



Licensing Sub Committee

Agenda

**Wednesday, 10 August 2022 at 2.00 p.m.
Committee Room 1, Town Hall, Mulberry Place, 5
Clove Crescent, London, E14 2BG**

Contact for further enquiries:

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

[The quorum for this body is 3 voting Members]

Contact for further enquiries:

Simmi Yesmin, Senior Democratic Services Officer,

simmi.yesmin@towerhamlets.gov.uk

020 7364 4120

1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, E14 2BG

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



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.

Meeting Webcast

The meeting is being webcast for viewing through the Council's webcast system.

<http://towerhamlets.public-i.tv/core/portal/home>

Electronic agendas reports and minutes.

Copies of agendas, reports and minutes for council meetings can also be found on our website from day of publication.

To access this, click www.towerhamlets.gov.uk/committee and search for the relevant committee and meeting date.

Agendas are available on the Modern.Gov, Windows, iPad and Android apps



Scan this QR code to view the electronic agenda



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

Wednesday, 10 August 2022

2.00 p.m.

APOLOGIES FOR ABSENCE

To receive any apologies for absence.

1. DECLARATIONS OF INTEREST (Pages 7 - 8)

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

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

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

2. RULES OF PROCEDURE (Pages 9 - 18)

To note the rules of procedure which are attached for information.

3. MINUTES OF THE PREVIOUS MEETING(S) (Pages 19 - 36)

To confirm as a correct record the minutes of the Licensing Sub-Committee held on 5th July 2022.

PAGE NUMBER	WARD(S) AFFECTED
------------------------	-----------------------------

4. ITEMS FOR CONSIDERATION



4.1 Application for a new Premise Licence for Flour & Flowers, 408 Hackney Road, London, E2 7AP

37 - 154

**Bethnal
Green West**

Licensing Objectives:

- Public Nuisance
- Crime & Disorder

Representations by:

- Local Resident(s)

4.2 Application for a New Premise Licence for Wilde by Staycity Aparthotel, 92 Middlesex Street, London, E1 7EZ

155 - 244

**Spitalfields
&
Banglatown**

Licensing Objectives:

- Public Nuisance
- Crime & Disorder

Representations by:

- Licensing Authority
- Environmental Health

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

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



This page is intentionally left blank

Agenda Item 1

DECLARATIONS OF INTERESTS AT MEETINGS– NOTE FROM THE MONITORING OFFICER

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

(i) Disclosable Pecuniary Interests (DPI)

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

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

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

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

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

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

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

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

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

Guidance on Predetermination and Bias

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

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

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

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

APPENDIX A: Definition of a Disclosable Pecuniary Interest

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

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

TOWER HAMLETS



LICENSING COMMITTEE

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

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

1. Interpretation

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

2. Composition of Sub-Committee

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

3. Procedure

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

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

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

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

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

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

4. Exclusions

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

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

Guidance for Licensing Sub-Committee Meetings.

(1) Attendance at Meetings.

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

(2) Licensing Sub-Committee Role and Membership.

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

Licensing Sub-Committee Webpages

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

The pages include:

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

(3) Access to Committee Papers.

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

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

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

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

(5) What can be circulated?

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

(6) How will the applications be considered?

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

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

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

(8) Queries on reports.

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

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

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

LICENSING SUB COMMITTEE HEARING PROCEDURE

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

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

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

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

This page is intentionally left blank

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE LICENSING SUB COMMITTEE

HELD AT 6.30 P.M. ON TUESDAY, 5 JULY 2022

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

Members Present:

Councillor Saied Ahmed (Chair)

Councillor Faroque Ahmed
Councillor Amin Rahman

Officers Present:

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

Representing applicants

	Item Number	Role
Lana Tricker	3.1	(Legal Representative)
Alberto Cuzziol	3.1	(Applicant)
Marcus Lavell	3.2	(Legal Representative)
Jasper Delamothe	3.2	(Applicant)
Bridget Okonkno	3.3	(Applicant)

Representing objectors

	Item Number	Role
Nicola Cadzow	3.1 & 3.3	(Environmental Health Officer)

Apologies

None

1. DECLARATIONS OF INTEREST

There were no declarations of interest made.

2. RULES OF PROCEDURE

The rules of procedure were noted.

3. ITEMS FOR CONSIDERATION

3.1 Application for a New Premises Licence for Redchurch Studio, 58 Redchurch Street, London E2 7DP

At the request of the Chair, Mr Mohshin Ali, Licensing Officer, introduced the report which detailed the application for a new premises licence for Redchurch Studio, 58 Redchurch Street, London E2 7DP. It was noted that representations had been made by Officers representing the Licensing Authority and Environmental Protection in relation to the prevention of public nuisance and the prevention of crime and disorder.

At the request of the Chair, Ms Lana Tricker, Legal representative acting on behalf of the Applicant explained that they were applying for a new premises licence, and further supporting documents had been submitted to give Members' assurance about the operation of the premises. It was noted that the applicant already operated the Redchurch Townhouse located next door and that guests from would be sleeping directly above the premises and therefore noise and disturbance will be a minimum and monitored. Ms Tricker highlighted that the premises was part of the Soho House Group and known for their impeccable reputation.

Ms Tricker drew the Sub-Committee's attention to the lack of representations from residents and to the fact that the Premises were small, with food and drinks on offer. Ms. Tricker explained that the Premises were not a restaurant. The Premises would not be open to the general public and would be open to members and their guests only. She then explained the membership process to the Sub-Committee, including the controls and rules on the members in the event of any improper behaviour. She told the Sub-Committee that the rules specifically prohibit disruption and intoxication.

It was noted that that although the Premises was not a restaurant, the Premises would be food-led, with alcohol being sold ancillary to food. There would be no drinks promotions, no promoters and no vertical drinking. Ms. Tricker had agreed conditions proposed by the responsible authorities, in the event that the application was granted. She also referred to the conditions contained within the supplemental report pack and confirmed that the applicant was content for those conditions to be imposed if the Sub-Committee were minded to grant the application.

Ms Tricker also highlighted the limited amount of smokers that be allowed outside the premises and having that as a condition. She stated that no complaints or objections had been received from the Police or residents and crime and disorder was not an issue. This was a small destination venue and therefore it was unlikely that patrons would be using the venue to load up on alcohol before going onto another premises.

She submitted that it was a well-run premises with an experienced operator, with high standards of operation, training for staff was in place, best practices agreed and dispersal policy in place, with good transport links and a

dedicated taxi service also available. Ms Tricker concluded by saying that it was a genuine members' club, the Soho Group had many premises and none had been reviewed. There was CCTV in place and they would operate a zero drug policy and, with the robust set of conditions offered, she was of the view that the premises would not negatively add to the area.

Members then heard from Ms Corinne Holland, Licensing Officer. She referred to her representation on pages 65-70, Notwithstanding the various conditions proposed by the applicant, she remained concerned that the licence, if granted, would add to the problems experienced within the CIZ. She was particularly concerned that the Premises would accommodate up to sixty patrons and sought to operate outside of framework hours. The Premises did not fall within the suggested exceptions to the CIZ and there was no mention within the operating schedule of the fact that the Premises were within the CIZ. Thus there were no additional conditions proposed at that time to deal with those concerns and therefore, adding to the existing concerns of public nuisance.

Members also heard from Ms Nicola Cadzow, Environmental Health Officer. She also had similar concerns about the impact of the Premises, particularly with regard to the later hours. She told the Licensing Sub-Committee there was the potential for noise breakout from access and egress and the possibility of patrons being in high spirits or intoxicated when they leave. She said she did not support the application as the premises would in her view negatively impact the area especially with residents living so close by. She acknowledged that the applicant had agreed to the three conditions that she had proposed but there would still be the potential likelihood of disturbance if the application was to be granted.

In response to questions the following was noted:

- That the capacity in total would be 60 including the indoor and outdoor seating.
- Concerns were raised as to how narrow the pavement was outside the premises and concerns raised if tables and chairs were placed outside – it was noted that tables and chairs and tables would be subject to a pavement licence and if not granted then no chairs and tables would be outside.
- That egress would be gradual and there would not be a mass exit by patrons.
- Alcohol would only be served by waiter/waitress service and only ancillary to a meal.
- That last orders would be made 20 minutes before closing time and last seating would be at 11pm allowing enough time for meals to be completed.
- That there had been no complaints in relation to the premises next door which was an even larger premises and that any form of anti-social behaviour would not be tolerated.
- That waste collection and deliveries would be collected and delivered as part of the waste collection service and delivery service for Redchurch Town House so there would be no additional impact.

Concluding remarks were made by all parties.

The Licensing Objectives

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

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

Consideration

The Sub-Committee considered an application by Soho House UK Ltd. for a new premises licence to be held in respect of Redchurch Studio, 58 Redchurch Street, London, E2 ("the Premises"). The application sought authorisation for the sale by retail of alcohol, regulated entertainment, and the provision of late night refreshment. The terminal hour for the various licensable activities was to be midnight Sunday to Thursday and 01:00 hours on Friday and Saturday.

Representations against the application were received from the Licensing Authority and from the Environmental Health Service. Their representations were based on the fact that the Premises are located within the Brick Lane CIZ and that the grant of the application would add to the existing problems within the CIZ. In particular, their representations were concerned with the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance. They asked that the application be refused.

The Sub-Committee heard from Lana Tricker, solicitor for the applicant. She drew the Sub-Committee's attention to the lack of representations from residents and to the fact that the applicant already operated the Redchurch Townhouse located next door. The Premises were small, with food and drinks on offer. Ms. Tricker explained that the Premises were not a restaurant. The Premises would not be open to the general public and that they would be open to members and their guests only. She explained the membership process to the Sub-Committee, including the controls on the members in the event of rowdy or inappropriate behaviour. She told the Sub-Committee that the rules specifically prohibit disruption and intoxication.

Whilst not a restaurant, the Premises would be food-led, with alcohol being sold ancillary to food. Ms. Tricker had agreed conditions proposed by the responsible authorities, in the event that the application was granted. She also referred to the conditions contained within the supplemental report pack and

confirmed that the applicant was content for those conditions to be imposed if the Sub-Committee saw fit to do so.

Corinne Holland on behalf of the Licensing Authority spoke to her representation. Notwithstanding the various conditions proposed by the applicant, she remained concerned that the licence, if granted, would add to the problems experienced within the CIZ. She was particularly concerned that the Premises would accommodate up to sixty patrons and sought to operate outside of framework hours. The Premises did not fall within the suggested exceptions to the CIZ and there was no mention within the operating schedule of the fact that the Premises were within the CIZ and thus there were no additional conditions proposed at that time to deal with those concerns.

Nicola Cadzow on behalf of the Environmental Health Service addressed the Sub-Committee with regard to her representation. She also had concerns about the impact of the Premises, particularly with regard to the later hours. She told the LSC there was the potential for noise breakout from access and egress and the possibility of patrons being in high spirits or intoxicated when they leave.

The Sub-Committee confirmed that the maximum number of patrons, including the outside area, was 60. There was discussion around the use of tables and chairs outside the premises as members were aware that the pavement was narrow. Ms. Tricker explained that the tables were about 50cm wide, they had permission from a neighbouring property to place them outside that property, and it would be subject in any event to a pavement licence. If that licence is not granted, then there will be no tables and chairs outside.

Members also queried dispersal and 'drinking-up time' given that the proposed terminal hour for all licensable activity was also the closing time of the Premises. Ms. Tricker stated that as the Premises operated in a restaurant style, it worked out. There was a winding-down of the premises, patrons were seated at tables and served by waiters and thus this had not been an issue. She confirmed that last orders would be taken twenty minutes before the terminal hour but that this was not applicable to all patrons. The last seating for customers on Friday and Saturday would be 23:00 hours. There were no issues with noise complaints.

The Sub-Committee heard brief concluding remarks. Ms. Holland noted that the CIZ had been implemented for a reason, the application was outside of the suggested exceptions to the Policy, and the onus was on the applicant to show that there would be no impact. Ms. Cadzow noted that the next-door premises already operated to 01:00 hours. Ms. Tricker told the Sub-Committee that alcohol consumption would be limited, especially if the membership condition was imposed. There had been substantial agreement in respect of conditions. The purpose of the CIZ was to promote the licensing objectives for residents and there had been no residential objections.

The application engages the licensing objectives of the prevention of public nuisance and the prevention of crime and disorder. The starting point for the Sub-Committee is the CIZ Policy. It applies where applicants seek

authorisation for the sale of alcohol or the provision of late night refreshment and paragraph 7 of Appendix 5 to the Statement of Licensing Policy states that the "...Policy will be strictly applied." The Policy details possible exceptions, such as:

- those with a capacity under 50 persons, operating within framework hours, and which sell alcohol and provide late night refreshment for consumption on the premises only, or for off-sales by delivery only, and have arrangements to prevent vertical drinking;
- non-alcohol led premises;
- where the applicant has surrendered a licence of similar premises which provides similar licensable activities within the CIZ.

The Sub-Committee agreed with the responsible authorities that the application fell outside of these exceptions. The Sub-Committee nonetheless considered that the objections could, to some extent, be met by the imposition of the agreed or proposed conditions. However, the Sub-Committee's concerns in respect of the outside area were not assuaged by the applicant. It considered that the use of the pavement risked impacting on the licensing objectives, in particular that of public safety given that the pavement outside the Premises was narrow. This might force the public to use the carriageway to walk upon and gave rise to the potential for conflict between patrons or staff and members of the public, particularly as patrons got up to leave or use the facilities. There was also the possibility that the tables and chairs attracted people, who might not be patrons, and who may engage with patrons, again potentially impacting upon the licensing objectives. Notwithstanding the agreement that the external area would not be used after 21:00 hours and that the use would be subject to a grant of the appropriate pavement licence in any event, the Sub-Committee considered that permitting the outside area to be used risked undermining the licensing objectives of the prevention of public nuisance and the prevention of crime and disorder.

The Sub-Committee's other main concern related to the proposed hours of operation. The Sub-Committee noted that the applicant operated the premises next door without complaint. As Ms. Holland noted in her written representation, however, that premises is a hotel. The Council's CIZ Policy also makes clear that the fact that an applicant operates other similar premises without complaint will not be considered exceptional.

Notwithstanding the submissions made by Ms. Tricker on behalf of the applicant, the Sub-Committee did not consider that the applicant had discharged the high burden upon it in this regard. Premises operating later in the night pose a greater risk of adding to the cumulative impact in the area, especially when leaving and entering an already saturated area. It is possible, for example, that patrons become victims of crime or that they remain in the area and visit other late-licensed premises, thereby risking adversely impacting on the licensing objectives. The Sub-Committee noted the membership rules referred to by Ms. Tricker; nonetheless, upon leaving the Premises, members and their guests will be outside of the direct control of the Premises' management.

Furthermore, one of the objectives of the CIZ is to protect residential amenity. Whilst Ms. Tricker correctly noted that there had been no representations from local residents, this was not a factor that the Sub-Committee considered added greater weight in favour of granting the application as sought. The Sub-Committee noted also that there were several premises operating in the immediate vicinity, some of which were already operating to later hours than framework hours. The Sub-Committee considered that this also gave rise to a greater possibility of adverse impact.

Having carefully considered the oral representations and the written material before it, the Sub-Committee was satisfied that the application could be granted, with amendments to the hours and some of the conditions, which would ensure that the grant would not add to the existing problems within the area. The conditions proposed and discussed during the course of the hearing would be imposed and the licence would be restricted to framework hours. The condition relating to the use of the outside area for consumption off the Premises and off-sales of alcohol have been removed in consequence of this decision.

Accordingly, the Sub Committee unanimously;

RESOLVED

That the application for a New Premises Licence for Redchurch Studio, 58 Redchurch Street, London E2 7DP be **GRANTED in part with conditions.**

Sale of alcohol (on-sales only)

Monday to Thursday	08:00 hours to 23:30 hours
Friday and Saturday	08:00 hours to 00:00 hours
Sunday	08:00 hours to 22:30 hours

The provision of late night refreshment

Monday to Thursday	23:00 hours to 23:30 hours
Friday and Saturday	23:00 hours to 00:00 hours

The provision of regulated entertainment (Live and recorded music - Indoors only)

Monday to Thursday	10:00 hours to 23:30 hours
Friday and Saturday	10:00 hours to 00:00 hours

Opening times

Sunday to Thursday	08:00 hours to 00:00 hours
Friday and Saturday	08:00 hours to 01:00 hours

Non-standard timings for all licensable activities from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Conditions

1. There shall be no more than seven smokers to be allowed to smoke outside the premise at any one time. No more than two guests at any one time will be allowed to smoke outside after 21:00 hours.

2. There shall be no vertical drinking of alcohol at the premises.
3. The CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum of 31 days.
 - a) A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained.
 - b) The system will comply with other essential legislation and all signs as required will be clearly displayed.
 - c) The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.
 - d) There shall be a designated member of staff who can download the images and present them on request by a police officer or other responsible authority with minimum delay
4. Notices shall be prominently displayed at ground floor exits requesting patrons to respect local residents and leave the premises and area quietly.
5. 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.
6. No music or amplified sound shall be generated on the premises to give rise to a nuisance to neighbouring residents.
7. Any person permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them
8. The area immediately outside the premises shall be swept and/or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
9. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
10. Waiter/waitress service shall be available throughout the premises at all times it is open to members of the public
11. Staff will monitor the patrons using any smoking area and ensure that they remain within the curtilage of the premises at all times.
12. The venue is to provide information on local taxi firms and transport links to patrons leaving the venue

13. A direct telephone for number for the manager at the premises shall be publicly available and displayed at all times the premises are open. This telephone number is to be made available to residents and businesses in the vicinity upon request.
14. A dispersal policy shall be put into effect and shall be available for inspection by the licensing authority and responsible authorities upon request
15. An incident log shall be kept at the premises and made available on request to an authorised officer of the Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - a) all crimes reported to the venue
 - b) all ejections of patrons
 - c) any complaints received concerning crime and disorder
 - d) any incidents of disorder
 - e) all seizures of drugs or offensive weapons
 - f) any faults in the CCTV system, searching equipment or scanning equipment
 - g) any refusal of the sale of alcohol
 - h) any visit by a relevant authority or emergency service.
16. The reception desk on the ground floor shall be staffed at all times the premises are in operation.
17. All windows and external doors shall be kept closed after 21:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons
18. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification such as a driving licence, passport or proof of age card with the PASS Hologram.
19. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
20. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an acoustic consultant who is a member of the Institute of Acoustics so as to ensure that no noise nuisance is caused to local residents or businesses. The operation panel of the noise limiter shall then be secured by a key or password to the satisfaction of officers from Environmental Health and access shall only be by persons authorised by the Premises Licence Holder. The limiter shall not be altered without prior agreement with Environmental Health. No alteration or modification to any existing sound system(s) should be effected without prior agreement of an authorised Officer of Environmental Health. No additional sound

generating equipment shall be used on the premise without being routed through the sound limiter device

21. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
22. No patrons or guests shall remain on the premises more than twenty minutes after the terminal hour for licensable activity.
23. Alcohol may only be sold for consumption to members of Soho House and Co. and their bona fide guests.
24. Tables and chairs shall not be placed on the public highway.

3.2 Application for a New Premise Licence for Oranj, Ground Floor, 14 Bacon Street E1 6LF

At the request of the Chair, Ms Corinne Holland, Licensing Officer, introduced the report which detailed the application for a new premises licence for Oranj, Ground Floor, 14 Bacon Street E1 6LF. It was noted that a representation had been made by the Licensing Authority in relation to the prevention of public nuisance and the prevention of crime and disorder. It was noted that it had a capacity for 50 persons and that 17 representations had been made in support of the premises.

It was noted that the blue poster advertising the application referred to another Borough. However it was accepted that the body of the text and contact details referred to Tower Hamlets and legal advice given that it was a minor mistake which did not invalidate the application or prevent the Sub-Committee from considering the application tonight.

At the request of the Chair Mr Marcus Lavell, Legal Representative on behalf of the Applicant, explained that this premises was not a chain or franchise store, but a sole passionate operator wanting to start up a small business. He said there were no objections from the responsible authorities, except for the Licensing Authority and which was based on policy. Conditions had been agreed with the Metropolitan Police. No residents had made representations against the application; and exceptionally, there were 17 representations in support of the application, and several of those had been made by residents living within the Brick Lane Cumulative Impact Zone (CIZ).

Mr. Lavell told the Sub-Committee that the applicant would be amenable to agreeing two of the conditions proposed by the Licensing Authority, namely requiring notices at smoking areas and for all staff authorised to sell alcohol to be authorised in writing by the DPS. He told the Sub-Committee that the applicant could not agree a condition requiring alcohol sales to be with a table meal, since the Premises would not operate as a restaurant, nor could he agree a condition prohibiting vertical drinking, as the Premises were very

small and the nature of the operation meant that some people would inevitably be standing. Ms Lavell assured Members that excessive alcohol consumption was not part of the business model and something that would not be tolerated.

Mr. Lavell referred to the possible policy exceptions that applied to the premises, and explained that the Premises fitted within those, and was an exception within those rules, except for vertical drinking. It was noted that the applicant only sought off-sales for home delivery, rather than takeaway, and was also agreeable to the inclusion of a condition, if the Sub-Committee saw fit, to impose a condition restricting the sale of alcohol to fine, natural wine.

He further explained that the Environmental Health had not raised any concern regarding public nuisance and nor did the Police on any crime and disorder issues and instead agreed to conditions with the applicant.

Mr Lavell concluded that the premises met the exceptions as stated in the policy, the premises had a capacity of 50 persons or less, on sales of alcohol only and any off sales was for delivery only and no takeaway service. The hours were within the council framework hours with no sales of spirits, only natural fine wine.

Members then heard from Mr Mohshin Ali, Licensing Officer. He referred to his representation on page 144-147 of the agenda pack, and explained that one of the concerns had been the lack of any reference to the CIZ in the original application. He suggested that the Sub-Committee could include the restaurant condition if it saw fit, and explained that off-sales had been the other concern of the authority. He remained of the view that granting the application would still add to the impact on the area as people come and go from the area and from the Premises.

In response to questions the following was stated;

- The total capacity was made up of 20 persons seated and 30 persons standing.
- That there would be no drinking outside the premises and no off sales of alcohol would be made except for home delivery.

Concluding remarks were made by both parties.

The Licensing Objectives

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

The Prevention of Crime and Disorder;
Public Safety;

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

Consideration

The Sub-Committee considered an application by Tanner Provisions Ltd. for a new premises licence to be held in respect of Oranj, Ground Floor Bacon Street, London, E1 6LF ("the Premises"). The application sought authorisation for the sale by retail of alcohol for consumption on and off the Premises from 09:00 hours to 23:00 hours Monday to Thursday, from 09:00 hours to 23:30 hours on Friday and Saturday, and from 09:00 hours to 22:00 hours on Sundays. The application attracted one representation against it, which was from the Licensing Authority. There were seventeen representations in support of the application.

Marcus Lavell, on behalf of the applicant, told the Sub-Committee that there were no objections from the responsible authorities, save for the Licensing Authority. Conditions had been agreed with the Metropolitan Police. No residents had made representations against the application; exceptionally, there were a number of representations in support of the application, and several of those had been made by residents living within the Brick Lane CIZ. Mr. Lavell told the Sub-Committee that the applicant would be amenable to agreeing two of the conditions proposed by the Licensing Authority, namely requiring notices at smoking areas and for all staff authorised to sell alcohol to be authorised in writing by the DPS. He told the Sub-Committee that the applicant could not agree a condition requiring alcohol sales to be with a table meal, since the Premises would not operate as a restaurant, nor could he agree a condition prohibiting vertical drinking, as the Premises were very small and the nature of the operation meant that some people would inevitably be standing as they engaged with a sommelier. Excessive alcohol consumption was not part of the business model.

Mr. Lavell referred to the possible policy exceptions, and explained that the Premises fitted within those, save in respect of vertical drinking. The applicant only sought off-sales for home delivery, rather than takeaway, and was also amenable to the inclusion of a condition, if the Sub-Committee saw fit, to impose a condition restricting the sale of alcohol to fine, natural wine.

Mohshin Ali address the Sub-Committee on behalf of the Licensing Authority. He referred to his representation and explained that one of the concerns had been the lack of any reference to the CIZ in the original application. He suggested that the Sub-Committee could include the restaurant condition if it saw fit, and explained that off-sales had been the other concern of the authority. He remained of the view that granting the application would still add to the impact on the area as people come and go from the area and from the Premises.

None of those making supporting representations attended. Their representations were before the Sub-Committee. In brief, the representations indicated that the Premises would not add to public nuisance or crime and

disorder within the CIZ and that the Premises would bring a positive impact to the area.

Having considered the application and the representations made in respect of the Premises, the Sub-Committee considered that the applicant had discharged the burden of showing that there would be no negative impact. Although not food-led, the operation was not focused on excessive alcohol consumption but on the tasting experience. The confirmation that off-sales would be by delivery only also assisted to ensure that there would be no additional impact on the CIZ. The small capacity and the adherence to framework hours similarly assured the Sub-Committee that the Premises would not adversely impact on the CIZ, particularly with regard to the night-time economy. The fact that there were representations in support from people living within the CIZ also gave the Sub-Committee comfort that this was an appropriate exception to the CIZ. The Sub-Committee determined that imposing the Licensing Authority's suggested conditions that had been agreed would assist in the promotion of the licensing objectives, but that it was not appropriate or proportionate to impose the two disputed conditions, having regard to the impact this would have on the Premises. Similarly, the Sub-Committee considered that a condition restricting off-sales to delivery only would also promote the licensing objectives.

The application is therefore granted as sought and with the additional conditions indicated.

Accordingly, the Sub Committee unanimously;

RESOLVED

That the application for a New Premises Licence for Oranj, Ground Floor, 14 Bacon Street, London E1 6LF be **GRANTED with conditions.**

Sale of alcohol (on and off-sales)

Monday to Thursday	09:00 hours to 23:00 hours
Friday and Saturday	09:00 hours to 23:30 hours
Sunday	09:00 hours to 22:00 hours

Opening times

Monday to Thursday	09:00 hours to 23:30 hours
Friday and Saturday	09:00 hours to 00:00 hours
Sunday	09:00 hours to 22:30 hours

Conditions

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police Licensing Team.
2. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.

3. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
4. 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 officers throughout the entire 31-day period.
5. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide Police or authorised Council officers with copies of recent CCTV images or data with the absolute minimum of delay when requested.
6. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
7. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
8. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
9. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 50 persons.
10. A Challenge 25 proof of age schemes shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS hologram.
11. 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 the Council at all times whilst the premises is open.
12. An incident log shall be kept at the premises and made available on request to an authorised officer of the Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - all crimes reported to the venue;
 - all ejections of patrons;
 - any complaints received concerning crime and disorder;
 - any incidents of disorder;
 - any seizures of drugs or offensive weapons;

- any faults in the CCTV system, searching equipment or scanning equipment;
 - any refusal of the sale of alcohol;
 - any visit by a relevant authority or emergency service.
13. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and in full working order.
14. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
15. All sales of alcohol for consumption off the premises shall be by way of delivery only.
16. 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.
17. When the designated premises supervisor is not on the premises, any or all persons authorised to sell alcohol will be authorised by the designated premises supervisor in writing. This shall be available on request by the Police or any authorised officer.

3.3 Application for Temporary Event Notices for Lighthouse, 421 Wick Lane, London E9 2JG

At the request of the Chair, Ms Corinne Holland, Licensing Officer, introduced the report which detailed the applications for temporary event notice (TEN) for Lighthouse, 421 Wick Lane, London E9 2JG. It was noted that a counter notice had been received on behalf of Environmental Health in relation to the prevention of public nuisance. It was noted that four applications had been received, one of which was rejected as it was a late application, and the three remaining ones were for consideration. It was noted that all the TENs were for birthday parties.

It was agreed that all three applications would be considered together as the objections for all three were the same.

At the request of the Chair, Ms Nicola Cadzow, Environmental Health Officer, explained that there had been TENs given in the past. From and including the TEN held on 8th February 2022 there had been 6 complaints from two residents. During other TENs there had been 5 out of hours visits made to the premises, where reports of DJ's playing excessive loud music and people smoking and drinking outside the premises causing a nuisance and warning letters had been sent. On 13th March 2022, Officers were called out again and music could be heard 100 meters away from the premises and this noise was

above the traffic noise. However, when the applicant was approached the music was turned down.

Ms Cadzow concluded that there was a history of noise nuisance associated with the premises, there had been numerous complaints and she was of the view that the applicant could not operate the TENS responsibly.

Members then heard from Ms Bridget Okonkno-Onobevune. She said that in terms of noise she would try to minimise the noise and that when some visits were made by officers they were either closed or leaving the premises. She said that she only allowed 10 smokers to smoke outside the premises at any one time and never received any direct complaints. Ms Okonkno-Onobevune claimed that she tried her best to keep noise to a minimum. She claimed business was struggling due to the pandemic and urged members to grant the TENS.

In response to questions the following was noted;

- To help minimise the noise the applicant would install a noise limiter and would set an agreed limit in consultation with Environmental Health.
- There would be two SIA staff on duty, one person on duty at the door and one person who would patrol the area and the car park.
- The capacity of the premises was between 40-50 persons.
- That customers usually drove to the premises and that there was a free car park available after 7.30pm.
- That SIA staff make sure customers leave in small groups.

Concluding remarks were made by both parties

Consideration

The Sub-Committee considered an application by Bridget Okonkno-Onobevune (“the Applicant”) for three temporary event notices (TENS) to be held in respect of Lighthouse, 421 Wick Lane, London E3 2JG (“the Premises”).

The Sub Committee heard from Ms Cadzow regarding the noise complaints made at the premises, that there have been six complaints in the last four months and she didn't have any confidence in the licence holders ability to operate under the TENS. The Sub Committee also heard from Mrs Okonkno-Onobevune and she queried why the TEN on the 24th June had been allowed to proceed and told the Sub Committee that she had two security industry authorised staff in place and was willing to consider arranging for a sound limiter to be installed at the premises. The Licensing Sub Committee was concerned by the complaints, however most fell on the Sunday and only two complaints were substantiated, further these only came from two people. It was noted that the visit on the 13th March 2022, Mrs Okonkno-Onobevune dealt with the complaint promptly when told. The small number of complaints made the Sub Committee consider that the premises could operate in accordance to the TENS, therefore the decision in respect of each TEN is to

refuse to issue a counter notice but to impose all the conditions on the premises licence on all three TENS applied for.

Accordingly, the Sub Committee by a majority vote;

RESOLVED

That the application for a counter notice issued for the application for Temporary Event Notices for Lighthouse, 421 Wick Lane, London E3 2JG be **REFUSED and the TENS to be granted.**

10th to 11th July 2022 from 11:00 hours- 02:00 hours

23rd July 2022 from 00:30 hours – 02:30 hours

31st July to 1st August 2022 from 11:00 hours to 03:00 hours

The sale by retail of alcohol

The provision for late night refreshments

The provision of regulated entertainment

4. EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003

Nil items.

The meeting ended at 9.25 p.m.

Chair, Councillor Saied Ahmed
Licensing Sub Committee

This page is intentionally left blank

Agenda Item 4.1

Committee: Licensing Sub Committee	Date 10 August 2022	Classification Unrestricted	Report No.	Agenda Item No.
--	------------------------	---------------------------------------	------------	-----------------

Report of: David Tolley Head of Environmental Health & Trading Standards Originating Officer: Corinne Holland Licensing Officer	Title: Licensing Act 2003 Application for a new Premise Licence for Flour & Flowers, 408 Hackney Road, London, E2 7AP Ward affected: Bethnal Green West
--	--

1.0 Summary

Applicant: **Giada Botti**

Name and Address of Premises: **Flour & Flowers
408 Hackney Road
London
E2 7AP**

Licence sought: **Licensing Act 2003
Sale by retail of Alcohol (on & off sales)**

Objectors: **Residents/ Freeholder**

2.0 Recommendations

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

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

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

File
Section 182 Guidance
LBTH Licensing Policy

Corinne Holland
020 7364 3986

3.0 **Background**

3.1 This is an application for a new Premise Licence for Flour & Flowers, 408 Hackney Road, London, E2 7AP.

3.2 The applicant has described the premises as: A coffee and flower shop serving food on the premises and for takeaway. Would like to sell alcohol for consumption on the premises and bottles of wine to take away.

3.3 A copy of the application is shown in **Appendix 1**.

3.4 The hours applied for are as follows:

Sale of Alcohol (on & off sales)

Monday – Sunday 11:30 - 17:00 hours

Opening times

Monday – Sunday 08:00 – 17:00 hours

4.0 **Location and Nature of the premises**

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

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

4.3 Photographs of the premises are included in **Appendix 4**.

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

5.0 **Licensing Policy and Government Advice**

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

5.2 Relevant Sections of the policy are brought to the attention of Members within the Licensing Officers report.

5.3 The Home Secretary has issued Guidance under Section 182 of the Licensing Act 2003. This is available on the Government's website, www.homeoffice.gov.uk. It was last revised in April 2018.

5.4 Relevant Sections of this advice are brought to Members attention within the Licensing Officers report. Members should note however, that in some areas Tower Hamlets, after a proper consideration of local circumstances, has not followed the Government's advice, or has developed it further.

6.0 Representations

- 6.1 All representations have to meet basic legal and administrative requirements. If they fail to do so they cannot be accepted. When rejected the person sending in the representation must be written to, and an explanation for rejection given in writing.
- 6.2 A responsible authority or other person can make a representation. There are two tests for other persons and only one for a responsible authority. The two tests are contained in Section 18 of the Act.
- 6.3 All representations must be “about the likely effect of the grant of the premises licence on the promotion of the licensing objectives.” Likely means something that will probably happen, i.e. on balance more likely than not.
- 6.4 Representations by responsible authorities do not have to meet the second test of not being vexatious and frivolous. Other persons have to meet this test.
- 6.5 The Home Office recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation.
- 6.6 Section 182 Advice by the Home Office concerning relevant, vexatious and frivolous representations is attached as **Appendix 6**.
- 6.7 All the representations in this report have been considered by the relevant officer (Team Leader Licensing & Safety) and determined to have met the requirements of the Licensing Act 2003.
- 6.8 This hearing is required by the Licensing Act 2003, because relevant representations have been made by the following.
- C. Willis – **Appendix 7**
 - S. Milner (behalf of freeholder) – **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 Health
 - Home office (Immigration Enforcement)

- 6.10 In addition the application was required to be advertised in a local newspaper and by a blue poster. Only objections that relate to the following licensing objectives are relevant:
- the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm
- 6.11 The objections relate to:
- Public nuisance
 - Crime and Disorder
 - ASB
- 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. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly
2. The Licensee will have CCTV coverage at the premises (see fuller police agreed condition)
3. Challenge 25 proof of age scheme shall be operated at the premises (see police fuller condition)
4. A record shall be kept detailing all refused sales of alcohol. (see fuller police condition)

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/finds of drugs or offensive weapons;
 - f) any faults in the CCTV system, searching equipment or scanning equipment;
 - g) any refusal of the sale of alcohol;
 - h) any visit by a relevant authority or emergency service.
4. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:
 - a) the police (and, where appropriate, the London Ambulance Service) are called without delay;
 - b) all measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
 - c) the crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
 - d) such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

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

Conditions agreed with the Environmental Health – Appendix 10

1. Loudspeakers shall not be located in the entrance lobby or outside the premise building.
2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises, which gives rise to a public nuisance.

9.0 Licensing Officer Comments

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

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

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

9.3 Guidance issued under section 182 of the Licensing Act 2003

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

lawfulness and merits of any decision taken.” Therefore licensing authorities will need to give full reasons for their actions (1.9).

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

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

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

- 9.6 In all cases Members should consider whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.
- 9.7 The Government has advised that conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. Conditions cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff and standardised conditions should be avoided where they cannot be shown to be appropriate. (1.16/1.17)
- 9.8 The Council's Licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.
- 9.9 In **Appendices 11 - 17** Members are given general advice, and also have explanations of the Council's Licensing Policy, Government advice and other legislation relating to the matters previously identified.

10.0 **Legal Comments**

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

11.0 **Finance Comments**

- 11.1 There are no financial implications in this report.

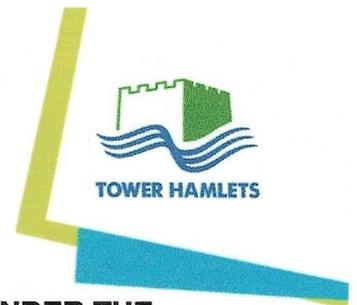
12.0 Appendices

Appendix 1	A copy of the application
Appendix 2	Site Plan
Appendix 3	Maps of the surrounding area
Appendix 4	Photographs of the premises
Appendix 5	Other licensed venues in the area
Appendix 6	Section 182 Advice by the DCMS- Relevant, vexatious and frivolous representations
Appendix 7	Representations from resident
Appendix 8	Representation from freeholder
Appendix 9	Conditions agreed with police
Appendix 10	Conditions agreed with Environmental Health
Appendix 11	Licensing Officer comments on public nuisance
Appendix 12	S182 advice on public nuisance
Appendix 13	Licensing Officer comments on crime & disorder
Appendix 14	S182 advice on crime & disorder
Appendix 15	ASB leaving the premises
Appendix 16	Licensing Policy relating to hours of trading
Appendix 17	Planning

This page is intentionally left blank

Appendix 1

This form should be completed and forwarded to: London Borough of Tower Hamlets, Licensing Section, Mulberry Place, 5 Clove Crescent, London E14 2BG or by email to licensing@towerhamlets.gov.uk with the correct fee. Payments can be by phoning 020 7364 5008 or on-line: www.towerhamlets.gov.uk/payit



APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You may wish to keep a copy of the completed form for your records.

I/We GIADA BOTTI
(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description <u>408 HACKNEY ROAD</u>			
Post town	<u>LONDON</u>	Postcode	<u>E2 7AP</u>
Telephone number at premises (if any)	[REDACTED]		
Non-domestic rateable value of premises	£ <u>10.750</u>		

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **Please tick as appropriate**

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i as a limited company/limited liability partnership please complete section (B)
 - ii as a partnership (other than limited liability) please complete section (B)
 - iii as an unincorporated association or please complete section (B)
 - iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name	FLOUR AND FLOWERS LTD
Address	408 HACKNEY ROAD E2 7AP
Registered number (where applicable)	1228 1676
Description of applicant (for example, partnership, company, unincorporated association etc.)	FLOUR & FLOWERS LTD IS A LIMITED COMPANY DIRECTOR : GIADA BOTTI
Telephone number (if any)	[REDACTED]
E-mail address (optional)	[REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
24	06	2022

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

DD	MM	YYYY

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

FLOUR & FLOWERS IS A COFFEE SHOP AND FLOWERS SHOP. WE SERVE FOOD TAKEAWAY AND FOR CONSUMPTION ON PREMISES. AS PASTRIES AND BRUNCH MENUS. WE WOULD LIKE TO BE ABLE TO SELL ALCOHOLIC DRINKS ON PREMISES AND SELLING OF BOTTLES OF WINE OFF PREMISES.

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

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

E

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

F

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

G

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

H

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

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	11:30	17:00	<p>State any seasonal variations for the supply of alcohol (please read guidance note 5)</p> <p>SAME DAYS AND TIMETABLE ALL YEAR LONG</p> <p>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)</p> <p>SAME DAYS AND TIMETABLE ALL YEAR LONG</p>		
Tue	11:30	17:00			
Wed	11:30	17:00			
Thur	11:30	17:00			
Fri	11:30	17:00			
Sat	11:30	17:00			
Sun	11:30	17:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	[REDACTED]
Date of birth	[REDACTED]
Address	[REDACTED]
Postcode	[REDACTED]
Personal licence number (if known)	[REDACTED]
Issuing licensing authority (if known)	[REDACTED]

K

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

THE PREMISES IS USED ONLY AS A COFFEE SHOP
BRUNCH / RESTAURANT PLACE.

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	<p>NO SEASONAL VARIATIONS.</p>
Mon	8:00	17:00	
Tue	8:00	17:00	
Wed	8:00	17:00	
Thur	8:00	17:00	
Fri	8:00	17:00	
Sat	8:00	17:00	
Sun	8:00	17:00	
			<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)</p> <p>SAME TIMETABLE ALL YEAR LONG</p>

M

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

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

FLOR & FLOWERS WILL ENSURE THAT ALL TIMES WHEN THE PREMISES ARE FOR ANY LICENSABLE ACTIVITY, THERE ARE SUFFICIENT STAFF ON DUTY AT THE PREMISES FOR THE PURPOSE OF FULFILLING THE TERMS AND CONDITIONS OF THE LICENCE AND FOR PREVENTING CRIME AND DISORDER.

b) The prevention of crime and disorder

ANY INCIDENTS OF A CRIMINAL NATURE WILL BE REPORTED TO THE POLICE. THE LICENSEE HAVE CCTV COVERAGE AT THE PREMISES.

c) Public safety

APPROPRIATE FIRE SAFETY PROCEDURES ARE IN PLACE INCLUDING FIRE EXTINGUISHERS (FOAM, H₂O AND CO₂) FIRE BLANKET, INTERNALLY ILLUMINATED FIRE EXIT SIGNS, SMOKE DETECTORS (SEE ENCLOSED PLAN FOR DETAIL OF LOCATIONS)

d) The prevention of public nuisance

ALL CUSTOMERS WILL BE ASKED TO LEAVE QUIETLY CLEAR AND LEGIBLE NOTICES WILL BE DISPLAYED TO HAVE REGARD TO OUR NEIGHBOURS.

e) The protection of children from harm

THE LICENSEE AND STAFF WILL ASK PERSONS WHO APPEAR TO BE UNDER THE AGE OF 25 FOR ID, SUCH A PROOF OF AGE CARD. ALL STAFF WILL BE TRAINED FOR UNDER AGE SALES PREVENTION REGULARLY. A REGISTER OF REFUSED SALES SHALL BE KEPT AT THE PREMISES.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

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

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

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

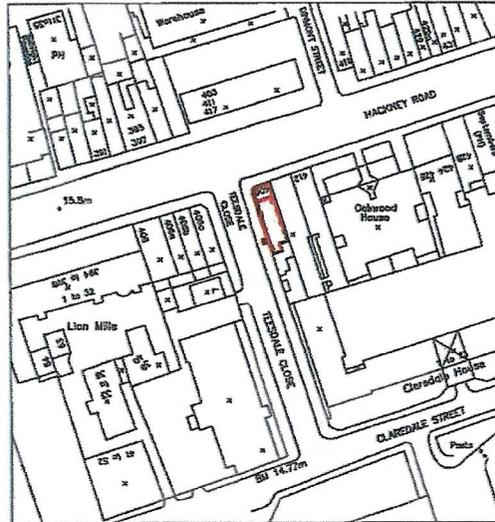
Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	
Capacity	

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

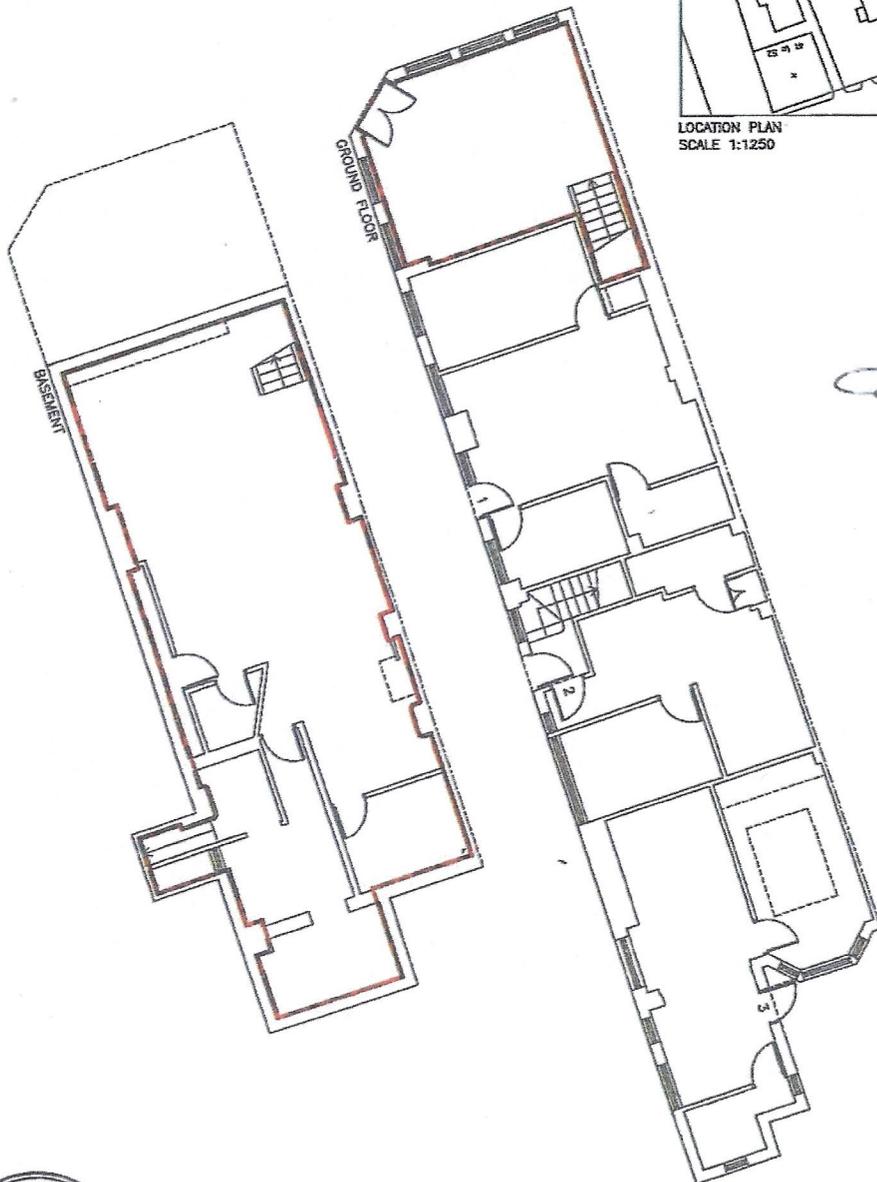
Signature	[REDACTED]
Date	25/05/2022
Capacity	DIRECTOR

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
GIADA BOTI , DIRECTOR OF FLOUR & FLOWERS LTD			
Post town	LONDON	Postcode	E2 7AP
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Appendix 2



LOCATION PLAN
SCALE 1:1250



adell



NATIONAL LEASE PLANS
Suite D2 Northside House, Mount Pleasant
Cockfosters, EN4 9EB
T: 0845 124 9552
www.nationalleaseplans.co.uk

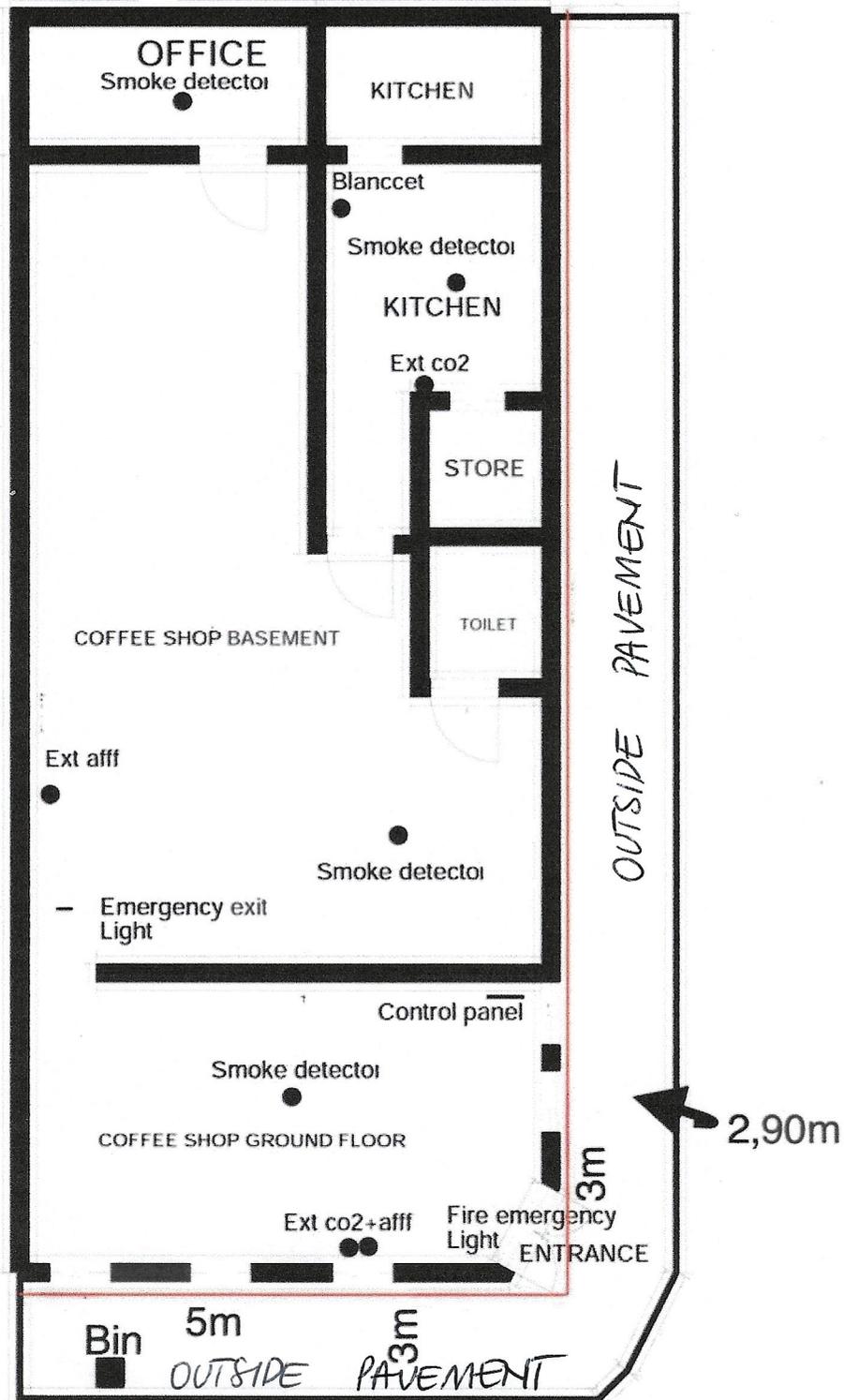


ADDRESS:
408 HACKNEY ROAD
LONDON E2 7AP

DETAILS:
LEASE PLAN

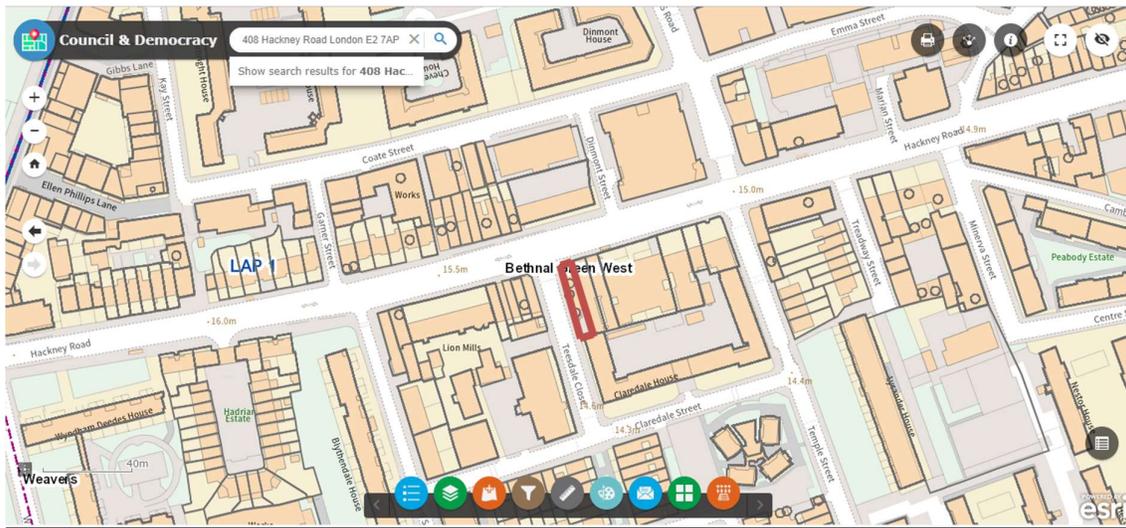
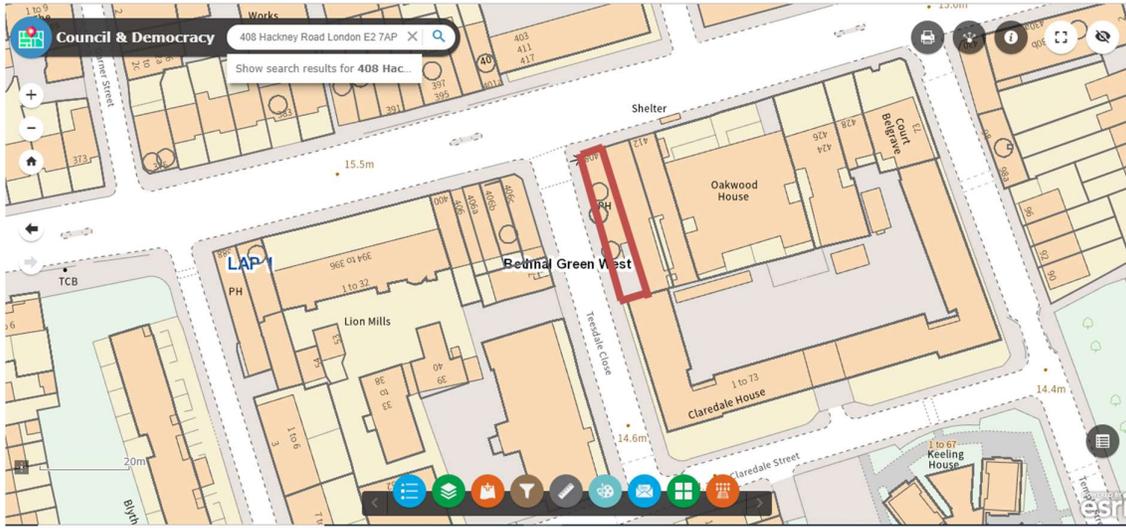
SCALE: 1:100	DATE: JUL 2019
DRAWING NO: 408/00	

AN 3408 hackney road bakery shop



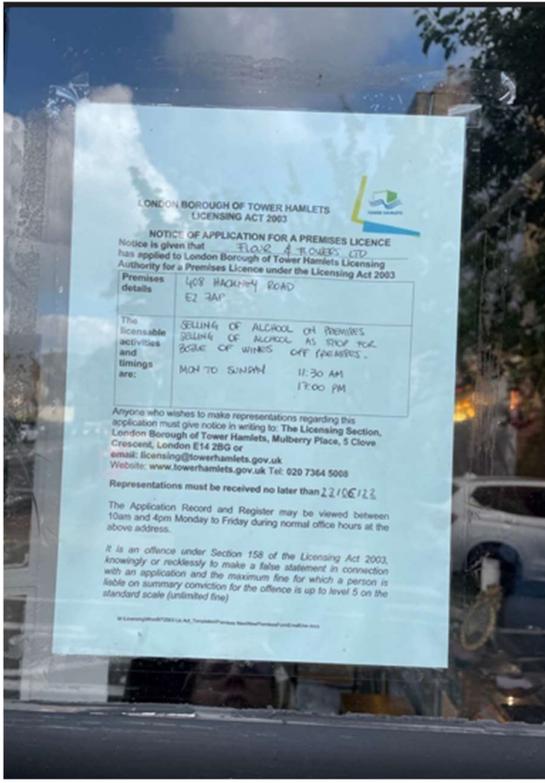
Appendix 3

Maps – 408 Hackney Road



Appendix 4

Photos – 408 Hackney Road







Appendix 5

Address	Licensable activities/times	Opening hours
Shisha Garden Grill Restaurant 388 Hackney Road	Late Night Refreshment Sunday to Thursday until 00:30 hrs Friday and Saturday until 01:30 hrs	Sunday to Thursday from 11:00 hrs to 01:00 hrs Friday and Saturday from 11:00 hrs to 02:00 hrs
Ince Supermarket 399 Hackney Road	The sale by retail of alcohol (off sales) Sunday to Wednesday 08:00 hours – midnight Thursday 08:00 hours – 01:00 hours the following day Friday & Saturday 08:00 hours – 02:00 hours the following day	There are no restrictions on the hours during which this premises are open to the public
Mama Shelter Hotel 419 - 437 Hackney Road	The sale by retail of alcohol (on sales only) <ul style="list-style-type: none"> • Monday to Thursday from 08:00 hrs to 00:00 hrs (midnight) • Friday from 08:00 hrs to 01:00 hrs (the following day) • Saturday from 09:00 hrs to 01:00 hrs (the following day) • Sunday from 09:00 hrs to 00:00 hrs (midnight) The provision of regulated entertainment (Indoors) <u>(plays and films, live music, recorded music, performance of dance and anything of a similar description)</u> <ul style="list-style-type: none"> • Monday to Thursday from 08:00 hrs to 00:00 hrs (midnight) • Friday from 08:00 hrs to 01:00 hrs (the following day) • Saturday from 09:00 hrs to 01:00 hrs (the following day) • Sunday from 09:00 hrs to 00:00 hrs (midnight) 	Monday to Thursday from 08:00 hrs to 00:30 hrs (the following day) Friday from 08:00 hrs to 01:30 hrs (the following day) Saturday from 09:00 hrs to 01:30 hrs (the following day) Sunday from 09:00 hrs to 00:30 hrs (the following day) <u>Non-standard Timings</u> <ul style="list-style-type: none"> • 24 hours to hotel residents and their guests (limit of 4 guests per resident)

	<p>The provision of late night refreshments (<u>Indoors and outdoors</u>)</p> <ul style="list-style-type: none"> • Sunday to Thursday from 23:00 hrs to 00:00 hrs (midnight) • Friday and Saturday from 23:00 hrs to 01:00 hrs (the following day) <p><u>Non-Standard Timings</u> 24 hours to hotel residents and their guests (limit of 4 guests per resident)</p>	
<p>Elegant Food Market 430 Hackney Road</p>	<p>The sale by retail of alcohol (off sales) Monday - Sunday from 07:00 hours to 02:00 hours the following day</p> <p>Including Christmas Day from 12:00 hours to 15:00 hours and 19:00 hours to 22:30 hours and Good Friday from 08:00 hours to 22:30 hours</p>	<p>Monday - Sunday from 07:00 hours to 02:00 hours the following day</p> <p>Including Christmas Day from 12:00 hours to 15:00 hours and 19:00 hours to 22:30 hours and Good Friday from 08:00 hours to 22:30 hours</p>

Appendix 6

Section 182 Advice by the Home Office Updated on April 2018

Relevant, vexatious and frivolous representations

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

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

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

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

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

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

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

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

Appendix 7

Corinne Holland

From: Celia W [REDACTED]
Sent: 22 June 2022 16:06
To: Licensing; Streetmarkets
Subject: Fwd: urgent - objection to licensing application

Follow Up Flag: Follow up
Flag Status: Completed

Hello

I own (and currently rent out) [REDACTED] and I am writing to you to make an objection to the licence application made by the proprietor of the commercial premises (Flour & Flowers) located at the front of the building at 408 Hackney Road (which occupies part of the ground floor and the basement which runs directly beneath the three ground floor flats - one of which is the flat I own) - the license is for serving alcohol.

I urgently request that you don't grant the licence.

In November 2021 the same proprietor made an application for a late night music licence -and then withdrew it. The residents , owners and renters in the building were distraught about the application and voiced their concerns to the applicant and to the council - and perhaps this made the applicant withdraw their application. However, we have now been informed via the freeholder for the building that the applicant is now making this current alcohol licence application because the applicant believes that if they are granted permission for serving alcohol it will make it easier for them to apply again for the late night licence and to be successful next time.

Much of the original plea I made against the licence is very much still valid - and addresses the sale of alcohol on the property - I have copied much of it in below as I think it is still relevant . Living with alcohol being sold in your building has a huge impact on your day to day life. We have all seen people behave awfully outside pubs, that also serve food, in the daytime ! Just because alcohol is served with food and in the day doesn't mean that people don't get drunk, noisy and forget social norms.

There is a huge difference between somewhere serving pastries and coffee to someone serving alcohol.

Although the premises involved in the licence application face onto the main road (Hackney Road) where there are other cafes and bars , the premises is a part of an entirely residential block that stretches down the side into Teesdale close which is an entirely residential road.

408 Hackney Road is a residential block with my flat being amongst numerous other flats. My tenant has already experienced terrible noise problems from loud music in the basement from the space before so we know how much what happens in that space is on the doorstep of the flats and impacts the quality of life of the residents there.

My tenant has spoken to the proprietor about the noise on numerous occasions and has not been listened to - which ultimately makes me nervous about how much the proprietor cares about the effect they have on their residential neighbours. To date they have not given the slightest consideration to residents so I would dispute the notion that they would be responsible and considerate licence holders when making sure that their noisy, drunk customers leave with no impact on the residents. And even though they say they will ask their customers to leave quietly the reality is they are a cafe so will not have anyone working on the door to ensure this will happen.

My tenant is terrified of the impact that the changes to the cafe will have on his life. If , due to drunken behaviour or even worse - due to a future late night noise licence - the flat becomes

uninhabitable for him he will be forced to leave his home of many years - and I will find it almost impossible to find a new tenant facing the same problems - making my flat almost worthless in value. This is obviously a terrifying prospect for me, with devastating financial consequences for me. This will also be the case for the other tenants and owners in the block.

Drinking on that premises has the potential for huge impacts on my tenant and everyone else living in the block - drunk people spilling out with the potential for disorderly and intimidating behaviour, urination against the building and the inevitable extra noise that the spill out of a premises full of people drinking will make - people gathering outside to smoke in the street , talking loudly because they are too drunk to care or notice potential for drunken scuffles etc

The person who has applied for this licence has not reached out to anyone in the block with regards to their previous application or their current one - which in itself I find bizarre given that the granting of this license or the previous one will turn the lives of the entire community in the block into an absolute nightmare - drunk and disorderly behaviour every night outside their flats, the all week day and nightly noise pollution from the music license, the stress and impact on tenants mental health and well being, the safety of tenants, in particular lone women trying to come home to their flats through crowds of drunk people - the flats in the block will become stressful, uninhabitable and financially devastated.

Please do not hesitate to get in touch with any questions

Many Thanks

Celia Willis 

Appendix 8

Corinne Holland

From: Sam Milner <[REDACTED]>
Sent: 29 June 2022 13:17
To: Corinne Holland
Cc: Tom Lewis
Subject: Re: URGENT ACTION REQUIRED: Flour & Flowers, 408 Hackney Road, London E2 7AP - REF NO. M149723 - Alcohol License Application

Dear Ms Holland and Mr Lewis,

Thank you for your email.

Our office address is ANBPM, [REDACTED]

We are the freeholder of 408 Hackney Road. We manage the leaseholders and residents within the block including Mr Malik, Ms Willis, Ms Khan, Ms Draper and Agin Limited. We are also responsible for liaising with the neighbouring residents including with the owners and leaseholders of Claremont House and 410 Hackney Road.

Please note the crime map enclosed with our previous email was specifically for E2 7AP. The junction of Hackney Road and Teesdale Close is blighted with alcohol, drug dealing and drugs use which is peddled from cars and from dealers on bicycles, hence our installing a panoramic cctv system 2 years ago and at great expense to the leaseholders. The tenants on the ground floor regularly have cans and bottles of beer left on the window ledges as well as smashed bottles of alcohol and silver nitrous oxide canisters on the pavement along Teesdale close, which again are consumed and dumped by users from their car windows.

The anti-social behaviour also extends to repeat graffiti and vandalism.

The leaseholders and residents have worked hard over the past 15 years to make this area a better place to live and to create their family homes. A text message sent by the applicant Ms Biotti to our director stated that she wanted the alcohol license so she could make even more profit; even though she is already making a healthy profit. Please see her text message which I have attached for your reference.

Please note, that just 6 months ago, the management company and our director personally helped save Ms Biotti from being kicked out of the commercial premises by her landlord (Euro 5 Star Limited [the leasehold owner]) as she had taken occupation of the property unlawfully by renting from the precision sub-tenant. Ms Giada had assured our director that she would not again apply for an alcohol license after withdrawing her previous applications some 6 months ago. No sooner had our director assisted Ms Biotti in literally avoiding financial bankruptcy, did she then renege on her promise and promptly re-applied for the alcohol license as soon as her new lease was signed. And since her occupation of the commercial premises she has constantly been in breach of the covenants of the lease for which we have now instructed solicitors. She has continued to breach the planning consents and causing nuisance and noise disturbance each day that she operates the cafe. For the sake of a new proprietor wanting to make even "more profit", we and moreover the leaseholders and residents are not prepared to allow the building to be compromised with even more noise pollution and anti-social behaviours associated with a licensed premises.

For the reasons previously highlighted and above, this alcohol license should NOT be permitted. In the event that an alcohol license is issued, then as per our previous correspondence, we are instructed to commence legal action to overturn the decision in court.

We trust that Tower Hamlets council acknowledges our reasons and grievances and will rightly REFUSE the alcohol license.

Should you require any further information then kindly get in touch.

Kind regards,

Samuel Milner

Tue 24 May

Dear Saj,

We wanted to take some time to really thank you for your support. It means a lot for our young business as it does letting you know how much we do appreciate your help since we opened the doors of our little dream. We would love to have your support one more time, for something that could really help our business further, after such a long period of uncertainty and struggles.

Although we are aware of your position in regards to the drinks license, having one will allow F&F to make a little more income to help me personally, and the Flour and Flowers people. Our application has been submitted, and we hope with all our hearts to have your support, one more time.

Giada

16:50

Hi Giada,

I hope you're well.

Unfortunately I personally am unable to support the application for the reasons I highlighted to you the last time. The



Corinne Holland

From: Sam Milner <[REDACTED]>
Sent: 27 June 2022 09:55
To: Tom Lewis
Cc: Corinne Holland
Subject: Re: URGENT ACTION REQUIRED: Flour & Flowers, 408 Hackney Road, London E2 7AP - REF NO. M149723 - Alcohol License Application
Attachments: Police Crime Map Stats 2.pdf; Police Crime Map Stats 1.pdf; TH_ASB_Blue rint FINAL. df. Resident Complaint Coffee Shop Loud Music.pdf; Yahoo Mail - [REDACTED] Termination of Tenancy.pdf; Yahoo Mail - Noise complaint.pdf

Dear Mr Lewis,

PLEASE NOTE - RESIDENTS HAVE BEEN BLIND COPIED INTO THIS COMMUNICATION.

I hope you are well.

I have tried but without success to contact your colleague Ms Holland.

Your colleague Naseema kindly provided me with your email address, hence I am emailing you.

Please see below and attached.

We were shocked to receive Ms Holland's email below, where she pointed out that we should reply to her with our objections based only on:

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

Ms Holland, being a licensing officer, of all people should know that the first three of the four in the list above are reason enough to refuse the alcohol licence. As you are no doubt aware, Tower Hamlets by their own Mayor's admission is the the worst London borough for ASB's. In page 6 of 'A Blueprint for Local Action in Tower Hamlets' Mayor Biggs writes:

"Levels of concern about ASB problems have fallen for all the four areas monitored, continuing last year's downward trend in perception. However, Tower Hamlets receives the highest number of drugs and alcohol related ASB complaints in comparison to similar east London boroughs.

We can see from calls to the Police that there are strong links with ASB and the operation of drug markets in the Borough. During 2014/15, there were 2,172 drug related offences (dealing and possession) in Tower Hamlets, an average of 181 offences per month. In comparison to other London boroughs, Tower Hamlets has the fifth highest rate, a reflection of a combination of factors including the Police commitment to tackling drug related offending, provision of additional resources for enforcement, targeted police action and Tower Hamlets increasingly popular night time economy around such areas as Brick Lane."

Further to this, the applicant has, as demonstrated just 6 months ago and by her continuous flagrant breaches of the current planning consent, the intention of operating late into

the evening beyond 11pm, playing loud music and hosting live music events. The situation as it currently stands is that residents of 408 Hackney Road and neighbouring properties are being rudely awoken every morning by the loud music and the various noises emanating from the cafe premises which does not have any form of partition or sound insulation. The anti-social behaviour is already a major problem within this locality and having more people leaving empty cans and bottles on the window ledges of residents, having patrons urinating against walls and making noise and being unruly has already impacted the residents. I have attached a few examples of the complaints that we have had from residents.

You can not fix an already significantly exasperating problem of anti-social behaviour by issuing further alcohol licenses. Tower Hamlets and the local police currently, can not even manage to police, regulate and reduce let alone neutralise the anti-social problem as it stands.

The residents and neighbours of Hackney Road do NOT welcome another alcohol license being issued by Tower Hamlets Council. If in the event, and contrary to your own stated ASB policies, you do grant this alcohol license then we will be taking this matter to court to have the decision reversed.

We hope and trust common sense will prevail.

We look forward to hearing from you.

Kind regards,

Samuel Milner

On 23 Jun 2022, at 13:48, Corinne Holland <[REDACTED]> wrote:

Dear Mr Milner

Please be advised that under the Licensing Act 2003, the criteria for your representation to be valid is that you must make it clear how granting this particular application will have an impact on you/residents only in relation to one or more of the following licensing objectives:

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

Although I note you have many areas of concern the issue of planning, breach of a lease, other licensed premises in the area, the devaluing of peoples property are not valid reasons to object under the criteria set by the Licensing Act 2003.

I have highlighted below the only sentences within your representation which would fall under the licensing objectives. You need to state further how, by having this licence granted, it will lead to these issues.

The licence applied for is for the sale of alcohol (on and off sales) Monday – Sunday 11:30 – 17:00 hours.

You will need to respond before midnight tonight as this is the cut off time/date for representations to be considered.

Kind regards

Corinne Holland

Licensing Officer

Environmental Health and Trading Standards

Place Directorate

London Borough of Tower Hamlets

2nd Floor, Mulberry Place

5 Clove Crescent

London

E14 2BG



www.towerhamlets.gov.uk

Follow us on:

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

From: Sam Milner [REDACTED]
Sent: 23 June 2022 11:07
To: Licensing <Licensin @towerhamlets.gov.uk>; Mohshin Ali <Mohshin.Ali [REDACTED]>
Cc: [REDACTED]
Subject: URGENT ACTION REQUIRED: Flour & Flowers, 408 Hackney Road, London E2 7AP - REF NO. M149723 - Alcohol License Application

Dear Tower Hamlets Council/ Mr Ali,

Please note - the tenants, leaseholders, residents and neighbours are being bcc'd into this communication.

We are writing to you again on behalf of the Freehold Owner of 408 Hackney Road which comprises 1x commercial premises and 9x residential flats. The latter have been rebranded and re-banded from 408 Hackney Road, London, E2 7AP to (12A, 14 & 12 Teesdale Close (Flats 1-7), London, E2 6GU on account of their entrances being located on Teesdale Close.

We have been made aware that the proprietor of the commercial premises (**Flour & Flowers**) located to the front of your building at 408 Hackney Road (which occupies part of the ground floor and the basement which runs directly beneath the three ground floor flats) has recently once again applied to the Tower Hamlets council for an alcohol licence despite her repeated assurances to us, the landlord and the residents that she would never again apply for an alcohol licence, (or late night opening license and or late night music/ live events license - as she did the 6 months ago).

Please see below the three licenses that Ms Giada had applied for just 6 months ago - all 3 applications were subsequently withdrawn after the freeholder, residents and neighbours protested en masse in writing to the council.

- 1. A 7 DAYS A WEEK (MONDAY TO SUNDAY) LATE NIGHT ALCOHOL LICENCE from 11.30am to 11pm.**
- 2. A 5 DAYS A WEEK (WEDNESDAY TO SUNDAY) LATE NIGHT LIVE MUSIC LICENCE from 6pm to 11.30pm.**
- 3. LATE NIGHT TEMPORARY EVENTS - which would allow them to hold concerts and one-off events.**

Please note that the tenant has continued to be in breach of her lease terms and the current planning consents on the property. Despite repeated assurances to the contrary, Ms Giada has again continuously played loud music at the premises from 7am until the evening time causing the residents to be rudely awoken at 7am and disrupting their legal right to quiet enjoyment of their homes. This has caused 3 separate tenants to lodge formal complaints against Ms Giada once again. Ms Giada's managing agents and landlord have also been informed. Please note - the commercial premises does not have the

planning consent to play music let alone loud Music. Further, Ms Giada's coffee shop premises (walls and ceilings) is devoid of sound-proofing.

In addition to the above breach of lease, the premises continues to further breach its lease and planning consents by placing tables and chairs outside of the property (please see attached) both fronting onto Hackney Road and Teesdale close which has resulted in limited pavement space for pedestrians, mothers with prams and wheelchair and mobility scooter users who have to be navigate around customers who are dining outside on the street sat at the outdoor tables and chairs.

Additionally, 408 Hackney Road, since 2009, falls in a conservation area, which would require planning to as well as conservation and highways agency consent for the use of the public street as dining and seating space for customers. A further breach of the conditions contained within the lease and of planning and conservation consents are Ms Giada's use of the outside of the building to put up a flower installations (please see attached) across the front and side facade of the building - neither of which has she ever sought approval from the freeholder or the council and neither of which currently has consent from the freeholder or council. Ms Giada's landlord (the long leaseholder) will be written to separately regarding the above breaches of the lease.

We, as the managers and owners of the building are formally writing to you to make representations to the council to **REFUSE** the new attempt by the tenant to acquire an alcohol license on the grounds that it will make the quality of life for each of the tenants of the flats and nearby residents unbearable and doubtless will lead to **increased anti-social behaviour**. There are already several alcohol-selling establishments within the vicinity (literally across the road) and the freeholder, the neighbours, tenants and leaseholders do not want another alcohol-selling premises quite literally on their doorstep.

There are NINE residential flats directly behind and above the subject commercial premises which are occupied by mainly working professionals and Post graduate University students, some of whom, (since the pandemic) work from home. The granting of an alcohol licence will have a significant and detrimental impact on the quality of their lives especially in light of Ms Giada's ambitions where she just) months ago simultaneously applied for all 3 licenses. Now Ms Giada is applying for licences in increments despite her honest assurance that she would not apply for an alcohol or late night licence again - so rightly so, the freeholder, the neighbours, tenants, leaseholders all feel deceived and agrieved that she is once again just 6 months on, is applying for yet another alcohol license.

As a result of Ms Giada's previous application, three of our managed tenants immediately handed in notice to terminate their tenancies early and they made their upset clear directly with Ms Giada. These tenants have since left; this can be fact checked with your council tax department. Should you require names of tenants and dates upon which they vacated then please advise and we will furnish this to you under separate cover.

The immediate area and surrounding buildings are principally residential which include a parade of houses on the opposite side of Hackney Road, hundreds of residential flats as well as a large student Halls of Residence all of which will be impacted negatively by the granting of an alcohol licence.

Further, the alcohol licence will, not only set a precedent, but will also **attract to the property, anti-social behaviour, loud noise, large gatherings of people, public**

urination, littering, loitering, alcohol associated violence and behaviours, etc the net effect of which, we as managers and owners of the building can **NOT** support. Ms Giada's intention to obtain a late night licence and late night alcohol and live music licenses just 6 months ago are well documented as you are aware.

The flat owners and occupiers who have, over the years, made the flats in which they live, into their homes have invested not only their time and energy in doing so but have also invested their entire life savings into owning and living in these flats and houses. Needless to say, that the granting of an alcohol license will lead to an immediate detriment to the value of their homes and for those who have purchased their homes recently, will likely lead to negative equity as well as making their ability to remortgage their homes much more difficult and costly as the majority of high street lenders do NOT lend on properties next to alcohol licensed premises. And of those niche lenders that will lend against such properties, they do so at a much higher mortgage rate and with significantly lower loan to value, meaning financial bankruptcy for some home owners with negative equity.

This is compounded by the current economic climate where mortgage interest rates are increasing month-on-month, this would make the cost of their mortgage repayments literally unaffordable.

It is grossly unfair, for residents who have lived at this address and in neighbouring properties to bear the huge financial cost of loss to their family homes because of Ms Giada's new alcohol licence application.

We have previously spoke with a gentleman called Tariq at Tower Hamlets Council and he asked that the property owners, managing agents, leaseholders and tenants all write to the council directly to contest the applications and to request that they reject the above licence application.

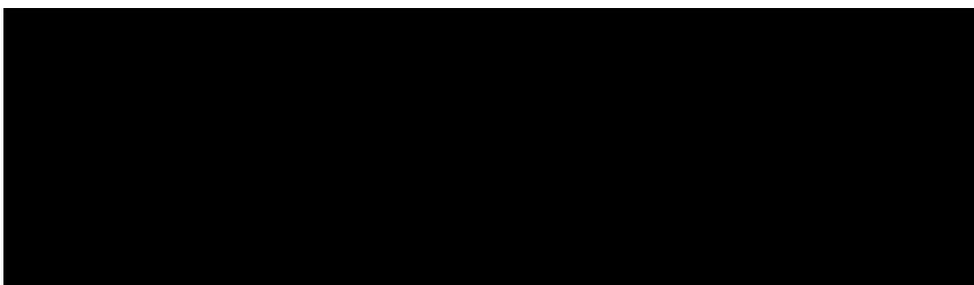
Therefore, we respectfully request, that tower hamlets council refuse the alcohol license.

For the reasons highlighted above, and in the event that an alcohol license is permitted by Tower Hamlets Council, then we are instructed to legally challenge this decision via judicial review and through the courts.

If you have any queries then please feel free to get in contact.

Kind regards,

Samuel Milner
For and on behalf of ANB Management







From: Sam Milner [REDACTED]
Sent: 24 June 2022 13:12
To: Corinne Holland <[REDACTED]>
Subject: Re: URGENT ACTION REQUIRED: Flour & Flowers, 408 Hackney Road, London E2 7AP - REF NO. M149723 - Alcohol License Application

Dear Ms Corrine,

Thank you for your email.

Kindly provide a working telephone number for yourself as the number included at the bottom of your email does not work.

The local area is historically beset with issues pertaining to drugs use, drug dealing and prostitution as well as crime and anti-social behaviour of which you and moreover tower hamlets council will be aware.

The area does not need a new alcohol licensed premises as there are several in the immediate area serving it already.

Our priority and responsibility is to the freeholder, the leaseholders, the residents and neighbours all of whom have and wish to enjoy quiet enjoyment free from increased crime and anti-social behaviour as they have done so over the past 15 years.

Please be advised under no circumstances will the freeholder, leaseholders, neighbours and residents be allowing this licence to be granted. If it is granted then as per our previous email we will be looking to oppose this licence in court.

We look forward to your urgent reply.

Kind regards,

Samuel Milner

On 23 Jun 2022, at 13:48, Corinne Holland
<[REDACTED]> wrote:

Dear Mr Milner

Please be advised that under the Licensing Act 2003, the criteria for your representation to be valid is that you must make it clear how granting this particular application will have an impact on you/residents only in relation to one or more of the following licensing objectives:

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

Although I note you have many areas of concern the issue of planning, breach of a lease, other licensed premises in the area, the devaluing of peoples property are not valid reasons to object under the criteria set by the Licensing Act 2003.

On 28 Jun 2022, at 12:29, Corinne Holland <[REDACTED]> wrote:

Dear Mr Milner

My telephone number works I have been off work for two days hence my phone was not turned on. If you require the general licensing team phone number it is 0207 364 5008.

In response to your email to my boss (who is currently off sick) regarding the below.

We were shocked to receive Ms Holland's email below, where she pointed out that we should reply to her with our objections based only on:

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

Ms Holland, being a licensing officer, of all people should know that the first three of the four in the list above are reason enough to refuse the alcohol licence

This is the law under the Licensing Act 2003. I do not make the rules I just need to ensure people representations show how the granting of **this licence** will undermine at least one of these objectives. I was asking you to be more specific to this premises rather than a generalisation of the area.

Are you able to provide a full correspondence address please.

Can you also provide information to show that you act on behalf of the freeholder and tenants.

Thank you

Kind regards

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

[REDACTED]
www.towerhamlets.gov.uk

Follow us on:

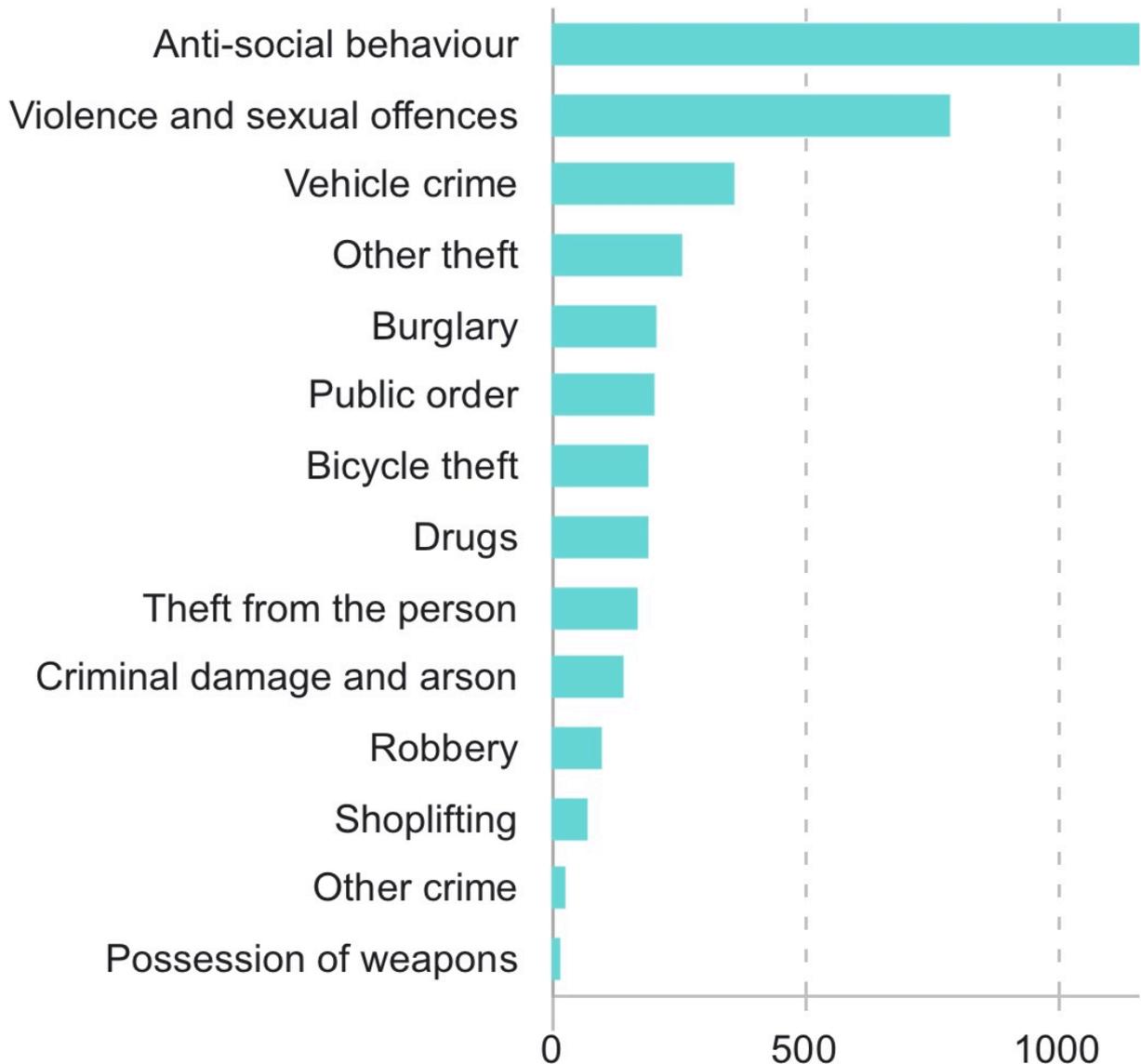
[Facebook](#) | [Twitter](#) | [LinkedIn](#) | [Instagram](#)



Crime types description

for the last 12 months (from May 2021 to Apr 2022)

Last 12 months





St Peter's

 [Overview](#)



Top reported crimes

Most commonly reported crimes during Apr 2022

Anti-social behaviour	88
------------------------------	-----------

Violence and sexual offences	67
-------------------------------------	-----------

Vehicle crime	31
----------------------	-----------

Other theft	22
--------------------	-----------



12 Teesdale



I am sure it is her playing the music I can hear because I sat in her basement when we were discussing the water issue and she was playing loud, bassy music of the type I can hear during the day. I have also ordered from the cafe on a separate occasion and they were playing music loudly.

18:47

Thu 9 Jun

Good morning Chris,

I hope you're okay.

Just a heads up to let you know the telephone intercom installation has been rescheduled for Monday 13th June between 9am-6pm.

Access into all flats will be required for the installation of new intercom handsets.

Thanks

08:05 ✓✓

Fri 10 Jun

OK. can I switch off the bell at my end? I would prefer not to have people pranking me late at night. Also will you leave the old phone there? I would prefer if it were removed and replaced. Also can you send me the



14 Teesdale Close | Termination of Tenancy

From: Amy [REDACTED]

To: [REDACTED]

Date: Tuesday, 23 November 2021, 21:47 GMT

Dear Saj,
cc. Ghiles

Thank you for your time on the phone yesterday and for a productive and mutually understanding conversation. During our call, we set out to you the severe disturbance that has recently occurred to our living situation, due to the commercial unit next to us converting into a cafe/bar. During our call, we explained to you that this has already significantly impacted our quality of life and that, given the new licenses that this unit is now applying for, there is the prospect of our living situation becoming truly untenable. As you requested us to do, we are informing you in writing of these circumstances (set out in further detail below). On our call last night, we mutually agreed, as Landlord and Tenant to terminate our tenancy of 14 Teesdale Close early.

Ghiles - thank you for your time on the phone earlier today. Saj, we have informed Ghiles of our conversation last night to help and so that everybody is in the loop.

As discussed last night, the following circumstances have made our tenancy unfeasible:

1. There is a new cafe commercial unit next to our flat that we did not know would be there before we moved in. If we had known, we would not have chosen this flat. The cafe is only separated by a minimal partition wall, every single minute noise and action from the cafe is heard vividly through the bigger bedroom - it is as if we are situated inside of the cafe, there is no difference. The early opening hours mean that we are woken up at 7.30 am every morning, weekends included. This is by no means at all a decent quality of life. To illustrate this point, we attach voice recordings taken from

inside the bigger bedroom on the cafe's opening night - you will hear that it sounds as if we are inside the premises itself - and this is without live music and a basement full of people. During the day, the coffee machine (which is placed against the bedroom wall) rattles the wall. Their bar is directly against the bedroom wall.

2. The cafe runs along the ground floor and basement level which is directly underneath our flat. We can hear anything that happens in the basement - every slight movement, let alone vacuuming, drilling, and any other minor construction or cleaning work.
3. The cafe has applied for permission to situate outdoor chairs and tables extended from the cafe which is located directly outside of our bedroom windows - which are ground level and single glazed. The noise of the indoor activities is bad enough to cause sleepless nights and endless frustration, we cannot imagine what it would be with the outdoor seating as well. They have applied for this from 0800-2200 Monday to Sunday.
4. If the cafe is granted alcohol and live music license, this will mean that we are subjected to phenomenal noise levels until late into the night, completely out of our control. As it is, our schedules are now dictated by the cafe's early morning opening. When this extends into late night (because of the outside seating) and possibly because of the late night music and alcohol license, it will become totally impossible for us to have healthy and mentally sound living.

Page 10 of 10

We truly appreciate you for giving us agency about this issue and agreeing to early tenancy termination. During our phone call, we mutually agreed that you would put the property back on the market. You requested that we tell you our earliest feasible move out date. We spent the rest of last night and today calling our contacts and have been made aware that there is a flat for us to move into, which would be available on 29th January 2022. Please would you advise us if this works from your perspective? If not then we are willing to liaise. We will of course be paying all the rent that you are owed for the remainder of our tenancy, which we agreed would now terminate when a new tenant is found to take our place, and that this will be no earlier than the date which we will now mutually agree, and which we suggest above for your consideration. When a new tenant is successfully found, we will carry out all of the necessary contractual exit procedures.

We would request that all of the above is considered conditional on a) mutually agreeing our earliest exit date and b) confirmation that the return of our deposit will be carried out as set out in our contract and that this isn't detrimented in any way by early contractual termination.

Many thanks indeed for working with us so positively on this. We will do all we can to facilitate this going smoothly for both sides.

Andrea and Amy

 WhatsApp Audio 2021-11-18 at 9.00.07 PM (4).mp4
212.7kB

 WhatsApp Audio 2021-11-18 at 9.09.07 PM (3).mp4
295kB

 WhatsApp Audio 2021-11-18 at 9.14.28 PM (1).mp4
351.8kB

Noise complaint

From: Mariam [REDACTED]

To: sajid [REDACTED]

Date: Monday, 13 June 2022, 12:23 BST

Hi Sajaid ,

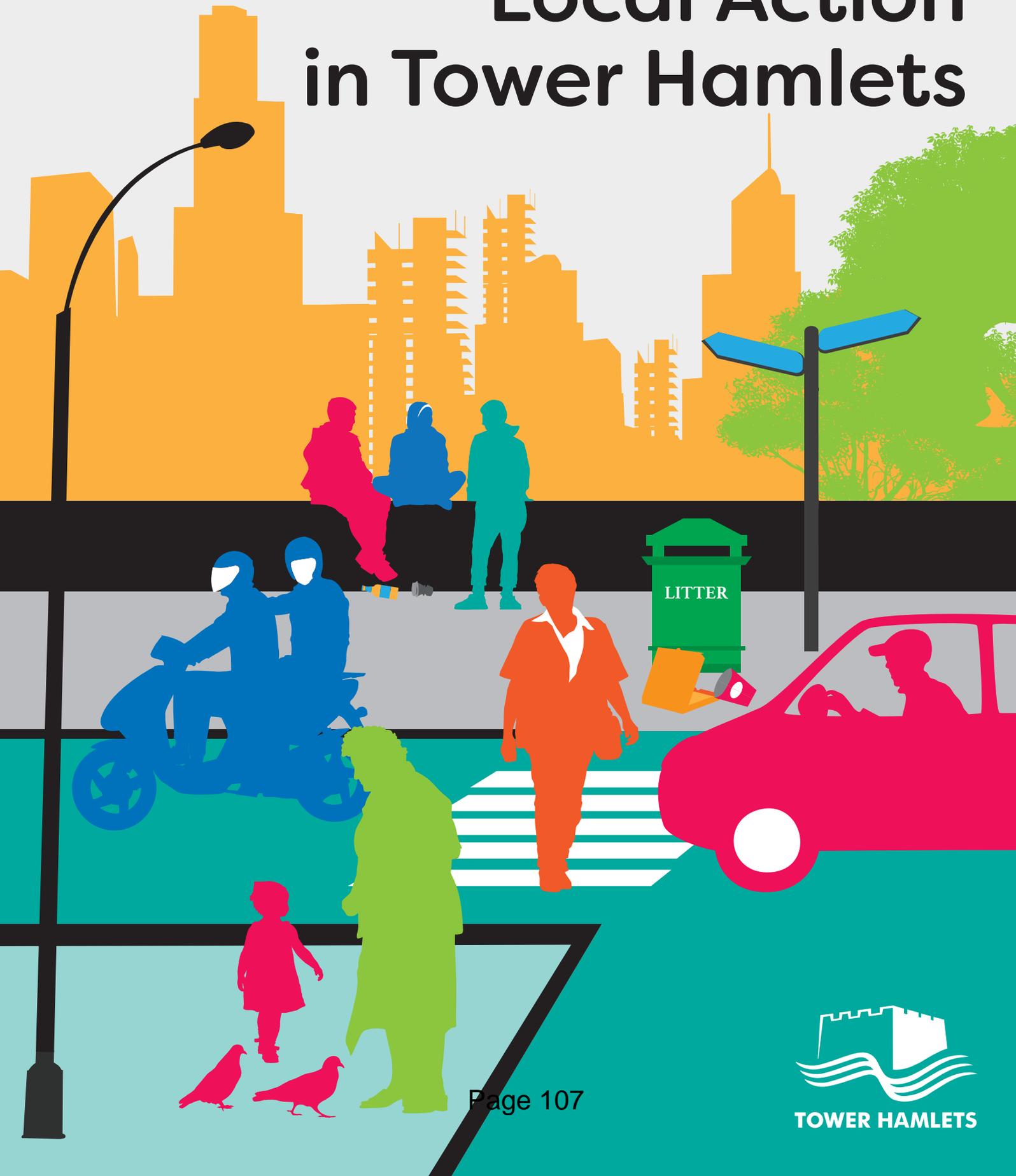
I am emailing regarding noise from the cafe next door. The play music often at an unacceptably loud volume and it has woken me up many times over the last few months. This began as soon as we moved in (February 23rd) and has persisted to today. It is incredibly annoying and is affecting our time in the property as myself and Olivia both have days where we work from home.

Regards,

Mariam [REDACTED]

Page 106

Anti-Social Behaviour (ASB): A Blueprint for Local Action in Tower Hamlets



Contents

Foreword	3
Introduction	5
What is ASB	6
What do the residents want	7
The local picture	8
What we intend to do	9
Priority 1: Improved, victim focused, response to ASB in Tower Hamlets	10
Priority 2: Improved understanding of the impact of ASB on local communities and associated harm	12
Priority 3: Reduce the damaging effects of ASB by active engagement, working with communities, businesses and co-producing solutions to problems	14
Implementation and monitoring arrangements	16
References	17
Appendix A: Regional and local strategies that have contributed to the reduction of ASB in Tower Hamlets	18

Foreword



John Biggs
Mayor of
Tower Hamlets

Tackling anti-social behaviour is one of the biggest challenges we face in Tower Hamlets. Our borough is a vibrant, diverse and exciting place to live, work and visit and we want everyone to feel and be safe and enjoy everything that it has to offer.

We face significant challenges and residents tell us that crime and anti-social behaviour are among their biggest concerns. The borough is fast growing and ever changing with residents in different parts of the borough experiencing different types and levels of anti-social behaviour. Rowdy or drunken behaviour, vandalism and noise can all have a huge impact on quality of life.

Our aim is clear – to tackle anti-social behaviour and reduce the harm that it causes. Everyone has the right to feel safe in their homes and the community, including businesses and visitors to the borough, which is why reducing anti-social behaviour is a priority for the Council, the Police and for other members of the Tower Hamlets Community Safety Partnership (the Partnership).

This 'Blueprint for action' defines what anti-social behaviour is and is not. Some activities which are reported as anti-social behaviour, such as drug dealing on streets and estates, are clearly criminal acts and should always be reported to the Police. In contrast, some anti-social behaviour is often wrongly dismissed as trivial when compared to more serious crime, however we know - and tragic case studies have shown - that anti-social behaviour is often targeted at the most vulnerable people in our communities who are least able to protect themselves.

Our approach includes a clear and robust focus on enforcement where appropriate and we will make full use of the range of tools and powers available to us to tackle persistent behaviours and repeat offenders. With young people, enforcement should be where possible a last resort. It is therefore very important to identify young people as early as possible who are at risk of being involved in ASB and ensure that they are signposted to the correct support agencies. We believe that a strong focus on prevention, particularly as it relates to children and young people who might be involved or at risk of involvement in anti-social behaviour, will help us tackle issues in the longer-term, addressing the underlying causes of anti-social behaviour and preventing it from escalating or happening in the first place.



Asma Begum
Cabinet Member
for Community
Safety

Tackling the full range of behaviours that constitute anti-social behaviour requires effective partnership working with the Schools, Children's Centres, the Youth Service, the Youth Offending Service, Drug and Alcohol Action Team, Substance Misuse Treatment, Outreach Providers, Mental Health Service Providers, the Police, Hostels, Housing Providers, the NHS, Fire Brigade and the voluntary and community sector. Together, our aim is to reduce the levels of anti-social behaviour in Tower Hamlets, improve community resilience, support vulnerable victims and challenge the perpetrators.

The Council, Police and Partnership cannot solve the problem of anti-social behaviour alone but we will do all we can to work with the whole community to help change negative behaviour and create a safer borough.

Introduction

The Anti-Social Behaviour (ASB): A Blueprint for Local Action sets out three Priorities and a targeted approach that the Council and the Tower Hamlets Community Safety Partnership (the Partnership) will take to address the issues of Anti-Social behaviour (ASB) in the borough over the next year.

Why do we need a blueprint?

The impact of ASB can be devastating on residents and communities. For victims and the wider community, it can be a cumulative, corrosive issue which undermines their ability to live in peace. If it is not dealt with, ASB can severely damage the residents' quality of life and destroy community cohesion.

The government recently placed more focus on victims. For example, the Anti-social Behaviour, Crime and Policing Act 2014 includes a specific measure, 'the Community Trigger' which gives victims and communities the right to request a review of their ASB Case and bring agencies together to take a joined up, problem solving approach to find solutions. Long running problems of ASB can destroy a victim's quality of life and impact on the community's trust in the Police, the Council and other agencies. Details of how to request a Community Trigger response can be found at: http://www.towerhamlets.gov.uk/ignl/community_and_living/community_safety__crime_preve/anti-social_behaviour/asb_community_trigger.aspx

The approach stated in this Blueprint aims to ensure that victims and communities will be placed at the centre of the re-designed ASB service delivery in Tower Hamlets.

How have we written the blueprint?

Experts have been working with partners across the borough to undertake a detailed six-month review into how the borough deals with ASB, including:

- Tower Hamlets Council: Community Safety Team, Drugs and Alcohol Action Team, Youth Offending Service, Community Engagement, Communications. Youth Service, Public health and Public Realm. Town Centre Team (Brick lane)
- The Metropolitan Police
- Tower Hamlet Homes
- Tower Hamlets Clinical Commissioning Group
- Safer Neighbourhood Board
- West Ham United Foundation
- Voluntary sector: Victim Support Services
- Community and Faith Representatives

The Review identified six specific work streams and made recommendations for improvements.

- Early Intervention and Prevention
- Community Engagement
- Communication
- Tools and Powers
- Operations
- Resources

This Blueprint answers the following questions:

- Why do we need to address ASB?
- What is ASB?
- What are our long-term aims?
- Why have we chosen these priorities?
- What is our immediate work?
- How will we know if our work is successful?

What is ASB?

ASB is 'any aggressive, intimidating or destructive activity that damages or destroys another person's quality of life'. (Home Office)

Issues that can be considered to be ASB include:

<p>Rowdy, noisy behaviour in otherwise quiet neighbourhoods</p> 	<p>Night time noise (houses/gardens), especially 11pm- 7am</p> 	<p>Threatening, drunken or intimidating behaviour</p> 	<p>Vandalism, graffiti and fly-posting</p> 
<p>Litter and fly-tipping rubbish</p> 	<p>Aggressive begging</p> 	<p>Drinking in the street</p> 	<p>Setting off fireworks late at night</p> 
<p>Speeding and abandoned cars and vehicles</p> 	<p>Prostitution and kerb-crawling</p> 	<p>Rubbish in front gardens</p> 	<p>Alcohol, tobacco, nitrous oxide being sold to children</p> 

Issues that are not considered to be ASB include:

<p>Children playing in the street or communal areas - unless they are causing damage to property</p> 	<p>Children and young people gathering socially - unless they are rowdy, inconsiderate and being intimidating individuals</p> 	<p>Being unable to park outside your own home</p> 	<p>DIY and off road car repairs- unless these are taking place late at night or early in the morning.</p> 
--	---	--	---

<p>Personal tolerance 1</p> <p>Reporting ASB is a subjective and not completely reliable process due to personal tolerance and perceptions as to what constitutes acceptable behaviour. It can also be difficult to accurately analyse and resolve given its lack of categorisation and procedural rigours of crime recording.</p>	<p>Cumulative 2</p> <p>Research shows that ASB tends to be a cumulative, corrosive issue that undermines health and wellbeing of its victims. Experience varies in terms of level of harm but in most cases, repeat victims experience far higher levels of impact, especially those who define themselves as disabled and/or suffer ill-health.</p>	<p>Tackling ASB 3</p> <p>Working with communities and businesses to tackle ASB, from persistent noise nuisance to low-level offences linked to the harms associated with drug related offending, is a top priority for the Council and partners</p>
--	--	---

What do the residents want?

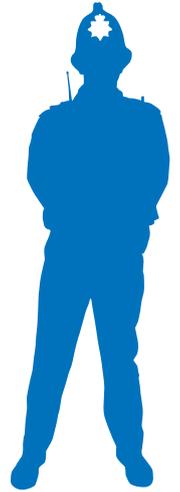
The 2016 Tower Hamlets Annual Residents Survey (ARS) shows a downward trend in the levels of concern about ASB problems. However, the Council is aware that despite the downward trend in perception and concern, ASB remains the top priority for the residents. Following a scrutiny review by the Overview and Scrutiny Committee in 2014/15, an action plan and a subsequent report in 2017 were produced and a dedicated residents consultation meeting took place in March 2017. Residents told us:

- They want to play a part in finding solutions to tackle ASB working with partners.
- They want communications to improve with
 - Better feedback
 - Better outcomes
- They want a single person to contact in the Council and one telephone number.
- They want better information sharing across the Partnership
- They want a zero tolerance approach to drugs misuse and supply in local areas through high visibility and robust enforcement
- They want clarity on advice and promotional materials, how to report, who to report to and feedback on the outcome of their complaint.

The residents are also aware that some issues they face are criminal activities, which is beyond ASB.

Criminal activities should be reported to the Police, but boundaries between criminal activities and ASB can be unclear.

Better communications with the residents, between the Council and the partners will help tackle under-reporting of crime and ASB as well as tackle the local issues.



The local picture

The Annual Residents Survey 2016 shows trends in resident perceptions around the following four different types of ASB:

- Drunk and rowdy behaviour in public places
- People using or dealing drugs
- Rubbish and litter lying around
- Vandalism, graffiti and other deliberate damage to property or vehicles.

Levels of concern about ASB problems have fallen for all the four areas monitored, continuing last year's downward trend in perception. However, Tower Hamlets receives the highest number of drugs and alcohol related ASB complaints in comparison to similar east London boroughs.

We can see from calls to the Police that there are strong links with ASB and the operation of drug markets in the Borough. During 2014/15, there were 2,172 drug related offences (dealing and possession) in Tower Hamlets, an average of 181 offences per month. In comparison to other London boroughs, Tower Hamlets has the fifth highest rate, a reflection of a combination of factors including the Police commitment to tackling drug related offending, provision of additional resources for enforcement, targeted police action and Tower Hamlets increasingly popular night time economy around such areas as Brick Lane. The most recent estimate (2011/12) suggests that there are around 3,561 people using Opiates and/or Crack Cocaine in Tower Hamlets. Of this number, 1,674 (47%) are estimated to have

not yet engaged with treatment. Two thirds of people in treatment during 2014/15 were in treatment for opiate drug use. One in five was in treatment for alcohol use and the remaining were in treatment for non-opiate drug use (including Crack Cocaine).

There is also emergence of the wider use of New Psychoactive Substances (NPS) or 'legal highs', nitrous oxide which is a serious concern for the Council and residents in the borough.

There has been an upward trend of the reported ASB incidents in the borough over the last five years. The exact causes leading to the increase in ASB incidents are unknown, but several factors and conditions, including high population density, may play a part. The borough is set to have the highest population density in the country by 2025. If population density is one of factors that impacts on the number of ASB incidents, this demographic change, along with others, may have implications for future demand in terms of ASB services. In order to 'future proof' our approach, we will need to consider demand management solutions and activity moving forward as part of the service re-design.

A full equality analysis has been developed as part of this approach and we will continue to review the impact of actions on those with protected characteristics in this borough.

What we intend to do

Our approach

We will make Tower Hamlets a safer place to live, work and visit by:

- **Working together in partnership to prevent ASB**
- **Listening to victims and witnesses and providing them with support**
- **Intervening early robust use of enforcement powers where appropriate**
- **Keeping the community updated with clear messages and information about ASB action and how to report it**
- **Taking robust enforcement action against offenders and ensuring they are brought to justice.**

ASB is multifaceted and highly localised in nature and therefore requires a multi-agency and holistic local approach. The Partnership, including the Council, the Police and housing providers, will work together to reduce the harmful effects of ASB.

A key focus of our approach is to provide effective support to ASB victims in a neighbourhood setting. We will ensure that we better understand the impact ASB has on their lives and ensure safeguarding processes are in place to protect those most vulnerable from further harm.

Therefore, our top priority is the identification and protection of high risk or vulnerable victims of ASB, as the impact of it on them is likely to be greater than on others, by reason of their vulnerability.

Current initiatives

The Council has already committed to a number of significant projects and increased resources to tackle ASB, including:

- Investing in additional enforcement on housing estates of Tower Hamlets Homes (THH)
- Supporting the Metropolitan Police ASB warning system which is now seen as good practice with the potential to become a new London-wide approach
- Providing funding for a dedicated Police Task Force focusing on the most concerning issues in the borough: ASB; Drugs and Prostitution
- Additional monies to support CCTV deployment in the borough
- Additional Legal service's capacity to support the expected increase in enforcement activity
- Standardising and implementing tools and powers from the Anti-social Behaviour, Crime and Policing Act 2014 – providing training for enforcement agencies
- THH offer and promote a range of methods to report ASB
- THH and RPs (registered providers), working with the Police, are making proactive use of the Civil Injunction Powers to target perpetrators

Priority 1

Improved, victim focused, response to ASB in Tower Hamlets

The impact of ASB can be devastating on both residents and their wider communities.

A key focus of this blueprint will be how we can provide effective support to victims of ASB, ensuring that together we better understand the impact ASB can have on their lives, promote health and wellbeing and ensure safeguarding processes are in place to protect them from further harm.

Our first priority is the identification and protection of high risk or vulnerable victims of ASB. A vulnerable person is one whose experience of ASB, and resulting harm, is likely to be more significant because of their individual personal circumstances.

In cases where perpetrators of ASB have certain vulnerabilities, we will ensure that they have access to appropriate support to help modify their behaviour. This may include liaising with relevant professional organisations or support being provided in-house by a dedicated professional. We will work closely with partner agencies to ensure that relevant support is available.

If perpetrators of ASB with certain vulnerabilities refuse support, we will use powers available to the partner agencies to address this anti-social behaviour, these could include the use of positive conditions on Civil Injunctions, to ensure that they engage with appropriate support.

Feedback from resident meetings and analysis of complaints tell us that residents would like to have:

- more support for ASB victims
- preventative activity to address the underlying causes of ASB
- intensive support to children and young people, to prevent them from becoming victims and perpetrators.

What are we already doing?

- Commissioning Victim Support to assist caseworkers to prioritise the needs of victims through a vulnerable victims MARAC
- Promoting the borough's Community Trigger process which allows members of the community to invoke the Partnership to review their responses to complaints of ASB.

What will we do in the next 12 months?

- Improve the quality of service to the community and the customer experience in reporting ASB
- Protect victims of ASB by taking action against perpetrators and bringing them to justice
- Providing specialist training for staff and partners involved in addressing ASB

- Improve safeguarding of victims by introducing a Vulnerable Victims Multi-agency Risk Assessment Conference (MARAC) to address cases of complex need involving vulnerabilities such as mental health, safeguarding and high risk concerns
- Enhance information sharing across the Partnership and implement a problem-solving approach to ASB
- Work in partnership to ensure we intervene early where there are risks that children and young people may be victims or perpetrators of ASB
- Develop and deliver an annual programme of summer activities for children and young people.

How will we know if it's working?

- The Council and the Partnership will provide oversight through robust critical enquiry and scrutiny of a set of Key Performance Indicators (KPIs)
- ASB Demand (Computer Aided Despatch calls (999 and 101) to the Police to report incidents of ASB
- Number of ASB vulnerable repeat callers to the Police (999 and 101)
- Number of individuals causing drug / alcohol related crime or ASB required to engage in structured treatment programmes via criminal or civil orders

- Victim satisfaction.
- Number of perpetrators brought to justice and active use of the Council's enforcement powers.
- Number of Community triggers invoked and satisfactory outcomes (to date 5 Community Triggers activated).

Outcomes

- Local people will feel safer
- Vulnerable victims will be safeguarded
- Perpetrators will be held to account for their actions
- Local people will be clearer about how to report incidents, and who to report them to
- Local people will understand the tools and powers available to tackle ASB, and will be working collaboratively with frontline teams to use these appropriately and effectively
- Individuals committing drug / alcohol related crime and/or ASB will be required to address their substance misuse issues via positive requirements on criminal or civil orders.

Priority 2

Improved understanding of the impact of ASB on local communities and associated harm

The Council and partners will work together with our communities, with those who are suffering ASB as well as with those who cause it, to learn what works best to reduce ASB in the longer term and co-produce solutions.

We recognise that long term and sustainable solutions to ASB will require us to tackle its root causes, which can include alcohol and drug dependency, troubled families, domestic abuse, mental health needs and poverty. We will ensure that links are made with existing policies and procedures and services to achieve the best outcomes.

As data shows, the borough has ASB hotspots and the residents' experience of ASB varies widely. Better understanding of ASB in the communities will help protect the victims from further harm by improving the service we offer and our partnership response.

What are we already doing?

- Improving the way we map and prioritise operations and communications in local ASB hotspot areas
- Improving the Partnership response to ASB by more effective information sharing and co-ordination of resources:
 - Developing an ASB communications campaign for 2017/18, to improve feelings of safety and to highlight the work being done across the borough by the Council, police and housing partners
 - Re-designing our council service offer and introducing a more localised problem-solving approach to tackling ASB
 - Implementing a neighbourhood management model pilot, which aims to deliver localised and responsive operations, engagement and accountability from a range of key partners under the co-ordination of a single area manager.

What will we do in the next 12 months

- Develop a Neighbourhood Agreement setting out the minimum standards and the services communities can expect from partners to tackle ASB
- Work with the community in order to identify their role and responsibility in promoting behaviour change
- Improve communication at both local and borough level to ensure that there is a clear reporting and operational response to concerns
- Undertake community engagement that identifies community concern, priorities and harm at the community level and involves communities in resolutions where appropriate.

What will we do in the next 12 months

- The Council and the Partnership will provide oversight through robust critical enquiry and scrutiny of a set of Key Performance Indicators (KPIs)
- Measure the community perception of ASB through the Annual Residents' Survey (ARS) questions on the four ASB related areas:
 - Drunk and rowdy behaviour in public places
 - People using or dealing drugs

- Rubbish and litter lying around
- Vandalism, graffiti and other deliberate damage to property or vehicles.
- ASB Demand (Computer Aided Despatch calls (999 and 101) to the Police to report incidents of ASB
- Number of ASB repeat callers to the Police (999 and 101)
- Number of individuals causing drug / alcohol related crime or ASB required to engage in structured treatment programmes via criminal or civil orders.

Outcomes

- Local people will feel safer and harm will be minimised.
- Concerns about crime and ASB will have reduced in the residents surveys
- The % of residents telling us that drunk and rowdy behaviour in their area is a big problem will have decreased
- The % of residents telling us that people using or dealing drugs in their area is a big problem will have decreased.

Priority 3

Reduce the damaging effects of ASB by active engagement, working with communities, businesses and co-producing solutions to problems

Why is this important?

The Council and the Partnership cannot solve the issues of ASB alone. To tackle these effectively, we need to work with the whole community, which will assist behaviour change and create a safer borough.

Everybody has the right to feel safe and protected, no matter where they are or who they are with. Intimidating and nuisance behaviour caused by individuals or groups has the power to blight the quality of life for individuals, families and communities. We recognise that alone, the Council and partners cannot solve all of the issues all of the time. This is pertinent now more than ever in a climate of austerity and shrinking public resources. We will need to work even closer with our communities to identify and prioritise the services that have the greatest benefit in reducing ASB. Therefore securing the support of residents and communities in tackling the problems of ASB is key to the success of our new approach. This is particularly important in:

- Giving communities the confidence to report ASB to the relevant agency
- Letting communities have a say in setting priorities, promoting Safer Neighbourhood Ward Panels, and the borough's safer neighbourhood board and working together to find solutions

- Providing support for victims and witnesses to come forward
- Recognising good work by individuals and groups across communities, promoting “champions” and role models.

What are we already doing?

Ensuring that council and police are visible by promoting Community Safety Ward Walkabouts with residents and businesses, to identify issues that matter and find solutions.

A rolling programme of partnership activity is targeting irresponsible business practice and those who are contributing to the blight of ASB in our communities for example, the supply of nitrous oxide.

- Introducing a more effective operations by focusing the right resources on priority hotspots and emerging areas of concern
- Developing a night-time economy charter to create a safe, vibrant and well balanced evening and night-time offer for those that reside in and visit the Brick Lane area.
- Introducing Public Spaces Protection Orders (PSPOs) in those areas most impacted by crime and ASB.

What will we do in the next 12 months?

- Deliver effective education and engagement activities to reduce ASB and victimisation in the long term
- Introduce a new Town Centre Strategy 2017-22
- Deliver new opportunities to make Tower Hamlets night-time economy more safer
- Consider the findings of the Night Time Levy Consultation and implement if appropriate.

How will we know if it's working?

The Partnership will measure its priority performance indicators on a quarterly basis via its quarterly performance dashboard and reports from the respective CSP Subgroups and CSP Priority Leads. These reports will measure current performance against the same period of the previous financial year, provide commentary and reasons for current performance as well as identify any strategic risks to this priority and the Partnership as a whole.

- Number of education and engagement activities delivered
- Number of businesses signed up to the Night Time Economy Charter

- ASB Demand (Computer Aided Despatch calls (999 and 101) to the Police to report incidents of ASB
- Number of individuals causing drug / alcohol related crime or ASB required to engage in structured treatment programmes via criminal or civil orders.

Outcomes

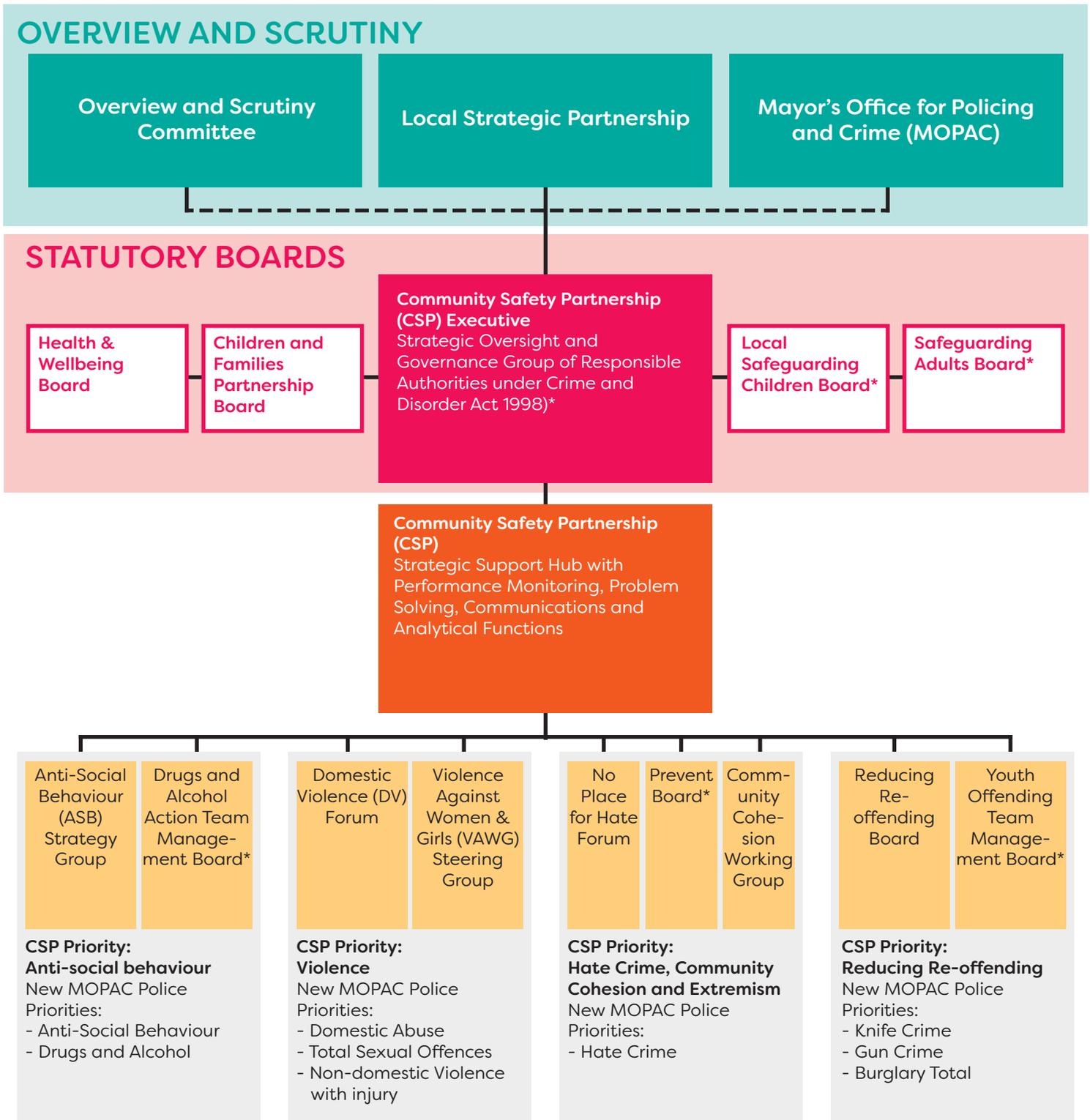
- A vibrant and well balanced evening and night-time offer for those that reside in and visit the Brick Lane area
- Effective operations that deliver positive outcomes for residents
- A safer night-time economy – minimising the impact of ASB
- Cohesive community working with partners to find solutions.

Implementation and monitoring arrangements

This Blueprint has a one year timeframe.

The Community Safety Partnership (CSP) will be responsible for the implementation of this blueprint and will be held to account by the CSP Board, which is co-chaired by the Police and Council.

CSP Governance Structure 2017/18



*Statutory

References

1. Jennings, W.G., Piquero, A.R. & Reingle, J.M. (2012) 'On the overlap between victimization and offending: A review of the literature' *Aggression and Violent Behavior*, Vol. 17, pp16-26.
2. Lammy, D. (2016) 'Review of Racial Bias and BAME representation in the Criminal Justice System: A review to consider the treatment of, and outcomes for Black, Asian and Minority Ethnic (BAME) Individuals within the criminal justice system (CJS) in England and Wales' a letter to the Prime minister dated 16 November 2016.
3. LBTH (2015) 'Scrutiny Report - How the Council, Police and Social Landlords promote the reporting of incidents of drug dealing, drug taking and related ASB in communal spaces and communicate the outcome of this reporting'.
4. LBTH (2016) 'Population projections for Tower Hamlets', Research Briefing, Corporate Research Unit, December 2016.
5. LBTH (2017) 'Scrutiny Report Update - How the Council, Police and Social Landlords promote the reporting of incidents of drug dealing, drug taking and related ASB in communal spaces and communicate the outcome of this reporting', 1 March 2017.
6. LBTH (n.d.) 'Tower Hamlets Annual Residents Survey results 2016' [Online]. Accessible at: http://www.towerhamlets.gov.uk/Documents/Borough_statistics/2016_Annual_Residents_Survey_results.pdf
7. MOPAC (2017) *A Safer City for All Londoners: Police and Crime Plan 2017-2021*
8. Williams, S. (2016) 'Tower Hamlets Overview & Scrutiny Committee: Metropolitan Police Service Update', *Crime and Disorder Spotlight - presentation, Overview & Scrutiny Committee, Tower Hamlets Council* [Online]. Accessible at: <http://democracy.towerhamlets.gov.uk/documents/b19751/Item%2011.1%20Crime%20and%20Disorder%20Spotlight%20-%20Presentation%2001st-Sep-2016%2018.00%20Overview%20Scrutiny%20Comm.pdf?T=9>
9. Uhrig, N. (2016) 'Black, Asian and Minority Ethnic disproportionality in the Criminal Justice System in England and Wales', Ministry of Justice Analytical Services

Appendix A:

Regional and local strategies that have contributed to the reduction of ASB in Tower Hamlets

Mayor of London Police and Crime Plan 2017-2021	<p>The London Mayor has pledged to continue addressing ASB as a priority across all of London by increasing the number of dedicated police officers in each of the Wards, especially targeting the ones that have most ASB and Crime concerns. His Plan sets out that police will concentrate on a number of areas which will affect the boroughs approach to ASB. Those include prioritising Hate Crime, tackling repeat offenders and increasing protection for victims and vulnerable people.</p>
Tower Hamlets Community Safety Partnership (CSP) Plan 2017-21	<p>The CSP Plan is based on a strategic assessment of partnership performance in relation to crime, disorder, substance misuse and reducing re-offending, as well as a wide reaching public consultation on residents' top three concerns.</p> <p>The CSP Plan 2017-21 sets out the Partnership's four main priorities for the borough to address, one of those being ASB including Drugs and Alcohol.</p>
Tower Hamlets' Violence Against Women and Girls (VAWG) Strategy 2016-2019	<p>The VAWG Strategy looks at ASB in relation to gender based violence. In particular, it lays out our approach to tackling prostitution and our commitment to supporting sex workers to leave prostitution.</p>
Community Engagement Strategy 2016-2017, Tower Hamlets Council	<p>This strategy sets out how we strive through active community involvement to shape the borough, build community capacity and resilience and enhance our digital presence to engage more effectively with our community.</p>

<p>Tower Hamlets Homes Business Plan 2016/17-2018/19</p>	<p>Tower Hamlets Homes (THH) working in partnership with the Council and key partners aim to use our combined resources to tackle drug dealing and drug use in our communities. In the following year THH will:</p> <ul style="list-style-type: none"> ➤ Place new emphasis on using intelligence gained about ASB hotspots so that resources can be more effectively harnessed ➤ By giving front line officers clearer responsibilities, ensure that the landlord service has a more comprehensive and broad based approach towards tackling ASB which involves staff from both the Council and across Tower Hamlets Homes.
<p>Ending Groups, Gangs and Serious Youth Violence (GGSYV) Strategy April 2015 – 2018, Tower Hamlets Council</p>	<p>This strategy sets our position that we will not tolerate groups, gangs and serious youth violence and its associated abuse in Tower Hamlets. It outlines how work will be underpinned by a safeguarding approach towards young people (and families) who are at risk of involvement in groups, gangs and serious youth violence and the associated forms of abuse. Young people and families will be offered targeted interventions at the earliest point to discourage involvement with support from the appropriate partners. If young people (or families) continue to engage in GGSYV the partnership will use all enforcement options available and also continue to offer support with appropriate interventions.</p>
<p>Hate Crime Strategy</p>	<p>This strategy is underpinned by a commitment to provide equality of access to services and support to every member of our communities; regardless of – age, disability, marital status, gender assignment, pregnancy and maternity, race, religion or belief, sex or sexual orientation. It is widely understood that those most vulnerable in our society or those from diverse backgrounds are proportionally more likely to become victims of ASB or hate crime. Incidents of hate crime often manifest themselves in low level forms of ASB, which on the surface may appear minor but the impact on the victim and their family can be devastating if not dealt with quickly and effectively.</p>

Appendix 9

Corinne Holland

From: Licensing
Sent: 30 May 2022 14:04
To: Corinne Holland
Subject: FW: Premises License Application 408 Hackney Road

From: MARK.J.Perry [REDACTED]
Sent: 30 May 2022 13:47
To: giada [REDACTED] <Licensing@towerhamlets.gov.uk>
Subject: RE: Premises License Application 408 Hackney Road

Dear Tower Hamlets Council Licensing,

Please see below conditions agreed with the applicant.

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



From: giada botti [REDACTED]
Sent: 26 November 2021 11:39
To: Perry Mark J - CE-CU <[REDACTED]>
Subject: Re: Premises License Application

Thanks for your email,

Agreed on all the above condition

On Fri, 26 Nov 2021 at 11:36, <[REDACTED]> wrote:

Hi,

Good to speak to you today, following our conversation please below the conditions we discussed. Please can you confirm that you agree to them and I will inform Tower Hamlets Council Licensing that we have agreed terms.

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

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

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

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

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

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

5. 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

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 10

Corinne Holland

From: Nicola Cadzow
Sent: 30 May 2022 12:44
To: Licensing
Cc: MARK.J.Perry [REDACTED]; Michael.Rice@[REDACTED] giada botti
Subject: 149723 New premises license application for Flour & Flowers 408 Hackney Road

Follow Up Flag: Follow up
Flag Status: Completed

Good afternoon Licensing,

I have no objections to the new premises license application for Flour & Flowers 408 Hackney Road, ref 149723, following agreement by the applicant to the additional noise conditions (see also email trail) as below:

1. Loudspeakers shall not be located in the entrance lobby or outside the premise building.
2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises, which gives rise to a public nuisance.

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

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

From: giada botti <[REDACTED]>
Sent: Monday, May 30, 2022 12:20 PM
To: Nicola Cadzow <[REDACTED]>
Cc: MARK.J.Perry [REDACTED]; Michael.Rice [REDACTED]
Subject: Re: 149723 New premises license application for Flour & Flowers 408 Hackney Road

Good morning Mr Cadzow,

Point 1 :

Our speaker will remain the same, with no changes in same position as two Sonos speakers, 1 upstairs and 1 downstairs. Chill music reproduced everyday as background. From 8:30 am to 17:00.

Nothing at the entrance lobby or outside.

AGREED

POINT 2:

AGREED

thank you

On Mon, 30 May 2022 at 12:12, Nicola Cadzow <[REDACTED]> wrote:

Dear Ms Botti,

I am reviewing your new premises license application for Flour & Flowers 408 Hackney Road, ref 149723, with particular attention to the licensing objective for the prevention of public nuisance, and wish for the following noise conditions to apply as below:

1. Loudspeakers shall not be located in the entrance lobby or outside the premise building.
2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises, which gives rise to a public nuisance.

Await your confirmation to the above conditions

Kind regards

Nicola Cadzow

Appendix 11

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 12

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

Updated April 2018

Public nuisance

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

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

Appendix 13

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 14

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

Updated April 2018

Crime and disorder

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

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

Appendix 15

Anti-Social Behaviour from Patrons Leaving the Premises

General Advice

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

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

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

Licensing Policy

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

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

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

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

Cumulative Impact

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

Police Powers

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

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

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

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

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

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

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

Other Legislation

Crime and Disorder Act 1998

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

Page 148

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

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

Appendix 16

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 17

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 or 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.

This page is intentionally left blank

Agenda Item 4.2

Committee: Licensing Sub Committee	Date 10 July 2022	Classification Unrestricted	Report No.	Agenda Item No.
--	----------------------	---------------------------------------	------------	-----------------

Report of: David Tolley Head of Environmental Health & Trading Standards Originating Officer: Corinne Holland Licensing Officer	Title: Licensing Act 2003 Application for a new Premise Licence for Wilde by Staycity Aparthotel, 92 Middlesex Street, London, E1 7EZ Ward affected: Spitalfields and Banglatown
--	---

1.0 Summary

Applicant:	Staycity UK
Name and Address of Premises:	Wilde by Staycity Aparthotel 92 Middlesex Street London E1 7EZ
Licence sought:	Licensing Act 2003 Sale by retail of Alcohol (on & off sales) Provision of Late-Night Refreshments
Objectors:	Licensing Authority 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

Corinne Holland
020 7364 3986

3.0 **Background**

- 3.1 This is an application for a new Premise Licence for Wilde by Staycity Aparthotel, 92 Middlesex Street, London, E1 7EZ. This premises falls within the Brick Lane Cumulative Impact Area.
- 3.2 The applicant has described the premises as: A serviced aparthotel consisting of studios and once bedroom apartments. A café area is intended to extend a limited food and beverage offering.
- 3.3 A copy of the application is shown in **Appendix 1**.
- 3.4 The hours applied for are as follows:

Sale of Alcohol (on & off sales)

Monday – Thursday 10:00 – 23:30 hours

Friday – Saturday 10:00 – 00:00 hours

Sunday 10:00 – 22:30 hours

Provision of Late Night Refreshments (indoors)

Monday – Thursday 23:00 – 23:30 hours

Friday – Saturday 23:00 – 00:00 hours

Non-Standard Timings

Permit the sale of alcohol/provision of LNR - 10:00 New Year's Eve to terminal hour proposed being 00:30 hours on 2nd January

Sale of alcohol/provision of LNR to residents - 24 hours

Opening times

Monday – Sunday 06:00 – 01:00 hours (the following day)

24 hours a day to residents

4.0 **Location and Nature of the premises**

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

5.0 **Licensing Policy and Government Advice**

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

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

6.0 Representations

- 6.1 All representations have to meet basic legal and administrative requirements. If they fail to do so they cannot be accepted. When rejected the person sending in the representation must be written to, and an explanation for rejection given in writing.
- 6.2 A responsible authority or other person can make a representation. There are two tests for other persons and only one for a responsible authority. The two tests are contained in Section 18 of the Act.
- 6.3 All representations must be "about the likely effect of the grant of the premises licence on the promotion of the licensing objectives." Likely means something that will probably happen, i.e. on balance more likely than not.
- 6.4 Representations by responsible authorities do not have to meet the second test of not being vexatious and frivolous. Other persons have to meet this test.
- 6.5 The Home Office recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation.
- 6.6 Section 182 Advice by the Home Office concerning relevant, vexatious and frivolous representations is attached as **Appendix 6**.
- 6.7 All the representations in this report have been considered by the relevant officer (Team Leader Licensing & Safety) and determined to have met the requirements of the Licensing Act 2003.
- 6.8 This hearing is required by the Licensing Act 2003, because relevant representations have been made by the following.
- Licensing Authority – **Appendix 7**
 - 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 Health
 - Home office (Immigration Enforcement)
- 6.10 In addition the application was required to be advertised in a local newspaper and by a blue poster. Only objections that relate to the following licensing objectives are relevant:
- the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm
- 6.11 The objections relate to:
- Public nuisance
 - Crime and Disorder
 - ASB
- 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. Staff will receive training on matters concerning underage sales, drug policies and operating procedures.
2. There shall be a zero tolerance policy in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons. Drugs seized will be stored securely and handed to the police.
3. A Challenge 21 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. (police condition increased to Challenge 25)
4. CCTV will be installed – retained for 31 days (see fuller police condition)
5. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
6. Patrons will be encouraged by staff to leave quietly and respect the interests of the occupiers of any nearby noise sensitive premises.
7. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
8. Contact numbers for taxi firms shall be kept at the premises and made available to patrons requiring a taxi.
9. Spillages and breakages will be removed as soon as possible to reduce risk to patrons and staff.

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. 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/finds 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.

3. 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.

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

5. The premises shall have a welfare policy that will detail how its staff will identify and support those customers at risk of domestic violence or juveniles being exploited. Such a policy will include details of relevant staff training.

6. The premises shall have a risk assessment for its operations, the risk assessment will detail the level of risk and any measures (such as SIA numbers, staff training) taken to mitigate any risk identified. Such risk assessments are to be written down and made available to Police upon request.

9.0 Licensing Officer Comments

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

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

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

9.3 Guidance issued under section 182 of the Licensing Act 2003

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

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

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

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

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

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

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

9.9 In **Appendices 11 – 17** Members are given general advice, and also have explanations of the Council’s Licensing Policy, Government advice and other legislation relating to the matters previously identified.

10.0 Legal Comments

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

11.0 Finance Comments

11.1 There are no financial implications in this report.

12.0 Appendices

Appendix 1	A copy of the application
Appendix 2	Site Plan
Appendix 3	Maps of the surrounding area
Appendix 4	Photographs of the premises
Appendix 5	Other licensed venues in the area
Appendix 6	Section 182 Advice by the DCMS- Relevant, vexatious and frivolous representations
Appendix 7	Representations from LA
Appendix 8	Representation from EH
Appendix 9	Conditions agreed with police
Appendix 10	Licensing Officer comments on public nuisance
Appendix 11	S182 advice on public nuisance
Appendix 12	Licensing Officer comments on crime & disorder
Appendix 13	S182 advice on crime & disorder
Appendix 14	ASB leaving the premises
Appendix 15	Cumulative Impact Area
Appendix 16	Licensing Policy relating to hours of trading
Appendix 17	Planning

This page is intentionally left blank

Appendix 1

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You may wish to keep a copy of the completed form for your records.

We Staycity UK Ltd apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description Wilde by Staycity Aparthotel, 92 Middlesex Street,	
Post town London	Post code E1 7EZ

Telephone number of premises (if any)

Non-domestic rateable value of premises

 £

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

- Please tick ✓
- a) An individual or individuals* please complete section (A)
- b) a person other than an individual*
- i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

Surname First names

Date of Birth:	I am 18 years old or over <input type="checkbox"/>
Nationality: Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)	

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)

Second Individual Applicant (if applicable)

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

Surname First names

Date of Birth:	I am 18 years old or over <input type="checkbox"/>
Nationality: Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)	

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)

(B) OTHER APPLICANTS

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

Name Staycity UK Ltd
Address [REDACTED]
Registered number (where applicable) [REDACTED]
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 – Operating Schedule

When do you want the premises licence to start?

Day Month Year

A	S	A	P				
---	---	---	---	--	--	--	--

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

Day Month Year

--	--	--	--	--	--	--	--

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

N/A

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

This is a development site for which no rateable value has been assessed but where building works are ongoing. In accordance with the regulations a Band C fee is payable.

The applicant operates existing Aparthotels in Manchester, London, York, Birmingham, Liverpool and elsewhere internationally. In addition there is a site already operating within Tower Hamlets Licensing Authority at Commercial Street, London.

The unit intended to be licensed at Middlesex Street, London will offer a serviced aparthotel consisting of studios and one bedroom apartments.

Each studio / apartment will offer cooking facilities but the applicant will offer a cafe area which is intended to extend a limited food and beverage offering as identified on the plans deposited with this application.

It is proposed that the permitted hours for licensable activities for these premises should be as follows for non residents:

Sunday: 10:00 to 22:30 hours
Monday – Thursday: 10.00 to 23.30 hours
Friday and Saturday: 10:00 to 00:00 hours

However, the premises will remain open and alcohol will be available 24 hours a day to residents at the premises.

This application seeks to licence the premises specifically to authorise under the Licensing Act 2003 the following activities:

1. The sale of alcohol.
2. The provision of late night refreshment after 23.00.

The appropriate drawings deposited with this application are:

- Site location plan – 1824-P-301.
- Site Plan – 1824-P-302.
- Plan showing proposed ground floor licensed area edged in red – P1824-A-502-02.
- Detailed plan showing ground floor licensed area plan number: 2019/ID/001
- Plans showing indicative layout for the unlicensed floors being basement, first to sixth floor as attached including fire safety measures.

Please note that the internal area edged red on the licensing drawings are intended to be used (as required) for all licensable activities.

Please further note that the appropriate fire safety precautions will be incorporated within the development in consultation with the Fire Safety Officer and under the Building Regulation approval process.

CCTV – CCTV will be installed within the premises and will cover the areas intended to be licensed.

It is not anticipated that the proposed development will adversely affect crime and disorder or public nuisance.

Please note that the apartments themselves are not intended to be included within the ambit of the licence, save that alcohol purchased from the facility to be licensed may be delivered to and/or consumed in those apartments by those residents.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Please tick ✓ yes

Provision of regulated entertainment

- a) Plays (If ticking yes, fill in box A)
- b) Films (If ticking yes, fill in box B)
- c) Indoor sporting events (If ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

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

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place Indoors or outdoors or both – please tick {Y}(please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick {Y}(please read guidance note 2).		Indoors	
					Outdoors	
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon						
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)			
Wed						
Thur						
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
				Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

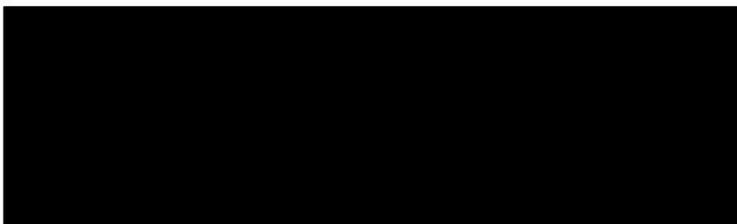
I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place Indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3) As stated in Part 3 above		
Mon	23:00	23:30			
Tue	23:00	23:30	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Wed	23:00	23:30			
Thur	23:00	23:30	N/A – save as below		
Fri	23:00	00:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat	23:00	00:00			
Sun			When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises	
				Off the premises	
				Both	✓
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	10:00	23:30			
Tue	10:00	23:30	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Wed	10:00	23:30			
Thur	10:00	23:30	To permit the sale of alcohol hereunder from 10.00 New Years Eve: 10:00 to terminal hours proposed being 00.30 on 2 nd January		
Fri	10:00	00:00			
Sat	10:00	00:00	The premises shall remain open to permit the sale of alcohol to residents 24 hours a day		
Sun	10:00	22:30			

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



K

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

NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)
Day	Start	Finish	
Mon	06:00	01:00	Please see box J above Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) The premises shall remain open 24 hours a day for residents.
Tue	06:00	01:00	
Wed	06:00	01:00	
Thur	06:00	01:00	
Fri	06:00	01:00	
Sat	06:00	01:00	
Sun	06:00	01:00	

M

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

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

We have undertaken our own risk assessment to propose the following steps:-

The steps which we have identified in relation to the four licensing objectives are listed below

b) The prevention of crime and disorder

No further risks have been identified which need to be addressed, save as below

1. The use of door staff will be risk assessed on an ongoing basis by the licence holder of premises supervisor. Where engaged, door staff shall be licensed by the Security Industry Authority.
2. Staff will receive training on matters concerning underage sales, drugs policies and operating procedures.

3. There shall be a zero tolerance policy in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely and handed to the police.
4. The premises shall operate a proof of age scheme and will require photographic identification from any person who appears to be under the age of 21 years.
5. The management of the premises will liaise with police on issues of local concern or disorder.
6. CCTV will be installed with recording facilities such recordings shall be retained for a period of 31 days and made available within a reasonable time upon request by the police, such as to cover the main entrance to the premises.
7. There shall be no drinks promotions at the premises which are inconsistent with the need to promote responsible drinking.

c) Public safety

No further risks have been identified which need to be addressed, save as below

1. To comply with the reasonable requirements of the fire officer from time to time.
2. The premises will have adequate safety and fire fighting equipment and such equipment will be maintained in good operational order.
3. Staff will be trained on matters of safety, evacuation and use of emergency equipment as required.
4. Spillages and breakages will be removed as soon as possible to reduce the risk to patrons and staff.
5. Fire Exits and means of escape shall be kept clear and in good operational condition.

d) The prevention of public nuisance

No further risks have been identified which need to be addressed, save as below

1. Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.
2. Patrons will be encouraged by staff to leave quietly and respect the interests of the occupiers of any nearby noise sensitive premises, Where appropriate the licensee or a suitable staff member will monitor patrons leaving at the closing time.
3. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
4. Contact numbers for local taxi firm(s) shall be kept at the premises and made available to patrons requiring a taxi.

e) The protection of children from harm

- 1) The restrictions set out in the Licensing Act 2003 will apply. No unusual or additional risks of harm to children have been identified.
- 2) No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.
- 3) There shall be adequate controls in place including staff training to safeguard against the sale of alcohol to persons under 18 years.
- 4) The premises supervisor or appointed staff member shall ensure that when children are admitted to the premises their presence is not inconsistent with the style of operation of the premises at that time and the licensable activities that are being carried out.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected
- {Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships} I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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

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

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent. (Please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • {Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership} I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
--------------------	--

Signature: John Gaunt & Partners

Date: 17th July 2022

Capacity: Solicitors.....

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

Signature: John Gaunt & Partners

Date:.....

Capacity: Solicitors.....

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

John Gaunt & Partners

Post town
Sheffield

Post code
[REDACTED]

Telephone number (If any)

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

Notes for Guidance

1. 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.
2. In terms of specific regulated entertainments please note that:
 - **Plays:** no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - **Films:** no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - **Indoor sporting events:** no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - **Boxing or Wrestling Entertainment:** no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - **Live music:** no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - **Recorded Music:** no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the

relevant premises from: (I) the local authority concerned, or (II) the school proprietor or (III) the health care provider for the hospital.

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (Indoors may include a tent).
 4. For example the 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.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.

15. 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 **full birth or adoption certificate** issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **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.
- 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 of 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 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, 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.

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.

Appendix 2



Key

 Site Boundary

92 Middlesex Street
London E1 7EZ

Block Plan

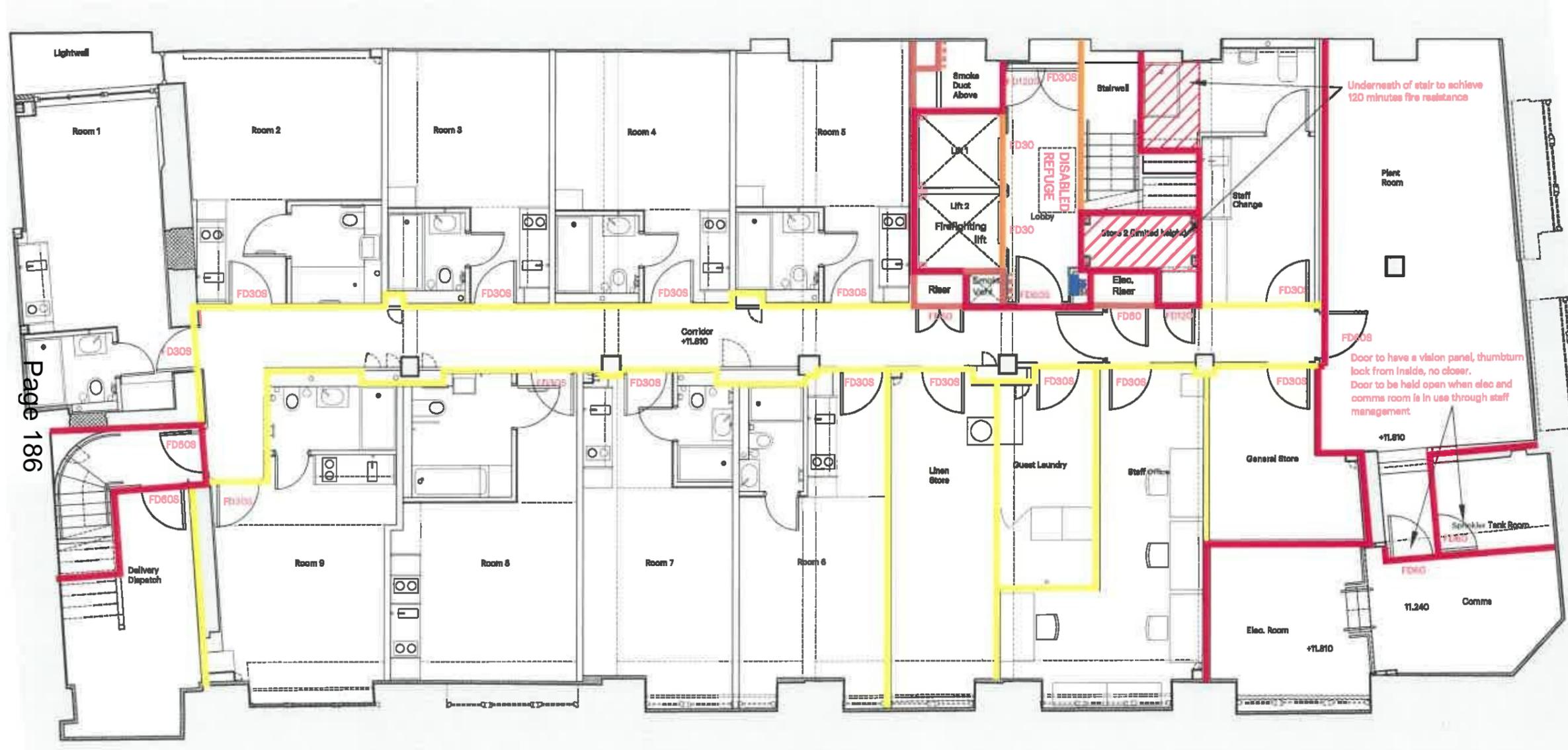


Scale 1:500@A3	Date 20 11 20	Revision 00
-------------------	------------------	----------------

1824

P-302

- Notes
- 1 Contents of this drawing are the copyright of Nick Baker Architects
 - 2 No dimensions to be scaled from this drawing
 - 3 All dimensions to be verified on site prior to commencement of works. Any discrepancies shall be notified
 - 4 All dimensions are in millimetres unless noted otherwise
 - 5 All drawings to be read in conjunction with all specs, scopes of works and schedules
 - 6 All levels to relate to OBM
 - 7 All drawings to be read in conjunction with structural + M&E engineers drawings and schedules



Page 186

- 120 MIN. FIRE RATED WALL
- 90 MIN. FIRE RATED WALL
- 60 MIN. FIRE RATED WALL
- 30 MIN. FIRE RATED WALL
- FD1208** 120 MIN. FIRE RATED DOOR SET WITH INTUMESCENT STRIPS, SMOKE SEALS AND SELF CLOSING DEVICE.
- FD60** 60 MIN. FIRE RATED DOOR
- FD608** 60 MIN. FIRE RATED DOOR SET WITH INTUMESCENT STRIPS, SMOKE SEALS AND SELF CLOSING DEVICE.
- FD30** 30 MIN. FIRE RATED DOOR
- FD308** 30 MIN. FIRE RATED DOOR SET WITH INTUMESCENT STRIPS, SMOKE SEALS AND SELF CLOSING DEVICE.
- SMOKE EXTRACT DAMPER - 90 MINUTES FIRE RATED
- SMOKE EXTRACT DAMPER - 120 MINUTES FIRE RATED
- ~ FIRE CURTAIN
- ABLATIVE BATT or similar to achieve 90 min to riser floor
- ABLATIVE BATT or similar to achieve 120 min to riser floor
- DRY RISER INLET
- AOV** AUTOMATIC OPENING VENT INSTALLED TO THE BINS STORE ROOF AND AT THE TOP OF THE STAIR (1m² free opening)

Rev.	Description	Date
01	General updates	01 02 21
02	Layout updated	24 12 21

1 FIRE STRATEGY BASEMENT

- GENERAL NOTES**
- MIST SPRINKLER SYSTEM TO BE INSTALLED THROUGHOUT THE BUILDING TO SPECIALIST DESIGN.
 - L1 FIRE DETECTION SYSTEM INSTALLED THROUGHOUT THE BUILDING TO SPECIALIST DESIGN.
 - FLOOR AT ALL THE LEVELS TO ACHIEVE 90 MIN. FIRE RESISTANCE
 - STRUCTURAL FRAME TO ACHIEVE 90 MIN. FIRE RESISTANCE
 - SERVICE PENETRATIONS TO BE SEALED USING 3RD PARTY ACCREDITED FIRE STOPPING PRODUCTS INSTALLED BY A 3RD PARTY ACCREDITED INSTALLER

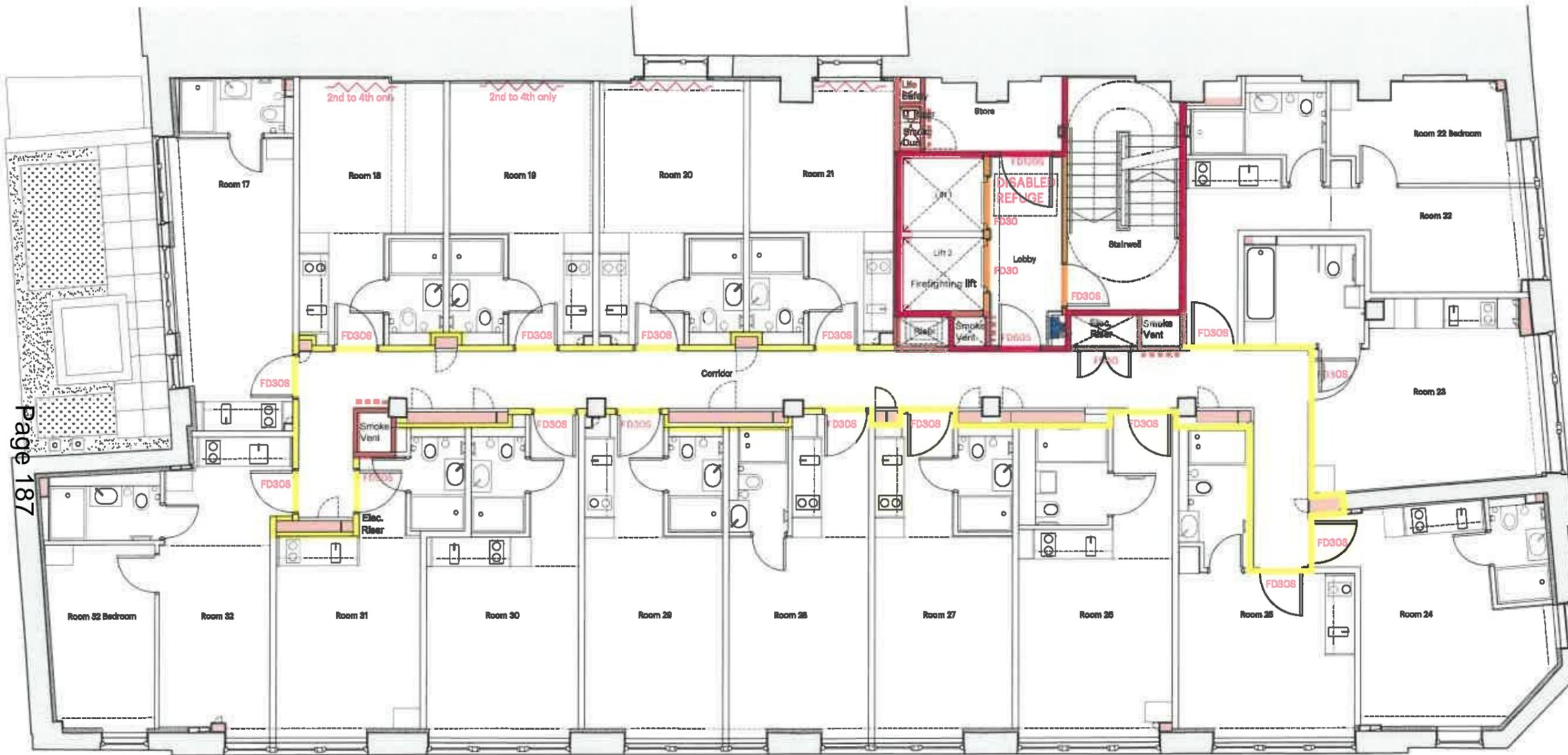
Status
FOR INFORMATION

Client
Glenwell Group

Address
1824-Middlesex Street

Drawn Title
Fire Strategy Basement

Scale	Drawn By	Checked By	Date
1:100@A3	ND	NBA	07 02 2020
Job no.	Drawing No.	Rev.	
1824	A-501	02	



Page 187

- Notes**
- 1 Contents of this drawing are the copyright of Nick Baker Architects
 - 2 No dimensions to be scaled from this drawing
 - 3 All dimensions to be verified on site prior to commencement of works. Any discrepancies shall be notified
 - 4 All dimensions are in millimetres unless noted otherwise
 - 5 All drawings to be read in conjunction with all scope of works and schedules
 - 6 All levels to relate to OBM
 - 7 All drawings to be read in conjunction with structural + M&E engineers drawings and schedules

- █ 120 MIN. FIRE RATED WALL
- █ 90 MIN. FIRE RATED WALL
- █ 60 MIN. FIRE RATED WALL
- █ 30 MIN. FIRE RATED WALL
- █ FD1208 120 MIN. FIRE RATED DOOR SET WITH INTUMESCENT STRIPS, SMOKE SEALS AND SELF CLOSING DEVICE.
- █ FD60 60 MIN. FIRE RATED DOOR
- █ FD608 60 MIN. FIRE RATED DOOR SET WITH INTUMESCENT STRIPS, SMOKE SEALS AND SELF CLOSING DEVICE.
- █ FD30 30 MIN. FIRE RATED DOOR
- █ FD308 30 MIN. FIRE RATED DOOR SET WITH INTUMESCENT STRIPS, SMOKE SEALS AND SELF CLOSING DEVICE.
- - - - SMOKE EXTRACT DAMPER - 90 MINUTES FIRE RATED
- - - - SMOKE EXTRACT DAMPER - 120 MINUTES FIRE RATED
- ~ ~ ~ FIRE CURTAIN
- ABLATIVE BATT or similar to achieve 90 min to riser floor
- ABLATIVE BATT or similar to achieve 120 min to riser floor
- DRY RISER INLET
- AOV AUTOMATIC OPENING VENT INSTALLED TO THE BINS STORE ROOF AND AT THE TOP OF THE STAIR (1m2 free opening)

Rev.	Description	Date
01	General updates	01 08 21
02	Layout updated	24 12 21

1 FIRE STRATEGY, FIRST TO FOURTH FLOOR

- GENERAL NOTES**
- MIST SPRINKLER SYSTEM TO BE INSTALLED THROUGHOUT THE BUILDING. TO SPECIALIST DESIGN.
 - L1 FIRE DETECTION SYSTEM INSTALLED THROUGHOUT THE BUILDING. TO SPECIALIST DESIGN.
 - FLOOR AT ALL THE LEVELS TO ACHIEVE 90 MIN. FIRE RESISTANCE
 - STRUCTURAL FRAME TO ACHIEVE 90 MIN. FIRE RESISTANCE
 - SERVICE PENETRATIONS TO BE SEALED USING 3RD PARTY ACCREDITED FIRE STOPPING PRODUCTS INSTALLED BY A 3RD PARTY ACCREDITED INSTALLER

Status
FOR INFORMATION

Client
Glenwell Group

Project
1824-Middlesex Street

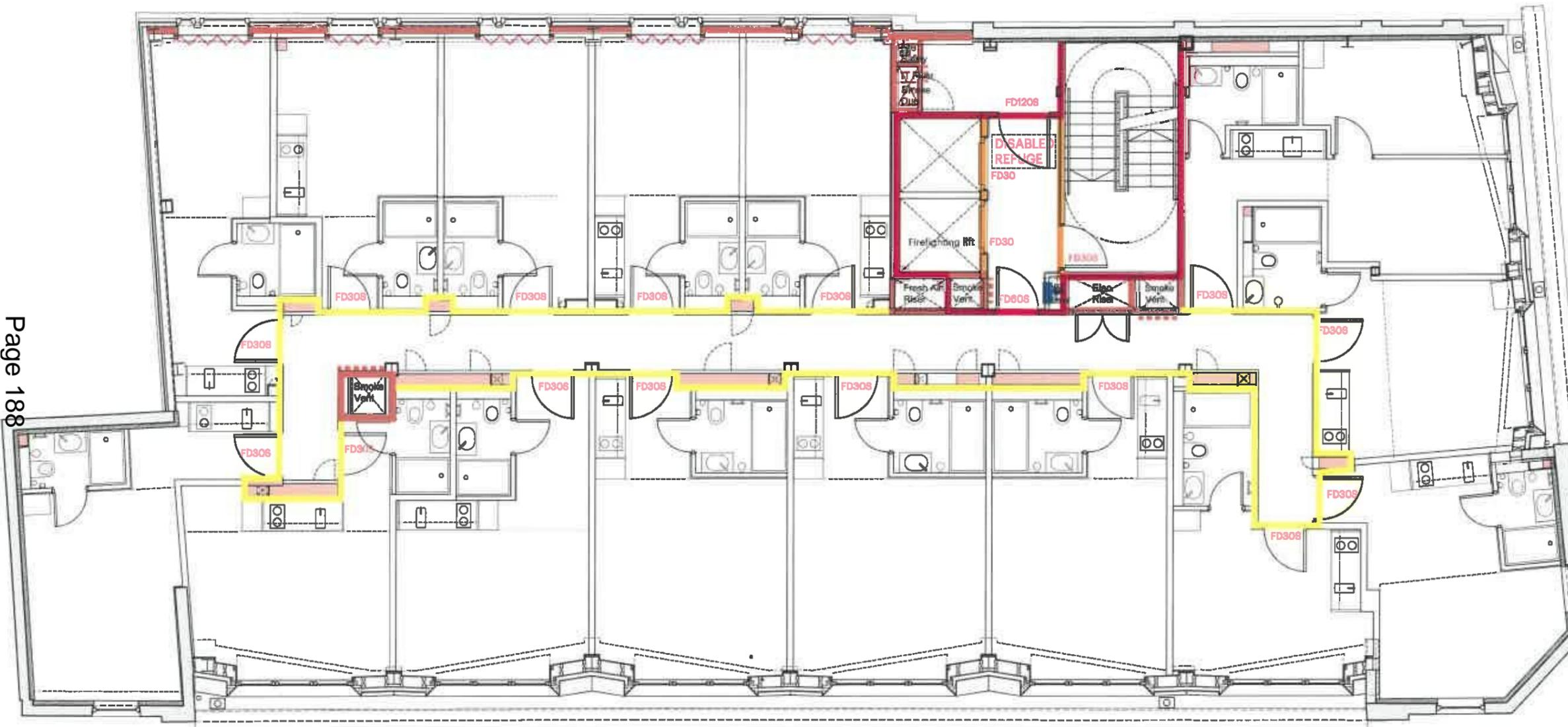
Drawing Title
Fire Strategy 1st to 4th floor

Scale	Drawn By	Checked By	Date
1:100@A3	IC	NBA	07 02 2020

Job no.	Drawing No.	Rev.
1824	A-503	02

- Notes
- 1 Contents of this drawing are the copyright of Nick Baker Architects
 - 2 No dimensions to be added from this drawing
 - 3 All dimensions to be verified on site prior to commencement of works
Any discrepancies shall be notified
 - 4 All dimensions are in millimetres unless noted otherwise
 - 5 All drawings to be read in conjunction with all space scope of works and schedules
 - 6 All levels to refer to OSBM
 - 7 All drawings to be read in conjunction with structural + M&E engineers drawings and schedules

Page 188



- 120 MIN. FIRE RATED WALL
- 90 MIN. FIRE RATED WALL
- 60 MIN. FIRE RATED WALL
- 30 MIN. FIRE RATED WALL
- FD1208 120 MIN. FIRE RATED DOOR SET WITH INTUMESCENT STRIPS, SMOKE SEALS AND SELF CLOSING DEVICE.
- FD60 60 MIN. FIRE RATED DOOR
- FD608 60 MIN. FIRE RATED DOOR SET WITH INTUMESCENT STRIPS, SMOKE SEALS AND SELF CLOSING DEVICE.
- FD30 30 MIN. FIRE RATED DOOR
- FD308 30 MIN. FIRE RATED DOOR SET WITH INTUMESCENT STRIPS, SMOKE SEALS AND SELF CLOSING DEVICE.
- - - - SMOKE EXTRACT DAMPER - 90 MINUTES FIRE RATED
- - - - SMOKE EXTRACT DAMPER - 120 MINUTES FIRE RATED
- ~ FIRE CURTAIN
- ▭ ABLATIVE BATT or similar to achieve 90 min to riser floor
- ▭ ABLATIVE BATT or similar to achieve 120 min to riser floor
- DRY RISER INLET
- AOV AUTOMATIC OPENING VENT INSTALLED TO THE BINS STORE ROOF AND AT THE TOP OF THE STAIR (1m² free opening)

Rev.	Description	Date
01	General updates	01 08 21
02	Layouts updated	24 12 21

1 FIRE STRATEGY FIFTH FLOOR

- GENERAL NOTES**
- MIST SPRINKLER SYSTEM TO BE INSTALLED THROUGHOUT THE BUILDING TO SPECIALIST DESIGN.
 - L1 FIRE DETECTION SYSTEM INSTALLED THROUGHOUT THE BUILDING TO SPECIALIST DESIGN.
 - FLOOR AT ALL THE LEVELS TO ACHIEVE 90 MIN. FIRE RESISTANCE
 - STRUCTURAL FRAME TO ACHIEVE 90 MIN. FIRE RESISTANCE
 - SERVICE PENETRATIONS TO BE SEALED USING 3RD PARTY ACCREDITED FIRE STOPPING PRODUCTS INSTALLED BY A 3RD PARTY ACCREDITED INSTALLER

Status
FOR INFORMATION
Client
Glenwell Group

Project
1824-Middlesex Street

Drawing Title
Fire Strategy Fifth Floor

Scale	Drawn By	Checked By	Date
1/100@A3	IO	NBA	07 08 2020

Job no.	Drawing No.	Rev.
1824	A-504	02

- Notes
- 1 Contents of this drawing are the copyright of Nick Baker Architects
 - 2 No dimensions to be scaled from this drawing
 - 3 All dimensions to be verified on site prior to commencement of work
 - 4 Any discrepancies shall be notified
 - 5 All dimensions are in millimetres unless noted otherwise
 - 6 All drawings to be read in conjunction with all specs scope of work and schedules
 - 7 All drawings to be read in conjunction with structural + M&E engineers drawings and schedules

- 120 MIN. FIRE RATED WALL
- 90 MIN. FIRE RATED WALL
- 60 MIN. FIRE RATED WALL
- 30 MIN. FIRE RATED WALL
- FD120S 120 MIN. FIRE RATED DOOR SET WITH INTUMESCENT STRIPS, SMOKE SEALS AND SELF CLOSING DEVICE
- FD60 60 MIN. FIRE RATED DOOR
- FD60S 60 MIN. FIRE RATED DOOR SET WITH INTUMESCENT STRIPS, SMOKE SEALS AND SELF CLOSING DEVICE
- FD30 30 MIN. FIRE RATED DOOR
- FD30S 30 MIN. FIRE RATED DOOR SET WITH INTUMESCENT STRIPS, SMOKE SEALS AND SELF CLOSING DEVICE
- SMOKE EXTRACT DAMPER - 90 MINUTES FIRE RATED
- SMOKE EXTRACT DAMPER - 120 MINUTES FIRE RATED
- ~ FIRE CURTAIN
- ▭ ABLATIVE BATT or similar to achieve 90 min to riser floor
- ▭ ABLATIVE BATT or similar to achieve 120 min to riser floor
- DRY RISER INLET
- AOV AUTOMATIC OPENING VENT INSTALLED TO THE BINS STORE ROOF AND AT THE TOP OF THE STAIR (1m² free opening)

Rev.	Description	Date
01	General updates	01 02 21
02	Layout updated	24 12 21

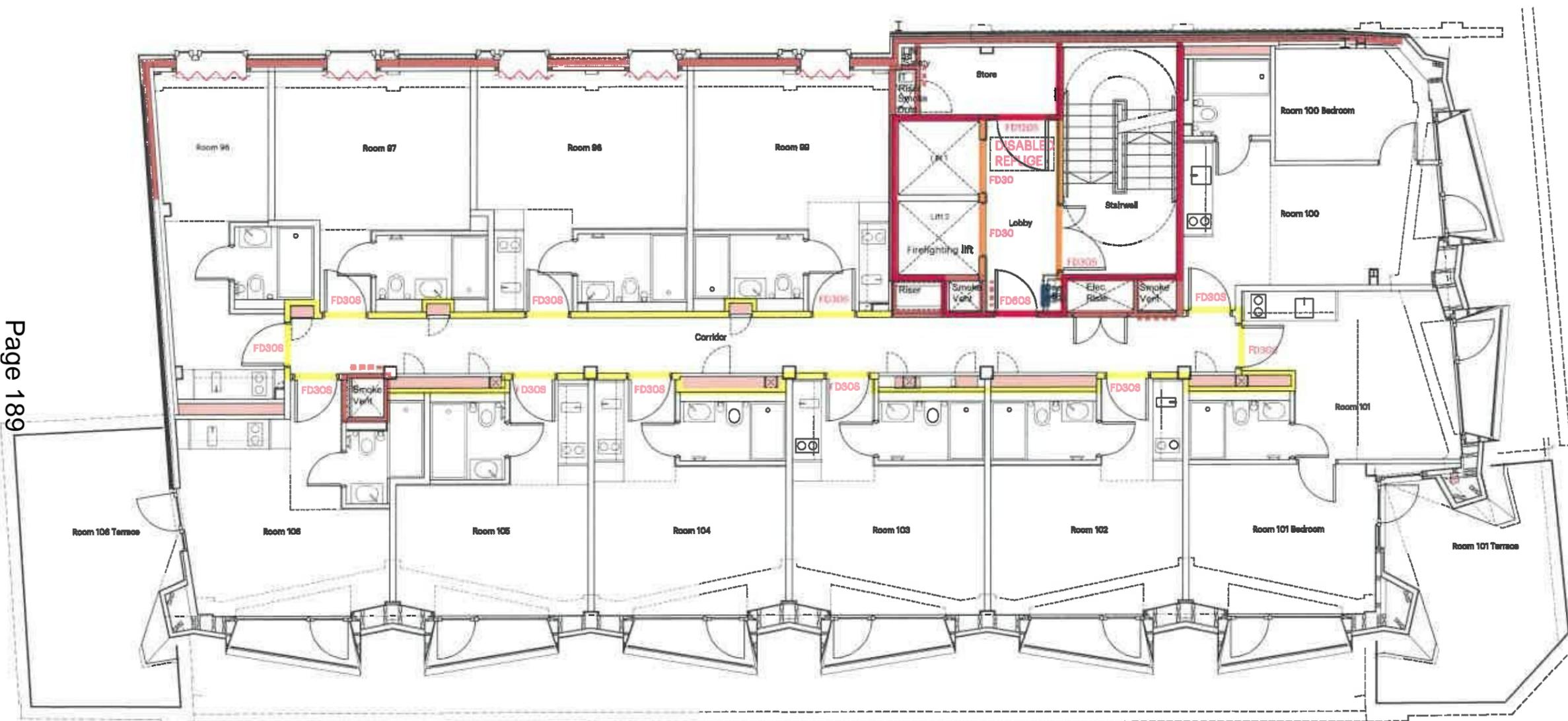
Status
FOR INFORMATION

Client
Glenwell Group

Project
1824-Middlesex Street

Drawing Title
Fire Strategy Sixth Floor

Scale	Drawn By	Checked By	Date
1/100@A3	IC	NBA	07 02 2020
Job no.	Drawing No.	Rev.	
1824	A-505	02	

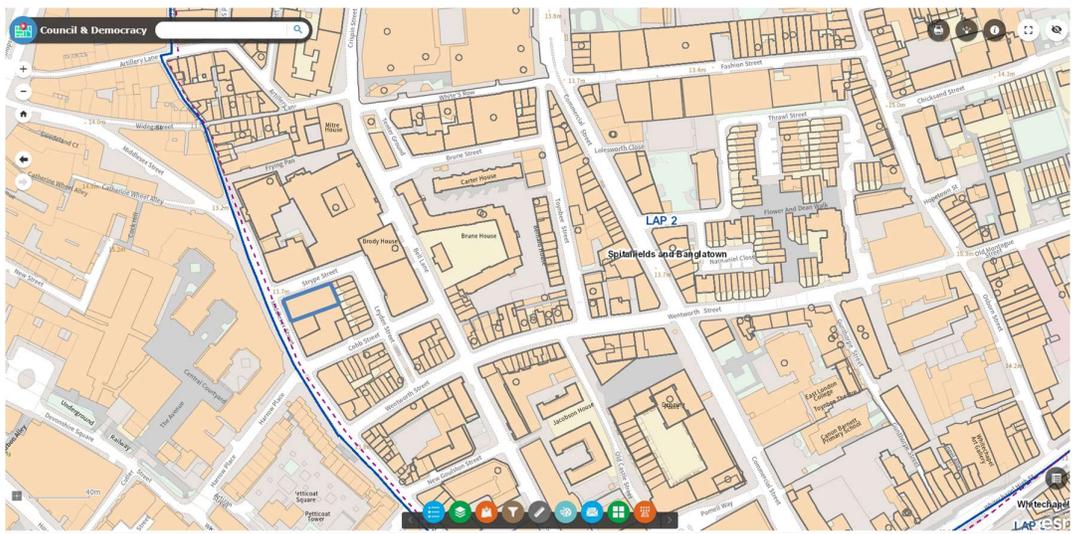
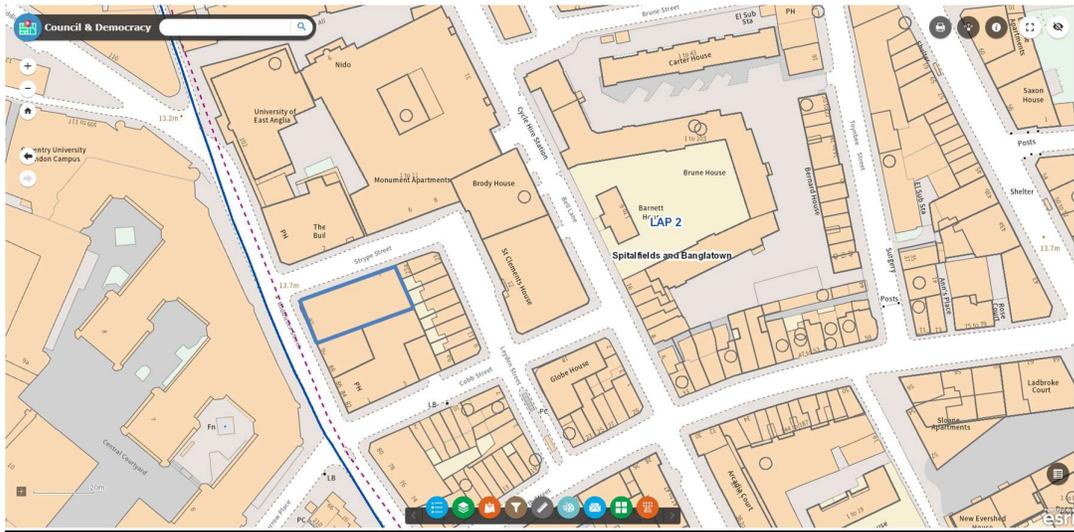
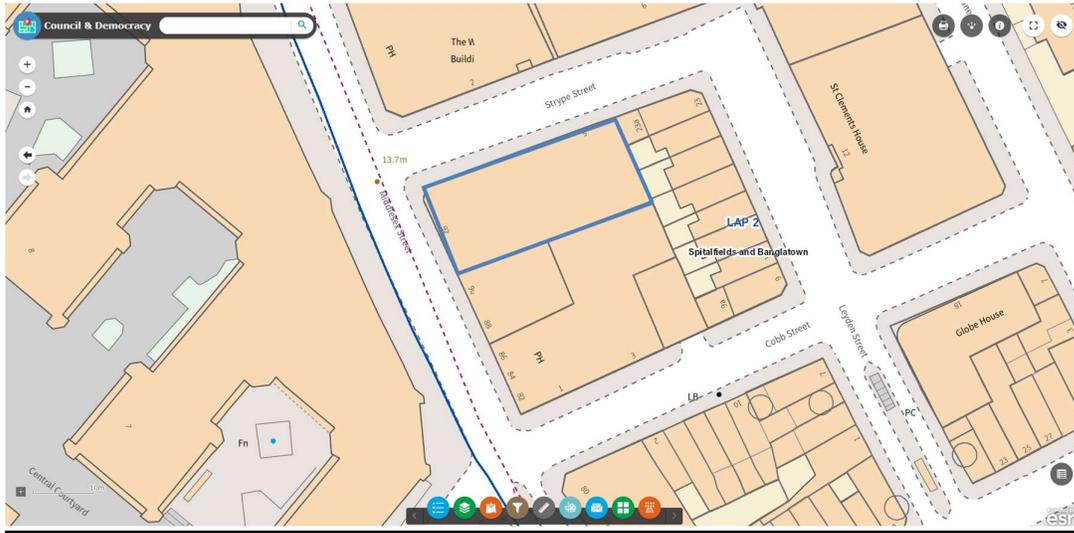


1 FIRE STRATEGY SIXTH FLOOR

- GENERAL NOTES**
- MIST SPRINKLER SYSTEM TO BE INSTALLED THROUGHOUT THE BUILDING TO SPECIALIST DESIGN.
 - L1 FIRE DETECTION SYSTEM INSTALLED THROUGHOUT THE BUILDING TO SPECIALIST DESIGN.
 - FLOOR AT ALL THE LEVELS TO ACHIEVE 90 MIN. FIRE RESISTANCE
 - STRUCTURAL FRAME TO ACHIEVE 90 MIN. FIRE RESISTANCE
 - SERVICE PENETRATIONS TO BE SEALED USING 3RD PARTY ACCREDITED FIRE STOPPING PRODUCTS INSTALLED BY A 3RD PARTY ACCREDITED INSTALLER

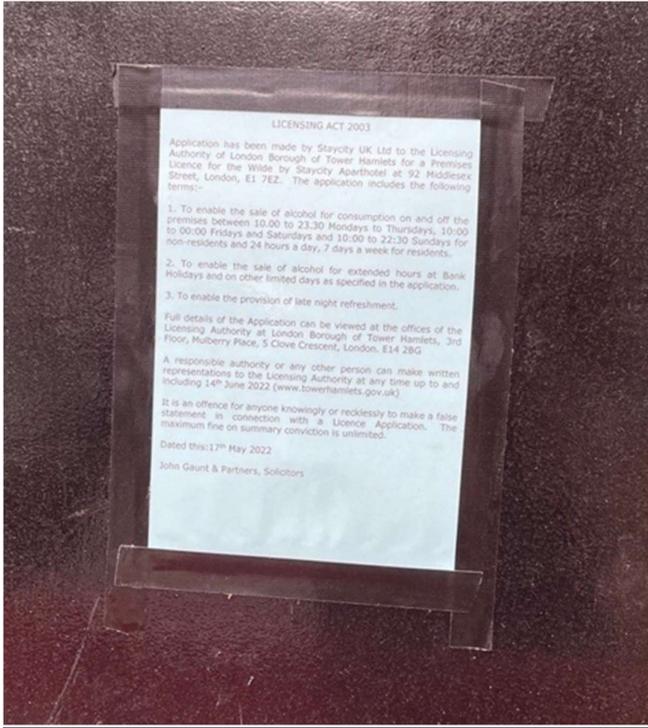
Appendix 3

Maps – 92 Middlesex Street



Appendix 4

Photos – 92 Middlesex Street







Appendix 5

Address	Licensable activities/times	Opening hours
<p>The Holy Birds/Tracks & Records 94 - 98 Middlesex Street</p>	<p><u>Alcohol (on & off sales) and Regulated Entertainment (indoor sporting event, live music, performance of dance, facilities for dancing)</u> <u>Live music may be performed in the basement area only.</u></p> <ul style="list-style-type: none"> • Monday to Wednesday from 10:00hrs to 00:00hrs (midnight) • Thursday and Friday from 10:00 hrs to 01:00hrs (the following day) • Saturday from 08:00hrs to 01:00hrs (the following day) • Sunday, 07:00hrs to 00:00hrs <p><u>Recorded music</u> Background amplified music ancillary to the sale of alcohol.</p> <ul style="list-style-type: none"> • Monday to Wednesday from 10:00hrs to 00:30hrs (the following day) • Thursday and Friday from 10:00hrs to 01:30hrs (the following day) • Saturday from 08:00hrs to 01:30hrs (the following day) • Sunday from 07:00hrs to 00:30hrs (the following day) <p><u>Late Night Refreshment</u></p> <ul style="list-style-type: none"> • Monday to Wednesday from 23:00hrs to 00:00hrs (midnight) • Thursday to Saturday from 23:00hrs to 01:00hrs (the following day) • Sunday from 23:00hrs to 00:00hrs (midnight) 	<ul style="list-style-type: none"> • Monday to Wednesday from 10:00hrs to 00:30hrs (the following day) • Thursday and Friday from 10:00hrs to 01:30hrs (the following day) • Saturday from 08:00hrs to 01:30hrs (the following day) • Sunday from 07:00hrs to 00:30hrs (the following day)
<p>Japanese Restaurant Unit 1, 100 Middlesex Street</p>	<p><u>Sale of alcohol by retail (on sales)</u></p> <ul style="list-style-type: none"> • Monday to Friday 11:30 hours – 23:00 hours • Saturday 2:00 noon – 23:00 hours • Sunday 12:00 noon – 22:30 hours 	<ul style="list-style-type: none"> • Monday to Friday 11:30 hours – 23:30 hours • Saturday 12:00 noon – 23:30 hours • Sunday 12:00 noon – 23:00 hours

<p>INTO University of East Anglia London 102 Middlesex Street</p>	<p>Sale of Alcohol (on sales)</p> <ul style="list-style-type: none"> • Sunday to Friday from 17:00 hours to 00:00 hours (midnight) • Saturday from 17:00 hours to 23:00 hours <p>The Provision of Late Night Refreshments</p> <ul style="list-style-type: none"> • Sunday to Friday from 23:00 hours to 00:00 hours (midnight) <p>The Provision of Regulated Entertainment (Recorded music and provision of facilities for making music)</p> <ul style="list-style-type: none"> • Monday to Thursday from 12:00 hours to 21:00 hours • Friday and Saturday from 12:00 hours to 23:00 hours <p><u>Plays</u></p> <ul style="list-style-type: none"> • Monday to Thursday from 17:00 hours to 21:00 hours • Saturday from 12:00 hours to 21:00 hours <p><u>Films</u></p> <ul style="list-style-type: none"> • Monday to Saturday from 12:00 hours to 21:00 hours <p><u>Live Music</u></p> <ul style="list-style-type: none"> • Monday to Thursday from 12:00 hours to 23:00 hours • Friday from 12:00 hours to 00:00 hours (midnight) • Saturday from 12:00 hours to 23:00 hours 	<ul style="list-style-type: none"> • Monday to Sunday from 12:00 hours to 00:30 hours (the following day) <p><u>Note:</u> The premises has 24 hours access for staff and students for non-licensable activities</p>
<p>My Old Place 88-90 Middlesex Street</p>	<p><u>Alcohol may be sold or supplied (on sales):</u></p> <ul style="list-style-type: none"> • On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 10am to 12pm. • On Sundays, other than Christmas Day or New 	<p>There are no restrictions on the hours during which this premises is open to the public</p>

	<p>Year's Eve, and on Good Friday: 12 noon to 11:30pm</p> <ul style="list-style-type: none">• On Christmas Day: 12 noon to 11:30pm;• On New Year's Eve, except on a Sunday, 11 a.m. to midnight;• On New Year's Eve on a Sunday, 12 noon to 11.30 p.m.• On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).	
--	--	--

Appendix 6

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

Relevant, vexatious and frivolous representations

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

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

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

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

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

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

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

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

Appendix 7

Sent to:
Licensing Authority: [REDACTED]
Applicant: [REDACTED]

PLACE Directorate
Public Realm

14th June 2022

Your reference
My reference: P/EHTS/LIC/149522/LMI

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

Tel: [REDACTED]
Email: licensing@towerhamlets.gov.uk

www.towerhamlets.gov.uk

Dear Licensing Authority,

Licensing Act 2003

New premise Licence Wilde by Staycity Aparthotel 92 Middlesex Street London E1 7EZ

The Licensing Authority (acting a Responsible Authority) is making a representation against the above application.

Special Cumulative Impact Policy for the Brick Lane

This special policy creates a rebuttable presumption that applications for the grant or variation of premises licences or club premises certificates which are likely to add to the existing cumulative impact will normally be refused following the receipt of representations, unless the applicant can demonstrate in the operation schedule that there will be no negative cumulative impacts with one or more of the licensing objectives.

The Council reviewed the Special Cumulative Impact Policy in 2021 and, following consultation, decided it was still of the opinion that the concentration of licensed premises within Brick Lane area was having a cumulative impact on the licensing objectives of crime and disorder and prevention of public nuisance.

The Licensing Authority is of the view that the number, type and density of premises selling/supplying alcohol for consumption on and off the premises and/or the provision of late night refreshment in the Brick Lane is having a cumulative impact on the licensing objectives. Therefore, it is likely that granting further licences would be inconsistent with the authority's duty to promote the licensing objectives. Thus, it has declared a cumulative impact assessment within these areas.

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



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

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

Where representations have been received in respect to applications within the CIA zones the onus is on the applicant to adequately rebut the presumption.

This special policy is not absolute and the Licensing Authority recognises that it has to balance the needs of businesses with local residents. The circumstances of each application will be considered on its merits and the Licensing Authority shall grant applications, when representations are not received. The applicant should demonstrate that the operation of the premises will not add to the cumulative impact on one or more of the following licensing objectives:

- *Prevention of Crime and Disorder;*
- *Prevention of Public Nuisance.*

Therefore, applicants will be expected to comprehensively demonstrate why a new or varied licence will not add to the cumulative impact. They are strongly advised to give consideration to mitigating potential cumulative impact issues when setting out steps they will take to promote the licensing objectives in their operating schedule.

Possible exceptions to the Brick Lane and Bethnal Green Cumulative Impact Assessments

- *Applications for licences for small premises with a capacity of fifty persons or less who only intend to operate within framework hours, and that;*
 - *Only have consumption of food (late night refreshment) and drink (alcohol) on the premises only,*
 - *Only provide Off sales of food (late night refreshment) and drink (alcohol) for delivery (i.e. not for take away),**and,*
 - *Have arrangements to prevent vertical drinking, for example fully seated venues;*
- *Applications for licences that are not alcohol led (e.g. Hairdressers wanting to provide alcohol to clients during their hair cut/treatments),*
- *Applications for licences where the applicant has recently surrendered a licence for another premises of a similar size and providing similar licensable activities in the same CIA Area.*

*Licensing Authority will **not** consider the following as possible exceptions:*

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



Licensable activities and times

The Licensing Authority has had regard to the Guidance to the Act when determining this policy. The end times set out in the policy are not (and should not be regarded as) the 'usual' or 'normal' terminal hour for licensable activities in the Borough. Instead, the 'framework hours' serve to identify cases where the Licensing Authority will pay particular regard to the likely effect on the local neighbourhood of carrying out the proposed licensable activities during the hours applied for. Applications for hours up to the end of the Framework Hours will not automatically be granted. This policy will be applied only where relevant representations are made. Each case will be considered on its merits.

- Sunday – 06:00 hours to 22:30 hours
- Monday to Thursday – 06:00 hours to 23:30 hours
- Friday and Saturday – 06:00 hours to 00:00 hours (midnight)

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

- a) The location of the premises and the general character of the area in which the premises are situated. (i.e. does the area include residential or business premises likely to be adversely affected).
- b) The proposed hours during which licensable activities will be take place and the proposed hours during which customers will be permitted to remain on the premises.
- c) The adequacy of the applicant's proposals to address the issues of the prevention of crime and disorder and the prevention of public nuisance.
- d) Where the premises have been previously licensed, the past operation of the premises.
- e) Whether customers have access to public transport when arriving at or leaving the premises at night time and in the early hours of the morning.
- f) The proximity of the premises to other licensed premises in the vicinity and the hours of those other premises.

The Home Office guidance

under Section 182 of the Licensing Act 2003 (8.42) says:

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



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

Application:

The premises will offer a serviced aparthotel consisting of studios and one-bedroom apartments. Each studio/apartment will offer cooking facilities, but the applicant will offer a café area which is intended to extend a limited food and beverage offering.

The premises will operate the council's framework hours for non-residents and will then remain open for sales of alcohol 24hrs a day for residents and provide late night refreshment (indoors) Monday to Thursday until 23:30 hours and Friday to Saturday until 00:00 midnight

The applicant has not mentioned that the premises falls with the Brick Lane CIA and there is insufficient information on how they intend to uphold the licensing objectives regarding operating a premises within a CIA area.

On a balance of probability, this Authority is concerned by the addition of this premises selling alcohol within the CIA, potentially adding to the existing anti-social issues in the area, particularly for the off sales. The addition of alcohol could cause customers to be in high spirits and therefore potentially undermining the licensing objectives.

If appropriate conditions were imposed onto the licence, the application could satisfy the needs of operating a premises with the CIA.

If the applicant is unable to prove to the Licensing Sub-Committee, through the implementation of appropriate conditions within the Operating Schedule, that the granting of the application will not undermine the licensing objectives; then the application should be rejected. However, if the Sub-Committee is minded to grant a licence then I would ask that the following conditions be attached:

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



2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following:
 - a) all crimes reported to the venue;
 - b) all ejections of patrons;
 - c) any complaints received concerning crime and disorder
 - d) any incidents of disorder;
 - e) all seizures of drugs or offensive weapons;
 - f) any faults in the CCTV system, searching equipment or scanning equipment;
 - g) any refusal of the sale of alcohol;
 - h) any visit by a relevant authority or emergency service
1. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
2. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
3. There shall be no vertical drinking at the premises.
4. Where appropriate, prominent clear and legible notices shall be displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
5. Customers shall not be permitted to take alcohol beyond the boundary of the premises licensed area,
6. Off sales of alcohol shall be limited to residing guests only. Alcohol purchased from the bar is to be consumed in the apartments/rooms within the hotel building only.
7. Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.



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

Yours faithfully

[Redacted signature]

Lavine Miller-Johnson
Licensing Officer

[Redacted contact information]



Appendix 8

Corinne Holland

From: Licensing
Sent: 14 June 2022 12:11
To: Corinne Holland
Subject: FW: 149522 - MAU REPRESENTATION Wilde by Staycity Aparthotel 92 Middlesex Street, London

From: Nicola Cadzow <[REDACTED]>
Sent: 14 June 2022 09:06
To: Licensing <Licensing@towerhamlets.gov.uk>
Cc: MARK.J.Perr [REDACTED]; TShield@[REDACTED]; Lavine Miller-Johnson <[REDACTED]>
Subject: 149522 - MAU REPRESENTATION Wilde by Staycity Aparthotel 92 Middlesex Street, London

Dear Licensing,

Having considered the premises license application for Staycity Aparthotel 92 Middlesex Street, London consideration has to be given to the impact of the licensing objectives, particular for Environmental Protection the prevention of public nuisance and the prevention of noise generated from within the premises or outside to be causing disturbance to people in the vicinity. Consideration also has to be given to the fact that the premises is within Brick Lane Cumulative Impact Zone

Whilst the premises operating hours are within framework hours for licensable activities for members of the public (to the exclusion of hotel residents) there is insufficient information in the operating schedule of the licence application to show how the applicant will promote the licensing objective for the prevention of public nuisance. There is no consideration of the impact on public nuisance from residents and/or guests loitering outside whilst the premises is in operation, for example to smoke etc, particularly when considering that the premises is in Brick Lane Cumulative Impact Zone.

Noise Sensitive premises: residential premises in close proximity.

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/

CONCLUSION

Environmental Protection **does not** support the application for Wilde by Staycity Aparthotel 92 Middlesex Street, London , London for the following reasons:

- (1) There is great likelihood of disturbance to residential premises from the increased impact of additional footfall
- (2) The applicant have not provided sufficient information to show how they will promote the licensing objective for the prevention of public nuisance
- (3) The premises is in Brick Lane Cumulative Impact Zone.

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

1. Loudspeakers shall not be located in the entrance lobby or outside the premise building.
2. After 22:00 hours patrons, including residents, are permitted to temporarily leave and then re-enter the premises, e.g. to smoke, and shall be limited to 10 persons at any one time.

Kind regards

Nicola Cadzow

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


www.towerhamlets.gov.uk

Follow us on:

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

Please note: all s61 consents, dispensations and variations must be sent to environmental.protection@towerhamlets.gov.uk for logging and allocation.



Click here to see the Tower Hamlets Noise map:

Appendix 9

Corinne Holland

From: Licensing
Sent: 14 June 2022 12:12
To: Corinne Holland
Subject: FW: Wilde By Staycity 92 Middlesex street

From: Michael.Rice [REDACTED]
Sent: 14 June 2022 10:27
To: Licensing <Licensing@towerhamlets.gov.uk>
Cc: TShield [REDACTED]
Subject: Wilde By Staycity 92 Middlesex street

Good Morning,

Below conditions have been agreed with applicants representative for the premises licence for Wilde by StayCity Aparthotel.

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. **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.**
3. **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.**
4. **A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.**
5. **The premises shall have a welfare policy that will detail how its staff will identify and support those customers at risk of domestic violence or juveniles being exploited. Such a policy will include details of relevant staff training.**

6. The premises shall have a risk assessment for its operations, the risk assessment will detail the level of risk and any measures (such as SIA numbers, staff training) taken to mitigate any risk identified. Such risk assessments are to be written down and made available to Police upon request.

Many thanks,

Michael

From: Tim Shield [REDACTED]
Sent: 10 June 2022 11:21
To: Rice Michael - CE-CU <[REDACTED]>
Subject: RE: Wilde By Staycity 92 Middlesex street

Hi Michael

I am happy to confirm my clients are agreeable to the addition of the conditions numbered 1- 6 as detailed in your email of 1st June below

On this basis please confirm that there will be no representation in relation to the application for the new premises licence

Many thanks

Tim

Kind Regards

Tim Shield
Partner



JG&P | John Gaunt
& Partners



[Premises Licences](#) | [Personal Licences](#) | [DPS Changes](#) | [Temporary Event Notices](#)
[APLH Courses](#) | [Reviews](#) | [Due Diligence](#) | [Betting and Gaming](#) | [eLearningPlus](#)

For more details on our services please click on the links above.



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

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 13

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

Updated April 2018

Crime and disorder

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

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

Appendix 14

Anti-Social Behaviour from Patrons Leaving the Premises

General Advice

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

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

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

Licensing Policy

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

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

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

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

Cumulative Impact

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

Police Powers

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

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

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

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

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

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

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

Other Legislation

Crime and Disorder Act 1998

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

Page 231

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

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

Appendix 15

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

1. The Licensing Authority has adopted a special policy relating to cumulative impact in areas of:
 - Brick Lane
 - Bethnal Green

This special policy creates a rebuttable presumption that applications for the grant or variation of premises licences or club premises certificates which are likely to add to the existing cumulative impact will normally be refused following the receipt of representations, unless the applicant can demonstrate in the operation schedule that there will be no negative cumulative impacts with one or more of the licensing objectives.

2. The Council reviewed the Special Cumulative Impact Policy in 2021 and, following consultation, decided it was still of the opinion that the concentration of licensed premises within Brick Lane area was having a cumulative impact on the licensing objectives of crime and disorder and prevention of public nuisance. As part of the review in 2021, the Council also decided that the concentration of licensed premises within the Bethnal Green area was also having a cumulative impact on the licensing objectives of crime and disorder and prevention of public nuisance.

Review of Cumulative Impact Assessment - Supporting Evidence

3. In determining the Councils CIAs for the area of Brick Lane and Bethnal Green (Figures One and Two Below) the Council considered the following evidence:
 - Hot spot maps of incidents of crime and disorder and ASB linked to Licence premises in the defined areas for 2017 to 2020.
 - Complaint data from Environmental Health and Trading Standards relating to Noise and Licensing.
 - Licence Application data for the defined areas for 2017 to 2020
 - Results of the Consultation, that included Survey data and comments and written responses.

This evidence is published on our website:

<http://democracy.towerhamlets.gov.uk/ieListDocuments.aspx?CId=309&Mid=12361>.

Cumulative Impact Assessments (Brick Lane and Bethnal Green)

4. The Licensing Authority is of the view that the number, type and density of premises selling/supplying alcohol for consumption on and off the premises and/or the provision of late night refreshment in the Brick Lane and Bethnal Green Areas (highlighted in Figures One and Two below) is having a cumulative impact on the licensing objectives. Therefore, it is likely that granting further licences would be inconsistent with the authority's duty to promote the licensing objectives. Thus, it has declared a cumulative impact assessment within these areas.
 5. The Brick Lane and Bethnal Green CIAs aim to manage the negative cumulative impact of the concentration of licensed premises in these areas and the stresses that the saturation of licensed premises has had on the local amenity, environmental degradation and emergency and regulatory services in managing this impact.
 6. The effect of this Special Cumulative Assessment Policy will apply to the following types of applications:
 - New Premises Licences applications,
 - New Club Premises Certificates applications
 - Provisional Statements,
 - Variation of Premises Licences and Club Premises Certificate applications (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity).
- However, it will only apply where the application seeks to permit the Licensable activities of:
- the sale or supply of alcohol for consumption on or off the premises, and/or,
 - the provision of late night refreshment.
7. **This Policy will be strictly applied and where relevant representations are received and it is the view of the Council that the application will be refused. Applicants will need to demonstrate that there are exceptional circumstances and that granting their application will not negatively add to the cumulative effect on the Licensing Objectives within the Brick Lane and Bethnal Green CIAs if they wish to rebut this presumption.**
 8. The Special Cumulative Impact policy creates a rebuttable presumption that where relevant representations are received by one or more of the responsible authorities and/or other persons against applications (Councillors, Members of the Public) within the CIA zones the application will be refused.
 9. Where representations have been received in respect to applications within the CIA zones the onus is on the applicant to adequately rebut the presumption.

10. It must be stressed that the presumption created by this special policy does not relieve responsible authorities or other persons of the need to make a representation. If there are no representations, the licensing authority must grant the application in terms that are consistent with the operating schedule submitted in line with their delegated authority.

11. This special policy is not absolute and the Licensing Authority recognises that it has to balance the needs of businesses with local residents. The circumstances of each application will be considered on its merits and the Licensing Authority shall grant applications, when representations are not received. The applicant should demonstrate that the operation of the premises will not add to the cumulative impact on one or more of the following licensing objectives:
 - Prevention of Crime and Disorder;
 - Prevention of Public Nuisance.

Therefore, applicants will be expected to comprehensively demonstrate why a new or varied licence will not add to the cumulative impact. They are strongly advised to give consideration to mitigating potential cumulative impact issues when setting out steps they will take to promote the licensing objectives in their operating schedule.

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

Possible exceptions to the Brick Lane and Bethnal Green Cumulative Impact Assessments

- Applications for licences for small premises with a capacity of fifty persons or less who only intend to operate within framework hours, and that;
 - Only have consumption of food (late night refreshment) and drink (alcohol) on the premises only,
 - Only provide Off sales of food (late night refreshment) and drink (alcohol) for delivery (i.e. not for take away),and,
 - Have arrangements to prevent vertical drinking, for example fully seated venues;

- Applications for licences that are not alcohol led (e.g. Hairdressers wanting to provide alcohol to clients during their hair cut/treatments), .

- Applications for licences where the applicant has recently surrendered a licence for another premises of a similar size and providing similar licensable activities in the same CIA Area.

Licensing Authority will **not** consider the following as possible exceptions:

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

The Cumulative Impact Assessment Areas for the Brick Lane and Bethnal Green

13. The Cumulative Impact Assessment Areas are detailed in the maps below.

Figure One

Brick Lane area:

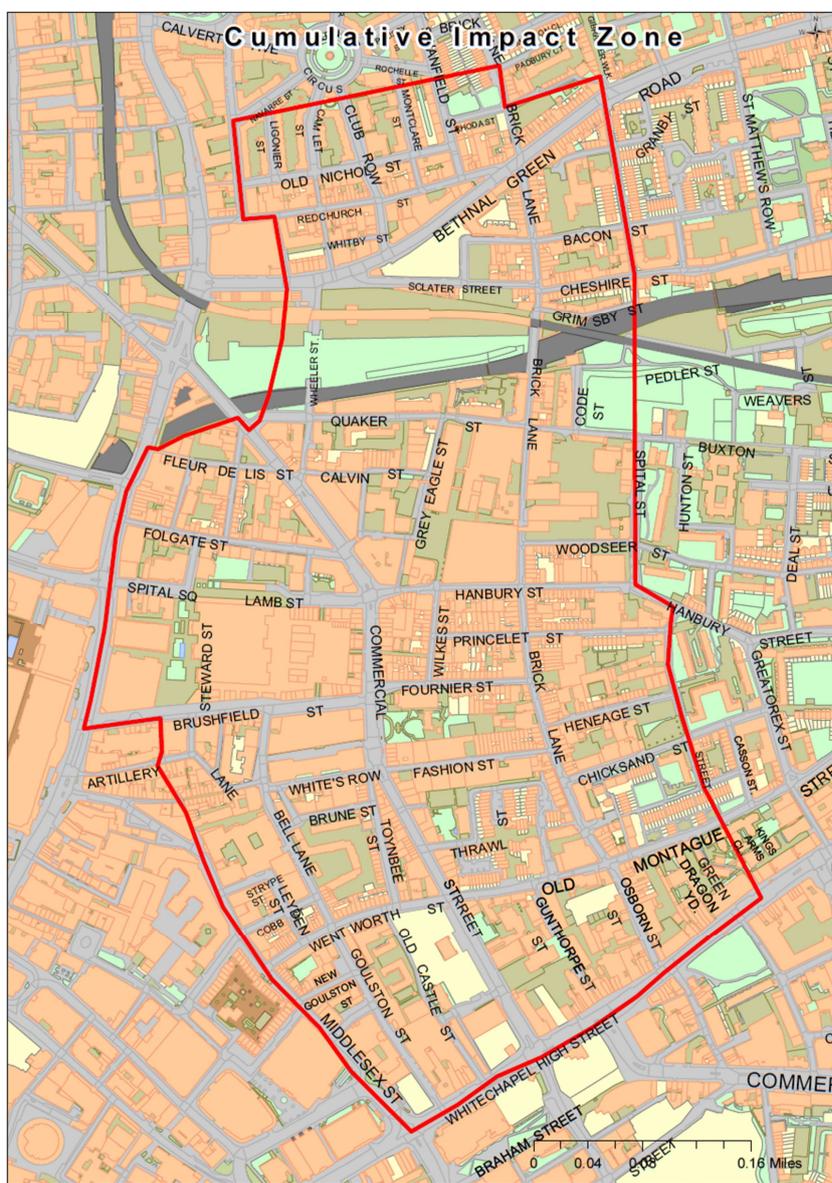
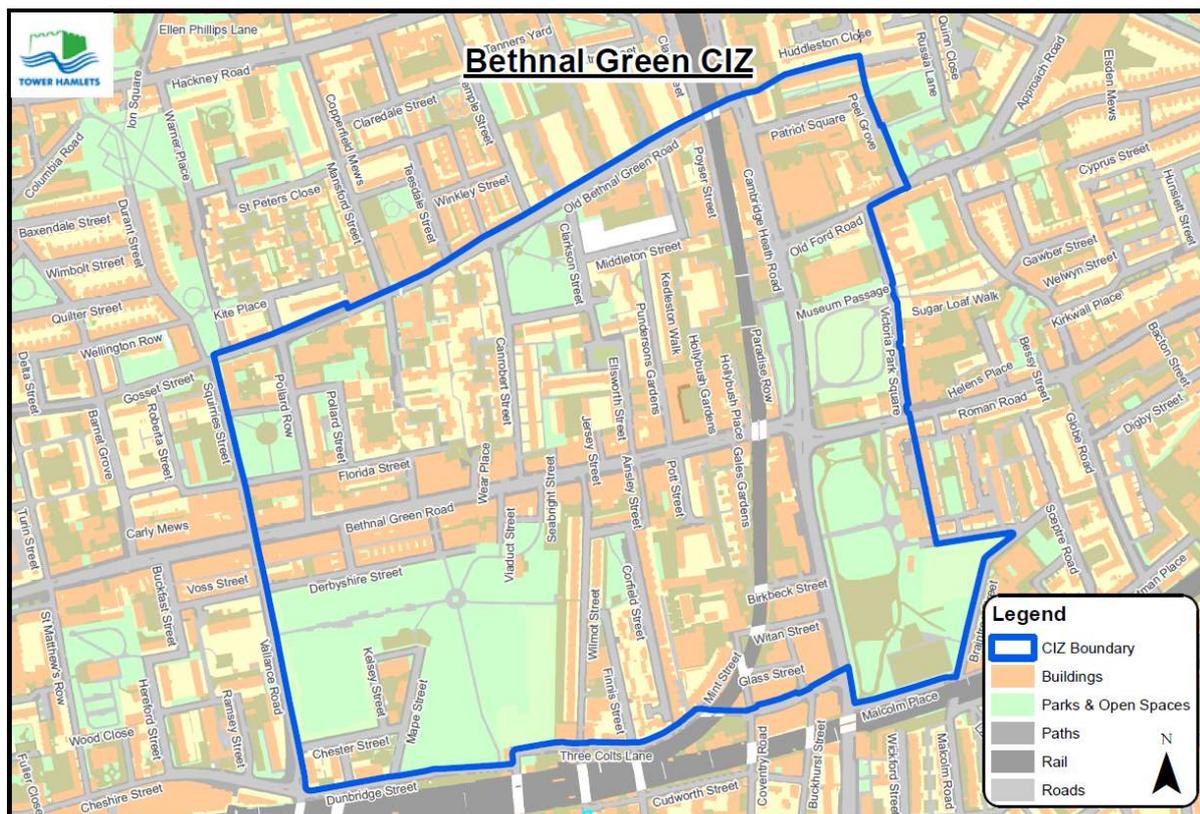
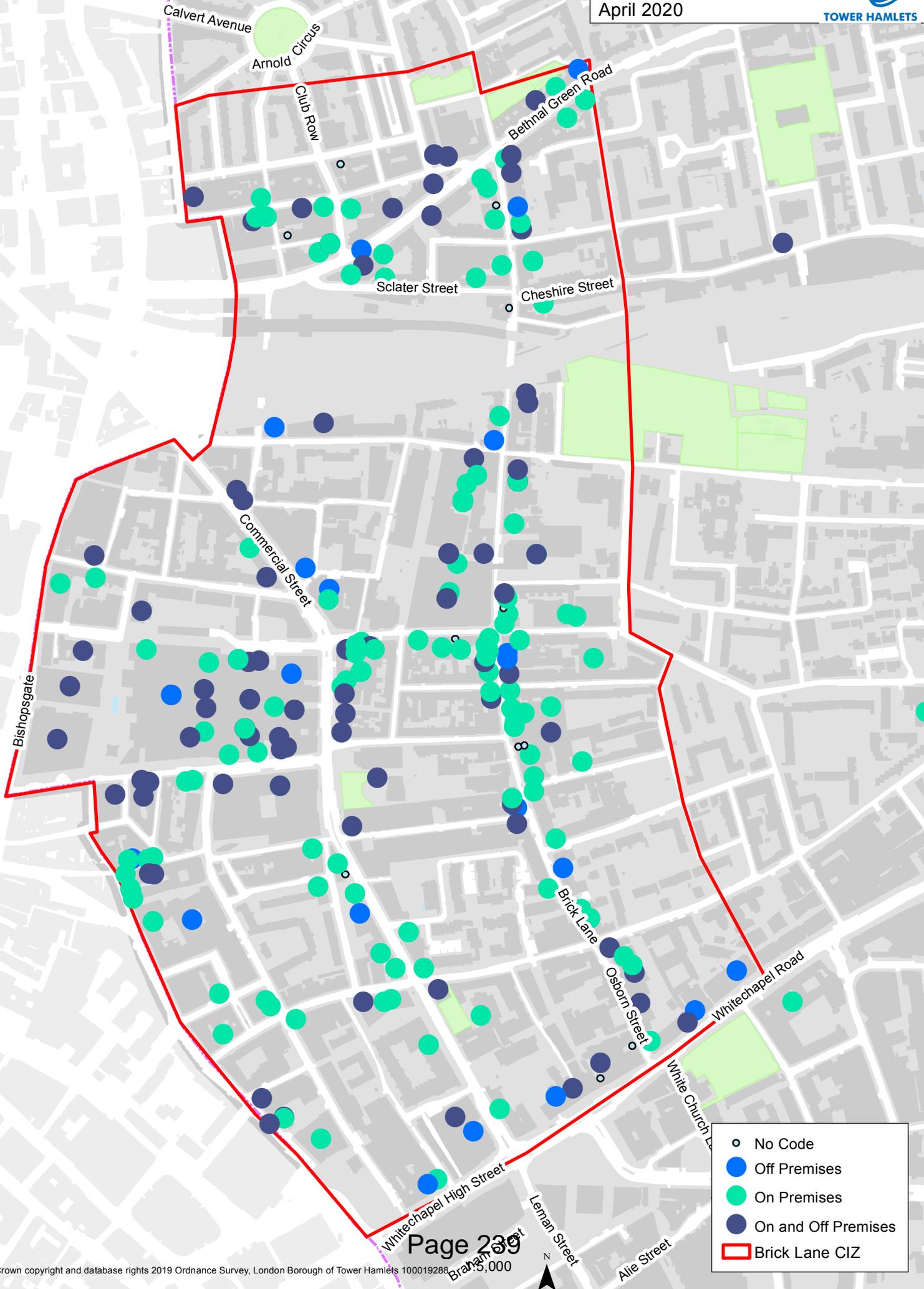


Figure Two:

Bethnal Green Area





- No Code
- Off Premises
- On Premises
- On and Off Premises
- ▭ Brick Lane CIZ

Appendix 16

Licensing Policy Relating to Hours of Trading

All applications have to be considered on their own merits.

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

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

(see 14.8 of the Licensing Policy)

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

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

(See 14.9 of the licensing policy)

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

- Theatres
- Cinemas
- Premises with club premises certificates

Appendix 17

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 or 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.

This page is intentionally left blank