisance as the area has grown in popularity as a night time destination. Many of the problems are located around Hackney Wick Overland Station close to where Wicked Fish are situated.

The problems include with people congregating taking nitrous oxide, playing loud music and causing nuisance. Police believe that if the premises is allowed to sell alcohol it will be bought by people who are causing the above problems, who will then be more likely to engage in alcohol related crime and disorder as they become more intoxicated and their decision making skills and awareness of others are reduced.

We also have concerns that customers will take alcohol purchased from Wicked Fish late at night and go and drink the alcohol close to one of the numerous residential areas causing alcohol related nuisance and anti-social behaviour to residents.

We also have concerns that people queuing to get into venues in Queens Yard will purchase alcohol from the venue in an attempt to “pre-load with alcohol”, prior to entering the late night venues.

With so many residential premises and families moving into the area, and an increasing problems with alcohol related crime, disorder and nuisance in the area, to allow a premises to sell alcohol primarily to people who have already consumed or are going to

consume alcohol will in the opinion of the Police lead to an increase in crime and disorder.

We therefore object to this application.

Kind Regards

Mark



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

Appendix 8

Wicked Fish
Queensyard Whitepost
Lane
London E9 5EN

23rd August 2022
Ref. M/A 151866

[REDACTED]
Attention: Mark. J. Perry
Shoreditch Police Station
Central East Police Licensing.

Dear Sir,

**APPLICATION TO VARY PREMISES LICENCE – WICKED FISH, QUEENSYARD WHITEPOST
LANE LONDON E9 5EN: RESPONSE TO POLICE OBJECTION.**

This to acknowledge the receipt of your letter dated 16th of August 2022, regarding the objection to the above-named application on the following grounds:

- Prevention of Crime and disorder.
- Public Nuisance.

It is to be appreciated that Wicked Fish specialises in the sale of Sea Foods, including Fish, Lobsters, Oysters, Burgers, & Chips. The Food is sold for Eat-in and Take Away.

Presently, the existing Premises Licence allows for the Sale of Late-Night Refreshment on Sundays to Thursdays 23:00 to 01:00 Hrs, Fridays – Saturdays 23:00 to 04:00 Hrs. The opening times of the premises are: Sunday to Thursday 06:00 -01:30 Hrs, Friday – Saturday 06:00 – 04:30Hrs.

The application to Vary the Premises Licence was to include the Supply of Alcohol for On & Off-Site Consumption:

Sunday – Thursday 12:00 – 00:00 Hrs

Friday – Saturday 12:00 – 00:01 Hrs

The application also seeks to remove the **Conditions Nos 5 & 8**; disallowing the consumption of alcohol and the display of signage for alcohol to be consumed on the premises. Condition No.9 will also be amended accordingly.

We appreciate the concerns of the police regarding increase of crime & disorder as well as congregation of people taking nitrous oxide, playing loud music and causing nuisance; however, alcohol will not be sold to trouble makers, and people engaged in anti-social behaviour.

It is pertinent to note that there are other premises allowed to sell alcohol in the Queensyard area and these premises do sell alcohol into the late hours. In order to address the concerns of people queuing to get into venues in Queensyard and purchasing alcohol for “Pre-load” purposes, we have included some conditions which will adequately address all these concerns including the sale of alcohol to those who are already drunk.

To further promote the Licensing Objectives of Crime and disorder and The Prevention of Public Nuisance, The Operating Schedule has been amended as follows:

The Supply of Alcohol by Retail for On-Site Consumption only
Monday – Sunday 12:00 – 23:00 Hrs.

The following conditions are hereby proposed:

1. Intoxicating liquor shall not be supplied on the premises other than to persons taking table meals there and for consumption by such a person as an ancillary to their meal.
2. Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available for consumption with or otherwise as an ancillary to meals served on the premises.
3. No vertical drinking on the premises
4. Sales of alcohol will only be made when a personal licence holder is present at the premises.
5. All Staff members engage, or to be engaged in selling alcohol on the premises shall receive full training pertinent to the Licensing Act, specifically in regard to Age Restricted Sales, and the refusal of sales to persons believed to be under the influence of alcohol or drugs.
6. All such training is to be fully documented and signed by not only the employee but the person delivering the training. Training records shall be kept at the premises and made available upon request to either the Police Officers or an authorised officer of Tower Hamlets Council.
7. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale, and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of Tower Hamlets Council at all times whilst the premises is open.
8. A "Challenge 25" Proof of Age Scheme shall be operated at the premises where the only acceptable forms of identification are; recognised photographic identification cards, such as driving licence, passport or proof of age card with PASS Hologram.
9. Signage advertising the aforementioned proof of age scheme shall be prominently displayed throughout the premises with a particular emphasis on the alcohol display and the service areas.

It is to be noted that the type of alcohol to be supplied on the premises include; light beer, sparkling and house wines, and prosecco. Spirits will not be sold.

I hope the above adequately addresses your concerns regarding the prevention of crime and disorder and prevention of public nuisance. We are receptive to any additional conditions which may further promote the licensing objectives.

Thanking you in anticipation for your kind consideration.

Yours sincerely,

Olu Olusola
For: Wicked Fish

Lavine Miller-Johnson

From: [REDACTED] 07 October 2022 08:53
To: [REDACTED]
Cc: Corinne Holland; [REDACTED]
Subject: RE: Application to Vary Premises Licence - Wicked Fish Queensyard, Whitepost Lane London E9 5EN

Hi Olu,

Thanks for your response and I have considered it but sadly it has not satisfied the considerable concerns we have.

You say that alcohol will only be for people taking a meal at a table, and allow no vertical drinking but you have offered no detailed plans as to how you will enforce this, this is of concern as when we have done visits to Queens Yard, most of your customers have purchased food and eaten them either standing up in queens yard or made their way with their food out of Queens Yard, we fear this will be the same with alcohol.

We have concerns that the premises has no ability to enforce that alcohol would be for customers sitting down as you have not offered a SIA security condition, which would demonstrate that the venue was serious about making sure its customers only consumed alcohol while seated.

Sadly the concerns we have about increasing levels of ASB and alcohol related crime and disorder in the area and the risks of having this premises selling alcohol have not been met, either in the original application or in your supporting document. Especially when we consider the serious assault that took place recently.

Kind Regards

Mark



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

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



METROPOLITAN
POLICE

I stand for Professionalism,
Compassion, Integrity,
Courage and Respect

NOT IN MY Met

CTRL+CLICK TO
REPORT WRONGDOING

From: Olugbemiga Olusola [REDACTED]
Sent: 05 October 2022 15:46
To: Perry Mark J - CE-CU [REDACTED]
Cc: Corinne Holland [REDACTED]
Subject: FW: Application to Vary Premises Licence - Wicked Fish Queensyard, Whitepost Lane London E9 5EN

Dear PC Mark,
Hope this e-mail finds you well.
We are yet to receive a response from you regarding police representation to the above named application.
We will be obliged if you can respond with your comments regarding the amendment to the application.
Thanking you in anticipation for your consideration.
Kind regards,
Olu Olusola

For: Wicked Fish
Sent from [Mail](#) for Windows

From: [Olugbemiga Olusola](#)
Sent: 31 August 2022 14:17
To: [REDACTED]
Cc: [Licensing](#)
Subject: Application to Vary Premises Licence - Wicked Fish Queensyard, Whitepost Lane London E9 5EN

Dear PC Mark,
Please find attached the response to your objection regarding the above named premises.
Thanking you in anticipation.
Regards,
Olu Olusola
For: Wicked Fish

Sent from [Mail](#) for Windows

NOTICE - This email and any attachments are solely for the intended recipient and may be confidential. If you have received this email in error, please notify the sender and delete it from your system. Do not use, copy or disclose the information contained in this email or in any attachment without the permission of the sender. Metropolitan Police Service (MPS) communication systems are monitored to the extent permitted by law and any email and/or attachments may be read by monitoring staff. Only specified personnel are authorised to conclude binding agreements on behalf of the MPS by email and no responsibility is accepted for unauthorised agreements reached with other personnel. While reasonable precautions have been taken to ensure no viruses are present in this email, its security and that of any attachments cannot be guaranteed.

12/10/2022

Dear PC Mark,

Thank you for your response.

In order to address your concerns regarding the enforcement of 'No Vertical drinking' and ensuring customers purchasing alcohol do sit and consume alcohol with their meals; It is to be noted that the premises have sitting provisions for those who choose to sit and have their meals, as well as those purchasing meals for take-away purposes. This does not mean alcohol will be sold and allowed to be take away purposes.

It is also pertinent to note that **Condition No.9** on the existing Premises Licence, allows for the provision of 1 No Door Supervisor.

However, in my last letter It was indicated that this condition will be amended. The amendment proposed is as follows:

- *1 No SIA Door Supervisor Covering the seated area, shall ensure those purchasing alcohol is consumed with their meals when seated.*
- *The Door Supervisor shall ensure alcohol sold with food is not taken away from the premises.*

We do appreciate your concern relating to the issue of ASB in the area. Our understanding is that the issue of ASB usually Occurs during very late hours (1.30am upwards) and far away from the premises. It should be appreciated that this is an open yard with several other premises selling alcohol for on & off- site consumption. Since we are proposing alcohol to be sold for on-site consumption with table meals, the premises will not contribute or add to issues of ASB in the Queensyard area.

The hours sort on this premises is hereby further amended as follows:

Monday – Sunday 12:00 – 22:30 Hrs

In addition to the above, the premises has a plan in place to demarcate the areas with fixed temporary barriers to accommodate only Wicked Fish customers. This is to ensure only patrons of the premises is served, and properly monitored for consuming alcohol on the premises.

We hope the above addresses your concerns. Thanking you in anticipation for your consideration.
Kind regards,

Olu Olusola

For: Wicked Fish



Appendix 9

Anti-Social Behaviour on the Premises

Licensing Policy

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

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

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

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

Police Powers

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

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

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

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

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

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

Guidance Issued by the Office of Fair Trading

This relates to attempts to control minimum prices.

Other Legislation

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

Appendix 10

Access and Egress Problems

Such as:

Disturbance from patrons arriving/leaving the premises on foot

Disturbance from patrons arriving/leaving the premises by car

Lack of adequate car parking facilities

Close proximity to residential properties

Comment

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

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

General Advice

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

The hours of operation also need to be considered.

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

Licensing Policy

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

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

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

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

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

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

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

Licence conditions should not duplicate other legislation (1.16).

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

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

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

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

Appendix 11

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 12

Anti-Social Behaviour from Patrons Leaving the Premises

General Advice

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

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

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

Licensing Policy

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

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

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

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

Cumulative Impact

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

Police Powers

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

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

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

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

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

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

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

Other Legislation

Crime and Disorder Act 1998

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

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

Appendix 13

Planning

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

Appendix 14

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

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