



Licensing Sub Committee

Agenda

**Tuesday, 18 July 2023 at 6.30 p.m.
Council Chamber - Town Hall, Whitechapel**

Contact for further enquiries:

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



Public Information

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

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

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A Guide to Licensing Sub Committee

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

Public Engagement

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

London Borough of Tower Hamlets

Licensing Sub Committee

Tuesday, 18 July 2023

6.30 p.m.

APOLOGIES FOR ABSENCE

To receive any apologies for absence.

1. DECLARATIONS OF INTEREST (PAGES 7 - 8)

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

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

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

2. RULES OF PROCEDURE (PAGES 9 - 18)

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

3. ITEMS FOR CONSIDERATION

3.1 Application for variation of a Premises Licence for Wapping Tavern, 78-80 Wapping Lane, London, E1W 2RT (Pages 19 - 134)

Licensing Objectives:

- Prevention of Public Nuisance
- Prevention of Crime and Disorder

Representations:

- Residents

3.2 Application for a new premises licence in respect of Snack N That 381 Bethnal Green Road E2 0AN (Pages 135 - 218)

Tower Hamlets Council
Tower Hamlets Town Hall
160 Whitechapel Road
London E1 1BJ

Licensing Objectives:

- Prevention of Public Nuisance
- Prevention of Crime and Disorder

Representations:

- Licensing Authority

4. EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003

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

Next Meeting of the Licensing Sub Committee

Tuesday, 25 July 2023 at 6.30 p.m. to be held in Council Chamber - Town Hall, Whitechapel



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Agenda Item 1

DECLARATIONS OF INTERESTS AT MEETINGS– NOTE FROM THE MONITORING OFFICER

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

(i) Disclosable Pecuniary Interests (DPI)

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

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

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

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

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

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

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

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

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

Guidance on Predetermination and Bias

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

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

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

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

APPENDIX A: Definition of a Disclosable Pecuniary Interest

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

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

TOWER HAMLETS



LICENSING COMMITTEE

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

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

1. Interpretation

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

2. Composition of Sub-Committee

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

3. Procedure

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

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

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

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

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

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

4. Exclusions

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

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

Guidance for Licensing Sub-Committee Meetings.

(1) Attendance at Meetings.

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

(2) Licensing Sub-Committee Role and Membership.

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

Licensing Sub-Committee Webpages

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

The pages include:

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

(3) Access to Committee Papers.

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

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

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

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

(5) What can be circulated?

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

(6) How will the applications be considered?

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

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

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

(8) Queries on reports.

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

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

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

LICENSING SUB COMMITTEE HEARING PROCEDURE

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

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

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

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

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Agenda Item 3.1

Committee :	Date	Classification	Report No.	Agenda Item No.
Licensing Sub Committee		Unclassified		

Report of : David Tolley Head of Environmental Health & Trading Standards Originating Officer: Corinne Holland Licensing Officer	Title: Licensing Act 2003 Application for variation of a Premises Licence for Wapping Tavern, 78-80 Wapping Lane, London, E1W 2RT Ward affected: St Katharine's and Wapping
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1.0 Summary

Applicant: **Andrew Bell**

Name and Address of Premises: **Wapping Tavern
78-80 Wapping Lane
London
E1W 2RT**

Licence sought: **Licensing Act 2003 - Variation to Premise Licence**

- **Extend licensable hours for sale of alcohol/late night refreshments**

Objectors: **Licensing Authority
Police
Environmental Protection
Planning
Residents**

2.0 Recommendations

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

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

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

Section 182 guidance
Licensing Policy
File

Corinne Holland
020 7364 3986

3.0 Background

- 3.1 This is an application for a variation of the premises licence for the 'Wapping Tavern', 78-80 Wapping Lane, London, E1W 2RT
- 3.2 The existing Premise Licence was a Grandfather Rights licence and was issued on 18th October 2005 and a copy is enclosed as **Appendix 1**. The current Premise Licence Holder, Battersea Pizza Ltd, transferred onto the licence on 17th August 2022.
- 3.3 The timings of the existing licence are detailed below for information purposes only:-

Sale of Alcohol (on & off sales)/ Late Night Refreshment

- *Monday - Saturday 10:00hrs to 00:00 hours (midnight)*
- *Sunday 12:00 hours – 23:30 hours*

The Provision of Regulated Entertainment (in the form of Live Music and the provision of facilities for making music)

- *Monday -Sunday 19:00 – 22:30 hours*

Non-Standard Times

- *Remain open for the twelve hours between New Year's Eve 23:00 hours – 11:00 hours on New Years Day following day*

The opening hours of the premises

- *Monday – Sunday 10:00hrs to 00:30 hours*

Non-Standard Times

- *Remain open for the twelve hours between New Year's Eve 23:00 hours – 11:00 hours on New Years Day following day*

- 3.4 The applicant has described the nature of the variation as follows:
- *To extend the hours of operation on Friday & Saturday evenings only to a terminal hours of 02:00 hours with alcohol sales terminating at 01:30 and LNR at 02:00 hours. Licensable activities and conditions remain unchanged.*

- 3.5 A copy of the variation application is enclosed as **Appendix 2**.

- 3.6 The variation/additional hours applied for are:

The Supply of Alcohol (on & off sales)

- *Friday - Saturday 00:00 hours (midnight) – 01:30 hours the following day*

Provision of late-night refreshment – (Indoor and outdoor)

- Friday - Saturday 00:00 hours (midnight) – 02:00 hours the following day

Opening hours

- Friday – Saturday 10:00 – 02:00 the following day

4.0 Location and Nature of the premises

4.1 Photographs of the venue and immediate vicinity are enclosed in **Appendix 3**.

4.2 Maps showing the vicinity are included as **Appendix 4**.

4.3 Nearby Licensed Premises are shown in **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 21**.
- 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 received.

REPRESENTATION	APPENDIX
Lavine Miller Johnson (LA)	6
PC Mark Perry (police)	7
Nicola Cadzow (EH)	8
Chris Hancox (planning)	9
Ashley Coe	10
Chris Jackson	11
Dawn Jackson	12
Giles Sparrow	13
John Harmon	14
Katja Seibold	15
Maureen O'Connell / David Green / Christopher Belas	16
Nicolas Spearing	17
Olga Frediani	18
Otilie Sefton	19
Samora Stephenson	20

- 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
- Immigration

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 cover allegations of

- Public nuisance
- Crime & Disorder
- Anti - social behaviour

6.12 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.

6.13 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 on existing Premises Licence

No discounts on drink prices which might encourage binge drinking
 Notices at all exits asking customers to leave quietly
 No adult entertainment
 Children under 18 only if accompanied by parent or guardian

8.0 Conditions consistent with Operating Schedule

Non offered by applicant

9.0 Conditions agreed in consultation with the responsible authorities

None

10.0 Licensing Officer Comments

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

10.2 Guidance issued under section 182 of the Licensing Act 2003

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

grant it with appropriate conditions and/or different hours from those requested.” (10.14)

- ❖ It is not acceptable for licensing authorities to simply replicate the wording from an applicant’s operating schedule. A condition should be interpreted in accordance with the applicant’s intention (10.5)
- ❖ The Licensing Authority may only impose such conditions as are necessary for meeting the licensing objectives.
- ❖ The Government acknowledges that different licensing strategies may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions regarding licensed opening hours as part of the implementation of its licensing policy statement and licensing authorities are best placed to make decisions about appropriate opening hours in their areas based on their local knowledge and in consultation with responsible authorities.” (10.11)
- ❖ 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)
- ❖ 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. This may be unlawful under current law. However, it is important to note that the mandatory conditions made under sections 19A and 73B of the 2003 Act prohibit a number of types of drinks promotions where they give rise to a significant risk to any one of the four licensing objectives (10.21).
- ❖ 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)

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

- 10.4 In all cases the Members should make their decision on the civil burden of proof, that is “the balance of probability.”
- 10.5 In all cases Members should consider whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.
- 10.6 The Government has advised that “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 and to respect the rights of people living nearby to a peaceful night.” (2.21)
- 10.7 The Council’s Licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.
- 10.8 In **Appendices 21- 28** Members are given general advice, and also have explanations of the Council’s Licensing Policy, Government advice and other legislation relating to the matters previously identified.

11.0 Legal Comments

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

12.0 Finance Comments

- 12.1 There are no financial implications in this report.

13.0 Appendices

- | | |
|-------------------|---|
| Appendix 1 | A copy the existing licence |
| Appendix 2 | A copy of the application for variation |
| Appendix 3 | Photographs |
| Appendix 4 | Maps of the surrounding area |
| Appendix 5 | Nearby licensed premises |

Appendix 6	Representation from LA
Appendix 7	Representation from the Police
Appendix 8	Representation from Environmental Health
Appendix 9	Representation from Planning
Appendix 10-20	Resident representations
Appendix 21	Section 182 Advice by the DCMS- Relevant, vexatious and frivolous representations
Appendix 22	S182 advice re crime & disorder
Appendix 23	Licensing policy advice re crime & disorder
Appendix 24	S182 advice re public nuisance
Appendix 25	Licensing Policy advice on public nuisance
Appendix 26	Anti-social behaviour when leaving premises
Appendix 27	Framework hours
Appendix 28	Planning

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Appendix 1



Lie No:
152096


**Wapping Tavern 78-80 Wapping Lane London
E1W2RT**

Licensable Activities authorised by the licence

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

See the attached licence for the licence conditions

Signed by


David Tolley
Head of Environmental Health & Trading Standards

Date: 18th October 2005



Part A - Format of premises licence

Premises licence number **152096**

Part 1 - Premises details

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

78-80 Wapping Lane

Post town London	Post code E1W2RT
Telephone number 020 7481 8436	

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

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

The times the licence authorises the carrying out of licensable activities

The sale by retail of alcohol and late night refreshment:

Monday, Tuesday, Wednesday, Thursday, Friday and Saturday from 10:00 hours to midnight.

Sunday from 12:00 hours to 23:30 hours

Regulated Entertainment consisting of live music and provision of facilities for making music:

Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday from 19:00 hours to 22:30 hours.

In addition to the above: New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11 pm on New Years Eve and 11am on New Years Day.

The opening hours of the premises

Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday from 10:00 hours to 00:30 hours.

Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11 pm on New Years Eve and 11am on New Years Day.

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

On and off sales

Part 2

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

Battersea Pizza Ltd

[Redacted address information]

Email: [Redacted email address]

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

10748467

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

Duncan John Townsend

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

[Redacted personal licence information]

Annex 1 - Mandatory conditions

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

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

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

1.

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

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

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

$$P = D + (D \times V)$$
 where —
 - (i) **P** is the permitted price
 - (ii) **D** is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

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

Annex 2 - Conditions consistent with the operating Schedule

No discounts on drink prices which might encourage binge drinking
 Notices at all exits asking customers to leave quietly
 No adult entertainment
 Children under 18 only if accompanied by parent or guardian

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

Not Applicable

Annex 4 - Plans

The plans are those submitted to the licensing authority on the following date: 27th

.July 2005



Part B - Premises licence summary

Premises licence number 152096

Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
78-80 Wapping Lane	
Post town London	Post code E1W2RT
Telephone number 020 7481 8436	

Where the licence is time limited
the dates N/A

Licensable activities authorised
by the licence The sale by retail of alcohol
The provision of regulated entertainment
The provision of late night refreshment

The times the licence authorises
the carrying out of licensable
activities **The sale by retail of alcohol and late night
refreshment:**
Monday to Saturday from 10:00 hours to midnight.
Sunday from 12:00 hours to 23:30 hours


**Regulated Entertainment consisting of live music
and provision of facilities for making music:**
Monday, Tuesday, Wednesday, Thursday, Friday,
Saturday and Sunday from 19:00 hours to 22:30 hours.

In addition to the above: New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.

The opening hours of the premises

Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday from 10:00 hours to 00:30 hours.
Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day. ___

Name, (registered) address of holder of premises licence

Battersea Pizza Ltd 
--

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

On and off sales

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

10748467

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

Duncan John Townsend

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

No restrictions

Appendix 2



* required information

Section 1 of 18

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

System reference Not Currently In Use

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

Your reference GBH/WAP/4/1

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

Are you an agent acting on behalf of the applicant? C

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

Yes T No

Applicant Details

* First name Andrew

* Family name Bell

* E-mail gareth.hughel

Main telephone number

Include country code.

Other telephone number

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

Is the applicant:

(• Applying as a business or organisation, including as a sole trader

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

C Applying as an individual

Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies Flouse? (• Yes C No

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

Registration number

[Empty input box]

Business name VAT

Battersea Pizza Limited

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

number Legal status

[Empty input box]

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

Public Limited Company

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

An agent that is a business or organisation, including a sole trader

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

A private individual acting as an agent

Agent Business

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

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

Registration number

Business name VAT

If your business is registered, use its registered name.

number Legal status

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

Continued from previous page...

Your position in the business	<input type="text" value="Partner"/>	
Home country	<input type="text" value="United Kingdom"/>	The country where the headquarters of your business is located.
Agent Registered Address		Address registered with Companies House.
Building number or name	<input type="text" value="48"/>	
Street	<input type="text" value="Chancery Lane"/>	
District	<input type="text"/>	
City or town	<input type="text" value="London"/>	
County or administrative area	<input type="text" value="London"/>	
Postcode	<input type="text" value="WC2A 1JF"/>	
Country	<input type="text" value="United Kingdom"/>	

Section 2 of 18

APPLICATION DETAILS

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

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

* Premises Licence Number

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

Address OS map reference Description

Postal Address Of Premises

Building number or name	<input type="text" value="78-80"/>
Street	<input type="text" value="Wapping Lane"/>
District	<input type="text"/>
City or town	<input type="text" value="London"/>
County or administrative area	<input type="text" value="London"/>
Postcode	<input type="text" value="E1W2RT"/>
Country	<input type="text" value="United Kingdom"/>

Premises Contact Details

Telephone number	<input type="text"/>
------------------	----------------------

Continued from previous page...

Non-domestic rateable value of premises (£) 89,500

Section 3 of 18 VARIATION

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

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? Yes No

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

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

Describe Briefly The Nature Of The Proposed Variation

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

Bar/restaurant

The application seeks to extend the hours of operation on Friday and Saturday evenings only to a terminal hour of 02:00 on the day following and with sales of alcohol to finish at 01:30 and late night refreshment at 02:00. All other times, licensable activities and conditions to remain unchanged.

Section 4 of 18 PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful? Yes No

Section 5 of 18 PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful? Yes No

Section 6 of 18 PROVISION OF INDOOR SPORTING EVENTS

Continued from previous page...

[See guidance on regulated entertainment](#)

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

Yes No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

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

Yes No

Section 8 of 18

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

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

Yes No

Section 9 of 18

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

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

Yes No

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

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

Yes No

Section 11 of 18

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

[See guidance on regulated entertainment](#)

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

Yes No

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Continued from previous page...

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

Yes No

Standard Days And Timings

MONDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

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

TUESDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

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

SUNDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text" value="23:00"/>	End	<input type="text" value="23:30"/>

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

Indoors Outdoors Both

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

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

State any seasonal variations.

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

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

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

Section 13 of 18 SUPPLY OF ALCOHOL

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

<? Yes

C No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start 00:00

End

Start 10:00

End

SUNDAY

Start
00:00

End

Start
12:00

End

Will the sale of alcohol be for consumption?

P On the premises

C Off the premises

(i) Both

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

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months, all timings on existing premises licence to remain the same except for the extra requested hours in this variation

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

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

Section 14 of 18 ADULT ENTERTAINMENT

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

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

none

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC Standard Days And Timings

Continued from previous page...

MONDAY

| | | | |
|-------|----------------------|-----|----------------------|
| Start | <input type="text"/> | End | <input type="text"/> |
| Start | <input type="text"/> | End | <input type="text"/> |

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

TUESDAY

| | | | |
|-------|----------------------|-----|----------------------|
| Start | <input type="text"/> | End | <input type="text"/> |
| Start | <input type="text"/> | End | <input type="text"/> |

WEDNESDAY

| | | | |
|-------|----------------------|-----|----------------------|
| Start | <input type="text"/> | End | <input type="text"/> |
| Start | <input type="text"/> | End | <input type="text"/> |

THURSDAY

| | | | |
|-------|----------------------|-----|----------------------|
| Start | <input type="text"/> | End | <input type="text"/> |
| Start | <input type="text"/> | End | <input type="text"/> |

FRIDAY

| | | | |
|-------|----------------------|-----|----------------------|
| Start | <input type="text"/> | End | <input type="text"/> |
| Start | <input type="text"/> | End | <input type="text"/> |

SATURDAY

| | | | |
|-------|-------|-----|-------|
| Start | 00:00 | End | 02:00 |
| Start | 10:00 | End | 00:00 |

SUNDAY

| | | | |
|-------|-------|-----|-------|
| Start | 00:00 | End | 02:00 |
| Start | 10:00 | End | 00:30 |

State any seasonal variations.

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

all other times on the current premises licence to remain unchanged

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

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve. none

Continued from previous page...

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

no proposed changes to the existing licence conditions

1 have enclosed the premises licence

1 have enclosed the relevant part of the premises licence

Reasons why 1 have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 18

LICENSING OBJECTIVES

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

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

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

The premises has operated for many years without any issues arising and the last year under the management of the current licence holder. This is a modest application seeking to extend the house for sale of alcohol until 01:30 on Friday and Saturday evening to the day following and to extend the hours for late night refreshment until 02:00 and the opening hours until 02:00 on the same days. There are no proposed changes to the existing licence conditions subject to any proposals from statutory authorities during the consultation period.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

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

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

Continued from previous page...

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

Section 18 of 18 PAYMENT DETAILS

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

Variation Fees are determined by the non-domestic rateable value of the premises.

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee Band D - £87001 to £12500 £900.00 Band E - £125001 and over £1,905.00

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

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

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

* Fee amount (£) 450.00

DECLARATION

Continued from previous page...

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

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

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

| | | | |
|-------------|--|-----------------------------------|-----------------------------------|
| * Full name | <input type="text" value="Gareth Hughes"/> | | |
| * Capacity | <input type="text" value="KeystoneLaw - partner"/> | | |
| * Date | <input type="text" value="18"/> | <input type="text" value="/ 04"/> | <input type="text" value="2023"/> |
| | dd | mm | yyyy |

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

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

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

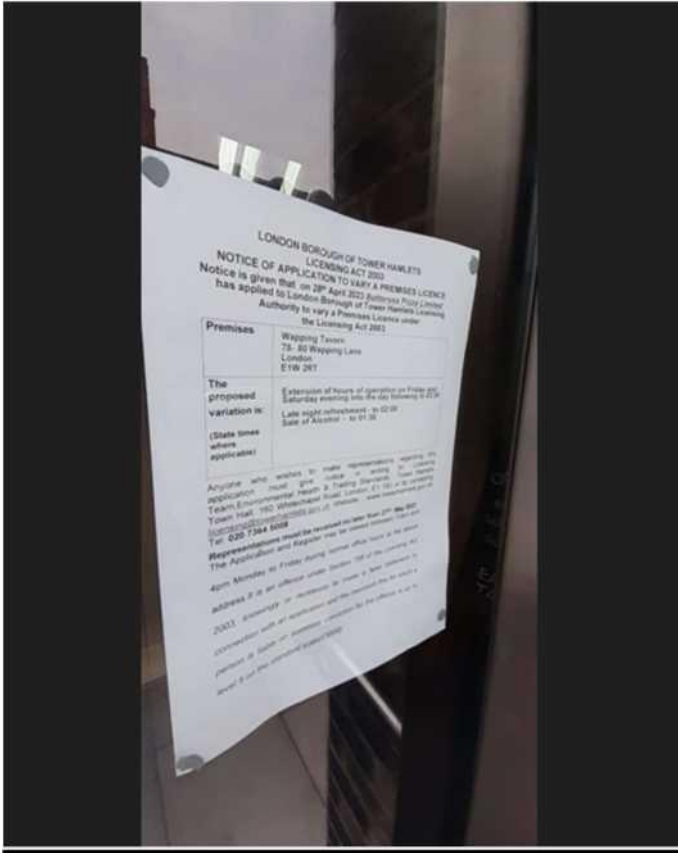
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

OFFICE USE ONLY

| | |
|----------------------------|--|
| Applicant reference number | <input type="text" value="GBH/WAP/4/1"/> |
| Fee paid | <input type="text"/> |
| Payment provider reference | <input type="text"/> |
| ELMS Payment Reference | <input type="text"/> |
| Payment status | <input type="text"/> |
| Payment authorisation code | <input type="text"/> |
| Payment authorisation date | <input type="text"/> |
| Date and time submitted | <input type="text"/> |
| Approval deadline | <input type="text"/> |
| Error message | <input type="text"/> |
| Is Digitally signed | <input type="checkbox"/> |

Appendix 3

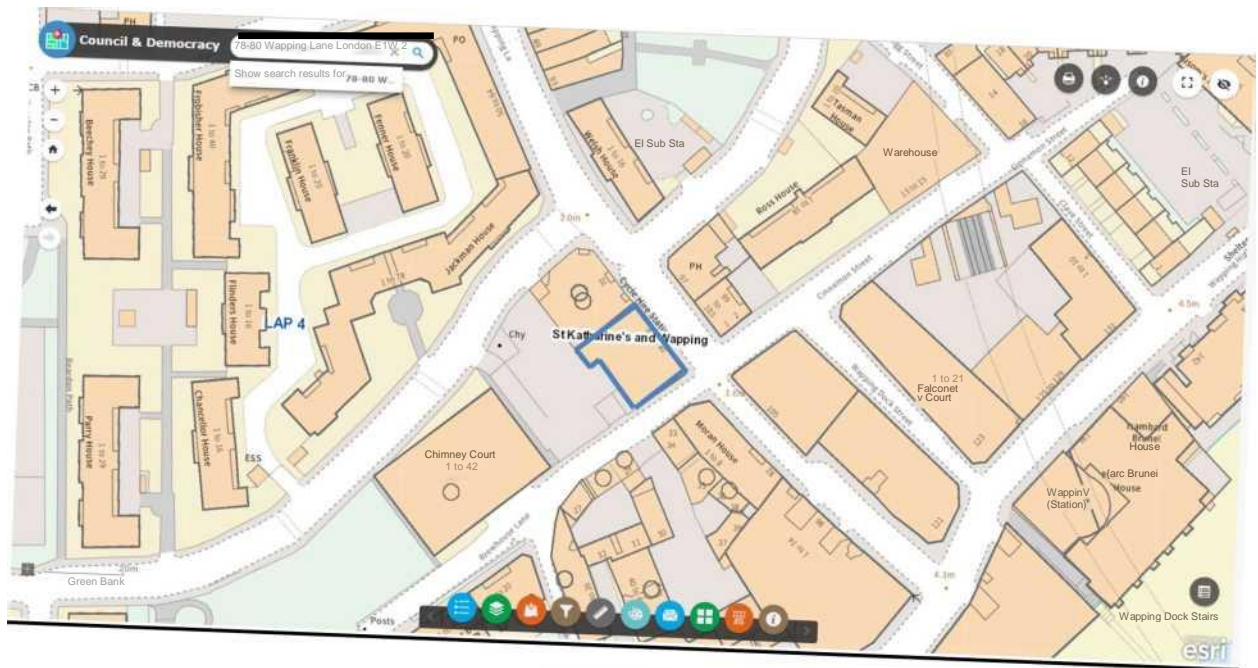
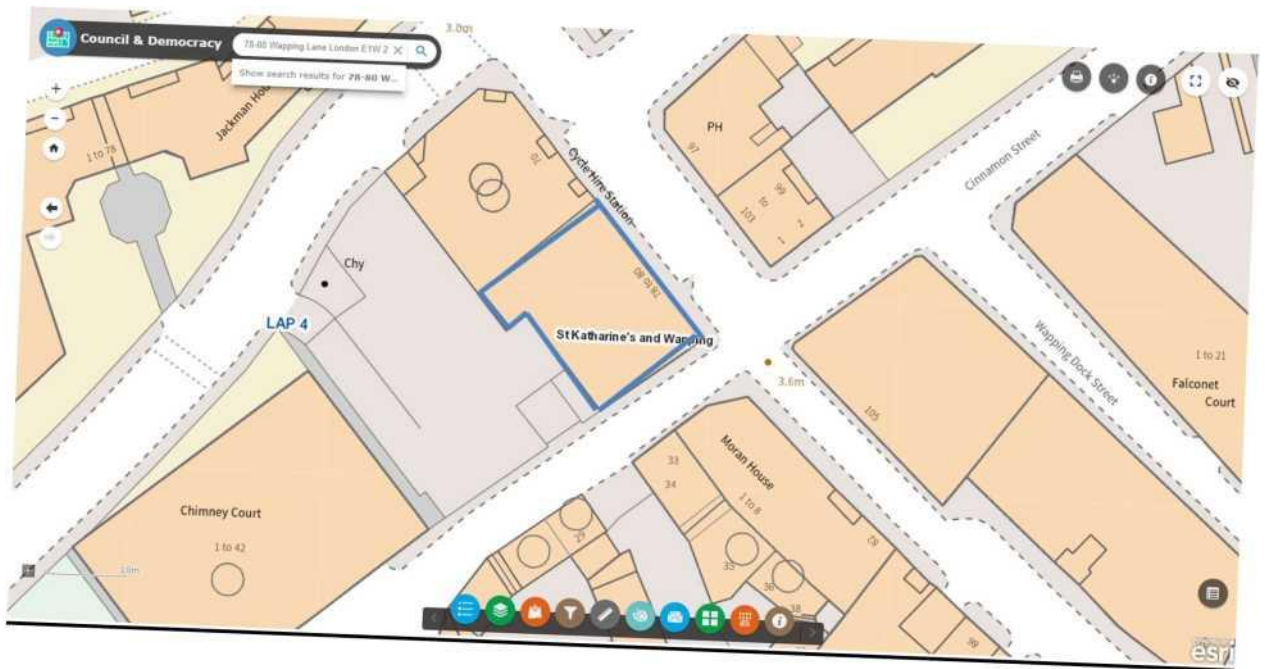
Photos - Wapping Tavern, 78-80 Wapping Lane





Appendix 4

Maps – Wapping Tavern – 78-80 Wapping





Appendix 5

| Premises | Licensable Activities | Opening Hours |
|---|--|---|
| <p>(Dockers Inn) 97 Wapping Lane</p> | <p>The sale by retail of alcohol (on and off sales):
 Monday to Thursday from 11:00 hours to midnight
 Friday and Saturday 11:00 hours to 02:00 hours the following day
 Sunday from 12:00 hours to midnight</p> <p>Regulated Entertainment:
 Recorded music and anything of a similar description, Indoor Sporting events: Monday, Tuesday, Wednesday, Thursday from 11:00 hours to midnight
 Friday and Saturday 11:00 hours to 02:00 hours the following day
 Sunday from 12:00 hours to midnight</p> <p>Live Music:
 Friday and Saturday from 12:00 hours to midnight
 Sunday from 12:00 hours to 23:00 hours</p> <p>Late Night Refreshment
 Sunday to Thursday from 23:00 hours to 00:30 hours the following day
 Friday and Saturday 23:00 hours to 02:30 hours the following day</p> <p>In addition to the above:
 Christmas Eve, Patron Saints Days and Burns Night from 10:00 hours to 02:00 am the following day.</p> <p>Note: New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11 pm on New Years Eve and 11am on New Years Day. However, live music to finish at 01:00 hours New Years Day.</p> | <p>Monday to Thursday from 11:00 hours to 00:30 hours the following day
 Friday and Saturday 11:00 hours to 02:30 hours the following day
 Sunday from 12:00 hours to 00:30 hours the following day In addition to the above:
 Christmas Eve, Patron Saints Days and Burns Night from 10:00 hours to 02:30 am the following day.</p> <p>Note: New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002.
 Which means that while that order is in effect the premises may remain open for the twelve hours between 11 pm on New Years Eve and 11 am on New Years Day.</p> |

| | | |
|---|--|--|
| <p>(Best One Supermarket)
 56-58 Wapping Lane</p> | <p>Sale of Alcohol (off sales):
 a. On weekdays, other than Christmas Day, 8 a.m. to 11 p.m.
 b. On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m.
 c. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.
 d. On Good Friday, 8 a.m. to 10.30 p.m.</p> | <p>There are no restrictions on the hours during which this premises is open to the public</p> |
| <p>(Fresh Foods)
 87A Wapping Lane</p> | <p>The sale by retail of alcohol (off sales)</p> <ul style="list-style-type: none"> • Monday to Saturday from 08:00hrs to 23:00hrs • Sunday from 09:00hrs to 23:00hrs | <ul style="list-style-type: none"> • Monday to Saturday from 08:00hrs to 23:00hrs • Sunday from 09:00hrs to 23:00hrs |
| <p>Sainsbury's
 70 Wapping Lane</p> | <p>Sale of Alcohol (off sales only)
 Monday - Sunday 07:00 hours - 23:00 hours</p> | <p>Monday - Sunday - 24 hours/unrestricted</p> |
| <p>(Wapping Wines)
 101 Wapping Lane</p> | <p>Sale of Alcohol (off sales):
 a. On weekdays, other than Christmas Day, 8 a.m. to 11 p.m.
 b. On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m.
 c. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.
 d. On Good Friday, 8 a.m. to 10.30 p.m.
 See Mandatory conditions for drinking up time</p> | <p>There are no restrictions on the hours during which this premises is open to the public</p> |
| <p>(Laksha Bay) 83 Wapping Lane</p> | <p>Alcohol may be sold or supplied (on sales)
 (1) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 10am to 12pm.
 (2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12 noon to 11:30pm
 (3) On Christmas Day: 12 noon to 11:30pm;
 (4) On New Year's Eve, except on a Sunday, 11 a.m. to midnight;</p> | <p>There are no restrictions on the hours during which this premises is open to the public</p> |

| | | |
|--|--|--|
| | <p>(5) On New Year's Eve on a Sunday, 12 noon to 11.30 p.m.</p> <p>(6) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).</p> <p>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11 am on New Years Day.</p> | |
| | | |

Appendix 6

Corinne Holland

From: Lavine Miller-Johnson
Sent: 26 May 2023 16:23_
To: gareth.hughes1
Cc: Corinne Holland
Subject: Licensing Act 2003 Variation application Wapping Tavern 78-80 Wapping Lane MA 159865

Dear Gareth,

Licensing Act 2003 Variation application
Wapping Tavern 78-80 Wapping Lane E1W 2RT MA 159865

I am the Licensing Officer, acting as Responsible Authority, making comment on the above named application.

Wapping Tavern, currently has a premises licence for the following hours:

The sale by retail of alcohol and late night refreshment:

Monday- Saturday from 10:00 hours to midnight.

Sunday from 12:00 hours to 23:30 hours

Regulated Entertainment consisting of live music and provision of facilities for making music:-

Monday - Sunday from 19:00 hours to 22:30 hours.

In addition to the above: New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.

The opening hours of the premises:-

Monday - Sunday from 10:00 hours to 00:30 hours.

Note: New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.

The hours that have been applied for are as follows:- Late Night Refreshment (Indoors)

Saturday from start 00:00 hours- 02:00 hours (midnight to the following day) start 23:00 hours- 00:00 hours

Sunday from start 00:00 hours -02:00 hours (midnight to the following day) start 12:00 hours - 23:30 hours

Supply of Alcohol (on and off)

Saturday from start 00:00 hours- 01:30hours (midnight to the following day) start 10:00- 00:00

Sunday from start 00:00 hours -01:30 hours (midnight to the following day) start
12:00 hours - 23:30 hours

Hours open to the public

Saturday from start 00:00 hours- 02:00 hours (midnight to the following day) start
23:00 hours- 00:00

Sunday from start 00:00 hours -02:00 hours (midnight to the following day) start
12:00 hours - 23:30 hours

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

In considering this application, I have observed that the hours applied for, exceed the Council's framework hours. The premises are in close proximity to residents dwellings and therefore having the extended hours until 02:00 hours will create a public nuisance for the residents in the early hours of the morning.

It is also noted that, the premises are opposite the Dockers Inn at 97 Wapping Lane, which also has very late hours until 02:30 hours. We have received a number of complaints regarding the Dockers Inn, relating to noise and public nuisance. Additional late night activities from the Wapping Tavern premises, will contribute further to the existing concerns of the residents.

History of complaints

11-12th August 2022 - Wapping Tavern had a Temporary Event Notice for an extension of hours to 01:00 hours.

01:47 hours- complaint received - ASB from customers outside of the premises lots of drunk people standing in the street, smashing glass and making lots of noise.

21st August 2022

00:49 hours -Noise from customers leaving the premises.

It has also been noted that, the current premises licence does not have any conditions relating to the licensing objective, ***prevention of public nuisance***.

The operating schedule of this application does not offer any conditions as to how the management will uphold the licensing objective, ***prevention of public nuisance*** if the licence was to be granted.

Therefore, this Responsible Authority does not support this application for the extension of hours.

Kind Regards

Lavine Miller-Johnson

Licensing Officer - Licensing and Safety Environmental Health and Trading Standards Place Directorate
4th Floor Tower Hamlets Town Hall 160 Whitechapel Road London E1 1BJ


www.towerhamlets.gov.uk licensing@towerhamlets.gov.uk

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Appendix 7

Tom Lewis Head of
Licensing Tower
Hamlets Council

HT - Tower Hamlets Borough

Licensing Office
Shoreditch Police Station

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

26th June 2023

Dear Sir,

Central East Police Licensing formally object to the application for a variation of the license of Wapping Tavern, objection is on the grounds of preventing crime and disorder, and public nuisance.

Central East Police Licensing object to this application as we believe it will lead to increased crime and disorder and public nuisance. This application is to allow the premises to remain open until 2am at weekends.

There have been complaints from local residents from August complaining about noise from the venue and its customers. One from August last year states:

“Tonight it is the same thing. Lots of drunk people standing in the streets, smashing glass and making lots of noise. The noise echoes between the buildings and is non stop. The Wapping Tavern is supposed to close at midnight on Fridays and Saturdays and is clearly exceeding its licence. There is no effort by them to manage the noise and their patrons. There have been similar issues during week nights with them staying open well beyond their stated hours.”

The venue is located in is heavily residential with little or no background noise. As has been shown by the above complaint, the when customers leave the Wapping Tavern in the early hours after partying and consuming alcohol, the noise they will cause noise nuisance to local residents.

It is concerning that the applicant has failed to include any plans, policies or proposed conditions to manage the risk of local residents being affected by the venue and its customers.

We are also concerned that as premises is open later, serving alcohol until 1:30 am that their customers will be more intoxicated, and therefore more likely to be involved in alcohol related crime and disorder, wither as the victim or perpetrator. This is because we know that as people consume alcohol their decision-making becomes impaired and people can become more volatile.

Yet again, the applicant has failed to submit any plans, policies or conditions to manage this risk, which is concerning, and disappointing.

We would suggest that the application is limited to the following hours:

Licensable Activity

Saturday and Sunday until 00:30

Hours open to the Public until 01:00

This increase in hours will allow the venue management to have a small increase and give themselves the chance demonstrate that they can uphold the licensing objectives.

We would also ask for the following conditions be added to the license:

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.
6. Premises to have signs prominently displayed asking customers to be quiet when leaving.
7. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record 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.
8. No open containers of alcohol to be taken away from the premises
9. The premises shall have written dispersal and noise management plans. These plans will show how the venue management and staff will prevent noise nuisance to local residents, how dispersal of customers will take place. Such plans are to be reviewed every year and made available to Relevant Authorities upon request.

We believe that the premises should be limited to the hours stated above and have the above conditions added to the license.

Kind Regards

Mark



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

A: Licensing Office, 2nd Floor Stoke Newington Police
Station

Appendix 8

Kathy Driver

From: Nicola Cadzow
Sent: 30 May 2023 11:02
To: Licensing
Cc: 'MARKJ.Perry'; gareth.hughes
Subject: 158965 MAU REPRESENTATION Wapping Tavern 78-80 Wapping Lane

Dear Licensing,

I have considered the variation of premises license for Wapping Tavern 78-80 Wapping Lane and the potential impact of public nuisance and measures to prevent noise generated from within the premises or outside it which could cause disturbance to people in the vicinity, for the proposed increase in hours beyond the existing hours of the licence.

The existing hours of the premises for licensable activities for basement floor: sale by retail of alcohol; late night refreshment:-

- **Saturday** until midnight
- **Sunday** until 23:30 hours

The applicant is proposing an increase in licensable activities: sale by retail of alcohol, late night refreshment

- Saturday Late night Refreshment until 02:00 hours (an extension of two hours on existing hours)
Sale of alcohol until 01:30 hours (an extension of an hour and a half on existing hours)
- **Sunday** Late night Refreshment until 02:00 hours (an extension of two hours on existing hours)
Sale of alcohol until 01:30 hours (an extension of an hour and a half on existing hours)

Also, the applicant has not offered any further conditions in their operating schedule to support their application when considering the impact on public nuisance from people access and egressing the premises and people loitering outside whilst the premises is in operation at the later hours sought.

Noise Sensitive premises: residential and commercial premises in close proximity to Wapping Tavern 78-80 Wapping Lane

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

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

CONCLUSION

Environmental Protection **does not** support the application for Wapping Tavern 78-80 Wapping Lane as there is greater likelihood of disturbance to residential premises at the noise sensitive hours sought.

Kind regards

Nicola Cadzow

Appendix 9

Corinne Holland

From: Chris Hancox 17 May 2023 17:43 Licensing
Sent: RE: 158965 WappingLane78-80 Premises variation
To: PA-85-01080 - Decision Notice and Agreement.pdf; WappingLane78-80.App.pdf;
Subject: WappingLane78-80.Lic.pdf
Attachments:

Follow Up Flag: Follow up
Flag Status: Completed

Dear Licensing,

Planning object to the proposed license application 158965.

Your licensing variation application has been sent to the planning team for proposed amended licenced hours (attached) at:
78-80 Wapping Lane,
London E1W 2RT

The original planning permission for the restaurant use (PA/85/01080 - Conversion of listed warehouse to restaurant and erection of new office building And car park.) condition 7 states that:

"The restaurant use hereby permitted shall not operate otherwise than between midday and midnight."

I note on the licensing application that the proposed hours will extend the operational use to past midnight, which would be a breach of condition 7 of planning approval PA/85/01080.

The planning team object to the proposed late night hours due to expected harm that will be caused to the amenity (eg noise, disturbance, late night activity) of adjacent residents and the area generally.

Given the above, so not to breach planning legislation, you can either adjust licensing application to match the approved planning hours of condition 7 or attempt to alter the condition by submitting to Variation of Condition application with your proposed new hours. This application can be submitted online via the Planning Portal website at <https://www.planningportal.co.uk/>.

As an example please see change to opening hours approval PA/07/00021 as a guide.

<https://development.towerhamlets.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=DCAPR 44871>

Please be aware that even if there is an approved license for extended hours, this doesn't override planning legislation. If the premises operates passed the approved hours of condition 7 for planning permission PA/85/01080, this would result in a breach of planning condition, for which a formal notice could be issued, and could result in a fine of up to £2,500 (level 4) upon conviction in the Magistrate's Court.

If you are unsure of any part of the above email, please feel free to contact me.

Regards,

Chris Hancox
Principal Planning Compliance Officer Place Directorate

TOWN AND COUNTRY PLANNING ACTS
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER

To: R.W. Reynolds Associates Ltd.,



Application No TH/85/218

Date Registered 30.9.85.

Applicants Drawings Nos :
342 8A; 9A IOC; 11B; 12C; 13C;
14A; 15C; 16A; 17; 18; and
applicants' letters dated 30th
September and 16th October 1985.
Ordnance Survey Base Site Location
Plan.

The London Docklands Development Corporation, as Authority within the meaning of the above-mentioned in pursuance of its powers thereunder, HEREBY PERMITS development : -

the local Planning Acts and Order and TS the following

Location 78-80 Wapping Lane, E.1.

Description Conversion of listed warehouse to restaurant and erection of new office building and car park.

This permission is granted subject to the following conditions:-

1. The development hereby permitted must be commenced not later than the expiration of three years from the date of this permission.

The accommodation for car parking shown upon the plans submitted shall be provided before the occupation of the building hereby permitted and retained permanently for the accommodation of the vehicles of the occupiers or persons calling at the premises only and shall not be used for any other purpose.
3. Full details, including colour, of the facing materials to be used on the building shall be submitted to and approved by the Local Planning Authority before any work on the site is commenced
4. No plumbing or pipes, other than rainwater pipes, shall be fixed on the external faces of the building.
5. Full details of any roof plant, machinery, engineering services and their architectural enclosures or any other structures at roof level or elsewhere - not indicated on the approved plans, shall be submitted to and approved by the Local Planning Authority before work on site commences.

Details of means of fume extraction including their position of all ducts shall be submitted to and approved by the Local Planning Authority and shall be installed and/or erected prior to the commencement of the use hereby permitted.

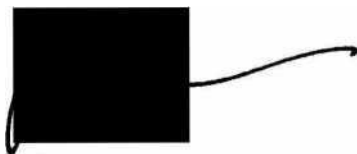
The restaurant use hereby permitted shall not operate otherwise than between midday and midnight.

8. Notwithstanding the provisions of Class II of Planning (Use Classes) Order 1972, the ground shall be used for a bank, building society, office or similar counter service office use without the prior permission of the Local Planning Authority. the Town and Country floor of the new building estate agent, insurance aixl for no other purpose "arming Authority.
9. Work on the construction of the development the permission, including the loading and unloading place only between the hours of 08.00 - 18.00 08.00-13.00 Saturday and at no other time including any Sunday or Public Holiday. subject of this of vehicles, shall take Monday to Friday and ding any Sunday or
10. All new external finishes to the restaurant building shall be carried out in materials to match the existing parapet level shall facing work.

Reasons:

1. To comply with the requirements of Section 41 of the Town and Country Planning Act 1971 and to avoid the accumulation of unexercised planning permissions and to secure the early regeneration of the London Docklands area.
2. To avoid obstruction of the surrounding streets by waiting vehicles and safeguard the amenities of adjacent premises.
3. To ensure that the external appearance of the building is satisfactory.
4. Such works would detract from the appearance of the building.
5. In order that the Local Planning Authority may be satisfied as to the details of the proposal.
6. To ensure that no nuisance or disturbance is caused to the amenities of adjoining occupiers or of the area generally.
7. To safeguard the amenities of the surrounding area.
8. In order to cater for demand for local services and prevent the creation of areas of dead frontage in this part local centre.
9. To safeguard amenities and minimise disturbance of the Wapping Lane adjoining properties.

to the occupiers of



C.W.V. HOPKINS
Corporation Secretary and Solicitor

Date:

a ■%■>

Attention is drawn to the notes accompanying this form. Correspondence regarding this document should quote the application number and be sent to:

The Secretary, London Docklands Development Corporation,
India House, Millwall Dock, London E14 9TJ

1A

DATED 25th Jan 1986

LONDON DOCKLANDS DEVELOPMENT CORPORATION

- and -

MARLTICK LIMITED

WE CERTIFY THIS TO
AM ÜQPK
RST >v{xk.V 6381»

A G R E E M E N T

- relating to -
78/80 Wapping Lane London E.1



ASHURST MORRIS CRISP & CO.


[Redacted address lines]

Tel: [Redacted telephone number]

Telex:

H AJ/10.12.85/16460

THIS AGREEMENT is made the

/ day ¹⁴/₁₀ 1985 C-t-  One

thousand nine hundred and eighty-[^]//£ BETWEEN MARLTICK

LIMITED whose registered office is situate at 4 Ennismore Mews;

London S.W.7 (hereinafter called "the Developers") of the first

part and LONDON DOCKLANDS DEVELOPMENT CORPORATION of West

India House Millwall London E.14 (hereinafter called "the

Corporation") of the second part

WHEREAS : -

(1) The Developer is seised in fee simple free from incumbrances of property situate at and known as 78/80 Wapping Lane E.1 in the London Borough of Tower Hamlets the boundaries whereof are delineated on the plan annexed hereto edged in red and registered at H.M. Land Registry with Title Absolute under Title No. L-N 77 S-ff>

(2) The Corporation is the local planning authority for the purposes (inter alia) of this Agreement within the meaning of Part III of the Town and Country Planning Act 1971

(3) In this Agreement the following words and expressions shall where the context so admits have the following meanings "the Application" the planning application given

reference number TH/85/218 and

dated 24th July 1985 submitted to

the Corporation and/or any

subsequent amendment thereto

"the Development"

the development to which the

Application relates

"the Plan"

the plan annexed hereto

"the Site"

the land shown edged red on the

Plan

(4) The Corporation is desirous of entering an agreement for the purpose of regulating or facilitating the Development or use of the Site in the manner hereinafter provided

(5) The Corporation and the Developers intend that this Agreement shall only come into effect in the event of any planning permission being granted pursuant to the Application

NOW THIS DEED WITNESSETH as follows

1. THIS Agreement is made pursuant to Section 52 of the Town & Country Planning Act 1971 and all other powers enabling in that behalf and both the positive and restrictive covenants and undertakings herein on the part of the Developers are entered into with the intent that the same shall be enforceable without limit of time not only against the Developers but also against their respective successors in title and any person corporate or otherwise claiming through or under the Developers an interest or estate in the Site or any part or parts thereof as if that person had also been an original covenanting party in respect of the interest or estate for the time being held by them

2. THE covenants undertakings obligations and restrictions shall become binding upon the Developers forthwith upon the granting of any planning permission pursuant to the Application

3. THE Developers hereby covenant and undertake with the Corporation so as to bind the Site as provided for in the beforementioned statutory provisions as follows

_ (a) In carrying out the Development to adhere in all respects to the terms and conditions of any planning permissions granted pursuant to the Application and any necessary listed building consents therefor and to the terms and conditions of approval of any reserved matters that may subsequently be given by the Council

(b) Not at any time to use more than four parking spaces within the development for the purposes of or in connection with the use and occupation of that part of the premises permitted for office use.

(c) None of the parking spaces provided in the development shall be used for the purposes of parking by members of the staff of the restaurant or other persons associated with the running of the restaurant.

(d) The restaurant is not to be open for use except between the hours of 12:00 midday to 12:00 midnight.

(e) The restaurant is not to be open for business except during such times as the parking spaces authorised by the permission (other than the four spaces allocated for office use) shall be available for the use by customers of the restaurant.

(f) No part of the office accommodation to be provided as part of the development shall be occupied until all works to the listed building have been completed to the satisfaction of the Corporation.

4. THE Developers hereby covenant with the Corporation that they will not incumber or deal with the site in any manner whatsoever whereby the Developers may be prevented from carrying out their covenants and obligations hereinbefore contained

5. THE Developers for themselves and their servants agents successors in title and persons deriving title under them hereby jointly and severally covenant with the Corporation as follows so as to bind the Site as provided for in the beforementioned statutory provisions

(a) not to make any claim for compensation against the Corporation or the Council as a result of the undertakings covenants and restrictions in this Agreement

(b) to pay the Corporation's costs in connection with the preparation of this Agreement together with Stamp Duty thereon and on any duplicates thereof

6. NOTHING in this Agreement shall be construed as restricting the exercise by the Corporation of any power exercisable by them under the Town & Country Planning Act 1972 or under any other Act

7. THE covenants undertakings and obligations and restrictions contained in this Agreement shall only be capable of being varied by a memorandum to be endorsed upon this Agreement by or on behalf of all the parties hereto

8. NO waiver (whether express or implied) by the Corporation of any breach or default by the Developers or its successors in title in performing or observing any of the covenants undertakings obligations or restrictions contained in this Agreement shall (unless the same be by deed under Seal) constitute a continuing waiver and no such waiver shall prevent the Corporation from enforcing any of the said covenants undertakings obligations or restrictions or from acting upon any

subsequent breach or default in respect thereof by the
Developers or by their successors in title


IN WITNESS whereof the parties have caused their
respective Common Seals to be hereunto affixed the day and year

first before written

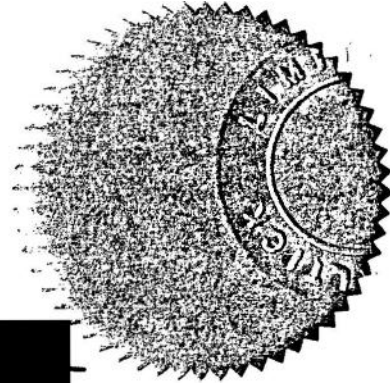
THE COMMON SEAL of MARLTICK
LIMITED was hereunto affixed
in the presence of:-



Director



Secretary



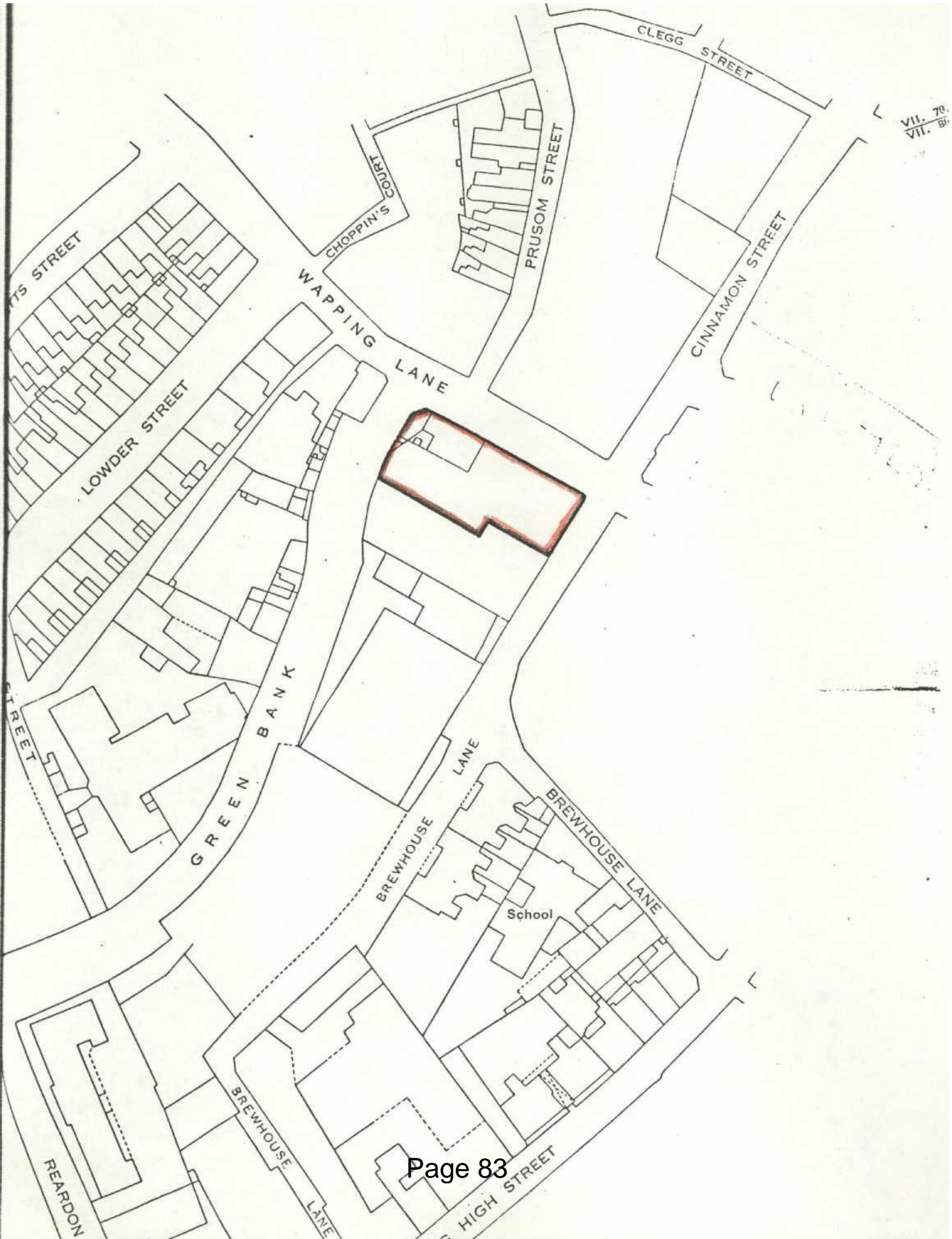
H. M. LAND REGISTRY GENERAL MAP

LONDON

SHEET VII. 88

SECTION L

Scale 1/1056



Appendix 10

Corinne Holland

From: Ashley
Sent: 14 May 2023 20:15
To: Corinne Holland
Subject: REPRESENTATION Wapping Tavern, 78-80 Wapping Lane, London E1W 2RT - ref: CLC/EHTS/LIC/158695

Dear Sir/Madam,

I am the owner and occupier of Wapping Lane, L o n d o n , I live in the floor flat on the corner of Cinnamon Street and Wapping Lane.

I strongly object to the application to extend the opening hours at the Wapping Tavern which is located diagonally opposite my bedroom.

Under their current licence and hours of operation, I'm frequently woken by customers lingering and talking on the pavement outside. Conversations from the Tavern's clientele can be heard word for word inside the flat.

It is a fair assumption that noise pollution would increase furthermore as a result of the extended hours.

An extension of their licence would be intolerable in the early hours.

I would thoroughly appreciate your consideration in this matter.

Best wishes,

Ashley
Director

[REDACTED]

[REDACTED]

[REDACTED]

Twitter | Instagram

is a company registered in England and Wales. Company number:

case of an incorrectly addressed e-mail message, the intended recipient. No-one else may copy, use, disseminate or forward all or any part of it in any form. Although this email, including any attachments, is believed to be free of any virus, or other defect which might affect any computer or IT system into which it is received and opened, it is the responsibility of the recipient to ensure that it is virus free, and no responsibility is accepted for any loss or damage arising in any way from its use. The views expressed in this e-mail are those of the sender and not necessarily the employees company. If you receive this e-mail in error please accept our apology. If this is the case we would be obliged if you would contact the sender and then delete the e-mail.

Appendix 11

Corinne Holland

From: Licensing
Sent: 09 May 2023 15:22
To: Corinne Holland
Subject: FW: Premises Variation - Wapping Tavern 78 Wapping Lane E1W 2RT.

From: Chris Jackson <fvG>C-'s
Sent: Tuesday, May 9, 2023 2:50 PM
To: Licensing <Licensing@towerhamlets.gov.uk>^^

Subject: Premises Variation - Wapping Tavern 78 Wapping Lane E1W 2RT.

Dear TH Licensing,

I note the recent application for a license extension for the Wapping Tavern ,Wapping Lane which I would respectfully oppose.

Reasons are prevention of public nuisance and to a lesser extent crime, disorder and anti-social behaviour.

I note the applicant wishes to extend their license on Fridays and Saturday Nights to 2am (1.30am last orders). Currently it's midnight.

I live in with my apartment and windows are near (within 10 meters) the side entrance of the Wapping Tavern, Brewhouse lane.

Currently I have noted since the Wapping Tavern has opened more noise especially at night, but the current midnight end is bearable. The problem is especially bad in the hotter summer months when windows are open.

The problem is especially with smokers / vapers talking , "socialising", taking mobile calls etc in the 2 private BP covered parking bays (this includes on occasion the Tavern's staff). Those bays are directly under BP apartments with residents trying to sleep. Obviously Wapping Tavern patrons and staff should not be in the BP private property anyway, but unfortunately this happens.

We also have had people urinating, and using weed/nitrous in those covered guest parking bays. The concierge at BP regularly has to hose down the bays (on Monday) and clean up used vapes and cigarette butts, etc.

I fear with a 2am extension party goers will come to the Wapping Tavern when other Wapping pubs close their doors at midnight or 11.30pm, making the place more of a problem (at the moment it is borderline). I note the applicant says no major complaints currently which is due to the midnight closure which I have lived with but 2am is very different.

I note also the Wapping Tavern has not documented any way to try to address the issues above, maybe with full time security staff to ensure their patrons do not make noise outside in the areas noted.

I am also concerned about noise internal from the Tavern in the Summer when their windows are open as well as mine, again I can hear it currently which is why the midnight cut off.

Please note I have been a resident since 1999 and never had an issue when the Wapping Tavern was a Pizza Express and as I say above the current midnight cut off is bearable.

I have copied my local councillors Amy Lee and Abdal Ullah to highlight the issue to them. With

regards,

Chris Jackson



Appendix 12

Corinne Holland

From: Dawn Jackson <[REDACTED]>
Sent: 13 May 2023 12:37
To: Licensing
Ce: Amy Louise Lee; Abdal Ullah
Subject: Licensing Variation- Wapping Tavern objection

Dear TH Licensing,

I have noticed that an application for a licensing extension has appeared on the door of the Wapping Tavern . This is requesting to extend opening hours until 2am on Fridays and Saturdays with drinking permitted until lam.

I am writing to formally object to this on the basis of increased risk of anti-social behaviour including noise disturbance, smoking and vaping in the vicinity of access to the block where I live as well as below windows to apartments. As the weather warms up this can only increase the likelihood of this disturbance.

I live in [REDACTED] and whilst the internal noise from the Tavern is not extreme and definitely minimized through the tenants/owners kindly keeping their doors and windows closed, I have had unpleasant issues getting access to my flat. I have had to "run the gauntlet " through vaping and smoking from individuals and small groups standing outside drinking and on occasion also urinating in the private car park spaces (and next to guest parked cars). Although this is not only down to the Tavern patrons and has been an ongoing issue for the 15 years that I have been resident here, I fear the extension will only exacerbate these issues and worse still, extend these into the early hours when residents can reasonably expect to sleep without disruption.

I have not complained before about general anti-social behaviour from the Tavern patrons as it is thankfully infrequent. I have noted though that general noise worsens in the warmer months. Since the outside tables have been removed though (quite rightly due to pavement accessibility issues and experiencing secondary smoking and vaping), this has gotten better.

However, given I have had to raise the accessibility issue in the past when this should have been an obvious consideration , I was disappointed that the Tavern felt an extension was also a reasonable request. This adds to my concern around their decision to request a license extension in residential areas and general lack of awareness and prioritisation of the likely impact on residents. .

I cannot understand the rationale other than increased profit and can see no benefit for Wapping, a peaceful inclusive and diverse neighbourhood . How does a late drinking establishment benefit many of these diverse residents?. We have a plethora of late night drinking establishments in more appropriate areas only a short walk, cab or tube journey away. We are spoilt for choice living in London!.

I also question who might be the likely beneficiaries of the late night hours. How will those coming from further afield for example get home given tubes close around midnight/??

This may well also create increase likelihood of noise as people hang around waiting for taxis once the Tavern closes

I look forward to hearing how this possible disturbance to residents and locals would be managed and "policed". I certainly hope I am proved wrong and The Tavern has already thought through a plan of action to minimise disturbance

I want to add that I have visited the Tavern in the past and have enjoyed the food, vibe and drink there, but I fear the ambiance will change should an extension be given permission to go ahead.

I for one will consider leaving the area if such a decision is taken given I came to Wapping in the first place because of its peaceful respectful neighbourhood I wait to hear how this progresses.

Regards

Ms D Jackson

Appendix 13

Corinne Holland

From: Licensing
Sent: 26 May 2023 10:33
To: Corinne Holland
Subject: FW: Licensing objection - re.: Wapping Tavern, E1W 2RT

Sparrow

Sent: Friday, May 26, 2023 7:25 AM

To: Licensing <Licensing@towerhamlets.gov.uk>^^

Amy

Lee

Ullah

Subject: Licensing objection - re.: Wapping Tavern, E1W 2RT

Dear Tower Hamlets Licensing Department,

I'm writing to object to the proposed extension of licensing hours at the Wapping Tavern at 75-80 Wapping Lane E1W. The licensee wishes to extend their licensed hours on Friday and Saturday nights from the currently agreed midnight until 2am.

As residents of _____ my wife and I are immediate neighbours to Wapping Tavern. While noise from the premises itself is usually bearable when windows are closed, at times when they have their doors or windows open and music or sports on full blast the noise can easily carry across and enter our flat and those of our neighbours if our own windows are open (which we should be able to do in the summer months).

We also have ^^^-floor bedroom windows that face directly onto Brewhouse Lane - at best this means the noise of boisterous customers coming and going to the Tavern right past our bedroom window. We work long and early hours including often at weekends, and while we want to be reasonable neighbours and can tolerate comings and goings until past midnight, the threat of an extension into the early hours would have a negative impact on our sleep and general quality of life.

In addition to the noise factor, there are also issues of litter and general antisocial behaviour. Customers of the Tavern frequently stand outside to smoke and drink, blocking the narrow pavement and forcing passing pedestrians to walk out into the road. Customers and staff also frequently loiter in the parking bays belong to Bridewell Place to talk, smoke or consume illicit substances - these bays are private property and directly beneath residential flats. There seems to be no effort by the licensee to discourage littering or clean up when closing for the night, and the area around the Santander Cycle station is usually strewn with cigarette butts, vape cartridges and sometimes broken glass first thing in the morning. Worse still, customers passing down Brewhouse Lane after dark frequently use the walls of residential buildings including our own as a makeshift urinal.

We've previously been reluctant to formally complain about these issues, since we acknowledge that in general the Tavern's presence is a benefit to our community, but the present application forces us to raise them now under the licensing act criteria of prevention of crime and disorder (specifically antisocial behaviour) and public nuisance.

Extending the licensing hours to allow later drinking (boosted by people converging on the venue to keep drinking once other establishments have closed for the night) seems likely to exacerbate all of these issues, and we therefore strongly object to the proposal.

Above all, Wapping is a predominantly residential neighbourhood with a mixed community of many different ages and lifestyles, and such late licensing is simply not appropriate - there are plenty of commercial areas within easy reach for those who wish to drink into the early hours.

Yours sincerely,

Giles Sparrow



cc: Councillors Amy Lee and Abdul Allah

Appendix 14

Kathy Driver

From: John Subscriptions [REDACTED]
Sent: 26 May 2023 15:47
To: Licensing
Subject: Objection to Wapping Tavern license extension

To:
TH Licensing
From:
John Harmon
[REDACTED]

Regarding:

Objection to Wapping Tavern license extension I

object to this application for the following reason:

Wapping is primarily a residential area with many of the residents' leases specifying no noise disturbance "in the premises so as to cause annoyance to other occupiers of other Properties or so as to be audible outside the demised premises between the hours of 11pm and 9am".

From my observation, customers of Wapping Tavern already breach this requirement. I have seen customers of Wapping Tavern grouped outside on the pavement, blocking access for passing pedestrians who have to negotiate to gain passage through their neighbourhood, smoking and vaping, engaging in loud banter (shouting), in one case falling over drunk, in some cases not bothering to use the facilities in Wapping Tavern and using the Bridewell Place visitor parking bay as a urinal. The groups congregating on the pavement being mostly male, I am aware of women who feel intimidated and choose to walk home via a different route.

I can only see this situation worsening with extended drinking hours, Wapping Tavern customers on the pavement later, limited access to public transport to clear the area, later at night so the impact of noise disturbance on local residents higher. I have seen no evidence of Wapping Tavern, Police or Tower Hamlets officers addressing the current level of disturbance. If there have been efforts to exercise control, clearly from the current level of disturbance, these efforts have been ineffective. So, even if one were forthcoming, I would have no faith in any assurances that the proposed license extension would cause no further inconvenience for Wapping residents.

I am asking that Tower Hamlets Licensing exercise their prerogative and prioritise the rights of Wapping residents over the profitability of Battersea Pizza Limited.

Yours faithfully John Harmon

Appendix 15

Corinne Holland

From: Katja Seibold <[REDACTED]>
Sent: 26 May 2023 11:52
To: Licensing
Ce: Amy Louise Lee; Abdal Ullah Licensing
Subject: objection - re.: Wapping Tavern

Follow Up Flag: Follow up
Flag Status: Completed

Dear Tower Hamlets Licensing Department,

I'm writing to object to the proposed extension of licensing hours at the Wapping Tavern at 75-80 Wapping Lane E1W. The licensee has put in an application to extend their licensed hours on Friday and Saturday nights to 2am (currently midnight).

I am a neighbour to Wapping Tavern. Whilst it was good to see that the former Pizza Express premises were being occupied again...

* I have to negotiate my way home in the evenings through crowds of drinkers/smokers blocking the pavement outside. People needing to walk past the Tavern have to step out into the road, difficult for anyone with mobility issues or prams.

* when I come out again next morning, the pavement is littered with cigarette butts and glass, making it on occasion dangerous to walk there. As a user of Santander bikes, I often see glasses deposited in the 'baskets' or cigarettes being put out on the saddles when I take a bike from the docking station right outside the entrance.

* staff are seen smoking and taking phone calls outside the side entrance at all hours. Cigarette butts and other litter are thrown into the street. This would be so easy to fix by asking staff members to put their cigarette butts into an empty jam jar or similar and take their litter back in with them. There seems to be little understanding amongst the staff that this is a residential area.

* at present, we are regularly disturbed by people taking loud phone calls and groups noisily walking down Brewhouse Lane late in the evenings (our bedroom window backs on to it). During summer, Brewhouse Lane seems to have become an unofficial lavatory at the weekends. This is to be accepted as part of urban life but extending the Wapping Tavern's but an extension of the Wapping Tavern's hours to 2am means more disturbance at times when most people would want to sleep.

I strongly object to the extension of the Wapping Tavern's opening hours. Wapping is a residential area with a mixed community. Many residents have early starts and more noise will reduce the quality of life for residents. I am also concerned by the disregard for residents that is evident in the daily heap of litter/cigarette butts

Best wishes

Katja Seibold

cc: Councillors Amy Lee and Abdul Allah

Appendix 16

Corinne Holland

From: Corinne Holland
Sent: 05 July 2023 13:03
To: Corinne Holland
Subject: FW: Objection to an application to vary the premises licence of The Wapping Tavern, 76-80,Wapping Lane, E1W 2RT

From: Maureen O'Connell : [REDACTED]
Sent: Monday, May 22, 2023 11:09 AM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Objection to an application to vary the premises licence of The Wapping Tavern, 76-80,Wapping Lane, E1W 2RT

From
Maureen O'Connell David Green Christo her Belas
[REDACTED]

Your Ref. CLC/EHTS/LIC/158965

20/05/23

Dear Sir/Madam

We object to the application to extend the opening hours of the Wapping Tavern for the following reasons.

We are already very negatively affected throughout the evening by the noise from customers entering and then leaving the Tavern in order to drink and smoke on the pavement outside. Extending the closure into the small hours of Saturday and Sunday morning would affect our sleep and wellbeing.

We cannot escape the noise from the Wapping Tavern. This is because the windows of our living room and 3 bedrooms directly face and are 10 metres from the rotating entrance doors to the Tavern at nos.76 - 80 Wa in Lane. Our flat in [REDACTED] is above the 3 shops opposite at nos. [REDACTED]

The Tavern opened in the summer of 2022. We had no notice that the closing hours on Friday and Saturday were to be different from the previous establishment, Pizza Express. This had operated at this site for the 20 years 2000 - 2020. It had always closed punctually at 11.00pm. We were not disturbed by their customers.

In contrast to Pizza Express many activities take place at the Wapping Tavern. It is a Sports Bar. Customers stay much longer than they would at a restaurant. Because there is no smoking area within the premises many people, sometimes 30 to 40, can be smoking and drinking outside. They may be sitting on the steps or on empty parking slots in the bike park which is just outside the doors of the Tavern. All this would be even more disturbing if it goes on until after 2.00am. The idea that this could happen is very distressing.

The current advertised closing hours of the Tavern are 11.00pm Sunday to Thursday and 12 midnight on Friday and Saturday. In practice the doors are closed around 11,30pm Sunday to Thursday and 12.30am Friday and Saturday. Customers often stay outside even later than this. When asked if the doors could be closed on time we were told by the manager that the closing times listed only indicate last orders. There is a further 20 minutes drinking time after that. We anticipate similar laxity if the official closing times are extended to 1,30am for the last sale of alcohol and 2.00am for food.

Other pubs in Wapping apart from the Dockers Inn at 97, Wapping Lane all close at 11.00pm and that pub has recently been served an EPA 1990 Section 80 notice regarding statutory noise nuisance and advised to curb noise in the future.

This is a quiet residential area. Wapping Tavern is surrounded by hundreds of flats whose inhabitants would be disturbed by this variation in closing hours to beyond 2.00am. There are lots of clubs etc. one mile away in the Shoreditch area of the City that are more suitable for late night sales and entertainment.

We note that your letter of 5/5/2023 notifying 'The Occupier' regarding this application only refers to 'varying the premises licence'. We think that this is inadequate information and too vague considering the impact this variation would make. Full details of the gravity of the request i.e. to extend closing hours till 2.00am could have been given in this letter. We found it impossible to find the digital version on line and had to call your office to obtain the details.

Thankyou for considering our representations against any variation of the premises licence of the Wapping Tavern,

Yours faithfully

Maureen O'Connell David Green Christopher Belas

Appendix 17

Corinne Holland

From: Nicholas Spearing
Sent: 11 May 2023 17:49
To: Licensing
Subject: REPRESENTATION in relation to Application to vary the premises licence at Wapping Tavern, 78-80 Wapping Lane, London E1W 2RT - ref: CLC/EHTS/LIC/158695

Follow Up Flag: Follow up
Flag Status: Completed

I am the owner and occupier of Wapping Lane, London This a floor flat on the corner of Wapping Lane and Cinnamon Street.

My flat is therefore directly, diagonally opposite the Wapping Tavern. The two buildings are only 10-20 metres apart, with only the road between. The distance to the pavement in front of the licensed premises is even less.

This very close proximity is particularly relevant, given that my strong OBJECTION to the present application is principally founded on obvious noise pollution concerns. Specifically:

- even with current Friday and Saturday closing hours, the noise created by departing customers (who frequently linger on the pavement before quitting the area) is significantly disruptive;
- the problem is exacerbated by a "canyon effect" which makes street level conversations (even at normal volume) clearly audible, word-for-word, in my second floor flat. Conversations after closing time tend to be at louder levels;
- there is no reason to suppose that noise levels between 1.30am and 2.30am (allowing for usual dispersal rates) will be any lower than those two hours earlier - the reverse seems highly likely; and
- it is disingenuous of the applicants to refer to many years of operation without any issues arising, when the premises were operated until very recently as a Pizza Express restaurant: drinks consumption was not the primary purpose of the business, departures were more phased, last leavers were fewer, earlier and quieter.

This is not, therefore a "modest" application - extended weekend hours are overwhelmingly likely to increase noise pollution that is annoying enough at midnight, but would be intolerable in the early hours.

Nicholas Spearing

Sent from [Mail](#) for Windows

Appendix 18

Corinne Holland

From: Olga Frediani <[REDACTED]>
Sent: 03 May 2023 15:34
To: Licensing
Subject: Battersea Pizza Limited/Wapping Tavern/ Extended Hours

Follow Up Flag: Follow up
Flag Status: Completed

Dear All

We have noticed that the Wapping Tavern had applied for extended operation hours and sale of Alcohol Fridays/ Saturdays.

We live in [REDACTED] Wapping Lane and it is already extremely loud every Friday and Saturday up to and after closing hours. A lot of drunks walking around screaming, yelling and fighting. We have a 12 year old child with the windows on the street to Wapping Tavern who has woken up scared by the noises (fighting in the street again last Saturday). Neither the staff/management at Dockers or the Tavern (they've even put ashtrays and benched outside). By giving additional permission to extend the hours till 2 am in a residential area it will complicate the living conditions and make the area still less safe.

Please consider that Wapping Lane/ Cinnamon Street is a completely residential area with families with children. Selling alcohol till 1:30am is not acceptable!

Hopefully you will make the right decision and do not allow to extend the hours.

Thanks for your understanding.

Best,
Olga Frediani

[REDACTED]

Appendix 19

Corinne Holland

From: Licensing
Sent: 25 May 2023 17:44
To: Corinne Holland
Subject: FW: OBJECTION TO APPLICATION TO EXTEND PREMISES LICENCE 78-80 WAPPING

Sefton

Sent: Thursday, May 25, 2023 5:09 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: OBJECTION TO APPLICATION TO EXTEND PREMISES LICENCE 78-80 WAPPING LANE : WAPPING TAVERN

From Otilie Sefton: Owner of "N-G/1 TAV" [REDACTED]

Dear Sir/Madam

Your reference CLC/EHTS/LIC/158965

I am writing to make a formal representation objecting to the application to extend the opening hours and supply of alcohol at the Wapping Tavern (formerly Pizza Express) on Friday and Saturday evenings, extending into the early hours of Saturday and Sunday mornings.

I own and currently rent out [REDACTED] directly opposite Wapping Tavern. This flat is on the 1st floor above the shops at [REDACTED] just across the road from the Tavern. From time to time I and other members of my family have also lived at this address. I therefore have both personal and commercial reasons for making this representation.

The Tavern is a Sports Bar. It markets itself on its website as having 17 TVs and projectors for live sports, as well as table tennis, pool, 2,500 arcade games etc. It therefore attracts a lively and noisy clientele, many of whom smoke and therefore also choose to drink outside in Wapping Lane, directly opposite the windows of the sitting room and one of the bedrooms of the flat. Due to the extra activities available, customers often do not leave the premises directly after a meal, but hang around outside, extending the period of public nuisance due to noise, smoke, litter etc.

At present the Tavern's website says that it closes at 11pm Monday to Thursday, midnight on Friday and Saturday, and 10pm on Sunday. I am informed that the manager has said that these times are for "last orders" only, with an additional 20 minutes for drinking time after that, and in practice the doors are shut even later. The application is for closing times to be extended until 1.30 am and 2 am for alcohol and food respectively, so it is to be expected that there would be a similar delay for last orders leading to noise from the Tavern till 2.30 in the mornings.

This extension of the existing public nuisance is completely unacceptable in a predominantly quiet residential area, full of flats, many occupied by young children, or vulnerable or older adults. I therefore request the licensing authority to reject the application to extend the Tavern's opening hours.

Please take this representation into account when considering the proposal to vary the premises licence of the Wapping Tavern. Any queries arising out of this representation can either be sent to my email address [REDACTED] or to me via [REDACTED] or [REDACTED].

I look forward to your confirmation that you have received this objection.

Yours faithfully
Otilie Sefton.

Appendix 20

Kathy Driver

From: Samora S <[REDACTED]>
Sent: 26 May 2023 19:39
To: Licensing
Subject: Representation against application to vary license of Wapping Tavern, ref GBH/Wap/4/1

To whom it may concern,

I would like to object to the proposed variation of license for the Wapping Tavern, 78-80 Wapping Lane.

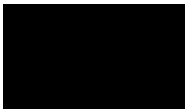
The variation proposes to extend the serving of drinks until 2am on Saturday and Sundays. This would be contrary to licensing objectives in terms of the prevention of public nuisance.

2am closing would change a neighborhood pub into a nightclub, and that would create significant nuisance to residents of the quiet residential area of Wapping.

The area surrounding the premises in question has no late night transport connections (such as night buses) and there would be a significant increase in noise and late night traffic if drunk customers were to be leaving at 2am or later.

At present during the operating hours of local pubs, there are frequently incidents of public urination, shouting and vomiting in front of residents premises. If this were to continue late in the night on weekends it would have an unbearable negative effect on residents.

Regards,
Samora Stephenson



Appendix 21

**Section 182 Advice by the Home Office
Updated on December 2022**

Relevant, vexatious and frivolous representations

- 9.4A 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 22

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

Updated December 2022

Crime and disorder

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

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

Appendix 23

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 24

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

Updated December 2022

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 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 25

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 26

Anti-Social Behaviour from Patrons Leaving the Premises

General Advice

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

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

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

Licensing Policy

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

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

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

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

Cumulative Impact

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

Police Powers

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

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

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

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

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

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

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

Other Legislation

Crime and Disorder Act 1998

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

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

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

Appendix 27

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 28

Planning

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

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Agenda Item 3.2

| | | | | |
|--|------|---------------------------------------|------------|-----------------|
| Committee:
Licensing Sub Committee | Date | Classification
Unclassified | Report No. | Agenda Item No. |
|--|------|---------------------------------------|------------|-----------------|

| | |
|--|---|
| Report of:
David Tolley
Head of Environmental Health & Trading
Standards | Title:
Licensing Act 2003 Application for a new Premise
Licence for Snack N That, 381 Bethnal Green Road
London, E2 0AN |
| Originating Officer:
Lavine Miller-Johnson
Licensing Officer | Ward affected:
Bethnal Green West |

1.0 Summary

Applicant: **Abraham Elbahja**

Name and Address of Premises: **Snack N That Limited
381 Bethnal Green Road
London
E2 0AN**

Licence sought: **Licensing Act 2003
Sale by retail of Alcohol**

Objectors: **Licensing Authority**

2.0 Recommendations

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

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

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

File
Section 182 Guidance
LBTH Licensing Policy

Lavine Miller-Johnson
020 7364 2665

3.0 **Background**

- 3.1 This is an application for a new Premise Licence for Snack N That, 381 Bethnal Green Road, London, E2 0AN
- 3.2 The applicant has described the premises as: *A grocery shop specialising in American sweets and alcohol.*
- 3.3 A copy of the application is shown in **Appendix 1**.
- 3.4 The hours that have been applied for are as follows:-

Sale of alcohol (off sales)

Monday to Sunday 10:00 hours - 23:00 hours

Hours open the public

Monday to Sunday 10:00 hours - 23:00 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.
- Licensing Authority - **Appendix 7**
- 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
 - CIZ
 - Crime and Disorder
- 6.12 Essentially, the relevant parties oppose the application because the applicant has not explained how within the context of the application they will meet licensing objective of the prevention of public nuisance.
- 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. The licensee shall ensure effective and responsible management of premises Training and supervision of staff, Provision and monitoring of CCTV, Provision of litter bins and other security measures, such as outside lighting.
2. They shall be suitable risk assessments, provision of a sufficient number of people employed or engaged to secure the safety of the premises and patrons, Appropriate instruction, training and supervision of those employed, Adoption of best practice guidance Provision of effective CCTV Regular testing (and certification) of procedures, appliances etc.
3. Appropriate instruction, training and supervision to prevent incidents of public nuisance, Control of operating hours, Adoption of best practice guidance Collection and disposal of litter.
4. Sufficient number of staff to secure the protection of children from harm, Appropriate instruction, training and supervision of staff in respect to determining the age of a customer, adoption of best practice guidance

- Limitations on the hours when children may in the premises, imposition of requirements for children to be accompanied by an adult, acceptance of
5. accredited 'proof of age' cards and/or 'photo' driving licences

8.0 Conditions Agreed/Requested by Responsible Authority

Conditions agreed with the police – **Appendix 8**

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. When the designated premise supervisor is not on the premises any or all persons authorised to sell alcohol will be authorised by the designated premises supervisor in writing. This shall be available on request by the Police or any authorised officer.
4. 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.
5. 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.

6. All staff whose responsibilities include the retail sale of alcohol shall receive training about the prevention of underage sales on induction and then every 6 months thereafter. This training shall be recorded and the records to be available on request to the Police or any authorised officer. The training to include:
 1. the operation of the challenge 25 scheme;
 2. types of acceptable ID;
 3. the method of recording challenges;
 4. the likely consequences of making an underage sale;
 5. refusing sales to persons who appear to be drunk;
 6. proxy sales.

7. The premises shall operate 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 EHO – Appendix 9

- 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. 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 (10.27) 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.” (10.60) 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 10 - 16** 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 Licensing Authority |
| Appendix 8 | Conditions agreed with the police |
| Appendix 9 | Conditions agreed with EHO |
| 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 | Licensing Policy relating to hours of trading |
| Appendix 15 | Tower Hamlets Cumulative Impact Zone |
| Appendix 16 | Planning |

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Appendix 1



* required information

Section 1 of 21

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

System reference Not Currently In Use

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

Your reference

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

Are you an agent acting on behalf of the applicant? Yes No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

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

Applying as an individual

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

Applicant Business

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

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

| | | |
|-------------------------------|--|---|
| Your position in the business | DIRECTOR | |
| Home country | United Kingdom | The country where the headquarters of your business is located. |
| Registered Address | Address registered with Companies House. | |
| Building number or name | 381 BETHNAL GREEN ROAD | |
| Street | | |
| District | LONDON | |
| City or town | LONDON | |
| County or administrative area | | |

| | |
|---------|----------------|
| Country | United Kingdom |
|---------|----------------|

Section 2 of 21

PREMISES DETAILS

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

Premises Address

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

(• Address C OS map reference C Description)

Postal Address Of Premises

| | | |
|-------------------------|------------------------|--|
| Building number or name | 381 BETHNAL GREEN ROAD | |
| Street | | |
| District | | |
| City or town | LONDON | |

County or administrative area Postcode

| | |
|---------|----------------|
| | E2 |
| Country | United Kingdom |

Further Details

| | |
|---|--------|
| Telephone number | |
| Non-domestic rateable value of premises (£) | 13,500 |

Section 3 of 21 APPLICATION DETAILS

In what capacity are you applying for the premises licence?

An individual or individuals

A limited company / limited liability partnership

A partnership (other than limited liability)

An unincorporated association

Other (for example a statutory corporation)

A recognised club

A charity

The proprietor of an educational establishment

A health service body

A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales

A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England

The chief officer of police of a police force in England and Wales

Confirm The Following

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities

I am making the application pursuant to a statutory function

I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 21

NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name SNACKS N THAT LIMITED

Details

Registered number (where applicable) 13744922

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

Continued from previous

page... LIMITED COMPANY

Address

Building number or name 381 BETHNAL GREEN ROAD

Street

District

City or town LONDON

County or administrative area

Postcode E2 0AN

Country United Kingdom

Contact Details

Telephone number Other

telephone number *

Date of birth

dd mm yyyy

* Nationality

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

Add another applicant

Section 5 of 21 OPERATING SCHEDULE

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

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

Provide a general description of the premises

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

GROCERY SHOP SPECIALISING IN AMERICIAN SWEETS AND ALCOHOL SALES.

Continued from previous page...

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

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

P Yes C No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

r Yes <? No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

P Yes C No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

r Yes <? No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

P Yes C No

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

r Yes <? No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Continued from previous page...

Section 13 of 21

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

[See guidance on regulated entertainment](#)

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

Yes No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Section 15 of 21 SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol? Yes No

Standard Days And Timings

MONDAY

Start

Start

End

End

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

TUESDAY

Start

Start

End

End

WEDNESDAY

Start

Start

End

End

THURSDAY

Start

Start

End

End

FRIDAY

Start

Start

End

End

SATURDAY

Start

Start

End

End

Continued from previous page...

SUNDAY

Start 10:00

End 23:00

Start 10:00

End 23:00

Will the sale of alcohol be for consumption:

On the premises Off the premises Both

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

State any seasonal variations

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

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

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

N/A

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

Name

First name ABRAHAM

Family name ELBAHJA

Date of birth **H**
dd mm yyyy

Continued from previous page...

Enter the contact's address

Building number or name

Street

District

City or town LONDON

County or administrative area

Country United Kingdom

Personal Licence number
(if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

Section 16 of 21

ADULT ENTERTAINMENT

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

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

N/A

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start 10:00

Start 10:00

| | |
|-----|-------|
| End | 23:00 |
| End | 23:00 |

Give timings in 24 hour clock.

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

Continued from previous

page...

| | | | |
|-----------|-------|-----|-------|
| TUESDAY | 10:00 | End | 23:00 |
| | Start | | |
| | 10:00 | End | 23:00 |
| | Start | | |
| WEDNESDAY | 10:00 | End | 23:00 |
| | Start | | |
| | 10:00 | End | 23:00 |
| | Start | | |
| THURSDAY | 10:00 | End | 23:00 |
| | Start | | |
| | 10:00 | End | 23:00 |
| | Start | | |
| FRIDAY | 10:00 | End | 23:00 |
| | Start | | |
| | 10:00 | End | 23:00 |
| | Start | | |
| SATURDAY | 10:00 | End | 23:00 |
| | Start | | |
| | 10:00 | End | 23:00 |
| | Start | | |
| SUNDAY | 10:00 | End | 23:00 |
| | Start | | |
| | 10:00 | End | 23:00 |
| | Start | | |

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

N/A

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

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

N/A

Section 18 of 21 LICENSING OBJECTIVES

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

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

Continued from previous page-

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

The Licensee, that is the person in whose name the premises licence is issued, shall ensure that all times when the premises are for any licensable activity, there are sufficient competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the license and for preventing crime and disorder. The Licensee shall ensure that all staff will undertake training in their responsibilities in relation to the sale of alcohol, particularly with regard to drunkenness and underage persons. Records will be kept of training and refresher training.

b) The prevention of crime and disorder

The licensee shall ensure effective and responsible management of premises Training and supervision of staff, Provision and monitoring of CCTV, Provision of litter bins and other security measures, such as outside lighting.

c) Public safety

They shall be suitable risk assessments, provision of a sufficient number of people employed or engaged to secure the safety of the premises and patrons, Appropriate instruction, training and supervision of those employed, Adoption of best practice guidance Provision of effective CCTV Regular testing (and certification) of procedures, appliances etc.

d) The prevention of public nuisance

Appropriate instruction, training and supervision to prevent incidents of public nuisance, Control of operating hours, Adoption of best practice guidance Collection and disposal of litter

e) The protection of children from harm

Sufficient number of staff to secure the protection of children from harm, Appropriate instruction, training and supervision of staff in respect to determining the age of a customer, adoption of best practice guidance Limitations on the hours when children may in the premises, imposition of requirements for children to be accompanied by an adult, acceptance of accredited 'proof of age' cards and/or 'photo' driving licences

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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

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

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

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

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

Documents which demonstrate entitlement to work in the UK

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

Continued from previous page...

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

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

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

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

Continued from previous page...

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

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

Home Office online right to work checking service

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

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

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

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

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page in terms of specific regulated

entertainments please note that:

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

Continued from previous page...

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

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Premises Licence Fees are determined by the non domestic rateable value of the premises.

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

Band A - No RV to £4,300 = £100.00

Band B - £4,301 to £33,000 = £190.00

Band C - £33,001 to £8700 = 315.00

Band D - £87001 to £12500 = £450.00* *

Band E - £125001 and over = 635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee Band D - £7001 to £12500 = £900.00 Band E - £125001 and over £1,905.00

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

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

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

Capacity 5000-9999 = £1,000.00

Capacity 10000 -14999 = £2,000.00

Capacity 15000-19999 = £4,000.00

Capacity 20000-29999 = £8,000.00

Capacity 30000-39000 = £16,000.00

Capacity 40000-49999 = £24,000.00

Capacity 50000-59999 = £32,000.00

Capacity 60000-69999 = £40,000.00

Capacity 70000-79999 = £48,000.00

Capacity 80000-89999 = £56,000.00

Capacity 90000 and over = £64,000.00

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

| | |
|--|--------|
| Continued from previous page... | |
| * Fee amount (£) | 190.00 |

DECLARATION

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

[APPLICABLE TO INDIVIDUAL APPLICANTS ONLY, INCLUDING THOSE IN A PARTNERSHIP WHICH IS NOT A LIMITED LIABILITY PARTNERSHIP] I UNDERSTAND I AM NOT ENTITLED TO BE ISSUED WITH A LICENCE IF I DO NOT HAVE THE ENTITLEMENT TO LIVE AND WORK IN THE UK (OR IF I AM SUBJECT TO A CONDITION PREVENTING ME FROM DOING WORK

* RELATING TO THE CARRYING ON OF A LICENSABLE ACTIVITY) AND THAT MY LICENCE WILL BECOME INVALID IF I CEASE TO BE ENTITLED TO LIVE AND WORK IN THE UK (PLEASE READ GUIDANCE NOTE 15). THE DPS NAMED IN THIS APPLICATION FORM IS ENTITLED TO WORK IN THE UK (AND IS NOT SUBJECT TO CONDITIONS PREVENTING HIM OR HER FROM DOING WORK RELATING TO A LICENSABLE ACTIVITY) AND I HAVE SEEN A COPY OF HIS OR HER PROOF OF ENTITLEMENT TO WORK, IF APPROPRIATE (PLEASE SEE NOTE 15).

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

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

* Full name Abraham Elbahja

* Capacity Director

* Date 14 / 03 / 2023
 dd mm yyyy

[Add another signatory](#)

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

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

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

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

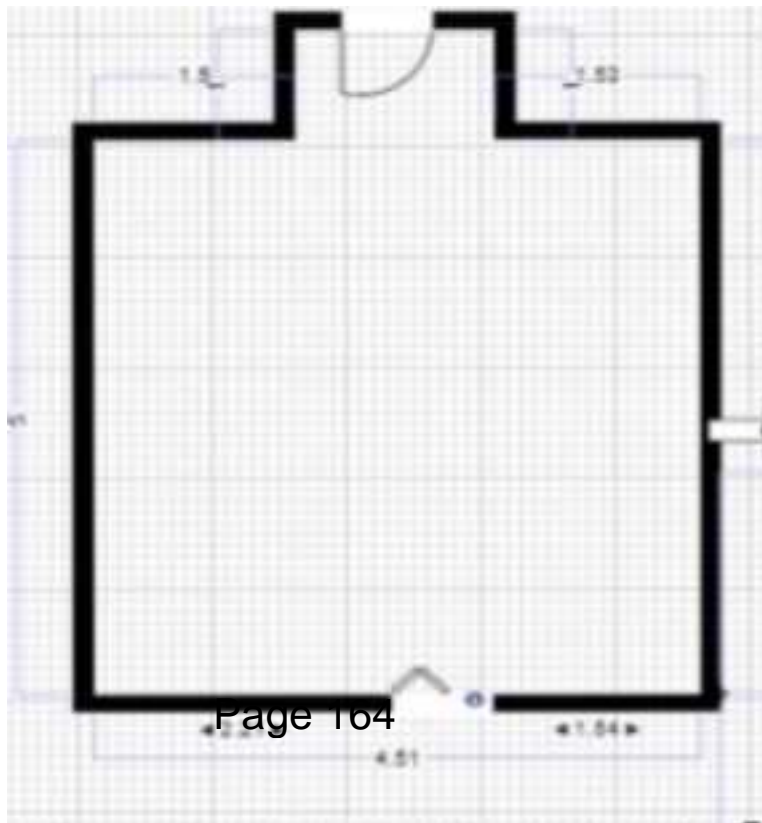
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT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

OFFICE USE ONLY

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

1 2 3 4 5 6 z S 9 I 0 U 1 2 I 3 1 4 I 5 1 6 I Z 1 8 I 9 20 21 Next >

Appendix 2



SHOP MEASUREMENTS:
Full length: 21.77 ft

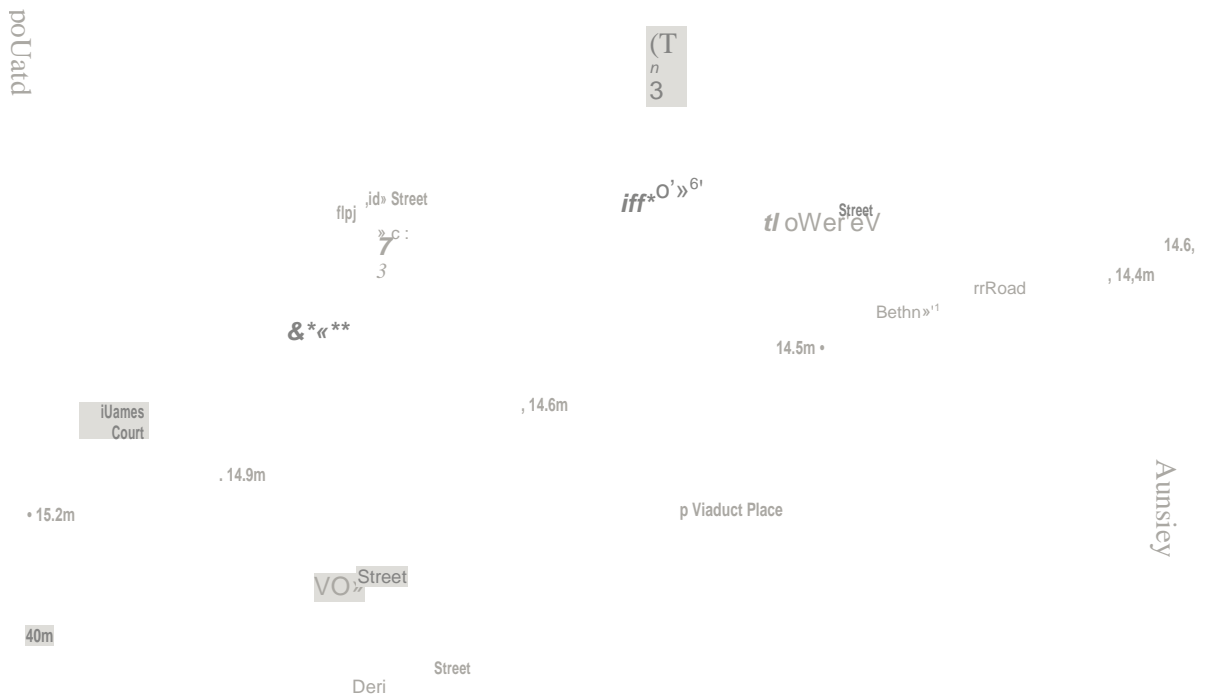
SHOP FLOOR:

Length: 16.76 ft Width:

7.48 ft

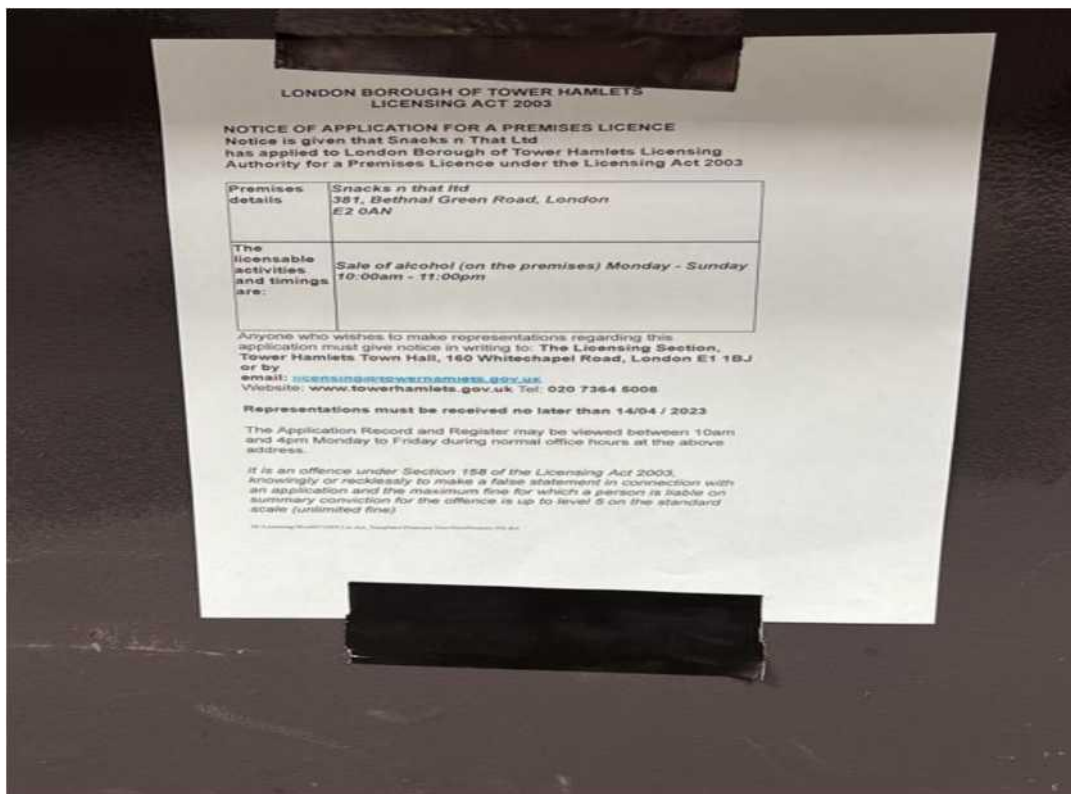
Appendix 3

SnaCk " Th3t 1381 Belh"al G-n Road Map of surrounding area



Appendix 4

Snacks N That 381 Bethnal Green Road -Images of premises



Appendix 5

Snack N That - Nearest licences

| Name and address | Licensable activities and hours | Opening hours |
|--|---|---|
| (Ruby House)
260 Bethnal Green Road
London E2 OAA | Sunday to Thursday 23:00 to 00:00 (midnight)
Friday to Saturday 23:00 to 01:00 the following day | Sunday to Thursday 14:00 to 00:00 (midnight)
Friday to Saturday 14:00 to 01:00 the following day |
| (The Marquis of Cornwallis) 304 Bethnal Green Road London E2 OAG | <p>Alcohol, Regulated Entertainment (Recorded Music)
 On Monday to Sunday, 11:00 hrs to 23:30 hrs</p> <ul style="list-style-type: none"> • 11:00 hrs New Years Eve to 23:30 hrs on New Years Day • 11:00 hrs to 00:30 hrs on Friday, Saturday, Sunday and Mondays on Bank Holiday weekends, Christmas Even and Boxing Day • 11:00 hrs to 00:30 hrs maximum of 6 Event Days. Not less than five working days written notice will be given to the Police when event days are planned <p>Live Music,
 On Monday to Sunday, 19:00 hrs to 23:30 hrs</p> <p>Facilities for Dancing
 On Monday to Sunday, 19:00 hrs to 23:00 hrs</p> <ul style="list-style-type: none"> • 11:00 hrs New Years Eve to 23:30 hrs on New Years Day • 11:00 hrs to 00:30 hrs on Friday, Saturday, Sunday and Mondays on Bank Holiday weekends, Christmas Even and Boxing Day • 11:00 hrs to 00:30 hrs maximum of 6 Event Days. Not less than five working days written notice will be given to the Police when event days are planned <p>On and off sales</p> | On Monday to Sunday, 11:00 hrs to 00:00 hrs <ul style="list-style-type: none"> • 11:00 hrs to 01:00 hrs on Friday, Saturday, Sunday and Mondays on Bank Holiday weekends, Christmas Even and Boxing Day 11:00 hrs to 00:30 hrs maximum of 6 Event Days. Not less than five working days written notice will be given to the Police when event days are planned |

Snack N That - Nearest licences

| | | |
|--|--|--|
| <p><i>Midway Super Store)</i>
 319 Bethnal Green Road London E2 6AH</p> | <p>Alcohol shall not be sold or supplied except during permitted hours.
 In this condition, permitted hours means:
 a. On weekdays, other than Christmas Day, 8 a.m. to 11 p.m.
 b. On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m.
 c. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.
 d. On Good Friday, 8 a.m. to 10.30 p.m. See Mandatory conditions for drinking up time</p> <p>Off sales</p> | <p>There are no restrictions on the hours during which this premises is open to the public</p> |
| <p>(Nobody Asked Me)
 323 Bethnal Green Road London E2 6AH</p> | <p>Sale of Alcohol (Off Sales only)</p> <p>Monday to Sunday from 12:00 hours to 20:00 hours</p> <p>Off sales</p> | <p>Monday to Sunday from 12:00 hours to 20:00 hours</p> |
| <p>(Wood Mangal Restaurant)
 329 Bethnal Green Road London E2 6AH</p> | <p>Sale by retail of alcohol (On sales only)</p> <ul style="list-style-type: none"> • Monday to Thursday from 06.00 hrs to 23.30 hrs • Friday and Saturday from 06.00 hrs to 00.00 hrs • Sunday from 06.00 hrs to 22.30 hrs <p>The provision of late night refreshment - Indoors</p> <ul style="list-style-type: none"> • Monday to Thursday, from 23:00 hours to 01:00 hours (the following day) • Friday and Saturday, from 23:00 hours to 02:30 hours (the following day) • Sunday, from 23:00 hours to 00:00 hours (midnight) <p>On sales only</p> | <ul style="list-style-type: none"> • Monday to Thursday, from 06:00 hours to 01:30 hours (the following day) • Friday and Saturday, from 06:00 hours to 03:00 hours (the following day) • Sunday, from 06:00 hours to 00:30 hours (the following day) |
| <p>(E Pellicci)
 332 Bethnal Green Road London E2 OAG</p> | <p>The sale of alcohol (on and off sales)</p> <p>Monday - Sunday 11:00 hours - 19:00 hours</p> <p>On and off sales</p> | <ul style="list-style-type: none"> • Monday - Sunday 07:00 hours - 23:00 hours |

Snack N That - Nearest licences

| | | |
|--|---|---|
| <p>Café 338)
338 Bethnal
Green Road
London
E2 OAG</p> | <p>The sale by retail of alcohol</p> <ul style="list-style-type: none"> • Monday to Sunday, from 08:00 hrs to 21:00 hrs • <p>On and off sales</p> | <ul style="list-style-type: none"> • Monday to Sunday, from 06:00 hrs to 21:00 hrs |
| <p>(The Star of Bethnal Green)
359 Bethnal
Green Road
London
E2 6LG</p> | <p>Alcohol shall not be sold or supplied except during permitted hours.
In this condition, permitted hours means:</p> <ol style="list-style-type: none"> a. On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10 a.m. to 11 p.m. b. On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30 p.m. c. On Good Friday, 12 noon to 10.30 p.m. d. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m. e. On New Year's Eve, except on a Sunday, 11 a.m. to 11 p.m. f. On New Year's Eve on a Sunday, 12 noon to 10.30 p.m. g. On New Year's Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December). <p>For conditions re. "drinking up time" see Annex 1 Mandatory Conditions
Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11 am on New Years Day.</p> <p>Special Hours
The following additional hours apply to the sale or supply of alcohol and regulated entertainment:
Sunday until midnight
Monday, Tuesday, Wednesday, Thursday until Midnight
Friday and Saturday until 02 00 hrs
A closing time of 02 00 hrs Monday to Thursday on no more than 20 five occasions, throughout the year, with a</p> | <ul style="list-style-type: none"> • There are no restrictions on the hours during which this premises is open to the public |

Snack N That - Nearest licences

| | | |
|--|---|---|
| | <p>restriction of only one extension allowed in any one week. At least seven days notice is to be given to the local authority.</p> <p>(a) the permitted hours shall end at midnight... on any day on which music and dancing is not provided after midnight; and</p> <p>(b) on any day that music and dancing end between midnight and 02 00 hrs the permitted hours shall end when the music and dancing end</p> <p>Recorded Music and Private Entertainment
The hours of recorded music only and private entertainment are not restricted Hot food and hot drinks
Hot food and hot drinks may be sold for up to thirty minutes after the end of normal permitted hours</p> <p>On and off sales</p> | |
| <p>Tesco Bethnal Green Metro (02092))
361 Bethnal Green Road
London
E2 OAN</p> | <p>Alcohol shall not be sold or supplied except during permitted hours.</p> <p>In this condition, permitted hours means:
On Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday for 24 hours a day.</p> <p>For conditions relating to times re off sales see Mandatory Conditions</p> <p>Off sales only</p> | <p>On Monday from 08:00 hours until 24:00 hours</p> <p>On Tuesday, Wednesday, Thursday and Friday from 07:00 hours until 24:00 hours</p> <p>On Saturday from 08:00 until 22:00 hours</p> <p>On Sunday from 10:00 hours until 16:00 hours</p> <p style="text-align: center;">•</p> |
| <p>(Nando's)
366 Bethnal Green Road
London
E2 OAH</p> | <p>Sale by retail of alcohol:</p> <ol style="list-style-type: none"> (1) Monday to Saturday, other than Christmas Day, Good Friday or New Year's Eve from 10am to 12pm (2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12 noon to 11:30pm. (3) On Christmas Day, 12 noon to 1130pm; (4) On New Year's Eve, except on a Sunday, 11am to midnight; (5) On New Year's Eve on a Sunday, 12 noon to 1130pm. | <p>There are no restrictions on the hours which this premises is open to the public</p> |

Snack N That - Nearest licences

- (6) On Near 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 the 31st December).

Late Night Refreshment

Hot food and hot drinks may be sold for up to 30 minutes after the end of normal permitted hours.

The above restrictions do not prohibit:

- (a) During the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- (b) During the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) During the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there is the alcohol was supplied for consumption ancillary to the meals.
- (d) Consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the premises.

Suitable non-alcoholic beverages, including drinking water, shall be equally available for consumption with or otherwise as an ancillary to meals served in the licensed premises.

Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11 pm on New Years Eve and 11 am on New Years Day

On sales only _____

Snack N That - Nearest licences

| | | |
|--|---|--|
| <p>(The Old George Public House)
379 Bethnal Green Road London E2 OAN</p> | <p>Sale by retail of alcohol</p> <ul style="list-style-type: none"> • Sunday to Thursday, from 10:00 hours to midnight • Friday and Saturday, from 10:00 hours to 02:00 hours the following day <p>The Provision of late night refreshment - Indoors</p> <ul style="list-style-type: none"> • Sunday to Thursday from 23:00 hours to 00:30 hours the following day • Friday and Saturday, from 23:00 hours to 02:30 hours the following day <p>Provision of regulated Entertainment - Indoors
Films. Live music, recorded music and performances of dance</p> <ul style="list-style-type: none"> • Sunday to Thursday, from 10:00 hours to midnight • Friday and Saturday, from 10:00 hours to 02:00 hours on the following day <p>On and off sales</p> | <ul style="list-style-type: none"> • Sunday to Thursday, from 10:00 hours to 00:30 hours the following days • Friday and Saturday, from 10:00 hours to 02:30 hours the following day |
| <p>(Subway)
395 Bethnal Green Road London E2 OAN</p> | <p>The provision of late night refreshment</p> | <p>Monday to Saturday from 23:00 hours until midnight</p> |

Appendix 6

**Section 182 Advice by the Home Office
Updated on December 2022**

Relevant, vexatious and frivolous representations

- 9.4A 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

By Email:

Licensing Authority:

licensing@towerhamlets.gov.uk

CC: Applicant:



13th April 2023

Your reference

My reference: LIC/158138/MA

Dear Licensing Authority

Place Directorate Public Realm

Head of Environmental Health and Trading
Standards: David Tolley

Environmental Health & Trading Standards
Licensing & Safety Team
4th Floor, Tower Hamlets Town Hall
160 Whitechapel Road
London E1 1BJ

Enquiries to: Mohshin AM

Email:

www.towerhamlets.gov.uk

Licensing Act 2003

New premises licence application: (Snacks N That). 381 Bethnal Green Road. London E3 2RT

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

Special Cumulative Impact Policy for the Bethnal Green area

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.

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.

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.”

The plan of the premises does not meet the requirements of the Regulations as follows:

- (2) *“(2) The information contained in the plan must be clear and legible in all material respects.*
- (3) *The plan shall show -*
- (a) *the extent of the boundary of the building, if relevant, and any external and internal walls of the building and, if different, the perimeter of the premises;*
 - (b) *the location of points of access to and egress from the premises;*
 - (c) *if different from sub-paragraph (3)(b), the location of escape routes from the premises;*
 - (d) *in a case where the premises is to be used for more than one licensable activity, the area within the premises used for each activity;*
 - (e) *fixed structures (including furniture) or similar objects temporarily in a fixed location (but not furniture) which may impact on the ability of individuals on the premises to use exits or escape routes without impediment;*
 - (f) *in a case where the premises includes a stage or raised area, the location and height of each stage or area relative to the floor;*
 - (g) *in a case where the premises includes any steps, stairs, elevators or lifts, the location of the steps, stairs, elevators or lifts;*
 - (h) *in the case where the premises includes any room or rooms containing public conveniences, the location of the room or rooms;*
 - (i) *the location and type of any fire safety and any other safety equipment including, if applicable, marine safety equipment; and*
 - (j) *the location of a kitchen, if any, on the premises.*
- (4) *The plan may include a legend through which the matters mentioned or referred to in paragraph (3) are sufficiently illustrated by the use of symbols on the plan.*


There is no reference in the application to the premises being within the CIA and therefore no additional provisions, on how the applicant intends to uphold the licensing objectives, to demonstrate how the premises will not have a negative effect on the already saturated area.

On a balance of probability, this Authority is concerned by the addition of another premises selling alcohol, potentially adding to the existing anti-social issues in the area, particularly through “off sales” and access and egress. The addition of alcohol to the existing premises could change the dynamic of customers in high spirits and therefore potentially undermining the licensing objectives.

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 additional conditions are attached:

1. *The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team.*
 - (a) *All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.*
 - (b) *The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises.*
 - (c) *All recordings shall be stored for a minimum period of 31 days with date and time stamping.*
 - (d) *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 record all incidents of crime and disorder associated with the premises. The incident log shall be made available on request to an authorised officer of the Council or the Police.*
4. *Signs shall be prominently displayed both inside and outside the premises asking customers to respect local residents and be quiet when leaving the premises.*
5. *When the designated premise supervisor is not on the premises any or all persons authorised to sell alcohol will be authorised by the designated premises supervisor in writing. This shall be available on request by the Police or any authorised officer.*

Yours faithfully,



Mohshin Ali
Senior Licensing Officer (Acting as a Responsible Authority)

Appendix 8

Lavine Miller-Johnson

From: Licensing
Sent: 14 April 2023 11:57 Lavine Miller-Johnson
To: FW: Premises license application for Snacks N That 381 Bethnal Green Road
Subject:

Sent^^pn^02^0d5f^^

Cc: Licensing <Licensing@towerhamlets.gov.uk>

Subject: RE: Premises license application for Snacks N That 381 Bethnal Green Road

Hi Abraham,

Thanks for getting back to me and agreeing conditions.

Tower Hamlets Council please see conditions agreed with the applicant.

Kind Regards Mark



-----"
**I stand for Professionalism,
Compassion, integrity, Courage
and Respect**

Abraham Elbahja

Sent: 06 April 2023 22:55

Perry J - CE-CU

Subject: Re: Premises license application for Snacks N That 381 Bethnal Green Road

Good evening Mark,

Thank you for your email hope all is well.

In regards to the contents of your email we are in agreement and consent to the conditions being added to the license.

Please let me know if you require anything further.

Kind regards Abraham

Sent from my iPhone

On 6 Apr 2023, at 10:55, [REDACTED] wrote:

Hi Abraham,

I am PC Mark Perry from Central East Licensing Unit, and I am dealing with your application. I have no objection to your application in principle, but would like the following conditions added to the license:

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:
 1. all crimes reported to the venue;
 2. all ejections of patrons;
 3. any complaints received concerning crime and disorder
 4. any incidents of disorder;
 5. all seizures of drugs or offensive weapons;
 6. any faults in the CCTV system, searching equipment or scanning equipment;
 7. any refusal of the sale of alcohol;
 8. any visit by a relevant authority or emergency service.
4. 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.

5. All staff whose responsibilities include the retail sale of alcohol shall receive training about the prevention of underage sales on induction and then every 6 months thereafter. This training shall be recorded and the records to be available on request to the Police or any authorised officer. The training to include:

1. the operation of the challenge XX scheme;
2. types of acceptable ID;
3. the method of recording challenges;
4. the likely consequences of making an underage sale;
5. refusing sales to persons who appear to be drunk;
6. proxy sales.

6. The premises shall operate 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.

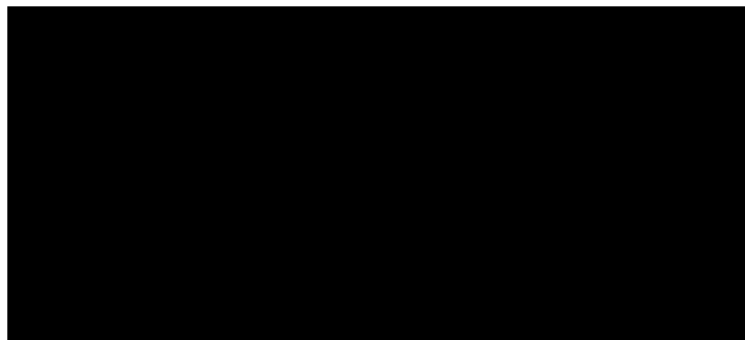
Please let me know if these conditions are acceptable or if you wish to discuss them.

If conditions are acceptable let me know and I will inform Tower Hamlets Council Licensing that we have agreed terms.

Kind Regards

Mark

<image002.jpg>
<image003.png>



<image005.png>

From: Abraham Elbahja <[redacted]>
Sent: 05 April 2023 20:19
To: Nicola Cadzow <[redacted]>; Perry Mark J - CE-CU
<[redacted]>
Subject: Fwd: 158138 - New premises license application for Snacks N That 381 Bethnal Green Road

Good evening,

Further to your earlier email we did reply to your email on the 22nd March in agreement.

Kind regards Abraham

Sent from my iPhone

Begin forwarded message:

From: Abraham Elbahja <|
Date: 22 March 2023 at 15:46:43 GMT
To: Nicola Cadzow <|
Cc: Mark Perry <|
Subject: Re: 158138 - New premises license application for Snacks N That 381 Bethnal Green Road

Good Afternoon,

Thank you for your email, we can assure we take the order of our customers seriously to run a safe and decent business.

We recently purchased signs to display within our shop and exit to display to keep an orderly fashion from our customers (which I have attached). We are just awaiting arrival of the signs to display.

No noise shall emanate from the premises or any behaviour encouraged which could cause public nuisance.

Please let me know if you require anything further.

Kind regards

Abraham Elbahja

<image001.jpg>

Sent from my iPhone

On 22 Mar 2023, at 15:28, Nicola Cadzow
l> wrote:

Dear Mr Elbahja,

I am reviewing your premises license application for Snacks N That 381 Bethnal Green Road, ref 158138 , with particular attention to the licensing objective for the prevention of public nuisance, and wish for the following noise conditions to apply as below:

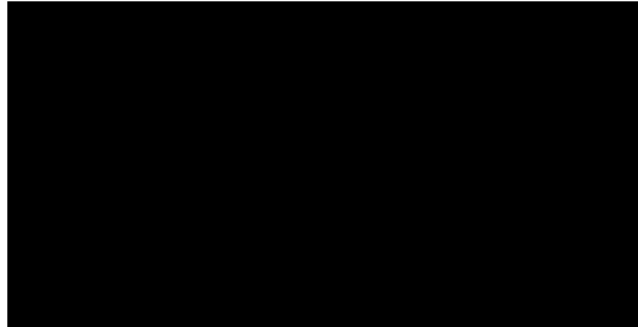
1. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

2. 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 at your earliest convenience

Kind regards

Nicola Cadzow
Environmental Protection Officer Environmental
Health and Trading Standards



Please note: all s61 consents, dispensations and variations must be submitted [online](#).

Housing Licensing Consultation

We are currently consulting on the smaller HMO property licensing scheme (additional licensing), whether to renew the designation and extend it boroughwide. Please let us have your views at [Additional Licensing Scheme consultation | Let's Talk Tower Hamlets](#) and complete the questionnaire - Thank you

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Appendix 9

Lavine Miller-Johnson

From: Nicola Cadzow
Sent: 06 April 2023 11:27
To: Licensin
Cc: [REDACTED] Abraham Elbahja
Subject: 158138 - New premises license application for Snacks N That 381 Bethnal Green Road

Good morning Licensing,

I have no objections to the New premises license application for Snacks N That 381 Bethnal Green Road, following agreement by the applicant to the conditions as below (see also email trail):

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. 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 Officer
Place Directorate

From: Nicola Cadzow **Sent:** Thursday, April 6, 2023 11:25 AM
Abraham Elbahja

Subject: 158138 - New premises license application for Snacks N That 381 Bethnal Green Road

Good morning Abraham,

Thank you.

I shall let the Licensing team know that Environmental Health Nosie team have no objections to your application. Kind

regards Nicola Cadzow
Environmental Protection Officer
Place Directorate

From: Abraham Elbahja
Sent: Wednesday, April 5, 2023 8:21 PM
To: Nicola Cadzow <[REDACTED]>

Subject: Re: 158138 - New premises license application for Snacks N That 381 Bethnal Green Road

Good evening

We are in agreement and I have just sent a email that we sent on 22nd march confirming agreement, please confirm receipt.

Please let us know if you require anything further.

Kind regards Abraham
Sent from my iPhone

On 5 Apr 2023, at 11:30, Nicola Cadzow [REDACTED] wrote:

Dear Mr Elbahja,

Further to my email of the 22nd March 2023, as below, can you confirm your agreement to the conditions as follows;

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

Last date for representations is the 14th April 23, and I do not want to be in a position to put in an objection to your application.

Look forward to hearing from you

Kind regards

Nicola Cadzow
Environmental Protection Officer Place Directorate

From: Nicola Cadzow

Sent: Wednesday, March 22, 2023 3:28 PM 'admin@snacksnthat.co.uk'
Perry'

Subject: 158138 - New premises license application for Snacks N That 381 Bethnal Green Road Dear Mr

Elbahja,

I am reviewing your premises license application for Snacks N That 381 Bethnal Green Road, ref 158138, 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. 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. 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 at your earliest convenience

Kind regards

Nicola Cadzow
Environmental Protection Officer Environmental Health
and Trading Standards

[REDACTED]

[REDACTED]

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Please note: all s61 consents, dispensations and variations must be submitted [online](#).

Housing Licensing Consultation

We are currently consulting on the smaller HMO property licensing scheme (additional licensing), whether to renew the designation and extend it boroughwide. Please let us have your views at [Additional Licensing Scheme consultation | Let's Talk Tower Hamlets](#) and complete the questionnaire -

Thank you

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 December 2022

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 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 December 2022

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 evidence of a right to work check, either physical or digital (e.g. a copy of any document checked as part of a right to work check or a clear copy of the online right to work check) are retained at the licensed premises.

Appendix 14

Licensing Policy Relating to Hours of Trading

All applications have to be considered on their own merits.

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

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

(see 14.8 of the Licensing Policy)

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

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

- Proximity to other licensed premises, and their hours (See 14.9 of the licensing

policy)

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

- Theatres
- Cinemas
- Premises with club premises certificates

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://democracv.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;
 - o Only have consumption of food (late night refreshment) and drink (alcohol) on the premises only,
 - o Only provide Off sales of food (late night refreshment) and drink (alcohol) for delivery (i.e. not for take away),and,
 - o 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:

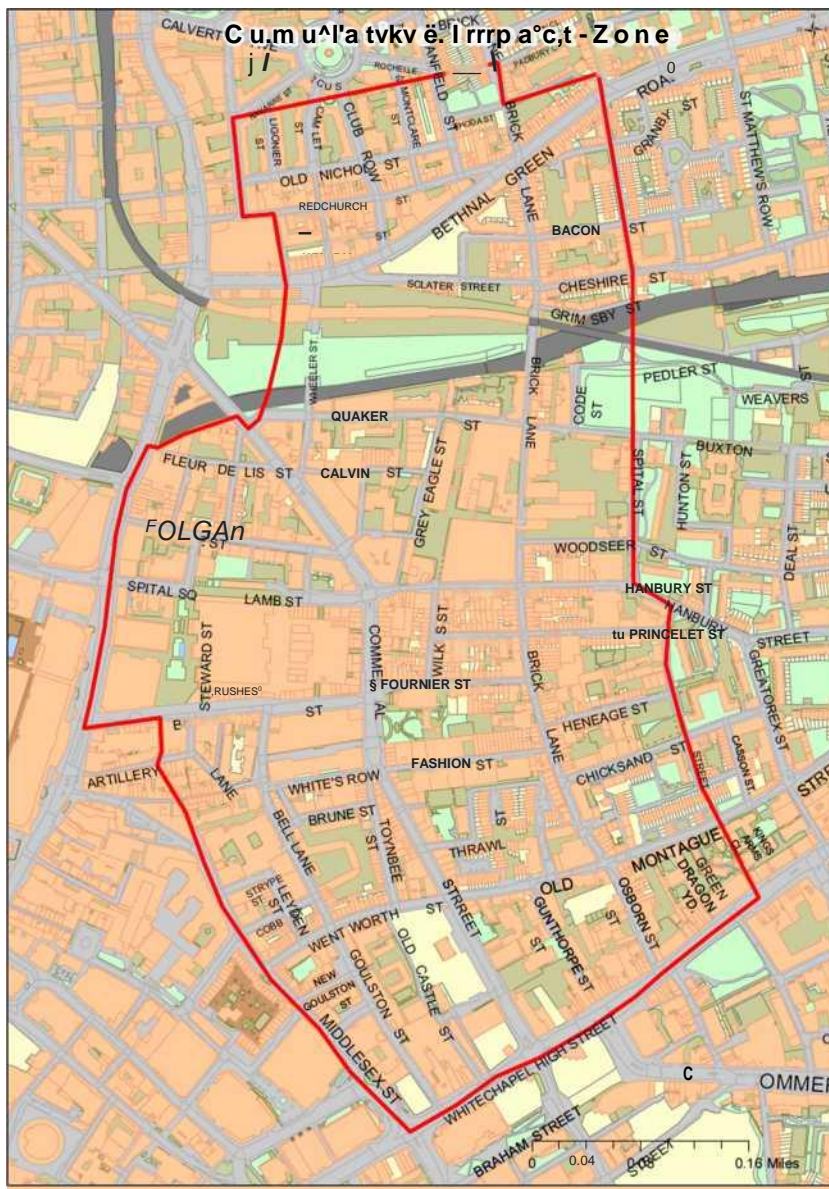
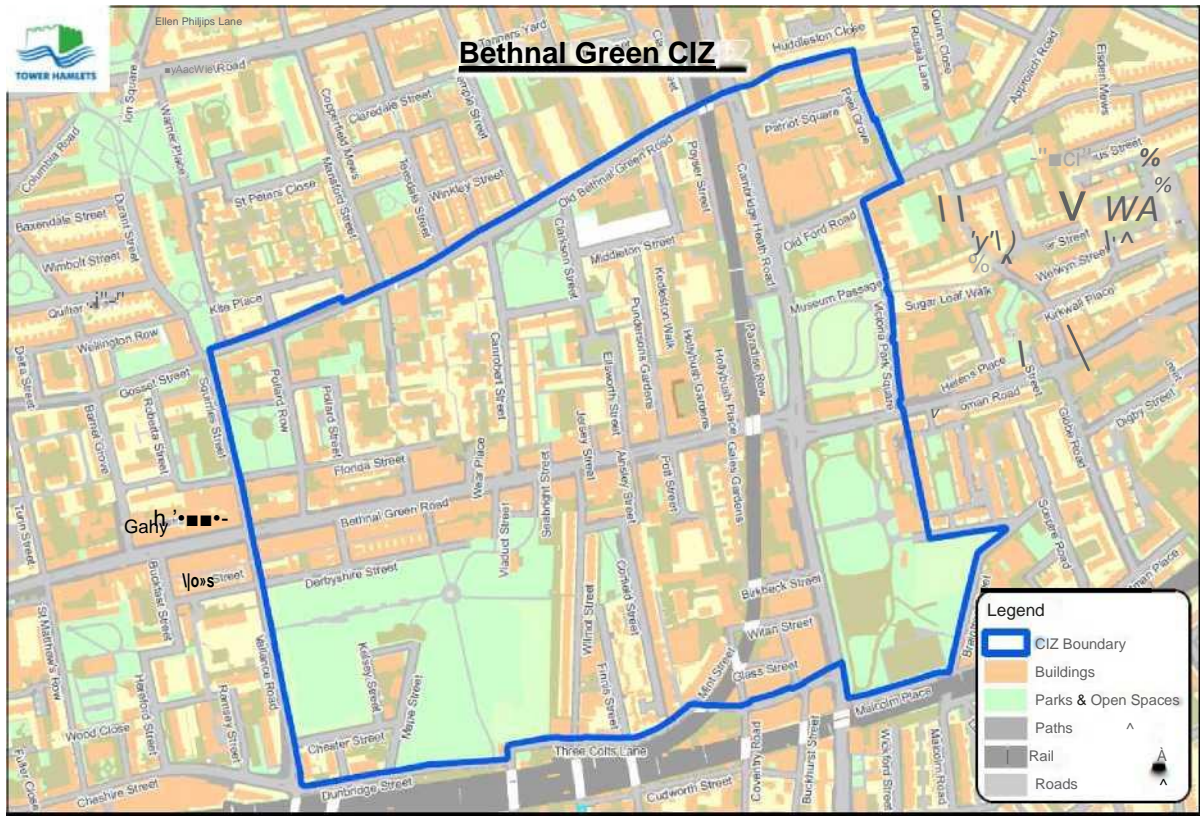


Figure Two:

Bethnal Green Area



Appendix 16

Planning

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

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