

Licensing Sub Committee

Agenda

**Thursday, 31 August 2023 at 6.00 p.m.
Council Chamber - Town Hall, Whitechapel**

Contact for further enquiries:

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



Public Information

Viewing or Participating in Committee Meetings

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

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

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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

Thursday, 31 August 2023

6.00 p.m.

APOLOGIES FOR ABSENCE

To receive any apologies for absence.

1. DECLARATIONS OF INTEREST (PAGES 7 - 8)

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

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

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

2. RULES OF PROCEDURE (PAGES 9 - 18)

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

3. ITEMS FOR CONSIDERATION

3.1 Application for a new Premise Licence for Café Brera, 31 Westferry Circus, London, E14 8RR (Pages 19 - 276)

Licensing Objectives:

- The prevention of public nuisance and
- The prevention of crime and disorder

Representations:

- Residents

Ward: Canary Wharf



3.2 Application to Review the Premises Licence for (Denni's News) 103 Brabazon Street London E14 6BL (Pages 277 - 372)

Licensing Objectives:

- The protection of children from harm

Representations:

- Trading Standards
- Licensing Authority (in support)

Ward: Lansbury

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, 12 September 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.

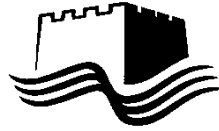
Further Advice contact: Janet Fasan, Monitoring Officer, Tel: 0207 364 4800.

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 | | | | |
| Public Seating | | | | Chair |
| Public Seating | | | | Legal Officer |
| Public Seating | | Applicants Benches | | Committee Officer |
| Public Seating | | | | |
| | | | | Licensing Officer |

LICENSING SUB COMMITTEE HEARING PROCEDURE

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

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

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

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

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Agenda Item 3.1

| | | | | |
|--|------|---|------------|-----------------|
| Committee: Licensing Sub Committee | Date | Classification Unrestricted | Report No. | Agenda Item No. |
| Report of: David Tolley Head of Environmental Health & Trading Standards Originating Officer: Corinne Holland Licensing Officer | | Title: Licensing Act 2003 Application for a new Premise Licence for Café Brera, 31 Westferry Circus, London, E14 8RR Ward affected: Canary Wharf | | |

1.0 Summary

| | |
|-------------------------------|--|
| Applicant: | Republiks Ltd (Alexandru Dina) |
| Name and Address of Premises: | Café Brera 31 Westferry Circus London E14 8RR |
| Licence sought: | Licensing Act 2003 Sale by retail of Alcohol (on & off sales) Provision of regulated entertainment (recorded music) |
| Objectors: | Residents |

2.0 Recommendations

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

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

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

File
Section 182 Guidance
LBTH Licensing Policy

Corinne Holland
020 7364 3986

3.0 Background

- 3.1 This is an application for a new Premise Licence for Café Brera, 31 Westferry Circus, London, E14 8RR.
- 3.2 The applicant has described the premises as: *Dining area for 40 people with outside seating close to the river.*
- 3.3 This premise was licensed under a different company which went into liquidation on 23/01/23 and therefore the Premise Licence lapsed.
- 3.4 For information purposes only the previous licence had the following licensable activities and hours:

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

- Monday to Saturday, from 10:00 hours to 00:00 hours (midnight)
- Sunday, from 12:00 hours to 23:00 hours

The provision of late-night refreshment (Indoors and outdoors)

- Monday to Saturday, from 23:00 hours to 00:00 hours (midnight)
- Sunday, from 23:00 hours to 23:30 hours

The provision of regulated entertainment

(Recorded Music only)

- Monday to Sunday, from 00:00 hours to 00:00 hours (24 hours)

Non-standard timings

- New Year's Eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

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

- 3.6 The hours applied for are as follows:

Sale of Alcohol (on & off sales)

Monday – Sunday 11:00 hours – 23:00 hours (reduction to 22:30 hours in agreement with the police)

Recorded Music (indoor & outdoor) (Outdoor withdrawn in agreement with EH)

Monday – Sunday 07:00 hours – 23:00 hours

Opening Hours

Monday – Sunday 07:00 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 July 2023.
- 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 50**

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:

| | |
|-----------------------------------|-------------|
| Kevin Bell | Appendix 6 |
| Ralph Hebgen | Appendix 7 |
| Debra Wood | Appendix 8 |
| Mr & Mrs Abrahart | Appendix 9 |
| Ms A Jezard & Dr A Steel | Appendix 10 |
| John Dillon | Appendix 11 |
| Paul Garratt | Appendix 12 |
| Javier Caldeiro & Carmen Montanel | Appendix 13 |
| Satvinder Sohanpal | Appendix 14 |
| Jonathan Alvin | Appendix 15 |
| Alia Alkhudairi | Appendix 16 |
| Mr Naseer Al-Khudairi | Appendix 17 |
| Rosemary Bischoff | Appendix 18 |
| Jeffery Drew & Ann Davies | Appendix 19 |
| Paul Hillman & C. Ahrens-Hillman | Appendix 20 |
| Alastair Newton | Appendix 21 |
| Gavin Opperman | Appendix 22 |
| Cheng Sen Lim | Appendix 23 |
| Natasha Gardiner | Appendix 24 |
| Matthew Goucher & Susan Robinson | Appendix 25 |
| Wendy Carpenter | Appendix 26 |
| Karen Moss | Appendix 27 |
| Arvind Vashisht | Appendix 28 |
| Mrs B Liddiard | Appendix 29 |
| Andreas Immel | Appendix 30 |
| Richard Moss | Appendix 31 |
| John Wilkes | Appendix 32 |
| Geoff Denton | Appendix 33 |
| Kamal & Roger Gardiner | Appendix 34 |
| Coleman Yau | Appendix 35 |
| Chai Hui | Appendix 36 |
| Dr Geoff Andrews | Appendix 37 |
| Xavier Bastin | Appendix 38 |
| Henrica Vlot | Appendix 39 |
| Dr Johan Bastin | Appendix 40 |
| Charles Michel | Appendix 41 |
| Giles Beale & Kirsty Garrett | Appendix 42 |
| Chew Ting Teck & Koh Helen | Appendix 43 |
| Myrna Metherringham | Appendix 44 |
| Julie Davey | Appendix 45 |
| Josephine Swaby | Appendix 46 |

- 6.9 The applicants communicated with the residents in an attempt to mediate with them. Their letter/email can be seen in **Appendix 47**.
- 6.10 All of the responsible authorities have been consulted about this application. They are as follows:
- The Licensing Authority
 - The Metropolitan Police
 - The LFEPA (the London Fire and Emergency Planning Authority).
 - Planning
 - Health and Safety
 - Noise (Environmental Health)
 - Trading Standards
 - Child Protection
 - Public Health
 - Home office (Immigration Enforcement)
- 6.11 In addition the application was required to be advertised in a local newspaper and by a blue poster. Only objections that relate to the following licensing objectives are relevant:
- the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm
- 6.12 The objections relate to:
- Public nuisance
 - Crime and Disorder/ASB
 - Public Safety
 - Protection of children from harm
- 6.13 Essentially, the relevant parties oppose the application because the applicant has not explained how within the context of the application they will meet licensing objective of the prevention of public nuisance and the prevention of crime and disorder.
- 6.14 There are strict time limits to any representations. The time limits are contained in The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005.
- 6.15 The applicant has offered measures in the operating schedule of the application that address the promotion of the Licensing Objectives. If there were no representations, the Licensing Authority would grant the licence, with conditions consistent with the operating schedule, which are relevant, proportionate and enforceable. Members are asked to consider the schedule and incorporate any conditions as necessary to address the licensing objectives.

7.0 Conditions consistent with Operating Schedule (these have been superseded by agreed conditions with responsible authorities)

1. To have CCTV system in place
2. To keep a refusal/incident book
3. Challenge 25
4. To have fully trained staff who would sell alcohol.

8.0 Conditions Agreed/Requested by Responsible Authority

Conditions agreed with the police – Appendix 48

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

5. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:
 - the police (and, where appropriate, the London Ambulance Service) are called without delay;
 - all measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
 - the crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
 - such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.
6. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
7. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
8. All outside tables and chairs shall be rendered unusable by 21:00 hours each day.
9. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
10. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
11. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
12. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
13. 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.

14. All staff whose responsibilities include the retail sale of alcohol shall receive training about the prevention of underage sales on induction and then every 12 months thereafter/01 times a year. This training shall be recorded and the records to be available on request to the Police or any authorised officer. The training to include:

- the operation of the challenge 25 scheme;
- types of acceptable ID;
- the method of recording challenges;
- the likely consequences of making an underage sale;
- refusing sales to persons who appear to be drunk;
- proxy sales.

15. The outdoor area shall not be used by patrons after 21:00 hours

Conditions agreed with Environmental Health – Appendix 49

1. Loudspeakers shall not be located in the entrance lobby, or outside the premise building nor on internal walls or ceilings and without the use of anti-vibration mounts used for speakers attached to the walls.
2. All windows and external doors shall be kept closed when regulated entertainment takes place, except for the immediate access & egress of persons.
3. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
4. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises, which gives rise to a public nuisance.
5. The external area shall not be used after 21:00 hours, except for patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, and shall be limited to 8 persons at any one time.

9.0 Licensing Officer Comments

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

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

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

9.3 Guidance issued under section 182 of the Licensing Act 2003

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

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

- 9.4 The Licensing Act 2003 permits children of any age to be on the premises which primarily sell alcohol providing they are accompanied by an adult. It is not necessary to make this a condition.
- 9.5 In all cases the Members should make their decision on the civil burden of proof, that is “the balance of probability.”
- 9.6 In all cases Members should consider whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.
- 9.7 The Government has advised that conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. Conditions cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff and standardised conditions should be avoided where they cannot be shown to be appropriate. (1.16/1.17)
- 9.8 The Council’s Licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.
- 9.9 In **Appendices 50 - 60** 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 - 46 | Representations from residents |
| Appendix 47 | Mediation letter to residents from applicant |
| Appendix 48 | Conditions agreed with Police |
| Appendix 49 | Conditions agreed with EH |
| Appendix 50 | Section 182 Advice by the DCMS- Relevant, vexatious and frivolous representations |
| Appendix 51 | Licensing Officer comments on public nuisance |
| Appendix 52 | S182 advice on public nuisance |
| Appendix 53 | Licensing Officer comments on crime & disorder |
| Appendix 54 | S182 advice on crime & disorder |
| Appendix 55 | Licensing Officers comments on Public Safety |
| Appendix 56 | S182 advice on public safety |
| Appendix 57 | Licensing Officer comments on protection of children from harm |
| Appendix 58 | S182 advice on protection of children from harm |
| Appendix 59 | Licensing Policy relating to hours of trading |
| Appendix 60 | Planning |

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Appendix 1

Section 1 of 21

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

System reference

Not Currently In Use

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

Your reference

Cafe Brera

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

Alexandru

* Family name

Dina

* E-mail

[REDACTED]

Main telephone number

[REDACTED]

Include country code.

Other telephone number

[REDACTED]

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

Are you:

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

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

Applicant Business

Is your business registered in the UK with Companies House?

☒ Yes ☐ No

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

Registration number

12869065

Business name

REPUBLIKS LTD

If your business is registered, use its registered name.

VAT number

-

none

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

Legal status

Private Limited Company

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

District

City or town

County or administrative area

Country

Section 2 of 21

PREMISES DETAILS

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

Premises Address

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

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 21

NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

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

Continued from previous page...

company

Address

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

Contact Details

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

[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? | <input type="text" value="29"/> | / | <input type="text" value="06"/> | / | <input type="text" value="2023"/> |
| | dd | | mm | | yyyy |

| | | | | | |
|---|----------------------|---|----------------------|---|----------------------|
| If you wish the licence to be valid only for a limited period, when do you want it to end | <input type="text"/> | / | <input type="text"/> | / | <input type="text"/> |
| | 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.

Dining area with capacity 40 people , out side seating close to the river

Continued from previous page...

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

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

☐ Yes ☒ No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

☐ Yes ☒ No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

☐ Yes ☒ No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

☐ Yes ☒ No

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

☒ Yes ☐ No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

☐ Indoors ☐ Outdoors ☒ Both

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

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

Recorded music (not amplified)

State any seasonal variations for playing recorded music

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

not variations in terms of playing recorded music, music will be played as a background

Continued from previous page...

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

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

all the recorded music will play within the standard time mentioned above

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

☐ Yes ☒ No

Section 13 of 21

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

[See guidance on regulated entertainment](#)

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

☐ Yes ☒ No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes ☒ No

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

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

Continued from previous page...

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the sale of alcohol be for consumption:

☐ On the premises ☐ Off the premises ☒ Both

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

State any seasonal variations

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

no seasonal variations

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.

No non-standard timing for the supply of alcohol

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

Continued from previous page...

Name

First name

Family name

Date of birth

Enter the contact's address

Building number or name

District

City or town

County or administrative area

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

Section 16 of 21

ADULT ENTERTAINMENT

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

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

No adult entertainment

Continued from previous page...

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start 07:00

End 23:00

Start

End

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

TUESDAY

Start 07:00

End 23:00

Start

End

WEDNESDAY

Start 07:00

End 23:00

Start

End

THURSDAY

Start 07:00

End 23:00

Start

End

FRIDAY

Start 07:00

End 23:00

Start

End

SATURDAY

Start 07:00

End 23:00

Start

End

SUNDAY

Start 07:00

End 23:00

Start

End

State any seasonal variations

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

none

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.

No non-standard timing

Continued from previous page...

Section 18 of 21

LICENSING OBJECTIVES

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

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

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

The steps will be the following:

1. to have full trained staff who would sell alcohol during our designated licensing hours
2. to have a CCTV system in place
3. to maintain records concerning the supply and the sell of the alcohol
4. to have in place Challenge 25 in place

b) The prevention of crime and disorder

1. A state of the art CCTV system in place
2. Challenge 25 policy in place
3. Keeping an incident log book on the premises

c) Public safety

1. Alcohol will be sold only during licensing hours
2. Challenge 25 in place
3. Refusal of alcohol to individual who appear to be drunk
4. Special training staff to dispense alcohol

d) The prevention of public nuisance

1. Training staff on how to diffuse any issue
2. No alcohol sale to already intoxicated people
3. Seek the service of a security company in extreme situations

e) The protection of children from harm

1. No sale of alcohol to any one who is underage
2. Check proof of age
3. Trainig staff to foresee any problems

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 your are required to pay a higher fee

Band D - £7001 to £12500 = £900.00

Band E - £125001 and over £1,905.00

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

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

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

Capacity 5000-9999 = £1,000.00

Capacity 10000 -14999 = £2,000.00

Capacity 15000-19999 = £4,000.00

Capacity 20000-29999 = £8,000.00

Capacity 30000-39000 = £16,000.00

Capacity 40000-49999 = £24,000.00

Capacity 50000-59999 = £32,000.00

Capacity 60000-69999 = £40,000.00

Capacity 70000-79999 = £48,000.00

Capacity 80000-89999 = £56,000.00

Capacity 90000 and over = £64,000.00

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

Continued from previous page...

* Fee amount (£)

315.00

DECLARATION

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

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

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

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

* Full name

ALEXANDRU ANDREI DINA

* Capacity

General Manager

* Date

31 / 05 / 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

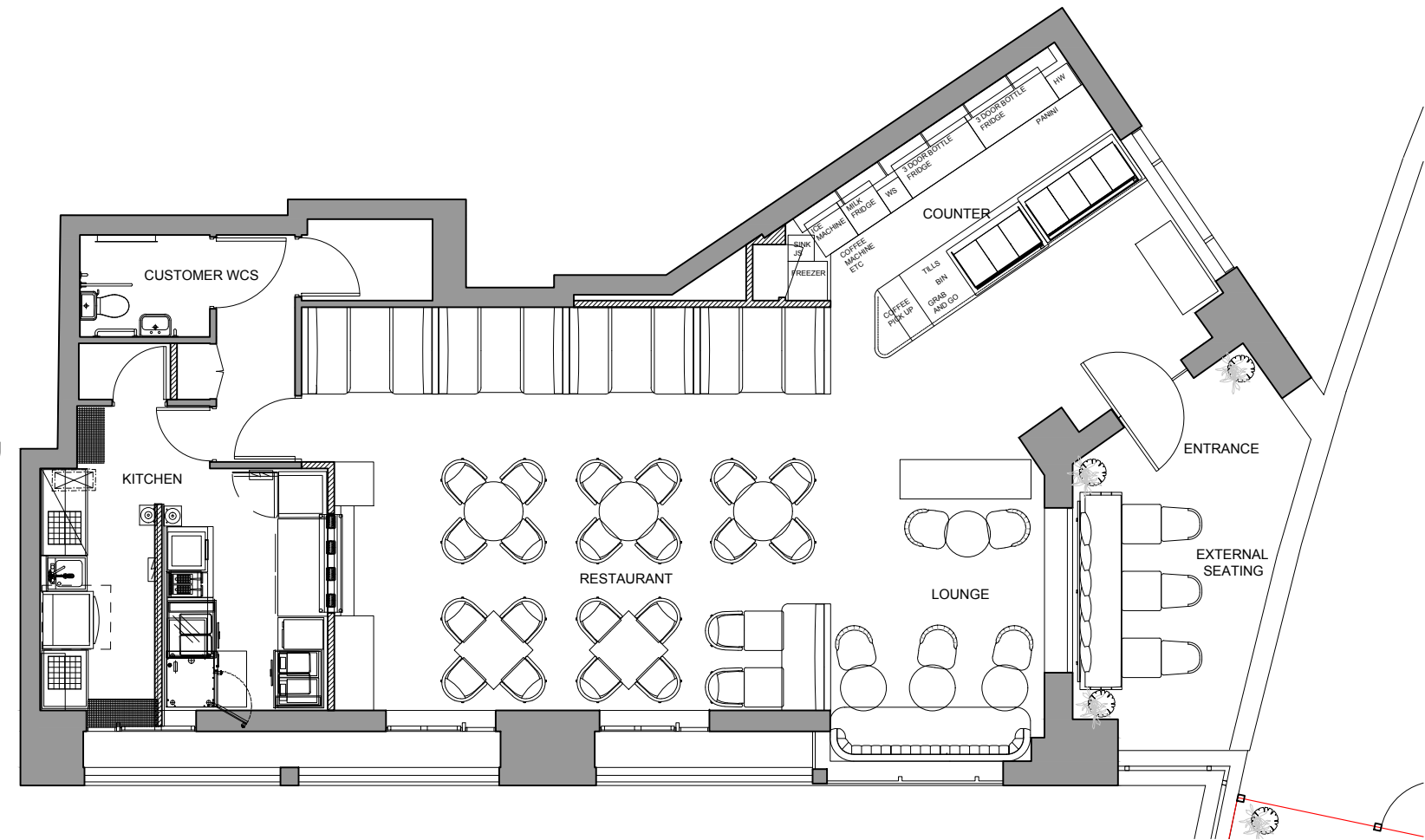
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT 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

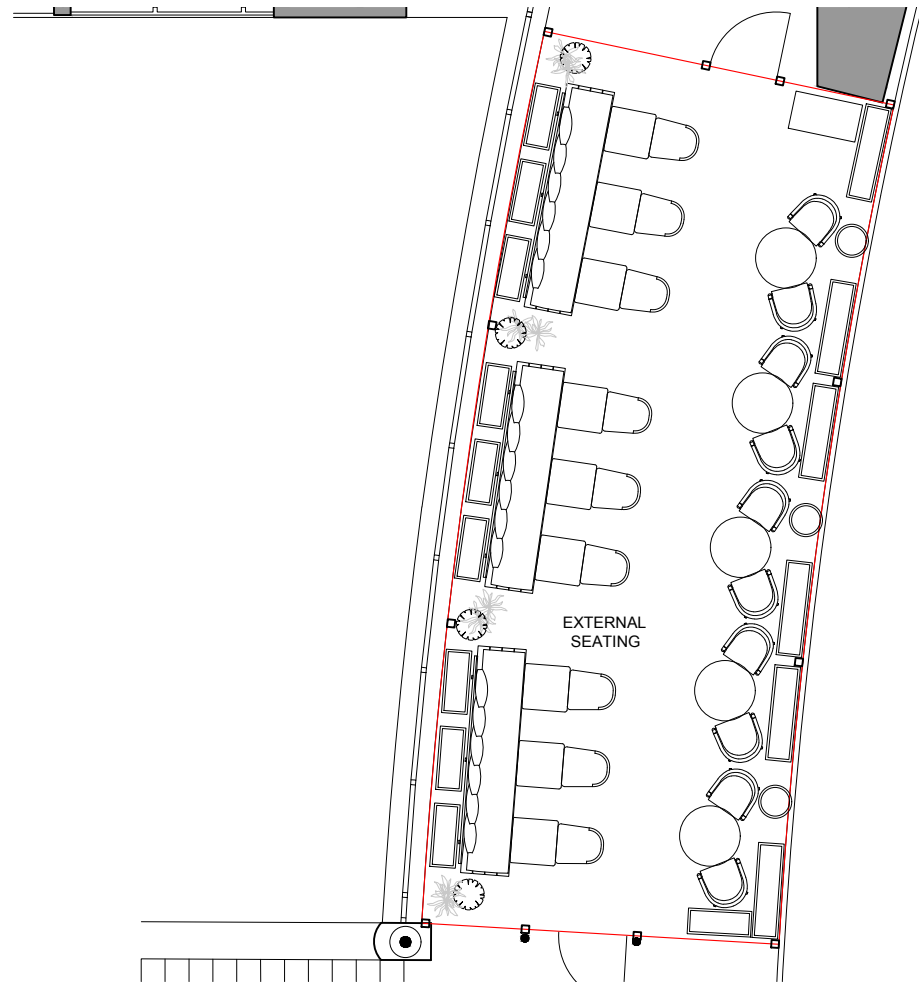
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|----------------------------|--------------------------|
| Applicant reference number | Cafe Brera |
| Fee paid | |
| Payment provider reference | |
| ELMS Payment Reference | |
| Payment status | |
| Payment authorisation code | |
| Payment authorisation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

Appendix 2

| COVERS | |
|-----------------|----|
| LOUNGE AREA | 8 |
| RESTAURANT AREA | 40 |
| EXTERNAL | 38 |
| TOTAL | 86 |



01 GROUND FLOOR PLAN
SCALE 1:50



02 EXTERNAL TERRACE
SCALE 1:50

CONSTRUCTION

Notes

- SEE SEPARATE FINISHES SCHEDULE FOR ALL ARCHITECTURAL FINISHES.
- THE DRAWING SHOWS DESIGN INTENT ONLY. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION OR PRODUCTION. SHOP DRAWINGS TO BE ISSUED BY CONTRACTOR/ MANUFACTURER FOR APPROVAL. ANY DISCREPANCIES TO BE RELAYED TO DANIEL MONK BEFORE WORKS CONTINUE.
- DESIGN/DRAWING IS NOT TO BE SCALED FOR PRODUCTION AND CONSTRUCTION PURPOSES.
- ALL MATERIALS AND CONSTRUCTION TO BE MANUFACTURED TO A

HIGH QUALITY OF WORKMANSHIP SUITABLE FOR COMMERCIAL USE AND THAT RELEVANT HEALTH AND SAFETY REGULATIONS ARE MET OR EXCEEDED IN THE PRODUCTION PROCESS.

5. ALL FINISHES TO BE APPROVED BY DANIEL MONK VIA SAMPLING PROCEDURE ADVISED BY DANIEL MONK.

6. CONTRACTOR/MANUFACTURER SHOP DRAWINGS TO SHOW ALL EQUIPMENT INCLUDING ALL ELEMENTS OF MEP, COORDINATED WITH OTHER CONSULTANTS PRIOR TO COMMENCEMENT OF WORKS.

7. GENERAL CONTRACTOR TO COORDINATE WITH ELECTRICAL DELIVERY AND CONSTRUCTION.

8. DESIGNS ARE TO BE CONSTRUCTED/MANUFACTURED TO COMPLY WITH STATUTORY REQUIREMENTS. CONTRACTOR/ MANUFACTURER TO ENSURE THAT THE FINAL PRODUCT COMPLIES WITH ALL RELEVANT STATUTORY REGULATIONS.

9. WHERE GLASS, MIRROR OR OTHER POTENTIALLY DANGEROUS MATERIALS ARE TO BE USED, THE MANUFACTURER IS TO ENSURE

| Revision | Date | Comment |
|----------|----------|------------------------------------|
| A | 23/04/18 | SCHEMATIC ISSUE |
| B | 26/07/18 | COUNTER AND WAITER STATION AMENDED |

Revision Date Comment

DANIEL MONK

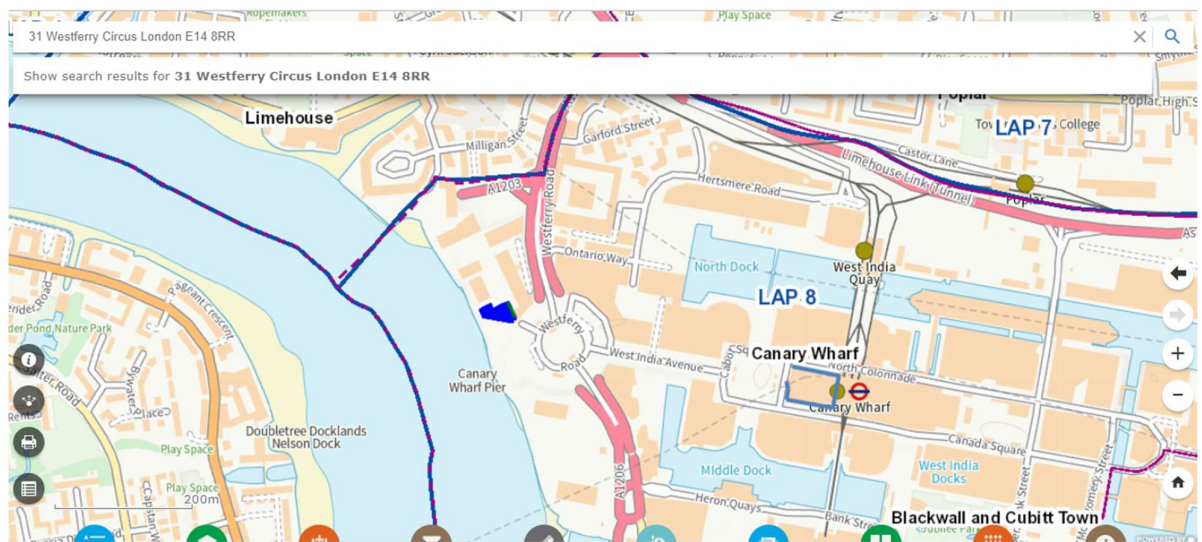
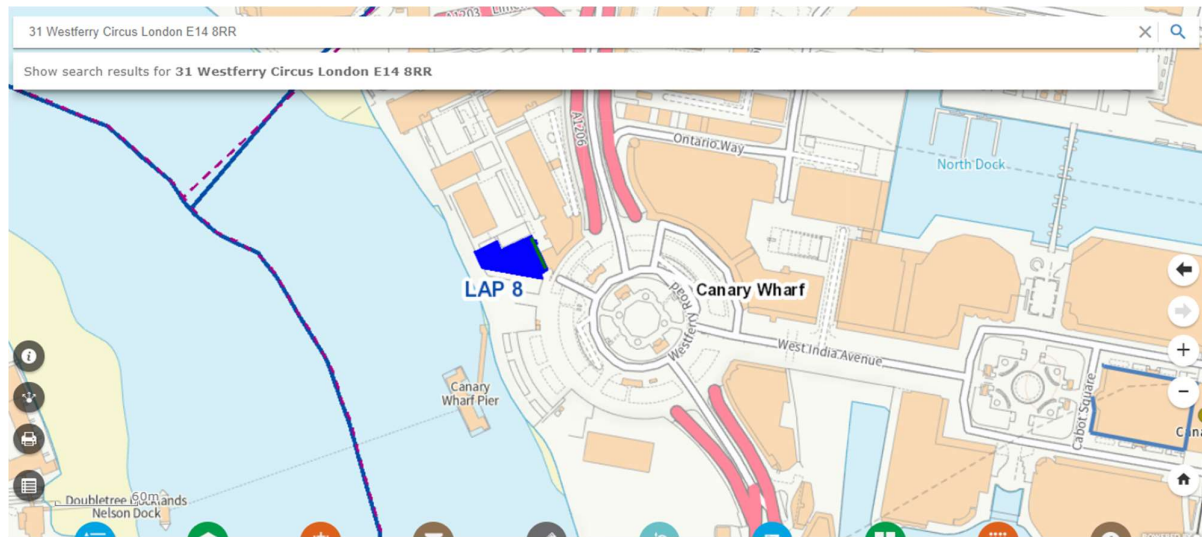
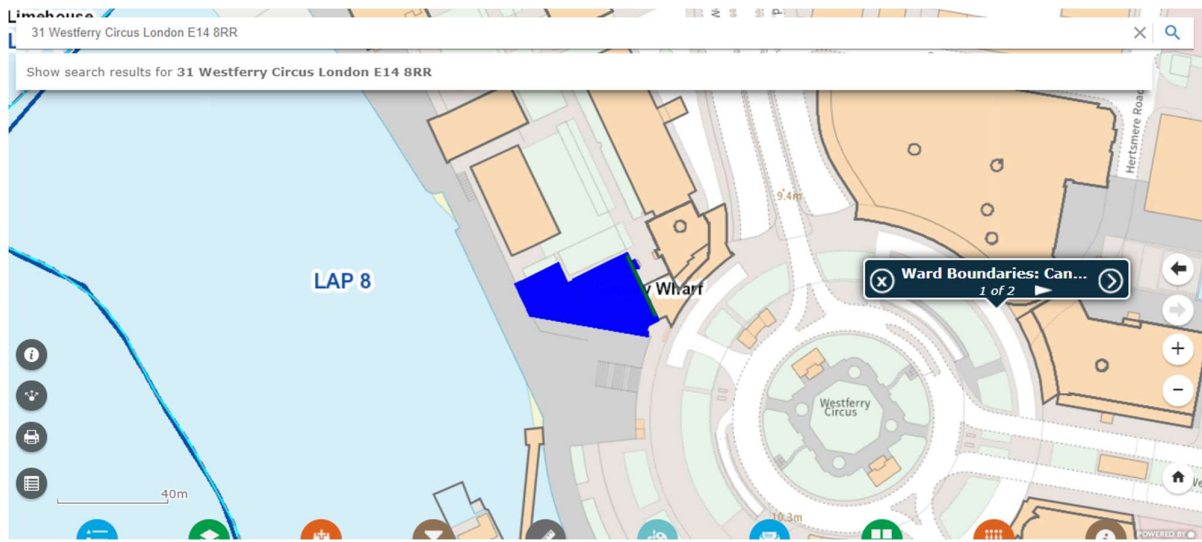
Client
CAFE BRERA
Project
BRERA RIVERSIDE

Title
GENERAL ARRANGEMENT PLAN

| | | |
|-------------|-------------|------|
| Issue Date | Scale | Rev. |
| 29/11/12 | 1:50@A1 | |
| Project No. | Drawing No. | |
| 17006 | GA-G-00 | B |

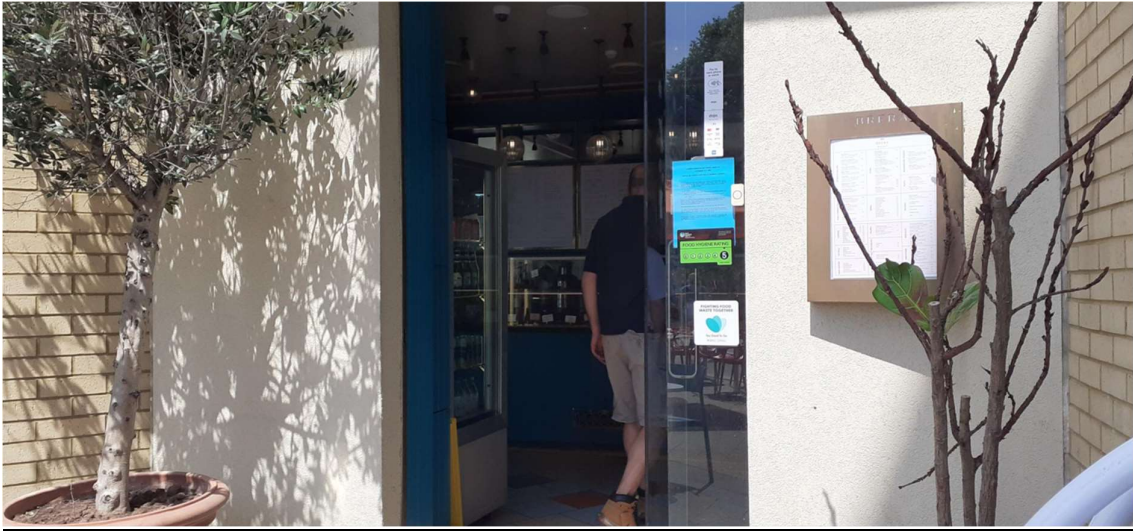
Appendix 3

31 Westferry Circus



Appendix 4

Photos – 31 Westferry Circus





Appendix 5

| Premises | Licensable Activities | Opening Hours |
|--|---|---|
| (Zizzi Restaurant) 33 Westferry Circus | <p><u>Sale of alcohol (on & off sales)</u></p> <p>a. On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10 a.m. to 11 p.m.</p> <p>b. On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30 p.m.</p> <p>c. On Good Friday, 12 noon to 10.30 p.m.</p> <p>d. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.</p> <p>e. On New Year's Eve, except on a Sunday, 11 a.m. to 11 p.m.</p> <p>f. On New Year's Eve on a Sunday, 12 noon to 10.30 p.m.</p> <p>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> | There are no restrictions on the hours during which this premises is open to the public |
| Mala Indian Kitchen & Bar 37 Westferry Circus | <p><u>The sale by retail of alcohol (on and off sales)</u></p> <p>Monday to Sunday from 12:00 hours (noon) to 23:00 hours</p> <p><u>The provision of regulated entertainment consisting of Live and Recorded Music and performance of dance (indoors)</u></p> <p>Live Music – Monday to Sunday from 12:00 hours to 22:30 hours</p> <p>Recorded Music - Monday to Sunday from 12:00 hours to 23:00 hours</p> <p>Performance of Dance - Monday to Sunday from 12:00 hours (noon) to 22:00 hours</p> | Monday to Sunday from 12:00 hours to 23:00 hours |
| (Gaucho Grill) 29 Westferry Circus | <p><u>Supply of Alcohol/Late Night Refreshments / Regulated entertainment</u></p> <p>Alcohol shall not be sold or supplied except during permitted hours.</p> | There are no restrictions on the hours during which this premises is open to the public |

| | | |
|---|---|--|
| | <p>In this condition, permitted hours means: Monday - Sunday 10.00 until 01.00 hours the following day 31st December 10.00 to 01.00 hours on January 2nd</p> | |
| <p>(Royal China Restaurant) 30 Westferry Circus</p> | <p><u>The sale by retail of alcohol (on sales)</u> On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 11 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> | <p>There are no restrictions on the hours during which this premises is open to the public</p> |
| <p>Assenheims UK Ltd Unit B2.S.10 7 Westferry Circus</p> | <p><u>Regulated Entertainment – Recorded music (Indoors)</u> Sunday to Thursday from 23:00 hours to 23:30 hours Friday to Saturday from 23:00 hours to 01:00 hours</p> <p><u>Nonstandard timings</u> Sundays prior to bank holidays 23:00 hours -01:00 hours</p> <p><u>Late Night Refreshment (Indoors)</u> Sunday to Thursday from 23:00 hours to 23:30 hours Friday to Saturday from 23:00 hours to 01:00 hours</p> | <p>Sunday to Thursday from 07:00 hours to 00:00 hours Friday to Saturday from 07:00 hours to 01:30 hours</p> <p><u>Nonstandard timings</u> Sundays prior to bank holidays 23:00 hours -01:00 hours</p> <p>From the end of standard hours until 05:00 for the delivery of hot food and non-alcoholic beverages within the estate (delivery only - no public access to the premises during that time)</p> |

| | | |
|---|--|--|
| | <p><u>Nonstandard timings</u> Sundays prior to bank holidays 23:00 hours -01:00 hours</p> <p>From the end of standard hours until 05:00 for the delivery of hot food and non-alcoholic beverages within the estate (delivery only - no public access to the premises during that time)</p> <p><u>Supply of Alcohol (on and off sales)</u> Sunday to Thursday from 07:30 hours to 23:30 hours Friday to Saturday from 07:30 hours to 01:00 hours</p> <p><u>Nonstandard timings</u> Sundays prior to bank holidays 23:00 hours -01:00 hours</p> | |
| <p>Canary Riverside Plaza Hotel) 46 Westferry Circus</p> | <p><u>Regulated Entertainment</u> On Sundays, Mondays, Tuesdays, Wednesdays, Thursdays, Fridays and Saturdays, 10a.m. to 3.00 a.m. the following morning.</p> <p><u>The Retail Sale of Alcohol (on sales)</u> On Sundays, Mondays, Tuesdays, Wednesdays, Thursdays, Fridays and Saturdays, 11a.m. to 3.00 a.m. the following morning.</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 11am on New Years Day.</p> | <p>There are no restrictions on the hours during which this premises is open to the public</p> |

| | | |
|--|---|--|
| | The Provision of Late Night Refreshment On Sundays, Mondays, Tuesdays, Wednesdays, Thursdays, Fridays and Saturdays, until 3.00 a.m. the following morning. | |
|--|---|--|

Appendix 6

Corinne Holland

From: Licensing
Sent: 09 June 2023 09:19
To: Corinne Holland
Subject: FW: Cafe Brera - 31 Westferry Circus Licensing Application

-----Original Message-----

From: Kevin BELL <[REDACTED]>
Sent: Thursday, June 8, 2023 8:45 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Cafe Brera - 31 Westferry Circus Licensing Application

Dear Sir / Madam

Our flat is [REDACTED]. We are on the second floor above and just round the corner from Cafe Brera. According to their application REPUBLIKS LTD wish to play recorded music OUTSIDE this cafe from 7 in the morning until 11 at night, seven days a week. They are applying to serve alcohol at the premises and to sell it for consumption away from the premises.

I oppose this application which seeks to change the nature of this cafe from its recent history. In particular there will be the risk of noise from the music outside, especially when combined with alcohol. I have no objection to their playing music inside the premises subject to the usual decibel restrictions. I note that the application did not come with a noise assessment survey. There is also the risk of public nuisance from a 12 hour alcohol licence and music into the late hours. I see no reason why alcohol would need to be served after say 7 in the evening. I am also concerned that giving permission to sell alcohol on a take away basis will increase anti-social drinking in the nearby environment on the nearby pathway.

I believe this application needs to be reviewed very carefully.

Yours sincerely

Kevin Bell
[REDACTED]

Appendix 7

Ralph Hebgen



Representation relating to Licensing Application Café Brera

Your ref: CLC/EHTS/LIC/160051

Business name: Café Brera

Address: 31 Westferry Circus / London E14 8RR

Dear Sir or Madam,

I refer to the licensing application made by Café Brera under section 17 of the Licensing Act 2003, which you kindly brought to my attention in your letter dated 1 June.

I have read the application filed on your website and would like to object to all parts of it.

Summary of application

- Licence to start 29/6/23 with no proposed end date
- Location: Dining area, capacity for 40 patrons, outside seating
- Provision of recorded music
 - outside (and inside) the premises
 - during hours of operation 07:00 – 23:00
- Provision of alcohol
 - On and off the premises
 - during hours 11:00 – 23:00
- No provision of late night refreshment

Representation

I object to this application as I believe it will have a detrimental impact on the four licensing objectives specified in sections 18-21 of the licensing application.

As a general observation, I note that the applicant's comments that detail how he plans to promote the licensing objectives all relate to the mitigation of potentially adverse effects that arise from the sale of alcohol.

I believe it is therefore reasonable to conclude that the main focus of the application is to extend the hours of operation from currently 08:00-17:00 to 07:00-23:00, **and use the incremental evening hours from 17:00-23:00 to sell alcohol**. The applicant specifies that there are no plans to provide "late night refreshments", which I take to be food (bar food, snacks, hot or cold dishes).

I also note that the license applied for is classified as a "Temporary Event Note (TEN)" but that the applicant has provided no proposed end date, effectively applying to be granted a permanent license.

Specifically, I refer to the licensing objectives as follows:

1. Prevention of crime and disorder

Bearing in mind that the **sole** purpose of the application is to enable operation as a late-night drinking venue that supports the consumption of alcohol on **and off** the premises, I see it as likely that the venue will promote drunk and disorderly behaviour.

As the venue will not provide dinner services or even bar food, the consumption of alcohol will not be embedded in a more general dining experience, and patrons can hence be expected to stand in small groups, rather than remain seated in the contained dining area that the application identifies as the location of the service.

The application specifically states that alcohol may be consumed off the premises, and it is therefore likely that groups of patrons materially exceeding the capacity of 40 persons mentioned in the application will congregate in the public spaces outside the business premises of Café Brera.

I therefore see a risk that the venue might promote crime and public disorder. In particular, I do not believe that the steps mentioned by the applicant designed to mitigate this risk are sufficient, as

- CCTV may not provide a seamless coverage of the public spaces adjacent to Brera's premises, and Brera has no authority to instal CCTV equipment in these spaces
- an implementation of the Challenge 25 retail principles does not limit disorderly behaviour carried out by those not falling under their remit (ie patrons who look older than 25)
- the applicant has not demonstrated how the maintenance of a proposed incident log-book will discourage disorderly behaviour

2. Public safety

My comments above are also relevant in the context of this licensing objective.

In addition, I would like to bring to your attention that groups of patrons congregating outside Café Brera's premises would potentially limit access to the Thames Walkway and Canary Wharf Pier. This might pose a risk to the safety of those looking to walk/jog along the river or use a boat service (like Thames Clipper) operating from the pier.

It would also potentially affect the safety of residents in adjacent dwelling places, in particular Canary Riverside, the main entrance of which is right outside Café Brera's premises.

3. Protection of children from harm

As many residents in Canary Riverside are families with young children, their safety may be at risk by congregations of patrons, especially if customers of Café Brera find themselves under the influence of alcohol.

4. Prevention of public nuisance

In addition to the creation of public nuisance through the points I highlighted above I would like to bring to your attention the public nuisance that will be generated by the provision of recorded music outside the premises.

Because of its location close to the river, any sound created in the operation of Café Brera (patrons talking amongst themselves in loud voices if under the influence of alcohol; playing of recorded

music outside in the open) travels far. Specifically, it is channelled upwards, in the direction of at least 50 flats with their bedrooms exposed to the premises.

Concluding my representation, I would again wish to highlight the open-ended nature of the application that appears to make it unsuitable as a Temporary Event Note.

I therefore represent not to grant Café Brera a permanent or temporary license to run a late-night drinking venue on and off their premises at 31 Westferry Circus.

With kindest regards,

Ralph Hebgen

Appendix 8

Debra Wood

4 [REDACTED]

[REDACTED]

[REDACTED]

Representation relating to Licensing Application Café Brera

Your ref: CLC/EHTS/LIC/160051

Business name: Café Brera

Address: 31 Westferry Circus / London E14 8RR

Dear Sir or Madam,

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I have read the application filed on your website and would like to object to all parts of it.

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- Provision of alcohol
 - On and off the premises
 - during hours 11:00 – 23:00
- No provision of late night refreshment

Representation

I object to this application as I believe it will have a detrimental impact on the four licensing objectives specified in sections 18-21 of the licensing application.

As a general observation, I note that the applicant's comments that detail how he plans to promote the licensing objectives all relate to the mitigation of potentially adverse effects that arise from the sale of alcohol.

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Specifically, I refer to the licensing objectives as follows:

1. Prevention of crime and disorder

Bearing in mind that the **sole** purpose of the application is to enable operation as a late-night drinking venue that supports the consumption of alcohol on **and off** the premises, I see it as likely that the venue will promote drunk and disorderly behaviour.

As the venue will not provide dinner services or even bar food, the consumption of alcohol will not be embedded in a more general dining experience, and patrons can hence be expected to stand in small groups, rather than remain seated in the contained dining area that the application identifies as the location of the service.

The application specifically states that alcohol may be consumed off the premises, and it is therefore likely that groups of patrons materially exceeding the capacity of 40 persons mentioned in the application will congregate in the public spaces outside the business premises of Café Brera.

I therefore see a risk that the venue might promote crime and public disorder. In particular, I do not believe that the steps mentioned by the applicant designed to mitigate this risk are sufficient, as

- CCTV may not provide a seamless coverage of the public spaces adjacent to Brera's premises, and Brera has no authority to instal CCTV equipment in these spaces
- an implementation of the Challenge 25 retail principles does not limit disorderly behaviour carried out by those not falling under their remit (ie patrons who look older than 25)
- the applicant has not demonstrated how the maintenance of a proposed incident log-book will discourage disorderly behaviour

2. Public safety

My comments above are also relevant in the context of this licensing objective.

In addition, I would like to bring to your attention that groups of patrons congregating outside Café Brera's premises would potentially limit access to the Thames Walkway and Canary Wharf Pier. This might pose a risk to the safety of those looking to walk/jog along the river or use a boat service (like Thames Clipper) operating from the pier.

It would also potentially affect the safety of residents in adjacent dwelling places, in particular Canary Riverside, the main entrance of which is right outside Café Brera's premises.

3. Protection of children from harm

As many residents in Canary Riverside are families with young children, their safety may be at risk by congregations of patrons, especially if customers of Café Brera find themselves under the influence of alcohol.

4. Prevention of public nuisance

In addition to the creation of public nuisance through the points I highlighted above I would like to bring to your attention the public nuisance that will be generated by the provision of recorded music outside the premises.

Because of its location close to the river, any sound created in the operation of Café Brera (patrons talking amongst themselves in loud voices if under the influence of alcohol; playing of recorded

music outside in the open) travels far. Specifically, it is channelled upwards, in the direction of at least 50 flats with their bedrooms exposed to the premises.

Concluding my representation, I would again wish to highlight the open-ended nature of the application that appears to make it unsuitable as a Temporary Event Note.

I therefore represent not to grant Café Brera a permanent or temporary license to run a late-night drinking venue on and off their premises at 31 Westferry Circus.

With kindest regards,

Debra Wood

Appendix 9

13 June 2023

The Licensing Section
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY

Dear Sir/Madam

Re: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

I am writing to express my concerns regarding the licence application for the above premises. I believe that the licence application would cause significant public nuisance and increase the risk of crime and disorder.

I live in Canary Riverside, and Café Brera is part of the Canary Riverside estate. I am an Interested Party under the terms of the Licensing Act 2003.

My primary concern is regarding the disturbance that I will encounter from patrons drinking outside until 23:00 (or later, if they have purchase drinks 'off-licence') and from recorded music being played outside and inside the premises.

The application is to grant permission to:

- Play recorded music from 07.00 to 23.00, inside and outside seven days a week.
- Sale/supply of alcohol off and on the premises from 11:00 to 23:00 seven days a week

I object to:

- The length of the hours during which alcohol can be served.
- The application to play recorded music outside.

Location

Café Brera is located within residential buildings containing over 100 flats (it is within Hanover House which is joined to Berkeley Tower). The Canary Riverside estate has a total of 325 flats across four blocks. We stand to be significantly impacted by the noise and nuisance that will be caused by the application.

Since 2001 Café Brera had operated as a café restaurant. There was no recorded music played outside and the premises were generally closed c.8pm-9pm. It had caused me no disturbance, nor am I aware of my neighbours having encountered any disturbance. It operated primarily as a food establishment, ie, it was not a bar.

Since recently opening under the ownership/management of Republiks Ltd, with a temporary licence, residents have already had cause to complain to the estate manager about the disturbance being caused by the music and patrons. Early indications are that the new owners

intend to move away from the quiet café/restaurant that Café Brera has been for the past 22 years. This would be wholly unsuitable within our residential development.

We also know from experience that Mala restaurant goes well past "last orders" as you really can not top a person taking as long as they want for their last drink or DRINKS we have found this noise goes on for at least an hours then additional noise clearing tables and chairs , many people have to work and NO authority polices this once you have agreed it and it make our life a nightmare !!

Objection

I object to the application on the grounds of the prevention of public nuisance and the prevention of crime and disorder. Our homes are the 'nearest noise sensitive premises', with our bedrooms and living rooms located directly above the premises.

1. **Prevention of public nuisance - music.** There is no measure proposed in the application – and nor is one possible with an uncovered open-air terrace – to prevent the sound of recorded music drifting upwards. Notably the application omits any mention of the fact it is located within a block of flats. I **object** to the premises being granted a licence permitting the playing of recorded music **outside the premises at any time**.

If it were to be granted inside the premises it **must not be audible outside** – including when the entrance door and/or windows are open.

It would be a change from the way the premises have been operating for the past 22 years. Sound travels upwards and affects people sleeping on the fourth floor as much as it does those trying to sleep on the 14th floor. Canary Riverside is not the business district of Canary Wharf. It is a residential estate on the edge of Canary Wharf. If a licence was to be granted permitting the serving of alcohol beyond 21:00 our ability to sleep/enjoy our homes would be changed forever, as neighbouring premises would seek licences on similar terms.

Any inside music should cease by 21:00. The licence should contain the relevant restrictions to ensure that music does not 'leak' from inside the premises, with speakers located at the farthest point from doors and windows.

2. **Prevention of public nuisance – sale/supply of alcohol.** The proposed licensing hours would make the venue a late-night drinking venue immediately below bedrooms and living rooms. Alcohol and people out to enjoy themselves is an anti-social mix for children, working adults and other residents who are trying to sleep. It only takes one loud conversation between half a dozen people to cause a disturbance, and to grant a licence to 23:00 would open the potential for nightly disturbances seven days a week, inevitably straying well beyond 23:00. It would be a magnet for people seeking a drink and a cigarette in this area.

Residents in Belgrave Court (a block of flats at the other corner of Canary Riverside) already have to put up with the disturbance from Mala's patrons (37 Westferry Circus), with people using their tables and chairs long after closing time. The outside chairs/tables at Café Brera would be subject to similar late night use by people who have purchased alcohol from the premises.

The application contains no mention whatsoever of 'noise' nor the approach to managing noise. It is clear no thought has been given to local residents and the proactive management of noisy patrons **at any time of day**. CCTV is no protection, nor is 'seek the service of a security company in extreme situations'.

It is not just noise from patrons: the clearing up bottles and glasses etc will also cause a disturbance.

The supply of alcohol licensing hours should be restricted to 21:00 at the latest.

There should be appropriate restrictions imposed as part of the licence regarding the management of patrons leaving the premises, responding to noise complaints from residents, clearing up etc.

3. **Prevention of crime and disorder– sale/supply of alcohol.** Many of the points from 2 above apply to this licensing objective. The premises would become a magnet for people seeking a late night (beyond 9pm) drink, and off-licence sales would enable people to sit on the benches by the river – also beneath our bedroom windows. Unfortunately there is not a Public Spaces Protection Order in operation in this part of the riverfront – the Ropemakers PSPO ends just before reaching Canary Riverside – because, we understand, Canary Wharf Group objected to it extending on property owned by them. It is important to restrict the licensing hours so that Café Brera does not become a drinking establishment and continues to be premises where alcohol is secondary to the supply of food.

To prevent the possibility of crime and disorder in this residential area **the supply of alcohol licensing hours should be restricted to 21:00 at the latest and there should be no outside (or audible outside) recorded music.**

I am told the premises are under new ownership/management, Republiks Ltd, a company with one director who has 66 other directorships, the majority outside of the hospitality sector and is therefore probably a nominee director. There is no 'track record' for residents to check similar premises managed by the applicant.

Finally I wish to raise the recent planning application PA/23/00513/NC for a rooftop restaurant and bar within the Canary Riverside gardens, **an application I have objected to.** The applicant – who is also the Landlord of Café Brera (ie, Republiks Ltd are their commercial tenant) – has sought to justify their application by falsely claiming Canary Riverside is already a noisy area [and so a roof terrace restaurant/bar for 100+ patrons would not impact residents]. The Council would be assisting that application, by turning Canary Riverside into a noisy location, if it were to grant Café Brera a licence that permitted outside music and an alcohol licence beyond 21:00.

I therefore support a **rejection of the licence application** per the above.

Yours sincerely



James Abrahart

Appendix 10

Corinne Holland

From: Lavine Miller-Johnson on behalf of Licensing
Sent: 13 June 2023 17:18
To: Corinne Holland
Subject: FW: Cafe Brera LIC/160051 31 Westferry Circus E14 8RR

From: Angie Jezard [REDACTED]
Sent: Tuesday, June 13, 2023 5:06 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Cc: Ashley Steel <[REDACTED]>
Subject: Cafe Brera LIC/160051 31 Westferry Circus E14 8RR

Dear Sir/Madam

We are writing to express our objections regarding the above application.

We live in Canary Riverside (our flat overlooks the Café Brera terrace) of which Cafe Brera is a part. The application makes no mention of the fact it is situated within a residential block of flats, which we understand is deemed a noise sensitive area when it comes to licensing applications.

We are concerned about the proposed licensing hours and the application to play recorded music outside. If granted the licence will cause significant disturbance to us. It would not comply with the requirement of the prevention of public nuisance and has the potential to be a source of anti-social behaviour (ie, will increase likelihood of crime and disorder).

We have lived in Canary Riverside since 2001 and, under the previous ownership, have never encountered any disturbances from the premises. For the past 20 years it had been run as a cafe/restaurant. Alcohol was primarily served with food, there was no outside music (or music audible outside), it was generally closed before 9pm and was a neighbourhood cafe restaurant. We're not aware of our neighbours ever having had cause to complain either - that is, until the present owners took control, and already music has become a disturbance.

Looking at the licence application - the extensive operational hours and application for external music - it would appear the new owners are taking the premises in the direction of a noisy bar environment that is completely unsuited to a residential location.

Cafe Brera is immediately beneath people's bedrooms and living rooms and the noise from patrons - extending to beyond 23:00 (when alcohol would cease to be served) - would be a considerable noise disturbance. People will be congregating over a beer/glass of wine, uninhibitedly enjoying their evening with no concern for the fact there will be residents above them trying to enjoy their evening too, or trying to sleep. We don't have children but many residents so, and we are early sleepers. The importance of uninterrupted sleep is increasingly appreciated by scientists and doctors.

It seems we are being bombarded - the Licensing Committee/Council will presumably be aware of the Ocean Diva party boat which would have 1,000+ passengers who potentially could be disembarking in Canary Wharf, and also the recent planning application (PA/23/00513/NC) for a rooftop restaurant and bar within the Canary Riverside gardens, an application we have recently objected to. The applicant in that matter is also the Landlord of Café Brera (who is their tenant) and has tried to justify their application by falsely claiming Canary Riverside is already a noisy area - meaning a roof terrace restaurant/bar for 100+ patrons would go unnoticed. If the Council approves the Cafe Brera application it would be the Council who had turned Canary Riverside into a noisy location.

We object to the Cafe Brera application on the grounds that it would cause a public nuisance and would also lead to antisocial behaviour (crime and disorder) because our homes - our bedrooms and living rooms - are located above the Cafe Brera terrace.

- 1. Prevention of public nuisance - music.** The application is for recorded music from 7am - 11pm inside and outside. There is nothing in the application to alert the council to the fact this is a venue inside and beneath a residential block of flats. It is completely overlooked - which indicates how much they care about the residents! Outside music would be a significant disturbance and we cannot quite believe it has even been asked for, since nothing can be done in an open air terrace to prevent the sound from travelling up and through our windows.

We strongly object to the premises being granted a licence permitting the playing of recorded music outside the premises at any time.

If the Council is to permit music to be played inside the premises this should be subject to strict conditions including that it must not be audible outside, with speakers located at the farthest points from the entrance door and windows. Inside music should cease by 21:00.

To permit music to be audible outside would have a significant impact - not just the music but people having to talk above it in order to be heard.
- 2. Prevention of public nuisance – sale/supply of alcohol.** The licensing hours requested would make the venue a late-night drinking venue immediately below bedrooms and living rooms. Alcohol and people out to enjoy themselves is an anti-social mix for children, working adults and other residents who are trying to sleep. It only takes one loud conversation between half a dozen people to cause a disturbance, and to grant a licence to 23:00 would open the potential for nightly disturbances seven days a week, inevitably straying well beyond 23:00. It would be a magnet for people seeking a drink and a cigarette in this area.

We have friends in Belgrave Court, at the NW corner of Canary Riverside, who tell us that Mala restaurant patrons (at 37 Westferry Circus) often hang around beyond closing, sat chatting at the external tables. The outside chairs/tables at Café Brera would be similarly attractive to stragglers.

The applicant has not sought to address the disturbance caused by patrons. "State of the art CCTV" is a meaningless phrase. The reality is, people out for a drink and a cigarette want to stand and chat and laugh - they will not 'shush' if told because they are there to enjoy themselves.

The late night licence would also result in noise from staff clearing up bottles and glasses, yet more disturbance.

We object to the licensing hours proposed - the hours should be restricted to 21:00 at the latest, reflecting the fact the premises are within a residential area. The licence should also include restrictions and conditions regarding the management of drinkers while at the premises and when leaving, clearing up, complaints procedure etc.
- 3. Prevention of crime and disorder– sale/supply of alcohol.** It is important to restrict the licensing hours so that Café Brera does not become a bar but continues to be premises where alcohol is secondary to the supply of food. This would help reduce the likelihood of antisocial behaviour and ensure the premises do not become a magnet for people seeking a late night (beyond 9pm) drink - or off-licence sales that would enable people to sit on the benches by the river (ie, also beneath our bedroom windows). The Ropemakers PSPO ends just before reaching Canary Riverside - because, we understand, Canary Wharf Group objected to it extending on property owned by them. But Canary Wharf is not unduly concerned about managing managing antisocial behaviour on the riverfront as none of the restaurants are managed by it.

We object to the licensing hours proposed - the hours should be restricted to 21:00 at the latest, reflecting the fact the premises are within a residential area. This will help prevent the possibility of crime and disorder in this residential area. There is presumably little point imposing a restriction that alcohol must be served with a substantial meal given that the covid definition of substantial could be met by serving a scotch egg

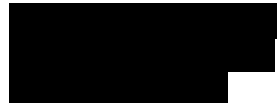
The applicant appears to be a director of over 60 other companies and it is impossible to check whether he has experience of successfully managing licensed premises located within a residential area. We suspect not, as it's likely he is a nominee director and not the actual beneficiary. This adds to our concerns - and explains the inadequacy of the application to deal with the fact it's located in a residential building.

We ask that the Licensing Committee refuses to grant a licence that permits outside music to be played at any time, and that licensing hours are restricted to between 12 noon and 9pm, to take into

consideration the fact this is a residential area. We also ask that the licence have conditions and restrictions that provide safeguards to residents regarding the prevention of a public nuisance through noise disturbance and the risk of antisocial and other criminal/disorderly behaviour. Cafe Brera's new owners should have thought about the location before taking the lease: their business model as set out in the licence application is not suited to a residential location.

Yours faithfully

Ms A Jezard & Dr A Steel

A black rectangular redaction box covering the signature of Ms A Jezard & Dr A Steel.

Yours sincerely

[sign and insert name]

Appendix 11




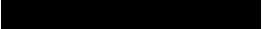
13th June 2023

The Licensing Section
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY

Dear Sir/Madam

Re: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

I am writing to express my concerns regarding the licence application for the above premises. I believe that the licence application would cause significant public nuisance and increase the risk of crime and disorder.

I am the leaseholder of  in Canary Riverside, and Café Brera is part of the Canary Riverside estate.  is on the 2nd floor above ground, and close to being above Café Brera, overlooking the same area. I am an Interested Party under the terms of the Licensing Act 2003.

My primary concern is regarding the disturbance that I will encounter from patrons drinking outside until 23:00 (or later, if they have purchased drinks 'off-licence') and from recorded music being played outside and inside the premises.

The application is to grant permission to:

- Play recorded music from 07.00 to 23.00, inside and outside seven days a week.
- Sale/supply of alcohol off and on the premises from 11:00 to 23:00 seven days a week

I object to:

- The length of the hours during which alcohol can be served.
- The application to play recorded music outside.

Location

Café Brera is located within residential buildings containing over 100 flats (it is within Hanover House which is joined to Berkeley Tower). The Canary Riverside estate has a total of 325 flats across four blocks. We stand to be significantly impacted by the noise and nuisance that will be caused by the application.

Since 2001 Café Brera had operated as a café restaurant. There was no recorded music played outside and the premises were generally closed c.8pm-9pm. It had caused me no disturbance, nor am I aware of my neighbours having encountered any disturbance. It operated primarily as a food establishment, ie, it was not a bar.

Since recently opening under the ownership/management of Republiks Ltd, with a temporary licence, residents have already had cause to complain to the estate manager about the disturbance being caused by the music and patrons. Early indications are that the new owners

intend to move away from the quiet café/restaurant that Café Brera has been for the past 22 years. This would be wholly unsuitable within our residential development.

Objection

I object to the application on the grounds of the prevention of public nuisance and the prevention of crime and disorder. Our homes are the 'nearest noise sensitive premises', with our bedrooms and living rooms located directly above the premises.

1. **Prevention of public nuisance - music.** There is no measure proposed in the application – and nor is one possible with an uncovered open-air terrace – to prevent the sound of recorded music drifting upwards. Notably the application omits any mention of the fact it is located within a block of flats. I **object** to the premises being granted a licence permitting the playing of recorded music **outside the premises at any time**.

If it were to be granted inside the premises it **must not be audible outside** – including when the entrance door and/or windows are open.

It would be a change from the way the premises have been operating for the past 22 years. Sound travels upwards and affects people sleeping on the fourth floor as much as it does those trying to sleep on the 14th floor. Canary Riverside is not the business district of Canary Wharf. It is a residential estate on the edge of Canary Wharf. If a licence was to be granted permitting the serving of alcohol beyond 21:00 our ability to sleep/enjoy our homes would be changed forever, as neighbouring premises would seek licences on similar terms.

Any inside music should cease by 21:00. The licence should contain the relevant restrictions to ensure that music does not 'leak' from inside the premises, with speakers located at the farthest point from doors and windows.

2. **Prevention of public nuisance – sale/supply of alcohol.** The proposed licensing hours would make the venue a late-night drinking venue immediately below bedrooms and living rooms. Alcohol and people out to enjoy themselves is an anti-social mix for children, working adults and other residents who are trying to sleep. It only takes one loud conversation between half a dozen people to cause a disturbance, and to grant a licence to 23:00 would open the potential for nightly disturbances seven days a week, inevitably straying well beyond 23:00. It would be a magnet for people seeking a drink and a cigarette in this area.

Residents in Belgrave Court (a block of flats at the other corner of Canary Riverside) already have to put up with the disturbance from Mala's patrons (37 Westferry Circus), with people using their tables and chairs long after closing time. The outside chairs/tables at Café Brera would be subject to similar late night use by people who have purchased alcohol from the premises.

The application contains no mention whatsoever of 'noise' nor the approach to managing noise. It is clear no thought has been given to local residents and the proactive management of noisy patrons at any time of day. CCTV is no protection, nor is 'seek the service of a security company in extreme situations'.

It is not just noise from patrons: the clearing up bottles and glasses etc will also cause a disturbance.

The supply of alcohol licensing hours should be restricted to 21:00 at the latest.

There should be appropriate restrictions imposed as part of the licence regarding the management of patrons leaving the premises, responding to noise complaints from residents, clearing up etc.

3. **Prevention of crime and disorder – sale/supply of alcohol.** Many of the points from 2 above apply to this licensing objective. The premises would become a magnet for people seeking a late night (beyond 9pm) drink, and off-licence sales would enable people to sit on the benches by the river – also beneath our bedroom windows. Unfortunately there is not a Public Spaces Protection Order in operation in this part of the riverfront – the Ropemakers PSPO ends just before reaching Canary Riverside – because, we understand, Canary Wharf Group objected to it extending on property owned by

them. It is important to restrict the licensing hours so that Café Brera does not become a drinking establishment and continues to be premises where alcohol is secondary to the supply of food.


To prevent the possibility of crime and disorder in this residential area **the supply of alcohol licensing hours should be restricted to 21:00 at the latest and there should be no outside (or audible outside) recorded music.**

I am told the premises are under new ownership/management, Republiks Ltd, a company with one director who has 66 other directorships, the majority outside of the hospitality sector and is therefore probably a nominee director. There is no 'track record' for residents to check similar premises managed by the applicant.

Finally I wish to raise the recent planning application PA/23/00513/NC for a rooftop restaurant and bar within the Canary Riverside gardens, **an application I have objected to.** The applicant – who is also the Landlord of Café Brera (ie, Republiks Ltd are their commercial tenant) - has sought to justify their application by falsely claiming Canary Riverside is already a noisy area [and so a roof terrace restaurant/bar for 100+ patrons would not impact residents]. The Council would be assisting that application, by turning Canary Riverside into a noisy location, if it were to grant Café Brera a licence that permitted outside music and an alcohol licence beyond 21:00.

I therefore support a **rejection of the licence application** per the above.

Yours sincerely



John Dillon

Appendix 12

Corinne Holland

From: Lavine Miller-Johnson on behalf of Licensing
Sent: 13 June 2023 17:28
To: Corinne Holland
Subject: FW: Brera westferry circus

From: Paul Garratt <[REDACTED]>
Sent: Tuesday, June 13, 2023 5:20 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Brera westferry circus

Dear sirs

It has come to my attention that there is a application for music to be played outside the coffee shop till 23.00 as i live above this will be very disturbing!!! On my quarterly of life

Music in side only and to reasonable volume as previously was permitted

Paul garratt
[REDACTED]

Sent from [Outlook for iOS](#)

Appendix 13

13 June 2023

The Licensing Section
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY

Dear Sir/Madam

Re: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

I am writing to express my concerns regarding the licence application for the above premises. I believe that the licence application would cause significant public nuisance and increase the risk of crime and disorder.

I live in Canary Riverside, and Café Brera is part of the Canary Riverside estate. I am an Interested Party under the terms of the Licensing Act 2003.

My primary concern is regarding the disturbance that I will encounter from patrons drinking outside until 23:00 (or later, if they have purchase drinks 'off-licence') and from recorded music being played outside and inside the premises.

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intend to move away from the quiet café/restaurant that Café Brera has been for the past 22 years. This would be wholly unsuitable within our residential development.

Objection

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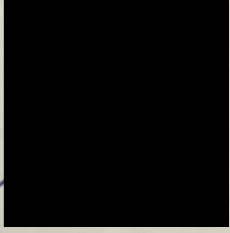
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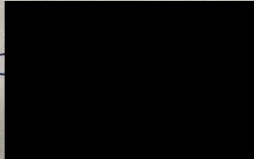
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I therefore support a **rejection of the licence application** per the above.

Yours sincerely

A black rectangular redaction box covers the signature of Javier Caldeiro. A small blue mark is visible to the left of the box.

Javier Caldeiro

A black rectangular redaction box covers the signature of Carmen Montanel. A blue mark is visible to the left of the box.

Carmen Montanel

A black rectangular redaction box covers an illegible signature.

Appendix 14



13 June 2023

The Licensing Section
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY

Dear Sir/Madam

Re: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

I am writing to express my concerns regarding the licence application for the above premises. I believe that the licence application would cause significant public nuisance and increase the risk of crime and disorder.

I live in Canary Riverside, and Café Brera is part of the Canary Riverside estate. I am an Interested Party under the terms of the Licensing Act 2003.

My primary concern is regarding the disturbance that I will encounter from patrons drinking outside until 23:00 (or later, if they have purchase drinks 'off-licence') and from recorded music being played outside and inside the premises.

The application is to grant permission to:

- Play recorded music from 07.00 to 23.00, inside and outside seven days a week.
- Sale/supply of alcohol off and on the premises from 11:00 to 23:00 seven days a week

I object to:

- The length of the hours during which alcohol can be served.
- The application to play recorded music outside.

Location

Café Brera is located within residential buildings containing over 100 flats (it is within Hanover House which is joined to Berkeley Tower). The Canary Riverside estate has a total of 325 flats across four blocks. We stand to be significantly impacted by the noise and nuisance that will be caused by the application.

Since 2001 Café Brera had operated as a café restaurant. There was no recorded music played outside and the premises were generally closed c.8pm-9pm. It had caused me no disturbance, nor am I aware of my neighbours having encountered any disturbance. It operated primarily as a food establishment, ie, it was not a bar.

Since recently opening under the ownership/management of Republiks Ltd, with a temporary licence, residents have already had cause to complain to the estate manager about the disturbance being caused by the music and patrons. Early indications are that the new owners

intend to move away from the quiet café/restaurant that Café Brera has been for the past 22 years. This would be wholly unsuitable within our residential development.

Objection

I object to the application on the grounds of the prevention of public nuisance and the prevention of crime and disorder. Our homes are the 'nearest noise sensitive premises', with our bedrooms and living rooms located directly above the premises.

1. **Prevention of public nuisance - music.** There is no measure proposed in the application – and nor is one possible with an uncovered open-air terrace – to prevent the sound of recorded music drifting upwards. Notably the application omits any mention of the fact it is located within a block of flats. I **object** to the premises being granted a licence permitting the playing of recorded music **outside the premises at any time**.

If it were to be granted inside the premises it **must not be audible outside** – including when the entrance door and/or windows are open.

It would be a change from the way the premises have been operating for the past 22 years. Sound travels upwards and affects people sleeping on the fourth floor as much as it does those trying to sleep on the 14th floor. Canary Riverside is not the business district of Canary Wharf. It is a residential estate on the edge of Canary Wharf. If a licence was to be granted permitting the serving of alcohol beyond 21:00 our ability to sleep/enjoy our homes would be changed forever, as neighbouring premises would seek licences on similar terms.

Any inside music should cease by 21:00. The licence should contain the relevant restrictions to ensure that music does not 'leak' from inside the premises, with speakers located at the farthest point from doors and windows.

2. **Prevention of public nuisance – sale/supply of alcohol.** The proposed licensing hours would make the venue a late-night drinking venue immediately below bedrooms and living rooms. Alcohol and people out to enjoy themselves is an anti-social mix for children, working adults and other residents who are trying to sleep. It only takes one loud conversation between half a dozen people to cause a disturbance, and to grant a licence to 23:00 would open the potential for nightly disturbances seven days a week, inevitably straying well beyond 23:00. It would be a magnet for people seeking a drink and a cigarette in this area.

Residents in Belgrave Court (a block of flats at the other corner of Canary Riverside) already have to put up with the disturbance from Mala's patrons (37 Westferry Circus), with people using their tables and chairs long after closing time. The outside chairs/tables at Café Brera would be subject to similar late night use by people who have purchased alcohol from the premises.

The application contains no mention whatsoever of 'noise' nor the approach to managing noise. It is clear no thought has been given to local residents and the proactive management of noisy patrons **at any time of day**. CCTV is no protection, nor is 'seek the service of a security company in extreme situations'.

It is not just noise from patrons: the clearing up bottles and glasses etc will also cause a disturbance.

The supply of alcohol licensing hours should be restricted to 21:00 at the latest.

There should be appropriate restrictions imposed as part of the licence regarding the management of patrons leaving the premises, responding to noise complaints from residents, clearing up etc.

3. **Prevention of crime and disorder– sale/supply of alcohol.** Many of the points from 2 above apply to this licensing objective. The premises would become a magnet for people seeking a late night (beyond 9pm) drink, and off-licence sales would enable people to sit on the benches by the river – also beneath our bedroom windows. Unfortunately there is not a Public Spaces Protection Order in operation in this part of the riverfront – the Ropemakers PSPO ends just before reaching Canary Riverside – because, we understand, Canary Wharf Group objected to it extending on property owned by

them. It is important to restrict the licensing hours so that Café Brera does not become a drinking establishment and continues to be premises where alcohol is secondary to the supply of food.

To prevent the possibility of crime and disorder in this residential area **the supply of alcohol licensing hours should be restricted to 21:00 at the latest and there should be no outside (or audible outside) recorded music.**

I am told the premises are under new ownership/management, Republiks Ltd, a company with one director who has 66 other directorships, the majority outside of the hospitality sector and is therefore probably a nominee director. There is no 'track record' for residents to check similar premises managed by the applicant.

Finally I wish to raise the recent planning application PA/23/00513/NC for a rooftop restaurant and bar within the Canary Riverside gardens, an application I have objected to. The applicant – who is also the Landlord of Café Brera (ie, Republiks Ltd are their commercial tenant) - has sought to justify their application by falsely claiming Canary Riverside is already a noisy area [and so a roof terrace restaurant/bar for 100+ patrons would not impact residents]. The Council would be assisting that application, by turning Canary Riverside into a noisy location, if it were to grant Café Brera a licence that permitted outside music and an alcohol licence beyond 21:00.

I therefore support a **rejection of the licence application** per the above.

Yours sincerely

Satvinder Sohanpal

Appendix 15

Corinne Holland

From: Licensing
Sent: 14 June 2023 08:24
To: Corinne Holland
Subject: FW: Objection to Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

From: Jonathan Alvin [REDACTED] >
Sent: Tuesday, June 13, 2023 6:22 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Objection to Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

13th June 2023

**The Licensing Section
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY**

Dear Sir/Madam

Re: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

I am writing to express my concerns regarding the licence application for the above premises. I believe that the licence application would cause significant public nuisance and increase the risk of crime and disorder.

I live in Canary Riverside, and Café Brera is part of the Canary Riverside estate, it is integrated into the apartment building. I am an Interested Party under the terms of the Licensing Act 2003.

My primary concern is regarding the disturbance that I will encounter from patrons drinking outside until 23:00 (or later, if they have purchase drinks 'off-licence') and from recorded music being played outside and inside the premises.

The application is to grant permission to:

- Play recorded music from 07.00 to 23.00, inside and outside seven days a week.
- Sale/supply of alcohol off and on the premises from 11:00 to 23:00 seven days a week

I object to:

- **The length of the hours during which alcohol can be served.**
- **The application to play recorded music outside a residential block.**

Location

Café Brera is located within residential buildings containing over 100 flats (it is within Hanover House which is joined to Berkeley Tower). The Canary Riverside estate has a total of 325 flats across four blocks. We stand to be significantly impacted by the noise and nuisance that will be caused by the application.

Since 2001 Café Brera had operated as a café restaurant. There was no recorded music played outside and the premises were generally closed c.8pm-9pm. It had caused me no disturbance, nor am I aware of my neighbours having encountered any disturbance. It operated primarily as a food establishment, ie, it was not a bar.

Since recently opening under the ownership/management of Republiks Ltd, with a temporary licence, residents have already had cause to complain to the estate manager about the disturbance being caused by the music and patrons. Early indications are that the new owners intend to move away from the quiet café/restaurant that Café Brera has been for the past 22 years. This would be wholly unsuitable within our residential development. The residents directly above and surrounding the premises would not be able to open their windows without hearing music as well as other disturbance. Many families, young and old live at Canary Riverside.

Objection

I object to the application on the grounds of the prevention of public nuisance and the prevention of crime and disorder. Our homes are the 'nearest noise sensitive premises', with our bedrooms and living rooms located directly above the premises.

1. **Prevention of public nuisance - music.** There is no measure proposed in the application – and nor is one possible with an uncovered open-air terrace – to prevent the sound of recorded music drifting upwards. Notably the application omits any mention of the fact it is located within a block of flats. I **object** to the premises being granted a licence permitting the playing of recorded music outside the premises at any time.

If it were to be granted inside the premises it must not be audible outside – including when the entrance door and/or windows are open.

It would be a change from the way the premises have been operating for the past 22 years. Sound travels upwards and affects people sleeping on the fourth floor as much as it does those trying to sleep on the 14th floor. Canary Riverside is not the business district of Canary Wharf. It is a residential estate on the edge of Canary Wharf. If a licence was to be granted permitting the serving of alcohol beyond 21:00 our ability to sleep/enjoy our homes would be changed forever, as neighbouring premises would seek licences on similar terms.

Any inside music should cease by 21:00. The licence should contain the relevant restrictions to ensure that music does not 'leak' from inside the premises, with speakers located at the farthest point from doors and windows.

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Residents in Belgrave Court (a block of flats at the other corner of Canary Riverside) already have to put up with the disturbance from Mala's patrons (37 Westferry Circus), with people using their tables and chairs long after closing time. The outside chairs/tables at Café Brera would be subject to similar late night use by people who have purchased alcohol from the premises.

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3. **Prevention of crime and disorder– sale/supply of alcohol.** Many of the points from 2 above apply to this licensing objective. The premises would become a magnet for people seeking a late night (beyond 9pm) drink, and off-licence sales would enable people to sit on the benches by the river – also beneath our bedroom windows. Unfortunately there is not a Public Spaces Protection Order in operation in this part of the riverfront – the Ropemakers PSPO ends just before reaching Canary Riverside – because, we understand, Canary Wharf Group objected to it extending on property owned by them. It is important to restrict the licensing hours so that Café Brera does not become a drinking establishment and continues to be premises where alcohol is secondary to the supply of food.

To prevent the possibility of crime and disorder in this residential area **the supply of alcohol licensing hours should be restricted to 21:00 at the latest and there should be no outside (or audible outside) recorded music.**

I am told the premises are under new ownership/management, Republiks Ltd, a company with one director who has 66 other directorships, the majority outside of the hospitality sector and is therefore probably a nominee director. There is no 'track record' for residents to check similar premises managed by the applicant.

Finally I wish to raise the recent planning application PA/23/00513/NC for a rooftop restaurant and bar within the Canary Riverside gardens, **an application I have objected to.** The applicant – who is also the Landlord of Café Brera (ie, Republiks Ltd are their commercial tenant) - has sought to justify their application by falsely claiming Canary Riverside is already a noisy area [and so a roof terrace restaurant/bar for 100+ patrons would not impact residents]. The Council would be assisting that application, by turning Canary Riverside into a noisy location, if it were to grant Café Brera a licence that permitted outside music and an alcohol licence beyond 21:00.

I therefore support a **rejection of the licence application** per the above.

Many thanks for your kind attention to this matter.

Yours sincerely

Jonathan Alvin



Corinne Holland

From: Jonathan Alvin [REDACTED]
Sent: 18 August 2023 16:06
To: Licensing
Subject: Fwd: Objection to Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

Follow Up Flag: Follow up
Flag Status: Completed

To Whom It May Concern,

I am re-sending my objection to this License Application LIC/160051.

I have been written to directly by the applicant. I don't know if that is allowed, I question if it was appropriate to do so as it was unsolicited on my part.

Their unsolicited email is as follows:

Begin forwarded message:

From: "Yulia Bliss" [REDACTED]
Subject: Important update on Alcohol License Application for Cafe Brera
Date: 14 July 2023 at 17:14:38 BST
To: "Info @ Cafe Brera" [REDACTED]
Cc: "O erations Trattoria" [REDACTED], "GM Riverside" [REDACTED]
[REDACTED]

Dear Residents,

We hope this email finds you well. We are writing to provide you with an important update regarding the objections raised concerning our alcohol license application for Republiks limited trading as Cafe Brera. We have taken your concerns seriously and have made significant changes to address them in collaboration with the local authorities and relevant professionals.

First and foremost, we want to emphasise that Cafe Brera is not a pub or bar but a family-oriented establishment. Our goal is to create a welcoming and inclusive environment that caters to a variety of patrons, including families and individuals seeking a comfortable and enjoyable dining experience. In response to your concerns, we want to clarify that our food menu will be available until closing time, including hot options, pastas, sandwiches, and snacks. We understand the importance of providing a comprehensive dining experience that complements responsible alcohol consumption. Our intention is to offer a well-rounded menu that satisfies our customers throughout the day.

We would also like to assure you that no music will be played outside the premises during working hours. We recognise the need to maintain a peaceful environment and ensure that any potential noise disturbances are minimised.

Furthermore, we are pleased to inform you that we have accepted the recommendations put forth by the police and environmental officer. We have implemented the following changes to address the concerns raised:

- *Crime and Disorder Prevention:*
- *Installation and maintenance of a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team.*
- *Designation of a staff member who is conversant with the operation of the CCTV system.*
- *Implementation of a Challenge 25 proof of age scheme.*
- *Maintenance of an incident log available for inspection by the police or authorised officers.*
- *Public Nuisance Mitigation:*

- **All sales of alcohol for consumption off the premises will be in sealed containers only, strictly prohibiting their consumption on-site.**
- **Alcohol consumed outside the premises will be limited to patrons seated at tables.**
- **Outside tables and chairs will be rendered unusable at 9pm each day.**
- **Prominent notices will be displayed in smoking areas, requesting patrons to respect the needs of local residents and use the area quietly.**
- **Measures will be in place to remove and prevent litter or waste, ensuring the cleanliness of the area outside the premises.**
-
- **Protection of Children from Harm:**
- **Operation of a Challenge 25 proof of age scheme.**
- **Maintenance of detailed records of all refused sales of alcohol, including outcomes and staff involved.**
-
- **Public Safety:**
- **Windows and external doors will be kept closed during regulated entertainment if there any will be planned, except for the immediate access and egress of persons.**
- **The external area will not be used after 9pm, except for a limited number of patrons temporarily leaving and re-entering the premises.**

Additionally, we have revised our policies to ensure the last sale of alcohol is not later than 10.30pm for consumption inside the premises only or in sealed containers for consumption off the premises. This adjustment allows for sufficient time for customers to "drink up" and facilitates a safe and responsible environment for both patrons and the community.

We strongly believe that these measures address the concerns raised and demonstrate our commitment to being a responsible establishment.

We would also like to extend an invitation to meet with the management of Cafe Brera Riverside during the upcoming week on Tuesday 18/07 at 4pm and Thursday 20/07 at 7pm. This meeting would provide an opportunity to address any remaining concerns you may have and ensure open lines of communication moving forward.

In addition, as a token of goodwill and in appreciation of our neighbours, we would like to offer a permanent 10% discount to all residents. It is important to us that we foster a positive and harmonious relationship with the community.

We sincerely apologise for any inconvenience or apprehension caused by the initial application and assure you that we will make every effort to be a responsible and valued member of the neighbourhood.

Please feel free to contact us info@cafebrera.com to schedule a meeting or discuss any further concerns you may have. We look forward to the opportunity to address any remaining issues and work towards building a mutually beneficial relationship.

We kindly request that if you are satisfied with the implemented changes and do not have any other objections, please send an email to Corinne Holland at licensing@towerhamlets.gov.uk stating that if the mentioned above changes were implemented to Cafe Brera 31 Westferry Circus E14 License application - M/160051, the objection is withdrawn.

We kindly ask you to confirm if you are happy to do so.

Thank you for your understanding and cooperation.

Warm regards,

Cafe Brera Riverside managment

The Applicant states above that "Cafe Brera is not a bar or pub", however they are now promoting Happy Hours for alcoholic cocktails and drinks on large signage outside their premises. See attached image.



EST. 1991

HAPPY HOUR

2 for 1

MONDAY-FRIDAY 6PM-7PM

AVAILABLE ON ALL HOUSE WINES, PROSECCO
DRAUGHT BEER & APEROL SPRITZ ONLY*

Furthermore, the Applicant still has a fixed mounted black external speaker for music on the wall outside the premises which I have concerns will be used to play loud music, located directly below residential addresses. It is obvious and clear that residents will be affected by the nuisance of noise when their windows are open and or closed.

Due to the above actions, I feel it is appropriate to re-send my objection which still stands in its entirety.


Kind regards

Jonathan Alvin



play loud music on the premises

Appendix 16



13th June 2023

The Licensing Section
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY

Dear Sir/Madam

Re: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

I am writing to express my concerns regarding the licence application for the above premises. I believe that the licence application would cause significant public nuisance and increase the risk of crime and disorder.

I live in Canary Riverside, and Café Brera is part of the Canary Riverside estate. I am an Interested Party under the terms of the Licensing Act 2003.

My primary concern is regarding the disturbance that I will encounter from patrons drinking outside until 23:00 (or later, if they have purchase drinks 'off-licence') and from recorded music being played outside and inside the premises.

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- The length of the hours during which alcohol can be served.
- The application to play recorded music outside.

Location

Café Brera is located within residential buildings containing over 100 flats (it is within Hanover House which is joined to Berkeley Tower). The Canary Riverside estate has a total of 325 flats across four blocks. We stand to be significantly impacted by the noise and nuisance that will be caused by the application.

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Residents in Belgrave Court (a block of flats at the other corner of Canary Riverside) already have to put up with the disturbance from Mala's patrons (37 Westferry Circus), with people using their tables and chairs long after closing time. The outside chairs/tables at Café Brera would be subject to similar late night use by people who have purchased alcohol from the premises.

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I therefore support a **rejection of the licence application** per the above.

Yours sincerely

Mrs Alia Alkhudairi

Appendix 17



13th June 2023

The Licensing Section
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY

Dear Sir/Madam

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It would be a change from the way the premises have been operating for the past 22 years. Sound travels upwards and affects people sleeping on the fourth floor as much as it does those trying to sleep on the 14th floor. Canary Riverside is not the business district of Canary Wharf. It is a residential estate on the edge of Canary Wharf. If a licence was to be granted permitting the serving of alcohol beyond 21:00 our ability to sleep/enjoy our homes would be changed forever, as neighbouring premises would seek licences on similar terms.

Any inside music should cease by 21:00. The licence should contain the relevant restrictions to ensure that music does not 'leak' from inside the premises, with speakers located at the farthest point from doors and windows.

2. **Prevention of public nuisance – sale/supply of alcohol.** The proposed licensing hours would make the venue a late-night drinking venue immediately below bedrooms and living rooms. Alcohol and people out to enjoy themselves is an anti-social mix for children, working adults and other residents who are trying to sleep. It only takes one loud conversation between half a dozen people to cause a disturbance, and to grant a licence to 23:00 would open the potential for nightly disturbances seven days a week, inevitably straying well beyond 23:00. It would be a magnet for people seeking a drink and a cigarette in this area.

Residents in Belgrave Court (a block of flats at the other corner of Canary Riverside) already have to put up with the disturbance from Mala's patrons (37 Westferry Circus), with people using their tables and chairs long after closing time. The outside chairs/tables at Café Brera would be subject to similar late night use by people who have purchased alcohol from the premises.

The application contains no mention whatsoever of 'noise' nor the approach to managing noise. It is clear no thought has been given to local residents and the proactive management of noisy patrons **at any time of day**. CCTV is no protection, nor is 'seek the service of a security company in extreme situations'.

It is not just noise from patrons: the clearing up bottles and glasses etc will also cause a disturbance.

The supply of alcohol licensing hours should be restricted to 21:00 at the latest.

There should be appropriate restrictions imposed as part of the licence regarding the management of patrons leaving the premises, responding to noise complaints from residents, clearing up etc.

3. **Prevention of crime and disorder– sale/supply of alcohol.** Many of the points from 2 above apply to this licensing objective. The premises would become a magnet for people seeking a late night (beyond 9pm) drink, and off-licence sales would enable people to sit on the benches by the river – also beneath our bedroom windows. Unfortunately there is not a Public Spaces Protection Order in operation in this part of the riverfront – the Ropemakers PSPO ends just before reaching Canary Riverside – because, we understand, Canary Wharf Group objected to it extending on property owned by

them. It is important to restrict the licensing hours so that Café Brera does not become a drinking establishment and continues to be premises where alcohol is secondary to the supply of food.

To prevent the possibility of crime and disorder in this residential area **the supply of alcohol licensing hours should be restricted to 21:00 at the latest and there should be no outside (or audible outside) recorded music.**

I am told the premises are under new ownership/management, Republiks Ltd, a company with one director who has 66 other directorships, the majority outside of the hospitality sector and is therefore probably a nominee director. There is no 'track record' for residents to check similar premises managed by the applicant.

Finally I wish to raise the recent planning application PA/23/00513/NC for a rooftop restaurant and bar within the Canary Riverside gardens, an application I have objected to. The applicant – who is also the Landlord of Café Brera (ie, Republiks Ltd are their commercial tenant) - has sought to justify their application by falsely claiming Canary Riverside is already a noisy area [and so a roof terrace restaurant/bar for 100+ patrons would not impact residents]. The Council would be assisting that application, by turning Canary Riverside into a noisy location, if it were to grant Café Brera a licence that permitted outside music and an alcohol licence beyond 21:00.

I therefore support a **rejection of the licence application** per the above.

Yours sincerely

Mr Naseer Al-Khudairi

Appendix 18



14 June 2023

The Licensing Section
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY

Dear Sir/Madam

Re: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

I am writing to express my concerns regarding the licence application for the above premises. I believe that the licence application would cause significant public nuisance and increase the risk of crime and disorder.

I live in Canary Riverside, and Café Brera is part of the Canary Riverside estate. I am an Interested Party under the terms of the Licensing Act 2003.

My primary concern is regarding the disturbance that I will encounter from patrons drinking outside until 23:00 (or later, if they have purchase drinks 'off-licence') and from recorded music being played outside and inside the premises.

The application is to grant permission to:

- Play recorded music from 07.00 to 23.00, inside and outside seven days a week.
- Sale/supply of alcohol off and on the premises from 11:00 to 23:00 seven days a week

I object to:

- The length of the hours during which alcohol can be served.
- The application to play recorded music outside.

Location

Café Brera is located within residential buildings containing over 100 flats (it is within Hanover House which is joined to Berkeley Tower). The Canary Riverside estate has a total of 325 flats across four blocks. We stand to be significantly impacted by the noise and nuisance that will be caused by the application.

Since 2001 Café Brera had operated as a café restaurant. There was no recorded music played outside and the premises were generally closed c.8pm-9pm. It had caused me no disturbance, nor am I aware of my neighbours having encountered any disturbance. It operated primarily as a food establishment, ie, it was not a bar.

Since recently opening under the ownership/management of Republiks Ltd, with a temporary licence, residents have already had cause to complain to the estate manager about the disturbance being caused by the music and patrons. Early indications are that the new owners

intend to move away from the quiet café/restaurant that Café Brera has been for the past 22 years. This would be wholly unsuitable within our residential development.

Objection

I object to the application on the grounds of the prevention of public nuisance and the prevention of crime and disorder. Our homes are the 'nearest noise sensitive premises', with our bedrooms and living rooms located directly above the premises.

1. **Prevention of public nuisance - music.** There is no measure proposed in the application – and nor is one possible with an uncovered open-air terrace – to prevent the sound of recorded music drifting upwards. Notably the application omits any mention of the fact it is located within a block of flats. I **object** to the premises being granted a licence permitting the playing of recorded music **outside the premises at any time**.

If it were to be granted inside the premises it **must not be audible outside** – including when the entrance door and/or windows are open.

It would be a change from the way the premises have been operating for the past 22 years. Sound travels upwards and affects people sleeping on the fourth floor as much as it does those trying to sleep on the 14th floor. Canary Riverside is not the business district of Canary Wharf. It is a residential estate on the edge of Canary Wharf. If a licence was to be granted permitting the serving of alcohol beyond 21:00 our ability to sleep/enjoy our homes would be changed forever, as neighbouring premises would seek licences on similar terms.

Any inside music should cease by 21:00. The licence should contain the relevant restrictions to ensure that music does not 'leak' from inside the premises, with speakers located at the farthest point from doors and windows.

2. **Prevention of public nuisance – sale/supply of alcohol.** The proposed licensing hours would make the venue a late-night drinking venue immediately below bedrooms and living rooms. Alcohol and people out to enjoy themselves is an anti-social mix for children, working adults and other residents who are trying to sleep. It only takes one loud conversation between half a dozen people to cause a disturbance, and to grant a licence to 23:00 would open the potential for nightly disturbances seven days a week, inevitably straying well beyond 23:00. It would be a magnet for people seeking a drink and a cigarette in this area.

Residents in Belgrave Court (a block of flats at the other corner of Canary Riverside) already have to put up with the disturbance from Mala's patrons (37 Westferry Circus), with people using their tables and chairs long after closing time. The outside chairs/tables at Café Brera would be subject to similar late night use by people who have purchased alcohol from the premises.

The application contains no mention whatsoever of 'noise' nor the approach to managing noise. It is clear no thought has been given to local residents and the proactive management of noisy patrons at any time of day. CCTV is no protection, nor is 'seek the service of a security company in extreme situations'.

It is not just noise from patrons: the clearing up bottles and glasses etc will also cause a disturbance.

The supply of alcohol licensing hours should be restricted to 21:00 at the latest.

There should be appropriate restrictions imposed as part of the licence regarding the management of patrons leaving the premises, responding to noise complaints from residents, clearing up etc.

3. **Prevention of crime and disorder– sale/supply of alcohol.** Many of the points from 2 above apply to this licensing objective. The premises would become a magnet for people seeking a late night (beyond 9pm) drink, and off-licence sales would enable people to sit on the benches by the river – also beneath our bedroom windows. Unfortunately there is not a Public Spaces Protection Order in operation in this part of the riverfront – the Ropemakers PSPO ends just before reaching Canary Riverside – because, we understand, Canary Wharf Group objected to it extending on property owned by

them. It is important to restrict the licensing hours so that Café Brera does not become a drinking establishment and continues to be premises where alcohol is secondary to the supply of food.

To prevent the possibility of crime and disorder in this residential area **the supply of alcohol licensing hours should be restricted to 21:00 at the latest and there should be no outside (or audible outside) recorded music.**

I am told the premises are under new ownership/management, Republiks Ltd, a company with one director who has 66 other directorships, the majority outside of the hospitality sector and is therefore probably a nominee director. There is no 'track record' for residents to check similar premises managed by the applicant.

Finally I wish to raise the recent planning application PA/23/00513/NC for a rooftop restaurant and bar within the Canary Riverside gardens, an application I have objected to. The applicant – who is also the Landlord of Café Brera (ie, Republiks Ltd are their commercial tenant) – has sought to justify their application by falsely claiming Canary Riverside is already a noisy area [and so a roof terrace restaurant/bar for 100+ patrons would not impact residents]. The Council would be assisting that application, by turning Canary Riverside into a noisy location, if it were to grant Café Brera a licence that permitted outside music and an alcohol licence beyond 21:00.

I therefore support a **rejection of the licence application** per the above.

Yours sincerely

A black rectangular box redacting the signature of Rosemary Bischoff.

Rosemary Bischoff

Appendix 19

14 June 2023

The Licensing Section
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY

Dear Sir/Madam

Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

We are writing to express our concerns regarding the licence application for the above premises. We believe that the licence application would cause significant public nuisance and increase the risk of crime and disorder.

We live in Canary Riverside, and Café Brera is part of the Canary Riverside estate. We are Interested Parties under the terms of the Licensing Act 2003.

Our primary concern is regarding the disturbance that we will encounter from recorded music being played outside and inside the premises and also from patrons drinking outside until 23:00 (or later, if they have purchased drinks 'off-licence').

The application is to grant permission to:

- Play recorded music from 07.00 to 23.00, inside and outside seven days a week.
- Sale/supply of alcohol off and on the premises from 11:00 to 23:00 seven days a week

We object to:

- The length of the hours during which alcohol can be served.
- The application to play recorded music outside.

To prevent the possibility of crime and disorder in this residential area **the supply of alcohol licensing hours should be restricted to 21:00 at the latest and there should be no outside (or audible outside) recorded music.**

Location

Café Brera is located within quietly appointed residential buildings containing over 100 flats (it is within Hanover House which is joined to Berkeley Tower). The Canary Riverside estate has a total of 325 flats across four blocks. We will be significantly impacted by the noise and nuisance that will be caused by the application.

Since 2001 Café Brera had operated as a café restaurant. There was no recorded music played outside and the premises closed at 8pm. It had caused us no disturbance, nor are we aware of our neighbours having encountered any disturbance. It operated primarily as a coffee and food establishment and it was not a bar.

Since recently opening under the ownership/management of Republiks Ltd, with a temporary licence, residents have been forced to make complaints about the disturbance being caused by the music and patrons. Early indications are that the new owners are playing music outside and are far more noisy than the quiet café/restaurant that Café Brera has been for the past 22 years. This is wholly unsuitable within our residential development.

Objection

We object to the application on the grounds of the prevention of public nuisance and the prevention of crime and disorder. The Canary Riverside homes are the 'nearest sensitive premises', with bedrooms and living rooms located directly above the premises.

1. **Prevention of public nuisance - music.** There is no measure proposed in the application – and nor is one possible with an uncovered open-air terrace – to prevent the sound of recorded music drifting upwards. Notably the application omits any mention of the fact it is located within a block of residential flats. We object to the premises being granted a licence permitting the playing of recorded music outside the premises at any time.

If it were to be granted inside the premises it must not be audible outside – including when the entrance door and/or windows are open.

It would be a change from the way the premises have been operating for the past 22 years. Sound travels upwards and affects people sleeping on the fourth floor as much as it does those trying to sleep on the 14th floor. Canary Riverside is not the business district of Canary Wharf. It is a residential estate on the edge of Canary Wharf. If a licence was to be granted permitting the serving of alcohol beyond 21:00 our ability to sleep/enjoy our homes would be changed forever. It also sets a precedent for neighbouring premises to seek licences on similar terms.

Any inside music should cease by 21:00. The licence should contain the relevant restrictions to ensure that music does not 'leak' from inside the premises, with speakers located at the farthest point from doors and windows.

2. **Prevention of public nuisance – sale/supply of alcohol.** The proposed licensing hours would make the venue a late-night drinking venue immediately below bedrooms and living rooms. Alcohol and people out to enjoy themselves is an anti-social mix for children, working adults and other residents who are trying to sleep. It only takes one loud conversation between half a dozen people to cause a disturbance, and to grant a licence to 23:00 would open the potential for nightly disturbances seven days a week, inevitably straying well beyond 23:00. It would be a magnet for people seeking a drink and a cigarette in this area.

The application contains no mention whatsoever of 'noise' nor the approach to managing noise. It is clear no thought has been given to local residents and the proactive management of noisy patrons at any time of day. CCTV is no protection, nor is 'seek the service of a security company in extreme situations'.

It is not just noise from patrons: the clearing up bottles and glasses and the movement of chairs and tables will also cause a disturbance.

Because of the location within residential premises, supply of alcohol licensing hours should be restricted to 21:00 at the latest. There should be appropriate restrictions imposed as part of the licence regarding the management of patrons leaving the premises, responding to noise complaints from residents, clearing up and stacking chairs and tables.

3. **Prevention of crime and disorder– sale/supply of alcohol.** Many of the points from 2 above apply to this licensing objective. The premises would become a magnet for people seeking a late night (beyond 9pm) drink, and off-licence sales would enable people to sit on the benches by the river – also beneath our bedroom windows. Unfortunately there is not a Public Spaces Protection Order in operation in this part of the riverfront – the Ropemakers PSPO ends just before reaching Canary Riverside – because, we understand, Canary Wharf Group objected to it extending on property owned by them. It is important to restrict the licensing hours so that Café Brera does not become a drinking establishment and that it continues to be premises where alcohol is secondary to the supply of food.

We would note the recent planning application PA/23/00513/NC for a rooftop restaurant and bar within the Canary Riverside gardens, an application we have objected to. The applicant – who is also the Landlord of Café Brera (ie, Republiks Ltd are their commercial tenant) - has sought to justify their application by falsely claiming Canary Riverside is already a noisy area. The Council would be assisting that application, by turning Canary Riverside into a noisy location, if it were to grant Café Brera a licence that permitted outside music and an alcohol licence beyond 21:00.

We therefore support a **rejection of the licence application** per the above.

Yours faithfully,

Jeffery Drew and Ann Davies

Appendix 20

Corinne Holland

From: Licensing
Sent: 14 June 2023 17:34
To: Corinne Holland
Subject: FW: Cafe Brera Licence Application LIC/160051, 31 Westferry Circus, E14 8RR

From: Paul Hillman <[REDACTED]>
Sent: Wednesday, June 14, 2023 3:57 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Cc: Claudine Ahrens-Hillman <[REDACTED]>
Subject: Cafe Brera Licence Application LIC/160051, 31 Westferry Circus, E14 8RR

To:

The Licensing Section

London Borough of Tower Hamlets

Mulberry Place (AH)

PO Box 55739

5 Clove Crescent

London

E14 1BY

From:

P A Hillman and C Ahrens-Hillman

[REDACTED]

[REDACTED]

[REDACTED]

Dear Sir/Madam

Re: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

We are writing to express our extreme concerns regarding the licence application for the above premises. We believe that the granting of the licence applied for would cause significant public nuisance and increase the risk of crime and disorder.

We live in Hanover House, part of the Canary Riverside Estate. Café Brera is located on the ground floor of Hanover House and is also a part of the Canary Riverside Estate. We are Interested Parties under the terms of the Licensing Act 2003.

Our primary concern is regarding the disturbance that we will encounter from:

- i) patrons drinking outside until 23:00 (or later, if they have purchased drinks 'off-licence') and
- ii) recorded music being played outside and inside the premises until 23:00

The application is to grant permission to:

- Play recorded music from 07.00 to 23.00, inside and outside, seven days a week.
- Sell/supply alcohol off and on the premises from 11:00 to 23:00, seven days a week

We object to:

- The length of the hours during which alcohol can be served.
- The application to play recorded music outside.

Location

Café Brera is located within residential buildings containing over 100 flats (it is within Hanover House and is joined to Berkeley Tower). The Canary Riverside estate has a total of 325 flats across four blocks. We stand to be significantly impacted by the noise and nuisance that will be caused by the application.

Since 2001 Café Brera had operated as a café restaurant. There was no recorded music played outside and the premises generally closed between 8pm-9pm. It had caused us no disturbance, nor are we aware of our neighbours having encountered any disturbance. It operated primarily as a food establishment, ie, it was not a bar.

Since recently opening under the ownership/management of Republiks Ltd, with a temporary licence, residents have already had cause to complain to the estate manager about the disturbance being caused by the music and patrons. Early indications are that the new owners intend to move away from the quiet café/restaurant that Café Brera has been for the past 22 years to a bar principally selling alcohol late into the evening. This would be wholly unsuitable within our residential development.

Objection

We object to the application on the grounds of the prevention of public nuisance and the prevention of crime and disorder. Our homes are the 'nearest noise sensitive premises', with our bedrooms and living rooms located directly above the premises.

1. **Prevention of public nuisance - music.** There is no measure proposed in the application – and nor is one possible with an uncovered open-air terrace – to prevent the sound of recorded music drifting upwards. Notably the application omits any mention of the fact it is located within a block of flats (residential properties.)

We object to the premises being granted a licence permitting the playing of recorded music outside the premises at any time.

If playing of music were to be granted inside the premises, recorded music must not be audible outside – including when the entrance door and/or windows are open. Any licence which may be granted should contain the relevant restrictions to ensure that music does not 'leak' from inside the premises, for example, with speakers located at the farthest point from doors and windows.

Any inside music should cease by 21:00.

It would be a principal change from the way the premises have been operating for the past 22 years. Sound travels upwards and affects people sleeping on the fourth floor as much as it does those trying to sleep on the 14th floor. Canary Riverside is not the business district of Canary Wharf. It is a residential estate on the edge of Canary Wharf. If a licence were to be granted our ability to sleep/enjoy our homes would be changed forever, not only from the proposed Brera bar, but also from other neighbouring premises who would seek licences on similar terms.

2. **Prevention of public nuisance – sale/supply of alcohol.** The proposed licensing hours would make the venue a late-night drinking venue immediately below bedrooms and living rooms. Alcohol and people out to enjoy themselves is an anti-social mix for children, working adults and other residents who are trying to sleep. It only takes one loud conversation between half a dozen people to cause a disturbance, and to grant a licence to 23:00 would open the potential for nightly disturbances seven days a week, inevitably straying well beyond 23:00. It would be a magnet for people seeking a drink and a cigarette in this area.

Residents in Belgrave Court (a block of flats at the other corner of Canary Riverside) already have to put up with the disturbance from Mala's patrons (37 Westferry Circus), with people using their tables and chairs long after closing time. The outside chairs/tables at Café Brera would be subject to similar late night use by people who have purchased alcohol from the premises.

The application contains no mention whatsoever of 'noise' nor the approach to managing noise. It is clear no thought has been given to local residents and the proactive management of noisy patrons at any time of day. CCTV is no protection, nor is 'seek the service of a security company in extreme situations'.

It is not just noise from patrons, the clearing up bottles and glasses etc will also cause a disturbance.

The supply of alcohol licensing hours should be restricted to 21:00 at the latest. There should be appropriate restrictions imposed as part of the licence regarding the management of patrons leaving the premises, responding to noise complaints from residents, clearing up etc.

3. **Prevention of crime and disorder– sale/supply of alcohol.** Many of the points from 2 above apply to this licensing objective. The premises would become a magnet for people seeking a late night (beyond 9pm) drink, and off-licence sales would enable people to sit on the benches by the river – also beneath our bedroom windows. Unfortunately there is not a Public Spaces Protection Order in operation in this part of the riverfront – the Ropemakers PSPO ends just before reaching Canary Riverside – because, we understand, Canary Wharf Group objected to it extending on to property owned by them. It is important to restrict the licensing hours so that Café Brera does not become a drinking establishment and continues to be premises where alcohol is secondary to the supply of food.

To prevent the possibility of crime and disorder in this residential area **the supply of alcohol licensing hours should be restricted to 21:00 at the latest and there should be no outside (or audible outside) recorded music at any time**

We are told the premises are under new ownership/management, Republiks Ltd, a company with one director who has 66 other directorships, the majority outside of the hospitality sector and is therefore probably a nominee director. There is therefore no 'track record' for residents or the Council to check similar premises managed by the applicant.

We therefore support a **rejection of the licence application** for the reasons set out above.

Regards

P A Hillman and C Ahrens-Hillman

Appendix 21

T: + [REDACTED]
+ [REDACTED]
E: [REDACTED]

15 June 2023

The Licensing Section
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY

(by email only)

Dear Sir/Madam

Re: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

I am writing on behalf of the two co-owners of [REDACTED] ie Clare Sullivan and myself, to express our profound concerns regarding the licence application for the above premises. We believe that the licence application would cause significant public nuisance and increase the risk of crime and disorder.

Café Brera is part of the Canary Riverside estate where our property is situated. We are therefore an Interested Party under the terms of the Licensing Act 2003.

The application is to grant permission to:

- Play recorded music from 07.00 to 23.00, inside and outside seven days a week; and,
- Sale/supply of alcohol off and on the premises from 11:00 to 23:00 seven days a week.

Our primary concern is regarding the disturbance which would inevitably be caused by patrons drinking outside until 23:00 (or later, if they have purchase drinks 'off-licence') and from recorded music being played outside and inside the premises.

We therefore object to:

- The length of the hours during which alcohol can be served; and,
- The application to play recorded music outside.

Location

Café Brera is located within residential buildings containing over 100 flats (it is within Hanover House which is joined to Berkeley Tower). The Canary Riverside estate has a total of 325 flats across four blocks. We stand to be significantly impacted by the noise and nuisance which will be caused by the application.

Since 2001 Café Brera had operated as a café restaurant. There was no recorded music played outside and the premises were generally closed c.8pm-9pm. It had caused us no disturbance, nor are we aware of our neighbours having encountered any disturbance. It operated primarily as a food establishment, ie it was not a bar.

Since recently opening under the ownership/management of Republiks Ltd, with a temporary licence, residents have already had cause to complain to the estate manager about the disturbance being caused by the music and patrons. Early indications are that the new owners intend to move away from the quiet café/restaurant that Café Brera has been for the past 22 years. This would be wholly unsuitable within our residential development.

Objection

We object to the application on the grounds of the prevention of public nuisance and the prevention of crime and disorder. Our homes are the 'nearest noise sensitive premises', with bedrooms and living rooms located ~~directly above the premises~~.

1. **Prevention of public nuisance — music.** There is no measure proposed in the application – and nor is one possible with an uncovered open-air terrace – to prevent the sound of recorded music drifting upwards. Notably, the application omits any mention of the fact it is located within a block of flats. We object to the premises being granted a licence permitting the playing of recorded music outside the premises at any time.

If it were to be granted inside the premises it must not be audible outside – including when the entrance door and/or windows are open.

It would be a change from the way the premises have been operating for the past 22 years. Sound travels upwards and affects people sleeping on the fourth floor as much as it does those trying to sleep on the 14th floor. Canary Riverside is not the business district of Canary Wharf. It is a residential estate on the edge of Canary Wharf. If a licence were to be granted permitting the serving of alcohol beyond 21:00 residents' ability to sleep/enjoy their home would be changed forever as neighbouring premises would seek licences on similar terms.

Any inside music should cease by 21:00. The licence should contain the relevant restrictions to ensure that music does not 'leak' from inside the premises, with speakers located at the farthest point from doors and windows.

2. **Prevention of public nuisance — sale/supply of alcohol.** The proposed licensing hours would make the venue a late-night drinking venue immediately below bedrooms and living rooms. Alcohol and people out to enjoy themselves are an anti-social mix for children, working adults and other residents who are trying to sleep. It only takes one loud conversation between half a dozen people to cause a disturbance; to grant a licence to 23:00 would open the potential for nightly disturbances seven days a week, inevitably straying well beyond 23:00. It would be a magnet for people seeking a drink and a cigarette in this area.

Residents in Belgrave Court (a block of flats at the other corner of Canary Riverside) already have to put up with the disturbance from Mala's patrons (37 Westferry Circus), with people using their tables and chairs long after closing time. The outside chairs/tables at Café Brera would be subject to similar late night use by people who have purchased alcohol from the premises.

The application contains no mention whatsoever of 'noise' nor an approach to managing noise. It appears that no thought has been given to local residents and the proactive management of noisy patrons at any time of day. CCTV is no protection, nor is 'seek the service of a security company in extreme situations'.

It is not just noise from patrons: the clearing up bottles and glasses etc will also cause a disturbance.

The supply of alcohol licensing hours should be restricted to 21:00 at the latest. There should be appropriate restrictions imposed as part of the licence regarding the management of patrons leaving the premises, responding to noise complaints from residents, clearing up etc.

3. **Prevention of crime and disorder — sale/supply of alcohol.** Many of the points from 2 above apply. The premises would become a magnet for people seeking a late night (beyond 9pm) drink, and off-licence sales would enable people to sit on the benches by the river –

also beneath bedroom windows. Unfortunately there is not a Public Spaces Protection Order in operation in this part of the riverfront – the Ropemakers PSPO ends just before reaching Canary Riverside – because, we understand, Canary Wharf Group objected to it extending on property owned by them. It is important to restrict the licensing hours so that Café Brera does not become a drinking establishment and continues to be premises where alcohol is secondary to the supply of food.

To prevent the possibility of crime and disorder in this residential area the supply of alcohol licensing hours should be restricted to 21:00 at the latest and there should be no outside (or audible outside) recorded music.

We are told that the premises are under new ownership/management, Republiks Ltd, a company with one director who has 66 other directorships, the majority outside of the hospitality sector and is therefore probably a nominee director. There is no 'track record' for residents to check similar premises managed by the applicant.

Finally we wish to raise the recent planning application PA/23/00513/NC for a rooftop restaurant and bar within the Canary Riverside gardens, an application to which we have also registered our objections. The applicant – who is also the Landlord of Café Brera (ie, Republiks Ltd is his commercial tenant) — has sought to justify their application by falsely claiming Canary Riverside is already a noisy area [and so, he wrongly claims, a roof terrace restaurant/bar for 100+ patrons would not impact residents]. The Council would be assisting that application by turning Canary Riverside into a noisy location, if it were to grant Café Brera a licence which permitted outside music and an alcohol licence beyond 21:00.

We therefore support a **rejection of the licence application** per the above.

Yours faithfully

A large black rectangular redaction box covering the signature of the sender.

Alastair Newton

Four horizontal black rectangular redaction boxes covering contact information, likely a phone number and email address.

T: + [REDACTED]
+ [REDACTED]
E: [REDACTED] 3 [REDACTED]

15 July 2023

The Licensing Section
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY

(by email only)

Dear Sir/Madam

Re: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

I am writing further to my letter to you of 15 June on behalf of the two co-owners of [REDACTED] Clare Sullivan and myself, to reiterate our profound concerns regarding the licence application for the above premises. This follows receipt of a lobbying letter dated 14 July from 'Café Brera Riverside Management'. Despite the points made in this letter we continue to believe that the granting of as licence would inevitably result in a significant public nuisance and increase the risk of crime and disorder.

Without going through the specifics again, I would therefore like to confirm that we continue to support a **rejection of the licence application**.

Yours faithfully

[REDACTED]

Alastair Newton

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

Appendix 22

[REDACTED]
[REDACTED]
[REDACTED]

15 June 2023

The Licensing Section
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY

Dear Sir/Madam

Re: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

I am writing to express my concerns regarding the licence application for the above premises. I believe that the licence application would cause significant public nuisance and increase the risk of crime and disorder.

I live in Canary Riverside, and Café Brera is part of the Canary Riverside estate. I am an Interested Party under the terms of the Licensing Act 2003.

My primary concern is regarding the disturbance that I will encounter from patrons drinking outside until 23:00 (or later, if they have purchase drinks 'off-licence') and from recorded music being played outside and inside the premises.

The application is to grant permission to:

- Play recorded music from 07.00 to 23.00, inside and outside seven days a week.
- Sale/supply of alcohol off and on the premises from 11:00 to 23:00 seven days a week

I object to:

- The length of the hours during which alcohol can be served.
- The application to play recorded music outside.

Location

Café Brera is located within residential buildings containing over 100 flats (it is within Hanover House which is joined to Berkeley Tower). The Canary Riverside estate has a total of 325 flats across four blocks. We stand to be significantly impacted by the noise and nuisance that will be caused by the application.

Since 2001 Café Brera had operated as a café restaurant. There was no recorded music played outside and the premises were generally closed c.8pm-9pm. It had caused me no disturbance, nor am I aware of my neighbours having encountered any disturbance. It operated primarily as a food establishment, ie, it was not a bar.

Since recently opening under the ownership/management of Republiks Ltd, with a temporary licence, residents have already had cause to complain to the estate manager about the disturbance being caused by the music and patrons. Early indications are that the new owners

intend to move away from the quiet café/restaurant that Café Brera has been for the past 22 years. This would be wholly unsuitable within our residential development.

Objection

I object to the application on the grounds of the prevention of public nuisance and the prevention of crime and disorder. Our homes are the 'nearest noise sensitive premises', with our bedrooms and living rooms located directly above the premises.

1. **Prevention of public nuisance - music.** There is no measure proposed in the application – and nor is one possible with an uncovered open-air terrace – to prevent the sound of recorded music drifting upwards. Notably the application omits any mention of the fact it is located within a block of flats. I **object** to the premises being granted a licence permitting the playing of recorded music **outside the premises at any time**.

If it were to be granted inside the premises it **must not be audible outside** – including when the entrance door and/or windows are open.

It would be a change from the way the premises have been operating for the past 22 years. Sound travels upwards and affects people sleeping on the fourth floor as much as it does those trying to sleep on the 14th floor. Canary Riverside is not the business district of Canary Wharf. It is a residential estate on the edge of Canary Wharf. If a licence was to be granted permitting the serving of alcohol beyond 21:00 our ability to sleep/enjoy our homes would be changed forever, as neighbouring premises would seek licences on similar terms.

Any inside music should cease by 21:00. The licence should contain the relevant restrictions to ensure that music does not 'leak' from inside the premises, with speakers located at the farthest point from doors and windows.

2. **Prevention of public nuisance – sale/supply of alcohol.** The proposed licensing hours would make the venue a late-night drinking venue immediately below bedrooms and living rooms. Alcohol and people out to enjoy themselves is an anti-social mix for children, working adults and other residents who are trying to sleep. It only takes one loud conversation between half a dozen people to cause a disturbance, and to grant a licence to 23:00 would open the potential for nightly disturbances seven days a week, inevitably straying well beyond 23:00. It would be a magnet for people seeking a drink and a cigarette in this area.

Residents in Belgrave Court (a block of flats at the other corner of Canary Riverside) already have to put up with the disturbance from Mala's patrons (37 Westferry Circus), with people using their tables and chairs long after closing time. The outside chairs/tables at Café Brera would be subject to similar late night use by people who have purchased alcohol from the premises.

The application contains no mention whatsoever of 'noise' nor the approach to managing noise. It is clear no thought has been given to local residents and the proactive management of noisy patrons **at any time of day**. CCTV is no protection, nor is 'seek the service of a security company in extreme situations'.

It is not just noise from patrons: the clearing up bottles and glasses etc will also cause a disturbance.

The supply of alcohol licensing hours should be restricted to 21:00 at the latest.

There should be appropriate restrictions imposed as part of the licence regarding the management of patrons leaving the premises, responding to noise complaints from residents, clearing up etc.

3. **Prevention of crime and disorder– sale/supply of alcohol.** Many of the points from 2 above apply to this licensing objective. The premises would become a magnet for people seeking a late night (beyond 9pm) drink, and off-licence sales would enable people to sit on the benches by the river – also beneath our bedroom windows. Unfortunately there is not a Public Spaces Protection Order in operation in this part of the riverfront – the Ropemakers PSPO ends just before reaching Canary Riverside – because, we understand, Canary Wharf Group objected to it extending on property owned by

them. It is important to restrict the licensing hours so that Café Brera does not become a drinking establishment and continues to be premises where alcohol is secondary to the supply of food.

To prevent the possibility of crime and disorder in this residential area **the supply of alcohol licensing hours should be restricted to 21:00 at the latest and there should be no outside (or audible outside) recorded music.**

I am told the premises are under new ownership/management, Republiks Ltd, a company with one director who has 66 other directorships, the majority outside of the hospitality sector and is therefore probably a nominee director. There is no 'track record' for residents to check similar premises managed by the applicant.

Finally I wish to raise the recent planning application PA/23/00513/NC for a rooftop restaurant and bar within the Canary Riverside gardens, an application I have objected to. The applicant – who is also the Landlord of Café Brera (ie, Republiks Ltd are their commercial tenant) - has sought to justify their application by falsely claiming Canary Riverside is already a noisy area [and so a roof terrace restaurant/bar for 100+ patrons would not impact residents]. The Council would be assisting that application, by turning Canary Riverside into a noisy location, if it were to grant Café Brera a licence that permitted outside music and an alcohol licence beyond 21:00.

I therefore support a **rejection of the licence application** per the above.

Yours sincerely

SIGNED

Gavin Rodney Opperman

Appendix 23

MR CHENG SEN LIM



The Licensing Section
London Borough of Tower Hamlets
Tower Hamlet Town Hall
4th Floor
160 Whitechapel Road
London E1 1BJ

13 June 2023

Dear Sir/Madam

Re: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

I am writing to express my concerns regarding the licence application for the above premises. I believe that the licence application would cause significant public nuisance and increase the risk of crime and disorder.

I live in Canary Riverside, and Café Brera is part of the Canary Riverside estate. I am an Interested Party under the terms of the Licensing Act 2003.

My primary concern is regarding the disturbance that I will encounter from patrons drinking outside until 23:00 (or later, if they have purchase drinks ‘off-licence’) and from recorded music being played outside and inside the premises.

The application is to grant permission to:

- Play recorded music from 07.00 to 23.00, inside and outside seven days a week.
- Sale/supply of alcohol off and on the premises from 11:00 to 23:00 seven days a week

I object to:

- The length of the hours, especially late at nights, during which alcohol can be served.
- The application to play recorded music outside, which can be disturbing even without amplification.

Location

Café Brera is located within residential buildings containing over 100 flats (it is within Hanover House which is joined to Berkeley Tower). The Canary Riverside estate has a total of 325 flats across four blocks. We stand to be significantly impacted by the noise and nuisance that will be caused by the application.

Since 2001 Café Brera had operated as a café restaurant. There was no recorded music played outside and the premises were generally closed after 8pm. It had caused me no discomfort, nor am I aware of any neighbours having encountered any disturbances. It operated primarily as a food establishment, as opposed a bar.

Since recently opening under the ownership/management of Republiks Ltd, with a temporary licence, residents have already had cause to complain to the estate manager about the disturbance being caused by the music and patrons. Early indications are that the new owners intend to move away from the quiet café/restaurant that Café Brera has been for the past 22 years. This would be wholly unsuitable within our mainly residential development.

Objection

I object to the application on the grounds of the prevention of public nuisance and the prevention of crime and disorder. Our homes are the 'nearest noise sensitive premises', with our bedrooms and living rooms located directly above the premises.

1. **Prevention of public nuisance - music.** There is no measure proposed in the application – and nor is one possible with an uncovered open-air terrace – to prevent the sound of recorded music drifting upwards. Notably the application omits any mention of the fact it is located within a block of flats. I **object** to the premises being granted a licence permitting the playing of recorded music **outside the premises at any time**.

If recorded music is granted inside the premises it **must not be audible outside** – including when the entrance door and/or windows are open.

Sound travels upwards and affects people sleeping on the lower floors as much as it does those trying to sleep on the upper floors. Canary Riverside is not the business district of Canary Wharf. It is a residential estate on the edge of Canary Wharf. If a licence was to be granted permitting the serving of alcohol beyond 21:00 our ability to sleep/enjoy our homes would be changed forever, as neighbouring premises would seek licences on similar terms.

Any inside music should cease by 21:00. The licence should contain the relevant restrictions to ensure that music does not 'leak' from inside the premises, with speakers located at the farthest point from doors and windows.

2. **Prevention of public nuisance – sale/supply of alcohol.** The proposed licensing hours would make the venue a late-night drinking venue immediately below bedrooms and living rooms. Alcohol and people out to enjoy themselves

is an anti-social mix for children, working adults and other residents who are trying to sleep. It only takes one loud conversation between half a dozen people to cause a disturbance, and to grant a licence to 23:00 would open the potential for nightly disturbances seven days a week, inevitably straying well beyond 23:00. It would be a magnet for people seeking a drink and a cigarette in this area.

The application contains no mention whatsoever of ‘noise’ nor the approach to managing noise. It is clear no thought has been given to local residents and the proactive management of noisy patrons *at any time of day*. CCTV is no protection, nor is ‘seek the service of a security company in extreme situations’.

It is not just noise from patrons: the clearing up bottles and glasses etc will also cause a disturbance.

The supply of alcohol licensing hours should be restricted to 21:00 at the latest. There should be appropriate restrictions imposed as part of the licence regarding the management of patrons leaving the premises, responding to noise complaints from residents, clearing up etc.

3. **Prevention of crime and disorder– sale/supply of alcohol.** Many of the points from 2 above apply to this licensing objective. The premises would become a magnet for people seeking a late night (beyond 9pm) drink, and off-licence sales would enable people to sit on the benches by the river – also beneath our bedroom windows. Unfortunately there is not a Public Spaces Protection Order in operation in this part of the riverfront – the Ropemakers PSPO ends just before reaching Canary Riverside – because, we understand, Canary Wharf Group objected to it extending on property owned by them. It is important to restrict the licensing hours so that Café Brera does not become a drinking establishment and continues to be premises where alcohol is secondary to the supply of food.

To prevent the possibility of crime and disorder in this residential area **the supply of alcohol licensing hours should be restricted to 21:00 at the latest and there should be no outside (or audible outside) recorded music.**

I am told the premises are under new ownership/management, Republiks Ltd, a company with one director who has 66 other directorships, the majority outside of the hospitality sector and is therefore probably a nominee director. There is no ‘track record’ for residents to check similar premises managed by the applicant.

Finally, I wish to raise the recent planning application PA/23/00513/NC for a rooftop restaurant and bar within the Canary Riverside gardens, an application I have objected to. The applicant – who is also the Landlord of Café Brera (Republiks Ltd are their commercial tenant) - has sought to justify their application by falsely claiming Canary Riverside is already a noisy area and so a roof terrace restaurant/bar for 100+ patrons

would not impact residents. The Council would be assisting that application, by turning Canary Riverside into a noisy location, if it were to grant Café Brera a licence that permitted outside music and an alcohol licence beyond 21:00.

I therefore support a **rejection of the licence application** per the above.

Yours sincerely

Signed

Cheng Sen Lim

Appendix 24

From: Natasha <[REDACTED]>
Sent: 18 June 2023 21:45
To: Licensing
Subject: Café Brera Licence Application LIC/160051

Dear Sir/Madam,

Re: Café Brera Licence Application LIC/160051- 31 Westferry Circus, London E14 8RR

I am writing to you again with a fuller response as you did not have my full address and I would like to raise some additional points in relation to this matter.

I live in Canary Riverside, and Café Brera is part of the Canary Riverside estate. I am an Interested Party under the terms of the Licensing Act 2003.

I am writing to express my concerns regarding the licence application for the above premises. I believe that the licence application would cause significant public nuisance and increase the risk of crime and disorder. In addition, it would cause a huge disruption to my life as a resident in Canary Riverside along with the lives of my neighbours.

I live in [REDACTED] and the noise is already sometimes intolerable once the summer months start from people eating/walking and the river restaurants cruising along the river. To have this throughout the year would be awful. I am a Consultant Radiologist who works at Barts NHS Trust. I am frequently on call and also report from home, therefore I am required to report important emergency and routine imaging which affects the management of patient care both within the hospital and outpatient environment. I am very concerned that the noise and disturbance caused by the application to 'play recorded music from 07.00 to 23.00, inside and outside seven days a week' and the 'Sale/supply of alcohol off and on the premises from 11:00 to 23:00 seven days a week' will cause a huge disruption to my ability to do my job and have any quiet/rest time during those hours when in my apartment. In addition, I also have to work on-call shifts including nights and weekends so my ability to rest and sleep during the day on these occasions will also prove to be extremely difficult. I am aware since Covid many people in Canary Riverside also work from home and so they too would also find it near impossible to work if the proposed application was granted.

I therefore strongly object to the length of the hours during which alcohol can be served and the application to play recorded music outside.

My family have owned this apartment in [REDACTED] since 2000 and purchased it knowing it was in a residential area with respect for its' residents with regard to noise disturbance and commercial properties not encouraging disturbance and antisocial behaviour with applications such as this that call for music and the sale of alcohol for long hours in a premises just next to residents apartment.

I totally support the statement written below by the Canary Riverside residents association:

I am writing to express my concerns regarding the licence application for the above premises. I believe that the licence application would cause significant public nuisance and increase the risk of crime and disorder.

I live in Canary Riverside, and Café Brera is part of the Canary Riverside estate. I am an Interested Party under the terms of the Licensing Act 2003.

My primary concern is regarding the disturbance that I will encounter from patrons drinking outside until 23:00 (or later, if they have purchase drinks 'off-licence') and from recorded music being played outside and inside the premises.

The application is to grant permission to:

- Play recorded music from 07.00 to 23.00, inside and outside seven days a week.
- Sale/supply of alcohol off and on the premises from 11:00 to 23:00 seven days a week

I object to:

- The length of the hours during which alcohol can be served.
- The application to play recorded music outside.

Location

Café Brera is located within residential buildings containing over 100 flats (it is within Hanover House which is joined to Berkeley Tower). The Canary Riverside estate has a total of 325 flats across four blocks. We stand to be significantly impacted by the noise and nuisance that will be caused by the application.

Since 2001 Café Brera had operated as a café restaurant. There was no recorded music played outside and the premises were generally closed c.8pm-9pm. It had caused me no disturbance, nor am I aware of my neighbours having encountered any disturbance. It operated primarily as a food establishment, ie, it was not a bar.

Since recently opening under the ownership/management of Republiks Ltd, with a temporary licence, residents have already had cause to complain to the estate manager about the disturbance being caused by the music and patrons. Early indications are that the new owners intend to move away from the quiet café/restaurant that Café Brera has been for the past 22 years. This would be wholly unsuitable within our residential development.

Objection

I object to the application on the grounds of the prevention of public nuisance and the prevention of crime and disorder. Our homes are the 'nearest noise sensitive premises', with our bedrooms and living rooms located directly above the premises.

1. **Prevention of public nuisance - music.** There is no measure proposed in the application – and nor is one possible with an uncovered open-air terrace – to prevent the sound of recorded music drifting upwards. Notably the application omits any mention of the fact it is located within a block of flats. I **object** to the premises being granted a licence permitting the playing of recorded music **outside the premises at any time**.

If it were to be granted inside the premises it **must not be audible outside** – including when the entrance door and/or windows are open.

It would be a change from the way the premises have been operating for the past 22 years. Sound travels upwards and affects people sleeping on the fourth floor as much as it does those trying to sleep on the 14th floor. Canary Riverside is not the business district of Canary Wharf. It is a residential estate on the edge of Canary Wharf. If a licence was to be granted permitting the serving of alcohol beyond 21:00 our ability to sleep/enjoy our homes would be changed forever, as neighbouring premises would seek licences on similar terms.

Any inside music should cease by 21:00. The licence should contain the relevant restrictions to ensure that music does not 'leak' from inside the premises, with speakers located at the farthest point from doors and windows.

2. **Prevention of public nuisance – sale/supply of alcohol.** The proposed licensing hours would make the venue a late-night drinking venue immediately below bedrooms and living rooms. Alcohol and people out to enjoy themselves is an anti-social mix for children, working adults and other residents who are trying to sleep. It only takes one loud conversation between half a dozen people to cause a disturbance, and to grant a licence to 23:00 would open the potential for nightly disturbances seven days a week, inevitably straying well beyond 23:00. It would be a magnet for people seeking a drink and a cigarette in this area.

Residents in Belgrave Court (a block of flats at the other corner of Canary Riverside) already have to put up with the disturbance from Mala's patrons (37 Westferry Circus), with people using their tables and chairs long after closing time. The outside chairs/tables at Café Brera

would be subject to similar late night use by people who have purchased alcohol from the premises.

The application contains no mention whatsoever of 'noise' nor the approach to managing noise. It is clear no thought has been given to local residents and the proactive management of noisy patrons at any time of day. CCTV is no protection, nor is 'seek the service of a security company in extreme situations'.

It is not just noise from patrons: the clearing up bottles and glasses etc will also cause a disturbance.

The supply of alcohol licensing hours should be restricted to 21:00 at the latest. There should be appropriate restrictions imposed as part of the licence regarding the management of patrons leaving the premises, responding to noise complaints from residents, clearing up etc.

3. Prevention of crime and disorder– sale/supply of alcohol. Many of the points from 2 above apply to this licensing objective. The premises would become a magnet for people seeking a late night (beyond 9pm) drink, and off-licence sales would enable people to sit on the benches by the river – also beneath our bedroom windows. Unfortunately there is not a Public Spaces Protection Order in operation in this part of the riverfront – the Ropemakers PSPO ends just before reaching Canary Riverside – because, we understand, Canary Wharf Group objected to it extending on property owned by them. It is important to restrict the licensing hours so that Café Brera does not become a drinking establishment and continues to be premises where alcohol is secondary to the supply of food.

To prevent the possibility of crime and disorder in this residential area **the supply of alcohol licensing hours should be restricted to 21:00 at the latest and there should be no outside (or audible outside) recorded music.**

I am told the premises are under new ownership/management, Republiks Ltd, a company with one director who has 66 other directorships, the majority outside of the hospitality sector and is therefore probably a nominee director. There is no 'track record' for residents to check similar premises managed by the applicant.

Finally I wish to raise the recent planning application PA/23/00513/NC for a rooftop restaurant and bar within the Canary Riverside gardens, **an application I have objected to.** The applicant – who is also the Landlord of Café Brera (ie, Republiks Ltd are their commercial tenant) - has sought to justify their application by falsely claiming Canary Riverside is already a noisy area [and so a roof terrace restaurant/bar for 100+ patrons would not impact residents]. The Council would be assisting that application, by turning Canary Riverside into a noisy location, if it were to grant Café Brera a licence that permitted outside music and an alcohol licence beyond 21:00.

I live in Hanover House and the noise is already sometimes intolerable once the summer months start from people eating/walking and the river restaurants cruising along the river. To have this throughout the year would be awful!

I therefore support a **rejection of the licence application** per the above.

Yours sincerely

Natasha Gardiner



Corinne Holland

From: Natasha <[REDACTED]>
Sent: 22 July 2023 13:16
To: Licensing
Subject: Re: Important update on Alcohol License Application for Cafe Brera

Dear Corrine,

I have received the email from Cafe Brera Riverside management regarding the new licence. I remain not happy to support this application.

One of the main reasons is the noise that I will no doubt experience if this license is granted. They have stated that no noise will be played outside during working hours. From this I am assuming that during working hours (ie 9 am - 5 pm) noise will be played. I am an NHS Consultant Radiologist working at St Bartholomew's hospital and frequently have to report emergency and routine imaging, which affects patient care, from home at any time of day and night. Having this relentless noise would most definitely result in a great distraction to my work output and likely affect the accuracy of the scans that I report. Indeed if a neighbour played music during working hours all the time I would be entitled to call the police each time and seek action. Other residents in the development will no doubt be affected as more people work from home since Covid.

The [REDACTED] flat has been in our family since the development opened over 20 years ago. I am sure that my parents would never have bought the flat if they had known that the business directly below, would be able to play music during working hours. If this licence is granted I will most definitely have to move and my parents sell the flat.

I was also very disappointed to read the recommendations put forward by the police and environmental officer. They seem to only be concerned about litter and alcohol consumption. Whilst these are important and should be considered, there are people who I see regularly around Canary Wharf collecting any rubbish not disposed of correctly and alcohol is bought and served at the other restaurants near Cafe Brera with any problems. Indeed there is no mention of the noise due to the music that will be played or any way of limiting the disturbance of this to local residents.

As you can see, permitting this licence will result in a great disadvantage to the local residents and so again, I would like to urge you to reconsider agreeing to the licence.

Kind regards

Natasha Gardiner
[REDACTED]
[REDACTED]

On Fri, 14 Jul 2023 at 17:14, Yulia Bliss @ Cafe Brera [REDACTED] > wrote:
Dear Residents,

We hope this email finds you well. We are writing to provide you with an important update regarding the objections raised concerning our alcohol license application for Republiks limited trading as Cafe Brera. We have taken your concerns seriously and have made significant changes to address them in collaboration with the local authorities and relevant professionals.

First and foremost, we want to emphasise that Cafe Brera is not a pub or bar but a family-oriented establishment. Our goal is to create a welcoming and inclusive environment that caters to a variety of patrons, including families and individuals seeking a comfortable and enjoyable dining experience.

In response to your concerns, we want to clarify that our food menu will be available until closing time, including hot options, pastas, sandwiches, and snacks. We understand the importance of providing a comprehensive dining experience that complements responsible alcohol consumption. Our intention is to offer a well-rounded menu that satisfies our customers throughout the day.

We would also like to assure you that no music will be played outside the premises during working hours. We recognise the need to maintain a peaceful environment and ensure that any potential noise disturbances are minimised.

Furthermore, we are pleased to inform you that we have accepted the recommendations put forth by the police and environmental officer. We have implemented the following changes to address the concerns raised:

- Crime and Disorder Prevention:
 - Installation and maintenance of a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team.
 - Designation of a staff member who is conversant with the operation of the CCTV system.
 - Implementation of a Challenge 25 proof of age scheme.
 - Maintenance of an incident log available for inspection by the police or authorised officers.
- Public Nuisance Mitigation:
 - All sales of alcohol for consumption off the premises will be in sealed containers only, strictly prohibiting their consumption on-site.
 - Alcohol consumed outside the premises will be limited to patrons seated at tables.
 - Outside tables and chairs will be rendered unusable at 9pm each day.
 - Prominent notices will be displayed in smoking areas, requesting patrons to respect the needs of local residents and use the area quietly.
 - Measures will be in place to remove and prevent litter or waste, ensuring the cleanliness of the area outside the premises.
- Protection of Children from Harm:
 - Operation of a Challenge 25 proof of age scheme.
 - Maintenance of detailed records of all refused sales of alcohol, including outcomes and staff involved.
- Public Safety:
 - Windows and external doors will be kept closed during regulated entertainment if there any will be planned, except for the immediate access and egress of persons.
 - The external area will not be used after 9pm, except for a limited number of patrons temporarily leaving and re-entering the premises.

Additionally, we have revised our policies to ensure the last sale of alcohol is not later than 10.30pm for consumption inside the premises only or in sealed containers for consumption off the premises. This adjustment allows for sufficient time for customers to "drink up" and facilitates a safe and responsible environment for both patrons and the community.

We strongly believe that these measures address the concerns raised and demonstrate our commitment to being a responsible establishment.

We would also like to extend an invitation to meet with the management of Cafe Brera Riverside during the upcoming week on Tuesday 18/07 at 4pm and Thursday 20/07 at 7pm. This meeting would provide an opportunity to address any remaining concerns you may have and ensure open lines of communication moving forward.

In addition, as a token of goodwill and in appreciation of our neighbours, we would like to offer a permanent 10% discount to all residents. It is important to us that we foster a positive and harmonious relationship with the community.

We sincerely apologise for any inconvenience or apprehension caused by the initial application and assure you that we will make every effort to be a responsible and valued member of the neighbourhood.

Please feel free to contact us [REDACTED] to schedule a meeting or discuss any further concerns you may have. We look forward to the opportunity to address any remaining issues and work towards building a mutually beneficial relationship.

We kindly request that if you are satisfied with the implemented changes and do not have any other objections, please send an email to Corinne Holland at licensing@towerhamlets.gov.uk stating that if the mentioned above changes were implemented to Cafe Brera 31 Westferry Circus E14 License application - M/160051, the objection is withdrawn.

We kindly ask you to confirm if you are happy to do so.

Thank you for your understanding and cooperation.

Warm regards,
Cafe Brera Riverside managment

Appendix 25

[REDACTED]

19th June 2023

The Licensing Section
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY



Dear Sir/Madam

Re: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

We are writing to express our concerns regarding the licence application for the above premises. We believe that the licence application would cause significant public nuisance and increase the risk of crime and disorder.

We live in Canary Riverside, and Café Brera is part of the Canary Riverside estate. We are an Interested Party under the terms of the Licensing Act 2003.

Our primary concern is regarding the disturbance that we will encounter from patrons drinking outside until 23:00 (or later, if they have purchase drinks 'off-licence') and from recorded music being played outside and inside the premises.

The application is to grant permission to:

- Play recorded music from 07.00 to 23.00, inside and outside seven days a week.
- Sale/supply of alcohol off and on the premises from 11:00 to 23:00 seven days a week

We object to:

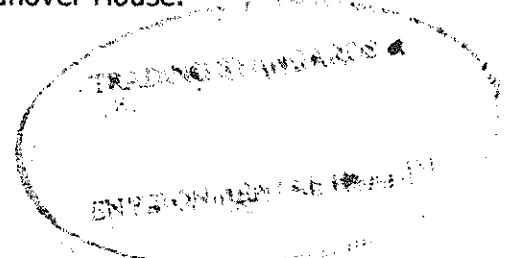
- The length of the hours during which alcohol can be served.
- The application to play recorded music outside.

Location

Café Brera is located within residential buildings containing over 100 flats (it is within Hanover House which is joined to Berkeley Tower). The Canary Riverside estate has a total of 325 flats across four blocks. We stand to be significantly impacted by the noise and nuisance that will be caused by the application.

Our [REDACTED] apartment is sited almost directly above the cafe. We have a balcony which overlooks the outdoor seating area. The cafe was already operational when we moved in during 2001 and has always been a good neighbour, causing little or no disturbance.

Three or four years ago, however, an exterior loudspeaker was installed above the entrance door. In the summer of 2020 it began playing music but the then owners agreed to switch it off following complaints from us and many other residents of Hanover House.



Peace reigned until the cafe's recent reopening with a temporary licence under the ownership/management of Republiks Ltd. We and other residents soon got a taste of what life would be like if this licence were to be granted.

Over the heatwave weekend of 10/11 June the combination of loud music and cafe patrons' voices raised above it meant we were unable to sit on our balcony. We had to close all exterior doors and windows despite the heat. Trapped indoors, we could not escape the incessant thud of the music down below, blaring out from breakfast time until gone 10pm. It felt like torture.

We have never had a problem with the general hubbub from the cafe, which used to close between 8pm and 9pm. This is because it operated primarily as a food establishment and was never a bar.

Early indications are that the new owners intend moving away from the quiet cafe/restaurant we've happily co-existed with for 22 years. We are saddened that they have so little consideration for their neighbours. Their plans are wholly unsuitable within our residential development.

We note that the outdoor capacity seems to have increased to match the number of covers inside. The prospect of a higher density of customers drinking late into the night accompanied by the pounding music we've already experienced fills us with despair.

Objection

We object to the application on the grounds of the prevention of public nuisance and the prevention of crime and disorder. Our homes are the 'nearest noise sensitive premises', with our bedrooms and living rooms located directly above the premises.

1. **Prevention of public nuisance - music.** There is no measure proposed in the application – and nor is one possible with an uncovered open-air terrace – to prevent the sound of recorded music drifting upwards. Notably the application omits any mention of the fact it is located within a block of flats. We object to the premises being granted a licence permitting the playing of recorded music outside the premises at any time.

If it were to be granted inside the premises it must not be audible outside – including when the entrance door and/or windows are open.

It would be a change from the way the premises have been operating for the past 22 years. Sound travels upwards and affects people sleeping on the fourth floor as much as it does those trying to sleep on the 14th floor. Canary Riverside is not the business district of Canary Wharf. It is a residential estate on the edge of Canary Wharf. If a licence was to be granted permitting the serving of alcohol beyond 21:00 our ability to sleep/enjoy our homes would be changed forever, as neighbouring premises would seek licences on similar terms.

Any inside music should cease by 21:00. The licence should contain the relevant restrictions to ensure that music does not 'leak' from inside the premises, with speakers located at the farthest point from doors and windows.

2. **Prevention of public nuisance – sale/supply of alcohol.** The proposed licensing hours would make the venue a late-night drinking venue immediately below bedrooms and living rooms. Alcohol and people out to enjoy themselves is an anti-social mix for children, working adults and other residents who are trying to sleep. It only takes one loud conversation between half a dozen people to cause a disturbance, and to grant a licence to 23:00 would open the potential for nightly disturbances seven days a week, inevitably straying well beyond 23:00. It would be a magnet for people seeking a drink and a cigarette in this area.

Residents in Belgrave Court (a block of flats at the other corner of Canary Riverside) already have to put up with the disturbance from Mala's patrons (37 Westferry Circus), with people using their tables and chairs long after closing time. The outside chairs/

tables at Café Brera would be subject to similar late night use by people who have purchased alcohol from the premises.

The application contains no mention whatsoever of 'noise' nor the approach to managing noise. It is clear no thought has been given to local residents and the proactive management of noisy patrons at any time of day. CCTV is no protection, nor is 'seek the service of a security company in extreme situations'.

It is not just noise from patrons: the clearing up bottles and glasses etc will also cause a disturbance.

The supply of alcohol licensing hours should be restricted to 21:00 at the latest.

There should be appropriate restrictions imposed as part of the licence regarding the management of patrons leaving the premises, responding to noise complaints from residents, clearing up etc.

3. **Prevention of crime and disorder– sale/supply of alcohol.** Many of the points from 2 above apply to this licensing objective. The premises would become a magnet for people seeking a late night (beyond 9pm) drink, and off-licence sales would enable people to sit on the benches by the river – also beneath our bedroom windows. Unfortunately there is not a Public Spaces Protection Order in operation in this part of the riverfront – the Ropemakers PSPO ends just before reaching Canary Riverside – because, we understand, Canary Wharf Group objected to it extending on property owned by them. It is important to restrict the licensing hours so that Café Brera does not become a drinking establishment and continues to be premises where alcohol is secondary to the supply of food.

To prevent the possibility of crime and disorder in this residential area **the supply of alcohol licensing hours should be restricted to 21:00 at the latest and there should be no outside (or audible outside) recorded music.**

We are told the premises are under new ownership/management, Republiks Ltd, a company with one director who has 66 other directorships, the majority outside of the hospitality sector and is therefore probably a nominee director. There is no 'track record' for residents to check similar premises managed by the applicant.

Finally we wish to raise the recent planning application PA/23/00513/NC for a rooftop restaurant and bar within the Canary Riverside gardens, an application we have objected to. The applicant – who is also the Landlord of Café Brera (ie, Republiks Ltd are their commercial tenant) – has sought to justify their application by falsely claiming Canary Riverside is already a noisy area [and so a roof terrace restaurant/bar for 100+ patrons would not impact residents]. The Council would be assisting that application, by turning Canary Riverside into a noisy location, if it were to grant Café Brera a licence that permitted outside music and an alcohol licence beyond 21:00.

We therefore support a **rejection of the licence application** per the above.

Yours sincerely




Matthew Gocher and Susan Robinson

Appendix 26



20 June 2023

The Licensing Section
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY

Dear Sir/Madam

Re: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

I am writing to express my concerns regarding the licence application for the above premises. I believe that the licence application would cause significant public nuisance and increase the risk of crime and disorder.

I live in Canary Riverside, and Café Brera is part of the Canary Riverside estate. I am an Interested Party under the terms of the Licensing Act 2003.

My primary concern is regarding the disturbance that I will encounter from patrons drinking outside until 23:00 (or later, if they have purchase drinks 'off-licence') and from recorded music being played outside and inside the premises.

The application is to grant permission to:

- Play recorded music from 07.00 to 23.00, inside and outside seven days a week.
- Sale/supply of alcohol off and on the premises from 11:00 to 23:00 seven days a week

I object to:

- The length of the hours during which alcohol can be served.
- The application to play recorded music outside.

Location

Café Brera is located within residential buildings containing over 100 flats (it is within Hanover House which is joined to Berkeley Tower). The Canary Riverside estate has a total of 325 flats across four blocks. We stand to be significantly impacted by the noise and nuisance that will be caused by the application.

Since 2001 Café Brera had operated as a café restaurant. There was no recorded music played outside and the premises were generally closed c.8pm-9pm. It had caused me no disturbance, nor am I aware of my neighbours having encountered any disturbance. It operated primarily as a food establishment, ie, it was not a bar.

Since recently opening under the ownership/management of Republiks Ltd, with a temporary licence, residents have already had cause to complain to the estate manager about the disturbance being caused by the music and patrons. Early indications are that the new owners

intend to move away from the quiet café/restaurant that Café Brera has been for the past 22 years. This would be wholly unsuitable within our residential development.

Objection

I object to the application on the grounds of the prevention of public nuisance and the prevention of crime and disorder. Our homes are the 'nearest noise sensitive premises', with our bedrooms and living rooms located directly above the premises.

1. **Prevention of public nuisance - music.** There is no measure proposed in the application – and nor is one possible with an uncovered open-air terrace – to prevent the sound of recorded music drifting upwards. Notably the application omits any mention of the fact it is located within a block of flats. I **object** to the premises being granted a licence permitting the playing of recorded music **outside the premises at any time**.

If it were to be granted inside the premises it **must not be audible outside** – including when the entrance door and/or windows are open.

It would be a change from the way the premises have been operating for the past 22 years. Sound travels upwards and affects people sleeping on the fourth floor as much as it does those trying to sleep on the 14th floor. Canary Riverside is not the business district of Canary Wharf. It is a residential estate on the edge of Canary Wharf. If a licence was to be granted permitting the serving of alcohol beyond 21:00 our ability to sleep/enjoy our homes would be changed forever, as neighbouring premises would seek licences on similar terms.

Any inside music should cease by 21:00. The licence should contain the relevant restrictions to ensure that music does not 'leak' from inside the premises, with speakers located at the farthest point from doors and windows.

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Finally, I wish to raise the recent planning application PA/23/00513/NC for a rooftop restaurant and bar within the Canary Riverside gardens, **an application I have objected to.** The applicant – who is also the Landlord of Café Brera (ie, Republiks Ltd are their commercial tenant) – has sought to justify their application by falsely claiming Canary Riverside is already a noisy area [and so a roof terrace restaurant/bar for 100+ patrons would not impact residents]. The Council would be assisting that application, by turning Canary Riverside into a noisy location, if it were to grant Café Brera a licence that permitted outside music and an alcohol licence beyond 21:00.

I therefore support a **rejection of the licence application** per the above.

Yours sincerely

A black rectangular box redacting the signature of W Carpenter.

W Carpenter

Appendix 27

Corinne Holland

From: Licensing
Sent: 21 June 2023 09:37
To: Corinne Holland
Subject: FW: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

From: Karen Moss <[REDACTED]>
Sent: Wednesday, June 21, 2023 9:06 AM
To: Licensing <Licensing@towerhamlets.gov.uk>
Cc: Karen Moss <[REDACTED]>
Subject: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

[REDACTED]

21 June 2023

The Licensing Section
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY

Dear Sir/Madam

Re: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

I am writing to express my concerns regarding the licence application for the above premises. I believe that the licence application would cause significant public nuisance and increase the risk of crime and disorder.

I live in Canary Riverside, and Café Brera is part of the Canary Riverside estate. I am an Interested Party under the terms of the Licensing Act 2003.

My primary concern is regarding the disturbance that I will encounter from patrons drinking outside until 23:00 (or later, if they have purchase drinks 'off-licence') and from recorded music being played outside and inside the premises.

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I therefore support a **rejection of the licence application** per the above.

Yours sincerely
Karen Moss

[Redacted Signature]

Appendix 28

Arvind Vashisht

21 June 2023

The Licensing Section
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY

Dear Sir/Madam

Re: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

I am writing to express my concerns regarding the licence application for the above premises. I believe that the licence application would cause significant public nuisance and increase the risk of crime and disorder.

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- The application to play recorded music outside.

Location

Café Brera is located within residential buildings containing over 100 flats (it is within Hanover House which is joined to Berkeley Tower [REDACTED]). The Canary Riverside estate has a total of 325 flats across four blocks. We stand to be significantly impacted by the noise and nuisance that will be caused by the application.

Since 2001 Café Brera had operated as a café restaurant. There was no recorded music played outside and the premises were generally closed c.8pm-9pm. It had caused me no disturbance, nor am I aware of my neighbours having encountered any disturbance. It operated primarily as a food establishment, i.e, it was not a bar.

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intend to move away from the quiet café/restaurant that Café Brera has been for the past 22 years. This would be wholly unsuitable within our residential development.

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I therefore support a **rejection of the licence application** per the above.

Yours sincerely

A black rectangular box redacting the signature of Arvind Vashisht.

Arvind Vashisht

Appendix 29

Corinne Holland

From: Licensing
Sent: 21 June 2023 14:07
To: Corinne Holland
Subject: FW: Objection to Licence Application LIC/160051

From: Catherine Liddiard <[REDACTED]>
Sent: Wednesday, June 21, 2023 1:29 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Objection to Licence Application LIC/160051

Mrs B Liddiard
[REDACTED]

21 June 2023

The Licensing Section
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY

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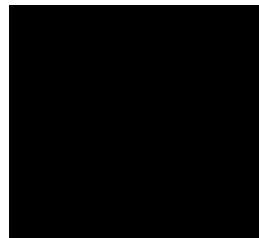
Appendix 30

Corinne Holland

From: Licensing
Sent: 22 June 2023 10:46
To: Corinne Holland
Subject: FW: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

From: Andreas Immel <[REDACTED]>
Sent: Wednesday, June 21, 2023 8:56 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

Andreas Immel



The Licensing Section
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY

Dear Sir/Madam

Re: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

I am writing to express my concerns regarding the licence application for the above premises. I believe that the licence application would cause significant public nuisance and increase the risk of crime and disorder.

I live in Canary Riverside, and Café Brera is part of the Canary Riverside estate. I am an Interested Party under the terms of the Licensing Act 2003.

My primary concern is regarding the disturbance that I will encounter from patrons drinking outside until 23:00 (or later, if they have purchase drinks 'off-licence') and from recorded music being played outside and inside the premises.

The application is to grant permission to:

- Play recorded music from 07.00 to 23.00, inside and outside seven days a week.
- Sale/supply of alcohol off and on the premises from 11:00 to 23:00 seven days a week

I object to:

- The length of the hours during which alcohol can be served.
- The application to play recorded music outside.

Location

Café Brera is located within residential buildings containing over 100 flats (it is within Hanover House which is joined to Berkeley Tower). The Canary Riverside estate has a total of 325 flats across four blocks. We stand to be significantly impacted by the noise and nuisance that will be caused by the application.

Since 2001 Café Brera had operated as a café restaurant. There was no recorded music played outside and the premises were generally closed c.8pm-9pm. It had caused me no disturbance, nor am I aware of my neighbours having encountered any disturbance. It operated primarily as a food establishment, ie, it was not a bar.

Since recently opening under the ownership/management of Republiks Ltd, with a temporary licence, residents have already had cause to complain to the estate manager about the disturbance being caused by the music and patrons. Early indications are that the new owners intend to move away from the quiet café/restaurant that Café Brera has been for the past 22 years. This would be wholly unsuitable within our residential development.

Objection

I object to the application on the grounds of the prevention of public nuisance and the prevention of crime and disorder. Our homes are the 'nearest noise sensitive premises', with our bedrooms and living rooms located directly above the premises.

1. **Prevention of public nuisance - music.** There is no measure proposed in the application – and nor is one possible with an uncovered open-air terrace – to prevent the sound of recorded music drifting upwards. Notably the application omits any mention of the fact it is located within a block of flats. I **object** to the premises being granted a licence permitting the playing of recorded music **outside the premises at any time**.

If it were to be granted inside the premises it **must not be audible outside** – including when the entrance door and/or windows are open.

It would be a change from the way the premises have been operating for the past 22 years. Sound travels upwards and affects people sleeping on the fourth floor as much as it does those trying to sleep on the 14th floor. Canary Riverside is not the business district of Canary Wharf. It is a residential estate on the edge of Canary Wharf. If a licence was to be granted permitting the serving of alcohol beyond 21:00 our ability to sleep/enjoy our homes would be changed forever, as neighbouring premises would seek licences on similar terms.

Any inside music should cease by 21:00. The licence should contain the relevant restrictions to ensure that music does not 'leak' from inside the premises, with speakers located at the farthest point from doors and windows.

2. **Prevention of public nuisance – sale/supply of alcohol.** The proposed licensing hours would make the venue a late-night drinking venue immediately below bedrooms and living rooms. Alcohol and people out to enjoy themselves is an anti-social mix for children, working adults and other residents who are trying to sleep. It only takes one loud conversation between half a dozen people to cause a disturbance, and to grant a licence to 23:00 would open the potential for nightly disturbances seven days a week, inevitably straying well beyond 23:00. It would be a magnet for people seeking a drink and a cigarette in this area.

Residents in Belgrave Court (a block of flats at the other corner of Canary Riverside) already have to put up with the disturbance from Mala's patrons (37 Westferry Circus), with people using their tables and chairs long after closing time. The outside chairs/tables at Café Brera would be subject to similar late night use by people who have purchased alcohol from the premises.

The application contains no mention whatsoever of 'noise' nor the approach to managing noise. It is clear no thought has been given to local residents and the proactive management of noisy patrons **at any time of day**. CCTV is no protection, nor is 'seek the service of a security company in extreme situations'.

It is not just noise from patrons: the clearing up bottles and glasses etc will also cause a disturbance.

The supply of alcohol licensing hours should be restricted to 21:00 at the latest. There should be appropriate restrictions imposed as part of the licence regarding the management of patrons leaving the premises, responding to noise complaints from residents, clearing up etc.

3. **Prevention of crime and disorder– sale/supply of alcohol.** Many of the points from 2 above apply to this licensing objective. The premises would become a magnet for people seeking a late night (beyond 9pm) drink, and off-licence sales would enable people to sit on the benches by the river – also beneath our bedroom windows. Unfortunately there is not a Public Spaces Protection Order in operation in this part of the riverfront – the Ropemakers PSPO ends just before reaching Canary Riverside – because, we understand, Canary Wharf Group objected to it extending on property owned by them. It is important to restrict the licensing hours so that Café Brera does not become a drinking establishment and continues to be premises where alcohol is secondary to the supply of food.

To prevent the possibility of crime and disorder in this residential area **the supply of alcohol licensing hours should be restricted to 21:00 at the latest and there should be no outside (or audible outside) recorded music.**

I am told the premises are under new ownership/management, Republiks Ltd, a company with one director who has 66 other directorships, the majority outside of the hospitality sector and is therefore probably a nominee director. There is no 'track record' for residents to check similar premises managed by the applicant.

Finally I wish to raise the recent planning application PA/23/00513/NC for a rooftop restaurant and bar within the Canary Riverside gardens, **an application I have objected to.** The applicant – who is also the Landlord of Café Brera (ie, Republiks Ltd are their commercial tenant) - has sought to justify their application by falsely claiming Canary Riverside is already a noisy area [and so a roof terrace restaurant/bar for 100+ patrons would not impact residents]. The Council would be assisting that application, **by turning Canary Riverside into a noisy location,** if it were to grant Café Brera a licence that permitted outside music and an alcohol licence beyond 21:00.

I therefore support a **rejection of the licence application** per the above.

Yours sincerely

Andreas Immel



Appendix 31



23 June 2023

The Licensing Section
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY

Dear Sir/Madam

Re: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

I am writing to express my concerns regarding the licence application for the above premises. I believe that the licence application would cause significant public nuisance and increase the risk of crime and disorder.

I live in Canary Riverside, and Café Brera is part of the Canary Riverside estate. I am an Interested Party under the terms of the Licensing Act 2003.

My primary concern is regarding the disturbance that I will encounter from patrons drinking outside until 23:00 (or later, if they have purchase drinks 'off-licence') and from recorded music being played outside and inside the premises.

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I object to:

- The length of the hours during which alcohol can be served.
- The application to play recorded music outside.

Location

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Since recently opening under the ownership/management of Republiks Ltd, with a temporary licence, residents have already had cause to complain to the estate manager about the disturbance being caused by the music and patrons. Early indications are that the new owners

intend to move away from the quiet café/restaurant that Café Brera has been for the past 22 years. This would be wholly unsuitable within our residential development.

Objection

I object to the application on the grounds of the prevention of public nuisance and the prevention of crime and disorder. Our homes are the 'nearest noise sensitive premises', with our bedrooms and living rooms located directly above the premises.

1. **Prevention of public nuisance - music.** There is no measure proposed in the application – and nor is one possible with an uncovered open-air terrace – to prevent the sound of recorded music drifting upwards. Notably the application omits any mention of the fact it is located within a block of flats. I **object** to the premises being granted a licence permitting the playing of recorded music **outside the premises at any time**.

If it were to be granted inside the premises it **must not be audible outside** – including when the entrance door and/or windows are open.

It would be a change from the way the premises have been operating for the past 22 years. Sound travels upwards and affects people sleeping on the fourth floor as much as it does those trying to sleep on the 14th floor. Canary Riverside is not the business district of Canary Wharf. It is a residential estate on the edge of Canary Wharf. If a licence was to be granted permitting the serving of alcohol beyond 21:00 our ability to sleep/enjoy our homes would be changed forever, as neighbouring premises would seek licences on similar terms.

Any inside music should cease by 21:00. The licence should contain the relevant restrictions to ensure that music does not 'leak' from inside the premises, with speakers located at the farthest point from doors and windows.

2. **Prevention of public nuisance – sale/supply of alcohol.** The proposed licensing hours would make the venue a late-night drinking venue immediately below bedrooms and living rooms. Alcohol and people out to enjoy themselves is an anti-social mix for children, working adults and other residents who are trying to sleep. It only takes one loud conversation between half a dozen people to cause a disturbance, and to grant a licence to 23:00 would open the potential for nightly disturbances seven days a week, inevitably straying well beyond 23:00. It would be a magnet for people seeking a drink and a cigarette in this area.

Residents in Belgrave Court (a block of flats at the other corner of Canary Riverside) already have to put up with the disturbance from Mala's patrons (37 Westferry Circus), with people using their tables and chairs long after closing time. The outside chairs/tables at Café Brera would be subject to similar late night use by people who have purchased alcohol from the premises.

The application contains no mention whatsoever of 'noise' nor the approach to managing noise. It is clear no thought has been given to local residents and the proactive management of noisy patrons **at any time of day**. CCTV is no protection, nor is 'seek the service of a security company in extreme situations'.

It is not just noise from patrons: the clearing up bottles and glasses etc will also cause a disturbance.

The supply of alcohol licensing hours should be restricted to 21:00 at the latest.

There should be appropriate restrictions imposed as part of the licence regarding the management of patrons leaving the premises, responding to noise complaints from residents, clearing up etc.

3. **Prevention of crime and disorder– sale/supply of alcohol.** Many of the points from 2 above apply to this licensing objective. The premises would become a magnet for people seeking a late night (beyond 9pm) drink, and off-licence sales would enable people to sit on the benches by the river – also beneath our bedroom windows. Unfortunately there is not a Public Spaces Protection Order in operation in this part of the riverfront – the Ropemakers PSPO ends just before reaching Canary Riverside – because, we understand, Canary Wharf Group objected to it extending on property owned by

them. It is important to restrict the licensing hours so that Café Brera does not become a drinking establishment and continues to be premises where alcohol is secondary to the supply of food.

To prevent the possibility of crime and disorder in this residential area **the supply of alcohol licensing hours should be restricted to 21:00 at the latest and there should be no outside (or audible outside) recorded music.**


I am told the premises are under new ownership/management, Republiks Ltd, a company with one director who has 66 other directorships, the majority outside of the hospitality sector and is therefore probably a nominee director. There is no 'track record' for residents to check similar premises managed by the applicant.

Finally I wish to raise the recent planning application PA/23/00513/NC for a rooftop restaurant and bar within the Canary Riverside gardens, **an application I have objected to.** The applicant – who is also the Landlord of Café Brera (ie, Republiks Ltd are their commercial tenant) - has sought to justify their application by falsely claiming Canary Riverside is already a noisy area [and so a roof terrace restaurant/bar for 100+ patrons would not impact residents]. The Council would be assisting that application, by turning Canary Riverside into a noisy location, if it were to grant Café Brera a licence that permitted outside music and an alcohol licence beyond 21:00.

I therefore support a **rejection of the licence application** per the above.

Yours sincerely
Richard Moss

Appendix 32


25th June 2023


The Licensing Section
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY

Dear Sirs,

Re: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

I wish to object to application from Republiks Ltd reference LIC/160051

The basis of my objection is that the application will cause significant nuisance to residents, disturb the peace and tranquillity of the Westferry area for visitors, attract elements to the location that are likely to increase the crime rate, create disorder and litter problems.

I live in , Canary Riverside above Café Brera. As such I am an Interested Party under the terms of the Licensing Act 2003.

My main concern is regarding the disturbance that will be generated by customers drinking outside until late at night and from recorded music being played outside the premises.

I object to:

- The length of the hours during which alcohol can be served.
- The application to play recorded music outside.

Canary Riverside is a residential area and the surrounding area is, at the moment, a haven of peace and tranquillity. Visitors sit among the trees around Westferry Circus unmolested by music and rowdy behaviour.

Canary Wharf does have green zones where music and live events are permitted but these are all in office areas not in residential areas.

Café Brera is located within Hanover House and linked to Berkeley Tower and the estate has a total of 325 flats. All residents will be adversely impacted by some degree or other from the licence application.

Until now Café Brera has not been a sources of disturbance to the residents. The cafe/restaurant model appears to work successfully. There has never been recorded music played outside and the premises generally close early in the evening after the office workers and visitors depart

Since Republiks Ltd took over Cafe Brera and are operating under a temporary licence I have heard there have been complaints from residents about noise and disturbances. This does not bode well for the development should Republiks be granted a permanent licence until 11.00 pm for drinks and music both inside and outside the premises.

Objection

I object to the application on the grounds of the prevention of public nuisance and the prevention of crime and disorder.

1. It is not possible for Republiks to enclose the outside terrace and prevent the noise from the music impacting residents. Therefore, outside music should not be permitted at any time.
2. Music may be acceptable inside the premises providing it is contained and is not permitted to escape outwards, for example, when doors are opened or via the windows. This is important as Cafe Brera is located on the ground floor of Hanover House and has direct residential neighbours to the side and immediately above.
3. The permitted time of the licence should be limited to 21.00 not 23.00 as requested on the application. This is based on experience of residents of Belgrave Court living close to Mala Restaurant where customers often stay at their tables long after closing time. It is important to restrict the licensing hours so that Café Brera does not become a drinking establishment and continues to be premises where alcohol is secondary to the supply of food.

I therefore support a rejection of the licence application per the above.

Yours sincerely

John Wilkes

Appendix 33

25 June 2023

The Licensing Section
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY

Dear Sir/Madam

Re: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

I am writing to express my concerns regarding the licence application for the above premises. I believe that the licence application would cause significant public nuisance and increase the risk of crime and disorder.

I live in Canary Riverside, and Café Brera is part of the Canary Riverside estate. I am an Interested Party under the terms of the Licensing Act 2003.

My primary concern is regarding the disturbance that I will encounter from patrons drinking outside until 23:00 (or later, if they have purchase drinks 'off-licence') and from recorded music being played outside and inside the premises.

The application is to grant permission to:

- Play recorded music from 07.00 to 23.00, inside and outside seven days a week.
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I object to:

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Location

Café Brera is located within residential buildings containing over 100 flats (it is within Hanover House which is joined to Berkeley Tower). The Canary Riverside estate has a total of 325 flats across four blocks. We stand to be significantly impacted by the noise and nuisance that will be caused by the application.

Since 2001 Café Brera had operated as a café restaurant. There was no recorded music played outside and the premises were generally closed c.8pm-9pm. It had caused me no disturbance, nor am I aware of my neighbours having encountered any disturbance. It operated primarily as a food establishment, ie, it was not a bar.

Since recently opening under the ownership/management of Republiks Ltd, with a temporary licence, residents have already had cause to complain to the estate manager about the disturbance being caused by the music and patrons. Early indications are that the new owners intend to move away from the quiet café/restaurant that Café Brera has been for the past 22 years. This would be wholly unsuitable within our residential development.

Objection

I object to the application on the grounds of the prevention of public nuisance and the prevention of crime and disorder. Our homes are the 'nearest noise sensitive premises', with our bedrooms and living rooms located directly above the premises.

1. **Prevention of public nuisance - music.** There is no measure proposed in the application – and nor is one possible with an uncovered open-air terrace – to prevent the sound of recorded music drifting upwards. Notably the application omits any mention of the fact it is located within a block of flats. I **object** to the premises being granted a licence permitting the playing of recorded music **outside the premises at any time**.

If it were to be granted inside the premises it **must not be audible outside** – including when the entrance door and/or windows are open.

It would be a change from the way the premises have been operating for the past 22 years. Sound travels upwards and affects people sleeping on the fourth floor as much as it does those trying to sleep on the 14th floor. Canary Riverside is not the business district of Canary Wharf. It is a residential estate on the edge of Canary Wharf. If a licence was to be granted permitting the serving of alcohol beyond 21:00 our ability to sleep/enjoy our homes would be changed forever, as neighbouring premises would seek licences on similar terms.

Any inside music should cease by 21:00. The licence should contain the relevant restrictions to ensure that music does not 'leak' from inside the premises, with speakers located at the farthest point from doors and windows.

2. **Prevention of public nuisance – sale/supply of alcohol.** The proposed licensing hours would make the venue a late-night drinking venue immediately below bedrooms and living rooms. Alcohol and people out to enjoy themselves is an anti-social mix for children, working adults and other residents who are trying to sleep. It only takes one loud conversation between half a dozen people to cause a disturbance, and to grant a licence to 23:00 would open the potential for nightly disturbances seven days a week, inevitably straying well beyond 23:00. It would be a magnet for people seeking a drink and a cigarette in this area.

Residents in Belgrave Court (a block of flats at the other corner of Canary Riverside) already have to put up with the disturbance from Mala's patrons (37 Westferry Circus), with people using their tables and chairs long after closing time. The outside chairs/tables at Café Brera would be subject to similar late night use by people who have purchased alcohol from the premises.

The application contains no mention whatsoever of 'noise' nor the approach to managing noise. It is clear no thought has been given to local residents and the proactive management of noisy patrons **at any time of day**. CCTV is no protection, nor is 'seek the service of a security company in extreme situations'.

It is not just noise from patrons: the clearing up bottles and glasses etc will also cause a disturbance.

The supply of alcohol licensing hours should be restricted to 21:00 at the latest.

There should be appropriate restrictions imposed as part of the licence regarding the management of patrons leaving the premises, responding to noise complaints from residents, clearing up etc.

3. **Prevention of crime and disorder– sale/supply of alcohol.** Many of the points from 2 above apply to this licensing objective. The premises would become a magnet for people seeking a late night (beyond 9pm) drink, and off-licence sales would enable people to sit on the benches by the river – also beneath our bedroom windows. Unfortunately there is not a Public Spaces Protection Order in operation in this part of the riverfront – the Ropemakers PSPO ends just before reaching Canary Riverside – because, we understand, Canary Wharf Group objected to it extending on property owned by them. It is important to restrict the licensing hours so that Café Brera does not become a drinking establishment and continues to be premises where alcohol is secondary to the supply of food.

To prevent the possibility of crime and disorder in this residential area **the supply of alcohol licensing hours should be restricted to 21:00 at the latest and there should be no outside (or audible outside) recorded music.**

I am told the premises are under new ownership/management, Republiks Ltd, a company with one director who has 66 other directorships, the majority outside of the hospitality sector and is therefore probably a nominee director. There is no 'track record' for residents to check similar premises managed by the applicant.

Finally I wish to raise the recent planning application PA/23/00513/NC for a rooftop restaurant and bar within the Canary Riverside gardens, an application I have objected to. The applicant – who is also the Landlord of Café Brera (ie, Republiks Ltd are their commercial tenant) - has sought to justify their application by falsely claiming Canary Riverside is already a noisy area [and so a roof terrace restaurant/bar for 100+ patrons would not impact residents]. The Council would be assisting that application, by turning Canary Riverside into a noisy location, if it were to grant Café Brera a licence that permitted outside music and an alcohol licence beyond 21:00.

I therefore support a **rejection of the licence application** per the above.

Yours sincerely

Geoff Denton

A black rectangular box used to redact the signature of Geoff Denton.

Appendix 34

[REDACTED]

26 June 2023

The Licensing Section
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY

Dear Sir/Madam,

Re: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

I am writing to express my concerns regarding the licence application for the above premises. I believe that the licence application would cause significant public nuisance and increase the risk of crime and disorder.

I live in Canary Riverside in [REDACTED] which is just above Café Brera (part of the Canary Riverside estate) so myself and my family will be directly affected if this application is granted. I am an Interested Party under the terms of the Licensing Act 2003. My husband and I bought this apartment in 2000 when the development was first built and it is not right that a change like this is allowed which will disrupt the lives of residents such as us, make residents potentially want to leave their apartments due to such disruption and in addition devalue the properties in Canary Riverside as no-one would want to live above a commercial property where loud music is being played. Our daughter who also lives in the property is a Consultant Radiologist who has to work from the apartment often when on-call and she will find it impossible to concentrate and sleep when working anti-social hours.

We have owned the property for the last 23 years and it is a lovely place to live and the majority of the time it is very quiet. There are a few occasions in the summer when people are sitting outside and our windows are open so you can hear conversation from the café below. However, this proposed application is a very significant change in terms of noise level and length of time the noise would be heard. On buying a commercial property in Canary Riverside they should respect the fact that they have bought a café within a residential complex and not disrupt the lives of the residents who have been there for many years before they have come. The previous owners respected this and this should not change with a change of ownership. We are not opposed to a commercial property as they do enhance Canary Riverside with their services as is.

I support the following comments produced by the Resident's Association of Canary Riverside. However, I do not think any music should be allowed to be played as it will be impossible to enforce that music does not disturb residents.

My primary concern is regarding the disturbance that I will encounter from patrons drinking outside until 23:00 (or later, if they have purchase drinks 'off-licence') and from recorded music being played outside and inside the premises.

The application is to grant permission to:

- Play recorded music from 07.00 to 23.00, inside and outside seven days a week.

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I object to:

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Location

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management of noisy patrons at any time of day. CCTV is no protection, nor is 'seek the service of a security company in extreme situations'.

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To prevent the possibility of crime and disorder in this residential area **the supply of alcohol licensing hours should be restricted to 21:00 at the latest and there should be no playing of music.**

I am told the premises are under new ownership/management, Republiks Ltd, a company with one director who has 66 other directorships, the majority outside of the hospitality sector and is therefore probably a nominee director. There is no 'track record' for residents to check similar premises managed by the applicant.

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I therefore support a **rejection of the licence application** per the above and hope you understand how much this would negatively impact our lives if granted.

Thank you very much for your time.

Yours sincerely,

Kamal and Ro er Gardiner

[Redacted signature block]

Corinne Holland

From: [REDACTED]
Sent: 16 July 2023 20:03
To: Licensing
Subject: License application - M/160051

Follow Up Flag: Follow up
Flag Status: Completed

Dear Ms Holland,

Following my letter objecting to the granting of the above application I have received an email from the applicant seeking to allay my concerns. I am writing to advise that I am not reassured by the applicant's response.

The main reason being that our flat is directly above Cafe Brera and when my husband and I bought the flat over 20 years ago, although we knew that there were commercial eateries below, playing music was not a feature of the establishment. Our daughter, who lives in the flat, is a Consultant Radiologist at St Bartholomew's Hospital and often has to work from home to report emergency scans at any time of the day and any day of the week. It is therefore not fair that we have to move after so many years just because Cafe Brera may be allowed to play music by changing their licence. This is primarily a residential area and the management have said that they want to make it a family-oriented establishment but I am unsure how playing music after working hours (which I understand to be 5 pm) can help with this. We would not have bought the flat if this arrangement had been in place at the time.

The recommendations put forth by the police and environmental officer below do not take into account the disturbance to local residents by the noise late into the evening nor the tendency for customers to linger after the establishment has closed.

In any residential environment no person would be permitted to play music every day of the year that can be heard by residents and affect the enjoyment and sanctuary of their home.

As residents, we would like to support local businesses but unfortunately we are unable to support this application as it would adversely affect our and our neighbours lives greatly. However much they seek to reassure the fact remains that by changing the nature of Cafe Brera to a place of loud music will result in significant disturbance to residents.

I hope you will consider the serious affect that granting this licence would have and reject it.

Your sincerely

Kamal Gardiner
[REDACTED]

Appendix 35




26 June 2023

The Licensing Section
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY

Dear Sir/Madam

Re: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

I am writing to express my concerns regarding the licence application for the above premises. I believe that the licence application would cause significant public nuisance and increase the risk of crime and disorder. I would like to raise my objection against this application.

I live in  in Canary Riverside, and Café Brera is part of the Canary Riverside estate. I am an Interested Party under the terms of the Licensing Act 2003.

My primary concern is regarding the disturbance that I will encounter from patrons drinking outside until 23:00 (or later, if they have purchase drinks 'off-licence') and from recorded music being played outside and inside the premises.

The application is to grant permission to:

- Play recorded music from 07.00 to 23.00, inside and outside seven days a week.
- Sale/supply of alcohol off and on the premises from 11:00 to 23:00 seven days a week

I object to:

- The length of the hours during which alcohol can be served.
- The application to play recorded music outside.

Location

Café Brera is located within residential buildings containing over 100 flats (it is within Hanover House which is joined to Berkeley Tower). The Canary Riverside estate has a total of 325 flats across four blocks. We stand to be significantly impacted by the noise and nuisance that will be caused by the application.

Since 2001 Café Brera had operated as a café restaurant. There was no recorded music played outside and the premises were generally closed c.8pm-9pm. It had caused me no disturbance, nor am I aware of my neighbours having encountered any disturbance. It operated primarily as a food establishment, ie, it was not a bar.

Since recently opening under the ownership/management of Republiks Ltd, with a temporary licence, residents have already had cause to complain to the estate manager about the disturbance being caused by the music and patrons. Early indications are that the new owners

intend to move away from the quiet café/restaurant that Café Brera has been for the past 22 years. This would be wholly unsuitable within our residential development.

Objection

I object to the application on the grounds of the prevention of public nuisance and the prevention of crime and disorder. Our homes are the 'nearest noise sensitive premises', with our bedrooms and living rooms located directly above the premises.

1. **Prevention of public nuisance - music.** There is no measure proposed in the application – and nor is one possible with an uncovered open-air terrace – to prevent the sound of recorded music drifting upwards. Notably the application omits any mention of the fact it is located within a block of flats. I **object** to the premises being granted a licence permitting the playing of recorded music **outside the premises at any time**.

If it were to be granted inside the premises it **must not be audible outside** – including when the entrance door and/or windows are open.

It would be a change from the way the premises have been operating for the past 22 years. Sound travels upwards and affects people sleeping on the fourth floor as much as it does those trying to sleep on the 14th floor. Canary Riverside is not the business district of Canary Wharf. It is a residential estate on the edge of Canary Wharf. If a licence was to be granted permitting the serving of alcohol beyond 21:00 our ability to sleep/enjoy our homes would be changed forever, as neighbouring premises would seek licences on similar terms.

Any inside music should cease by 21:00. The licence should contain the relevant restrictions to ensure that music does not 'leak' from inside the premises, with speakers located at the farthest point from doors and windows.

2. **Prevention of public nuisance – sale/supply of alcohol.** The proposed licensing hours would make the venue a late-night drinking venue immediately below bedrooms and living rooms. Alcohol and people out to enjoy themselves is an anti-social mix for children, working adults and other residents who are trying to sleep. It only takes one loud conversation between half a dozen people to cause a disturbance, and to grant a licence to 23:00 would open the potential for nightly disturbances seven days a week, inevitably straying well beyond 23:00. It would be a magnet for people seeking a drink and a cigarette in this area.

Residents in Belgrave Court (a block of flats at the other corner of Canary Riverside) already have to put up with the disturbance from Mala's patrons (37 Westferry Circus), with people using their tables and chairs long after closing time. The outside chairs/tables at Café Brera would be subject to similar late night use by people who have purchased alcohol from the premises.

The application contains no mention whatsoever of 'noise' nor the approach to managing noise. It is clear no thought has been given to local residents and the proactive management of noisy patrons at any time of day. CCTV is no protection, nor is 'seek the service of a security company in extreme situations'.

It is not just noise from patrons: the clearing up bottles and glasses etc will also cause a disturbance.

The supply of alcohol licensing hours should be restricted to 21:00 at the latest.

There should be appropriate restrictions imposed as part of the licence regarding the management of patrons leaving the premises, responding to noise complaints from residents, clearing up etc.

3. **Prevention of crime and disorder– sale/supply of alcohol.** Many of the points from 2 above apply to this licensing objective. The premises would become a magnet for people seeking a late night (beyond 9pm) drink, and off-licence sales would enable people to sit on the benches by the river – also beneath our bedroom windows. Unfortunately there is not a Public Spaces Protection Order in operation in this part of the riverfront – the Ropemakers PSPO ends just before reaching Canary Riverside – because, we understand, Canary Wharf Group objected to it extending on property owned by

them. It is important to restrict the licensing hours so that Café Brera does not become a drinking establishment and continues to be premises where alcohol is secondary to the supply of food.

To prevent the possibility of crime and disorder in this residential area **the supply of alcohol licensing hours should be restricted to 21:00 at the latest and there should be no outside (or audible outside) recorded music.**

I am told the premises are under new ownership/management, Republiks Ltd, a company with one director who has 66 other directorships, the majority outside of the hospitality sector and is therefore probably a nominee director. There is no 'track record' for residents to check similar premises managed by the applicant.

Finally I wish to raise the recent planning application PA/23/00513/NC for a rooftop restaurant and bar within the Canary Riverside gardens, an application I have objected to. The applicant – who is also the Landlord of Café Brera (ie, Republiks Ltd are their commercial tenant) – has sought to justify their application by falsely claiming Canary Riverside is already a noisy area [and so a roof terrace restaurant/bar for 100+ patrons would not impact residents]. The Council would be assisting that application, by turning Canary Riverside into a noisy location, if it were to grant Café Brera a licence that permitted outside music and an alcohol licence beyond 21:00.

I therefore support a **rejection of the licence application** per the above.

Yours sincerely

A black rectangular redaction box covering the signature of the sender.

Colman Yau

A long black rectangular redaction box covering the contact information of the sender.

Appendix 36

[REDACTED]

26 June 2023

The Licensing Section
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY

Dear Sir/Madam

Re: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

I am writing to express my concerns regarding the licence application for the above premises. I believe that the licence application would cause significant public nuisance and increase the risk of crime and disorder.

I live in Canary Riverside, and Café Brera is part of the Canary Riverside estate. I am an Interested Party under the terms of the Licensing Act 2003.

My primary concern is regarding the disturbance that I will encounter from patrons drinking outside until 23:00 (or later, if they have purchase drinks 'off-licence') and from recorded music being played outside and inside the premises.

The application is to grant permission to:

- Play recorded music from 07.00 to 23.00, inside and outside seven days a week.
- Sale/supply of alcohol off and on the premises from 11:00 to 23:00 seven days a week

I object to:

- The length of the hours during which alcohol can be served.
- The application to play recorded music outside.

Location

Café Brera is located within residential buildings containing over 100 flats (it is within Hanover House which is joined to Berkeley Tower). The Canary Riverside estate has a total of 325 flats across four blocks. We stand to be significantly impacted by the noise and nuisance that will be caused by the application.

Since 2001 Café Brera had operated as a café restaurant. There was no recorded music played outside and the premises were generally closed c.8pm-9pm. It had caused me no disturbance, nor am I aware of my neighbours having encountered any disturbance. It operated primarily as a food establishment, ie, it was not a bar.

Since recently opening under the ownership/management of Republiks Ltd, with a temporary licence, residents have already had cause to complain to the estate manager about the disturbance being caused by the music and patrons. Early indications are that the new owners

intend to move away from the quiet café/restaurant that Café Brera has been for the past 22 years. This would be wholly unsuitable within our residential development.

Objection

I object to the application on the grounds of the prevention of public nuisance and the prevention of crime and disorder. Our homes are the 'nearest noise sensitive premises', with our bedrooms and living rooms located directly above the premises.

1. **Prevention of public nuisance - music.** There is no measure proposed in the application – and nor is one possible with an uncovered open-air terrace – to prevent the sound of recorded music drifting upwards. Notably the application omits any mention of the fact it is located within a block of flats. I **object** to the premises being granted a licence permitting the playing of recorded music **outside the premises at any time**.

If it were to be granted inside the premises it **must not be audible outside** – including when the entrance door and/or windows are open.

It would be a change from the way the premises have been operating for the past 22 years. Sound travels upwards and affects people sleeping on the fourth floor as much as it does those trying to sleep on the 14th floor. Canary Riverside is not the business district of Canary Wharf. It is a residential estate on the edge of Canary Wharf. If a licence was to be granted permitting the serving of alcohol beyond 21:00 our ability to sleep/enjoy our homes would be changed forever, as neighbouring premises would seek licences on similar terms.

Any inside music should cease by 21:00. The licence should contain the relevant restrictions to ensure that music does not 'leak' from inside the premises, with speakers located at the farthest point from doors and windows.

2. **Prevention of public nuisance – sale/supply of alcohol.** The proposed licensing hours would make the venue a late-night drinking venue immediately below bedrooms and living rooms. Alcohol and people out to enjoy themselves is an anti-social mix for children, working adults and other residents who are trying to sleep. It only takes one loud conversation between half a dozen people to cause a disturbance, and to grant a licence to 23:00 would open the potential for nightly disturbances seven days a week, inevitably straying well beyond 23:00. It would be a magnet for people seeking a drink and a cigarette in this area.

Residents in Belgrave Court (a block of flats at the other corner of Canary Riverside) already have to put up with the disturbance from Mala's patrons (37 Westferry Circus), with people using their tables and chairs long after closing time. The outside chairs/tables at Café Brera would be subject to similar late night use by people who have purchased alcohol from the premises.

The application contains no mention whatsoever of 'noise' nor the approach to managing noise. It is clear no thought has been given to local residents and the proactive management of noisy patrons at any time of day. CCTV is no protection, nor is 'seek the service of a security company in extreme situations'.

It is not just noise from patrons: the clearing up bottles and glasses etc will also cause a disturbance.

The supply of alcohol licensing hours should be restricted to 21:00 at the latest. There should be appropriate restrictions imposed as part of the licence regarding the management of patrons leaving the premises, responding to noise complaints from residents, clearing up etc.

3. **Prevention of crime and disorder– sale/supply of alcohol.** Many of the points from 2 above apply to this licensing objective. The premises would become a magnet for people seeking a late night (beyond 9pm) drink, and off-licence sales would enable people to sit on the benches by the river – also beneath our bedroom windows. Unfortunately there is not a Public Spaces Protection Order in operation in this part of the riverfront – the Ropemakers PSPO ends just before reaching Canary Riverside – because, we understand, Canary Wharf Group objected to it extending on property owned by them. It is important

to restrict the licensing hours so that Café Brera does not become a drinking establishment and continues to be premises where alcohol is secondary to the supply of food.

To prevent the possibility of crime and disorder in this residential area **the supply of alcohol licensing hours should be restricted to 21:00 at the latest and there should be no outside (or audible outside) recorded music.**

Finally I wish to raise the recent planning application PA/23/00513/NC for a rooftop restaurant and bar within the Canary Riverside gardens, **an application I have objected to.** The applicant – who is also the Landlord of Café Brera (ie, Republiks Ltd are their commercial tenant) - has sought to justify their application by falsely claiming Canary Riverside is already a noisy area [and so a roof terrace restaurant/bar for 100+ patrons would not impact residents]. The Council would be assisting that application, by turning Canary Riverside into a noisy location, if it were to grant Café Brera a licence that permitted outside music and an alcohol licence beyond 21:00.

I therefore support a **rejection of the licence application** per the above.

Yours sincerely


Chai H Hui

Appendix 37



28 June 2023

For attention of:

The Licensing Section
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY

Dear Sir/Madam

Re: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

I am the owner of [REDACTED], the only property I own, so it makes me an Interested Party under the terms of the Licensing Act 2003.

I am writing to object to the licence application made for Café Brera which will result in significant public nuisance and disturbance of the residents of the Canary Riverside residential development.

The application is to grant permission to:

- Play recorded music from 07.00 to 23.00, inside and outside seven days a week.
- Sale/supply of alcohol off and on the premises from 11:00 to 23:00 seven days a week

The disturbance will arise from the customers of patrons of Café Brera drinking outside until 23:00 (or later, if they have purchase drinks 'off-licence') and from recorded music being played outside and inside the premises.

I object to:

- The length of the hours during which alcohol can be served.
- The application to play recorded music outside.

Location

Café Brera is located within residential buildings containing over 100 apartments. Café Brera is within Hanover House which is joined to Berkeley Tower. The Canary Riverside estate has a total of 325 flats across four block, including Belgrave Court. Owners and tenants stand to be significantly impacted by the noise and nuisance that will be caused by the application.

Café Brera operated as a café restaurant since 2001. There was no recorded music played outside and the premises were generally closed by 9pm. It operated primarily as a food establishment, not a bar. It caused no disturbance. Since recently opening under the ownership/management of Republiks Ltd, with a temporary licence, residents have had cause to complain to the estate manager about the disturbance being caused by the music and patrons.

Objection

I object to the application on the grounds of the prevention of public nuisance. Canary Riverside Apartments are the 'nearest noise sensitive premises', with bedrooms and living rooms located directly above the premises.

1. **Prevention of public nuisance - music.** There is no measure proposed in the application to prevent the sound of recorded music drifting upwards. The application omits any mention of the fact it is located within a residential development

If music is played inside the premises it must not be audible to residents – including when the entrance door and/or windows are open and including vibrations from the bass. If music is played outside the premises, it should be limited to no later than 9pm, 7 days a week.

2. **Prevention of public nuisance – sale/supply of alcohol.** The proposed licensing hours would make the venue a late-night drinking venue immediately below bedrooms and living rooms. It only takes one loud conversation between people to cause a disturbance. Staff will contribute to noise and disturbance when clearing up after licensing hours.

Residents in Belgrave Court already experience disturbance from Mala's patrons (37 Westferry Circus), with customers staying long after closing time. The outside chairs/tables at Café Brera would be subject to similar late night use by people who have purchased alcohol from the premises.

If a licence were to be granted permitting the serving of alcohol beyond 21:00, neighbouring premises would seek licences on similar terms further detracting from the quality of life of the residents.

I objected to the recent planning application PA/23/00513/NC for a rooftop restaurant and bar within the Canary Riverside gardens. The applicant – who is also the Landlord of Café Brera (ie, Republiks Ltd is their commercial tenant) - has sought to justify their application by falsely claiming Canary Riverside is already a noisy area so a roof terrace restaurant/bar for 100+ patrons would not impact residents.

Yours sincerely



Dr G R Andrews

Appendix 38

From: Xavier Bastin <[REDACTED]>
Sent: 27 June 2023 18:20
To: Licensing
Subject: Objection to License Application LIC/160051

Dear Sir/Madam

Re: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

I am writing to express my concerns regarding the licence application for the above premises. I believe that the licence application would cause significant public nuisance and increase the risk of crime and disorder.

I live in Canary Riverside ([REDACTED]), and Café Brera is part of the Canary Riverside estate. I am an Interested Party under the terms of the Licensing Act 2003.

My primary concern is regarding the disturbance that I will encounter from patrons drinking outside until 23:00 (or later, if they have purchase drinks 'off-licence') and from recorded music being played outside and inside the premises.

The application is to grant permission to:

Play recorded music from 07.00 to 23.00, inside and outside seven days a week.

Sale/supply of alcohol off and on the premises from 11:00 to 23:00 seven days a week

I object to:

The length of the hours during which alcohol can be served.

The application to play recorded music outside.

Location

Café Brera is located within residential buildings containing over 100 flats (it is within Hanover House which is joined to Berkeley Tower). The Canary Riverside estate has a total of 325 flats across four blocks. We stand to be significantly impacted by the noise and nuisance that will be caused by the application.

Since 2001 Café Brera had operated as a café restaurant. There was no recorded music played outside and the premises were generally closed c.8pm-9pm. It had caused me no disturbance, nor am I aware of my neighbours having encountered any disturbance. It operated primarily as a food establishment, ie, it was not a bar.

Since recently opening under the ownership/management of Republiks Ltd, with a temporary licence, residents have already had cause to complain to the estate manager about the disturbance being caused by the music and patrons. Early indications are that the new owners intend to move away from the quiet café/restaurant that Café Brera has been for the past 22 years. This would be wholly unsuitable within our residential development.

Objection

I object to the application on the grounds of the prevention of public nuisance and the prevention of crime and disorder. Our homes are the 'nearest noise sensitive premises', with many of our bedrooms and living rooms located directly above the premises. Our main entrance gate is right next to Café Brera.

Prevention of public nuisance - music. There is no measure proposed in the application – and nor is one possible with an uncovered open-air terrace – to prevent the sound of recorded music drifting upwards. Notably the application omits any mention of the fact it is located within a block of flats. I object to the premises being granted a licence permitting the playing of recorded music outside the premises at any time.

If it were to be granted inside the premises it must not be audible outside – including when the entrance door and/or windows are open.

It would be a change from the way the premises have been operating for the past 22 years. Sound travels upwards and affects people sleeping on the fourth floor as much as it does those trying to sleep on the 14th floor. Canary Riverside is not the business district of Canary Wharf. It is a residential estate on the edge of Canary Wharf. If a licence was to be granted permitting the serving of alcohol beyond 21:00 our ability to sleep/enjoy our homes would be changed forever, as neighbouring premises would seek licences on similar terms.

Any inside music should cease by 21:00. The licence should contain the relevant restrictions to ensure that music does not 'leak' from inside the premises, with speakers located at the farthest point from doors and windows. Prevention of public nuisance – sale/supply of alcohol. The proposed licensing hours would make the venue a late-night drinking venue immediately below bedrooms and living rooms. Alcohol and people out to enjoy themselves is an anti-social mix for children, working adults and other residents who are trying to sleep. It only takes one loud conversation between half a dozen people to cause a disturbance, and to grant a licence to 23:00 would open the potential for nightly disturbances seven days a week, inevitably straying well beyond 23:00. It would be a magnet for people seeking a drink and a cigarette in this area.

The outside chairs/tables at Café Brera would be subject to late night use by people who have purchased alcohol from the premises.

The application contains no mention whatsoever of 'noise' nor the approach to managing noise. It is clear no thought has been given to local residents and the proactive management of noisy patrons at any time of day. CCTV is no protection, nor is 'seek the service of a security company in extreme situations'.

It is not just noise from patrons: the clearing up bottles and glasses etc will also cause a disturbance.

The supply of alcohol licensing hours should be restricted to 21:00 at the latest. There should be appropriate restrictions imposed as part of the licence regarding the management of patrons leaving the premises, responding to noise complaints from residents, clearing up etc.

Prevention of crime and disorder– sale/supply of alcohol. Many of the points from 2 above apply to this licensing objective. The premises would become a magnet for people seeking a late night (beyond 9pm) drink, and off-licence sales would enable people to sit on the benches by the river – also beneath our bedroom windows. Unfortunately there is not a Public Spaces Protection Order in operation in this part of the riverfront – the Ropemakers PSPO ends just before reaching Canary Riverside – because, we understand, Canary Wharf Group objected to it extending on property owned by them. It is important to restrict the licensing hours so that Café Brera does not become a drinking establishment and continues to be premises where alcohol is secondary to the supply of food.

To prevent the possibility of crime and disorder in this residential area the supply of alcohol licensing hours should be restricted to 21:00 at the latest and there should be no outside (or audible outside) recorded music.

I am told the premises are under new ownership/management, Republiks Ltd, a company with one director who has 66 other directorships, the majority outside of the hospitality sector and is therefore probably a nominee director. There is no 'track record' for residents to check similar premises managed by the applicant.

Finally I wish to raise the recent planning application PA/23/00513/NC for a rooftop restaurant and bar within the Canary Riverside gardens, an application I have objected to. The applicant – who is also the Landlord of Café Brera (ie, Republiks Ltd are their commercial tenant) - has sought to justify their application by falsely claiming Canary Riverside is already a noisy area [and so a roof terrace restaurant/bar for 100+ patrons would not impact residents]. The Council would be assisting that application, by turning Canary Riverside into a noisy location, if it were to grant Café Brera a licence that permitted outside music and an alcohol licence beyond 21:00.

I therefore support a rejection of the licence application per the above.

Yours sincerely

Xavier Bastin

XAVIER BASTIN



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The Conde Nast Publications Ltd (No. 226900), Vogue House, Hanover Square, London W1S 1JU

Appendix 39


27 June 2023

The Licensing Section
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY

Dear Sir/Madam

Re: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

I am writing to express my concerns regarding the licence application for the above premises. I believe that the licence application would cause significant public nuisance and increase the risk of crime and disorder.

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My primary concern is regarding the disturbance that I will encounter from patrons drinking outside until 23:00 (or later, if they have purchase drinks 'off-licence') and from recorded music being played outside and inside the premises.

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I am told the premises are under new ownership/management, Republiks Ltd, a company with one director who has 66 other directorships, the majority outside of the hospitality sector and is therefore probably a nominee director. There is no 'track record' for residents to check similar premises managed by the applicant.

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I therefore support a **rejection of the licence application** per the above.

Yours sincerely



Ms. Henny Vlot

Appendix 40

Dr. Johan Bastin

27 June 2023

The Licensing Section
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY

Dear Sir/Madam

Re: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

I am writing to express my concerns regarding the licence application for the above premises. I believe that the licence application would cause significant public nuisance and increase the risk of crime and disorder.

I live in Canary Riverside, and Café Brera is part of the Canary Riverside estate. I am an Interested Party under the terms of the Licensing Act 2003.

My primary concern is regarding the disturbance that I will encounter from patrons drinking outside until 23:00 (or later, if they have purchase drinks 'off-licence') and from recorded music being played outside and inside the premises.

The application is to grant permission to:

- Play recorded music from 07.00 to 23.00, inside and outside seven days a week.
- Sale/supply of alcohol off and on the premises from 11:00 to 23:00 seven days a week

I object to:

- The length of the hours during which alcohol can be served.
- The application to play recorded music outside.

Location

Café Brera is located within residential buildings containing over 100 flats (it is within Hanover House which is joined to Berkeley Tower). The Canary Riverside estate has a total of 325 flats across four blocks. We stand to be significantly impacted by the noise and nuisance that will be caused by the application.

Since 2001 Café Brera had operated as a café restaurant. There was no recorded music played outside and the premises were generally closed c.8pm-9pm. It had caused me no disturbance, nor am I aware of my neighbours having encountered any disturbance. It operated primarily as a food establishment, ie, it was not a bar.

Since recently opening under the ownership/management of Republiks Ltd, with a temporary licence, residents have already had cause to complain to the estate manager about the disturbance being caused by the music and patrons. Early indications are that the new owners

intend to move away from the quiet café/restaurant that Café Brera has been for the past 22 years. This would be wholly unsuitable within our residential development.

Objection

I object to the application on the grounds of the prevention of public nuisance and the prevention of crime and disorder. Our homes are the 'nearest noise sensitive premises', with our bedrooms and living rooms located directly above the premises.

1. **Prevention of public nuisance - music.** There is no measure proposed in the application – and nor is one possible with an uncovered open-air terrace – to prevent the sound of recorded music drifting upwards. Notably the application omits any mention of the fact it is located within a block of flats. I **object** to the premises being granted a licence permitting the playing of recorded music **outside the premises at any time**.

If it were to be granted inside the premises it **must not be audible outside** – including when the entrance door and/or windows are open.

It would be a change from the way the premises have been operating for the past 22 years. Sound travels upwards and affects people sleeping on the fourth floor as much as it does those trying to sleep on the 14th floor. Canary Riverside is not the business district of Canary Wharf. It is a residential estate on the edge of Canary Wharf. If a licence was to be granted permitting the serving of alcohol beyond 21:00 our ability to sleep/enjoy our homes would be changed forever, as neighbouring premises would seek licences on similar terms.

Any inside music should cease by 21:00. The licence should contain the relevant restrictions to ensure that music does not 'leak' from inside the premises, with speakers located at the farthest point from doors and windows.

2. **Prevention of public nuisance – sale/supply of alcohol.** The proposed licensing hours would make the venue a late-night drinking venue immediately below bedrooms and living rooms. Alcohol and people out to enjoy themselves is an anti-social mix for children, working adults and other residents who are trying to sleep. It only takes one loud conversation between half a dozen people to cause a disturbance, and to grant a licence to 23:00 would open the potential for nightly disturbances seven days a week, inevitably straying well beyond 23:00. It would be a magnet for people seeking a drink and a cigarette in this area.

Residents in Belgrave Court (a block of flats at the other corner of Canary Riverside) already have to put up with the disturbance from Mala's patrons (37 Westferry Circus), with people using their tables and chairs long after closing time. The outside chairs/tables at Café Brera would be subject to similar late night use by people who have purchased alcohol from the premises.

The application contains no mention whatsoever of 'noise' nor the approach to managing noise. It is clear no thought has been given to local residents and the proactive management of noisy patrons at any time of day. CCTV is no protection, nor is 'seek the service of a security company in extreme situations'.

It is not just noise from patrons: the clearing up bottles and glasses etc will also cause a disturbance.

The supply of alcohol licensing hours should be restricted to 21:00 at the latest.

There should be appropriate restrictions imposed as part of the licence regarding the management of patrons leaving the premises, responding to noise complaints from residents, clearing up etc.

3. **Prevention of crime and disorder– sale/supply of alcohol.** Many of the points from 2 above apply to this licensing objective. The premises would become a magnet for people seeking a late night (beyond 9pm) drink, and off-licence sales would enable people to sit on the benches by the river – also beneath our bedroom windows. Unfortunately there is not a Public Spaces Protection Order in operation in this part of the riverfront – the Ropemakers PSPO ends just before reaching Canary Riverside – because, we understand, Canary Wharf Group objected to it extending on property owned by

them. It is important to restrict the licensing hours so that Café Brera does not become a drinking establishment and continues to be premises where alcohol is secondary to the supply of food.

To prevent the possibility of crime and disorder in this residential area **the supply of alcohol licensing hours should be restricted to 21:00 at the latest and there should be no outside (or audible outside) recorded music.**

I am told the premises are under new ownership/management, Republiks Ltd, a company with one director who has 66 other directorships, the majority outside of the hospitality sector and is therefore probably a nominee director. There is no 'track record' for residents to check similar premises managed by the applicant.

Finally I wish to raise the recent planning application PA/23/00513/NC for a rooftop restaurant and bar within the Canary Riverside gardens, an application I have objected to. The applicant – who is also the Landlord of Café Brera (ie, Republiks Ltd are their commercial tenant) – has sought to justify their application by falsely claiming Canary Riverside is already a noisy area [and so a roof terrace restaurant/bar for 100+ patrons would not impact residents]. The Council would be assisting that application, by turning Canary Riverside into a noisy location, if it were to grant Café Brera a licence that permitted outside music and an alcohol licence beyond 21:00.

I therefore support a **rejection of the licence application** per the above.

Yours sincerely

A large black rectangular box redacting the signature of Dr. Johan Bastin.

Dr. Johan Bastin

Appendix 41

Corinne Holland

From: [REDACTED]
Sent: 27 June 2023 20:29
To: Licensing
Subject: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

Dear Sir / Madam

I am writing to express my concerns regarding the application to sell alcohol and play music outside every weekdays and weekends made by Cafe Brera in Westferry Circus (Licence Application LIC/160051).

Cafe Brera is located in a residential block (Canary Riverside) in which I live, and several rooms in my apartment have direct line of sight to the cafe's terrace. It is inevitable that the extension of the license will result into a significant increase in noise level, particularly in the evening, in an otherwise quiet residential block. First because of the music itself, also because of the loud, intoxicated patrons, as it is inevitably the case with any bar or pub.

If Cafe Brera seeks to serve alcohol and play music, they should do so in their other location located nearby in Cabot Square, which is not in a residential area and where other bars are operating.

I am therefore expressing my opposition to the granting of this license.

Best regards
Charles Michel

[REDACTED]

Appendix 42



The Licensing Section
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY

27 June 2023

Dear Sir/Madam

Re: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

We are writing to express our concerns regarding the licence application for the above premises. We believe that the licence application would cause significant public nuisance and increase the risk of crime and disorder.

We live in Canary Riverside, and Café Brera is part of the Canary Riverside estate. We are, therefore, Interested Parties under the terms of the Licensing Act 2003.

Our primary concern is the disturbance from patrons drinking outside until 23:00 (or later, if they have purchase drinks 'off-licence') and from recorded music being played outside and inside the premises.

The application is to grant permission to:

- Play recorded music from 07.00 to 23.00, inside and outside seven days a week.
- Sale/supply of alcohol off and on the premises from 11:00 to 23:00 seven days a week

We object to:

- The length of the hours during which alcohol can be served.
- The application to play recorded music outside.

Location

Café Brera is located within residential buildings containing 325 flats across four blocks. We stand to be significantly impacted by the noise and nuisance that will be caused by the application.

For many years Café Brera had operated as a café restaurant. There was no recorded music played outside and the premises closed around 8/9pm. It operated primarily as a food establishment not a bar and has caused us no disturbance.

Having recently opened under new management (Republiks Ltd), with a temporary licence, residents have already had cause to complain to the estate manager about the disturbance being caused by the music and patrons. This change in operation would be wholly unsuitable within our residential development.

Objection

We object to the application on the grounds of the prevention of public nuisance and the prevention of crime and disorder. Our homes are the 'nearest noise sensitive premises'.

1. **Prevention of public nuisance - music.** There is no measure proposed in the application – and nor is one possible with an uncovered open-air terrace – to prevent the sound of recorded music spreading. Notably the application omits any mention of the fact it is located within a block of flats. We **object** to the premises being granted a licence permitting the playing of recorded music **outside the premises at any time**.

If it were to be granted inside the premises it **must not be audible outside** – including when the entrance door and/or windows are open. And any inside music should **cease by 21:00**. The licence should contain restrictions to ensure that music cannot be heard outside the building.

It represents a significant change from the way the premises have been operating for many years. Canary Riverside is not the business district of Canary Wharf. It is a residential estate on the edge of Canary Wharf. If a licence was to be granted permitting the playing of music beyond 21:00 our ability to enjoy our homes would be significantly impacted. An additional concern is the precedent set for neighbouring premises seeking similar licences.

2. **Prevention of public nuisance – sale/supply of alcohol.** The proposed licensing hours would make the venue a late-night drinking venue immediately below bedrooms and living rooms. Alcohol and people out to enjoy themselves is an anti-social mix for children, working adults and other residents who are trying to sleep. The inevitable loud conversations, between even a few people drinking, would cause a disturbance every night until 23:00 and likely longer.

It is not just noise from patrons: the clearing up bottles and glasses etc will also cause a disturbance.

The supply of alcohol licensing hours should be restricted to 21:00 at the latest. There should be appropriate restrictions imposed as part of the licence regarding the management of patrons leaving the premises, responding to noise complaints from residents, clearing up etc.

3. **Prevention of crime and disorder– sale/supply of alcohol.** Many of the points from 2 above apply to this licensing objective. The premises would attract people seeking a late night (beyond 9pm) drink, and off-licence sales encourage people to congregate on the benches by the river – also beneath our bedroom windows.

To prevent the possibility of crime and disorder in this residential area **the supply of alcohol licensing hours should be restricted to 21:00 at the latest and there should be no outside (or audible outside) recorded music.**

Finally We wish to raise the recent planning application PA/23/00513/NC for a rooftop restaurant and bar within the Canary Riverside gardens, an application I have objected to. The applicant – who is also the Landlord of Café Brera (Republiks Ltd are their commercial tenant) - has sought to justify their application by falsely claiming Canary Riverside is already a noisy area. The Council would be assisting that application, **by turning Canary Riverside into a noisy location**, if it were to grant Café Brera a licence that permitted outside music and an alcohol licence beyond 21:00.

We therefore support a **rejection of the licence application** per the above.

Yours sincerely

Giles Beale
and
Kirsty Garrett

Appendix 43

24th June 2023

The Licensing Section
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY

Dear Sir/Madam

Re: Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

We are writing to express our concerns regarding the licence application for the above premises. We believe that the licence application would cause significant public nuisance and increase the risk of crime and disorder.

We live in Canary Riverside, and Café Brera is part of the Canary Riverside estate. We are an Interested Party under the terms of the Licensing Act 2003.

Our primary concern is regarding the disturbance that we will encounter from patrons drinking outside until 23:00 (or later, if they have purchase drinks 'off-licence') and from recorded music being played outside and inside the premises.

The application is to grant permission to:

- Play recorded music from 07.00 to 23.00, inside and outside seven days a week.
- Sale/supply of alcohol off and on the premises from 11:00 to 23:00 seven days a week

We object to:

- The length of the hours during which alcohol can be served.
- The application to play recorded music outside.

Location

Café Brera is located within residential buildings containing over 100 flats (it is within Hanover House which is joined to Berkeley Tower). The Canary Riverside estate has a total of 325 flats across four blocks. We stand to be significantly impacted by the noise and nuisance that will be caused by the application.

Since 2001 Café Brera had operated as a café restaurant. There was no recorded music played outside and the premises were generally closed c.8pm-9pm. It had caused us no disturbance, nor are we aware of our neighbours having encountered any disturbance. It operated primarily as a food establishment, as opposed a bar.

Since recently opening under the ownership/management of Republiks Ltd, with a temporary licence, residents have already had cause to complain to the estate manager about the disturbance being caused by the music and patrons. Early indications are that the new owners intend to move away from the quiet café/restaurant that Café Brera has been for the past 22 years. This would be wholly unsuitable within our residential development.

Objection

We object to the application on the grounds of the prevention of public nuisance and the prevention of crime and disorder. Our homes are the 'nearest noise sensitive premises', with our bedrooms and living rooms located directly above the premises.

1. **Prevention of public nuisance - music.** There is no measure proposed in the application – and nor is one possible with an uncovered open-air terrace – to prevent the sound of recorded music drifting upwards. Notably the application omits any mention of the fact it is located within a block of flats. We **object** to the premises being granted a licence permitting the playing of recorded music **outside the premises at any time**.

If it were to be granted inside the premises it **must not be audible outside** – including when the entrance door and/or windows are open.

It would be a change from the way the premises have been operating for the past 22 years. Sound travels upwards and affects people sleeping on the fourth floor as much as it does those trying to sleep on the 14th floor. Canary Riverside is not the business district of Canary Wharf. It is a residential estate on the edge of Canary Wharf. If a licence was to be granted permitting the serving of alcohol beyond 21:00 our ability to sleep/enjoy our homes would be changed forever, as neighbouring premises would seek licences on similar terms.

Any inside music should cease by 21:00. The licence should contain the relevant restrictions to ensure that music does not 'leak' from inside the premises, with speakers located at the farthest point from doors and windows.

2. **Prevention of public nuisance – sale/supply of alcohol.** The proposed licensing hours would make the venue a late-night drinking venue immediately below bedrooms and living rooms. Alcohol and people out to enjoy themselves is an anti-social mix for children, working adults and other residents who are trying to sleep. It only takes one loud conversation between half a dozen people to cause a disturbance, and to grant a licence to 23:00 would open the potential for nightly disturbances seven days a week, inevitably straying well beyond 23:00. It would be a magnet for people seeking a drink and a cigarette in this area.

The application contains no mention whatsoever of 'noise' nor the approach to managing noise. It is clear no thought has been given to local residents and the proactive management of noisy patrons at any time of day. CCTV is no protection, nor is 'seek the service of a security company in extreme situations'.

It is not just noise from patrons: the clearing up bottles and glasses etc will also cause a disturbance.

The supply of alcohol licensing hours should be restricted to 21:00 at the latest.

There should be appropriate restrictions imposed as part of the licence regarding the management of patrons leaving the premises, responding to noise complaints from residents, clearing up etc.

3. **Prevention of crime and disorder– sale/supply of alcohol.** Many of the points from 2 above apply to this licensing objective. The premises would become a magnet for people seeking a late night (beyond 9pm) drink, and off-licence sales would enable people to sit on the benches by the river – also beneath our bedroom windows. Unfortunately there is not a Public Spaces Protection Order in operation in this part of the riverfront – the Ropemakers PSPO ends just before reaching Canary Riverside – because, we understand, Canary Wharf Group objected to it extending on property owned by them. It is important to restrict the licensing hours so that Café Brera does not become a

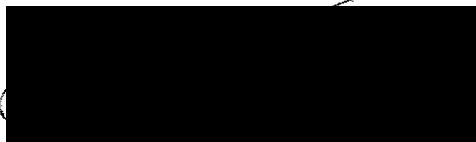
drinking establishment and continues to be premises where alcohol is secondary to the supply of food.

To prevent the possibility of crime and disorder in this residential area **the supply of alcohol licensing hours should be restricted to 21:00 at the latest and there should be no outside (or audible outside) recorded music.**

We are told the premises are under new ownership/management, Republiks Ltd, a company with one director who has 66 other directorships, the majority outside of the hospitality sector and is therefore probably a nominee director. There is no 'track record' for residents to check similar premises managed by the applicant.

We therefore support a **rejection of the licence application** per the above.

Yours sincerely

A black rectangular box redacting the signature of the sender.

Chew Ting Teck & Koh Helen

Appendix 44

Corinne Holland

From: Myrna Metherringham [REDACTED]
Sent: 28 June 2023 17:12
To: Licensing
Subject: Fwd: Application 12869065

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir,
The below application is from Myrna Metherringham, [REDACTED]

Regards,

Myrna Metherringham
(Sent from my iPad)

Begin forwarded message:

From: Myrna Metherringham <[REDACTED]>
Date: 28 June 2023 at 10:06:21 BST
To: licensing@towerhamlets.gov.uk
Subject: Application 12869065

Dear Sir,
Number 31 Westferry Circus, or Cafe Brera, is part of the building known as Hanover House, a block within the Residential Canary Riverside Estate. Since 2001, I have lived on the floor above Cafe Brera.

I am objecting to the application for a 7 day music licence from 7 am to 11 pm and also a 7 day liquor (on and off premises) licence from 11 am to 11 pm, under the public nuisance grounds as follows:

- a) during the initial period of taking over (presumably even before a licence application was made to you) music was being played quite loudly. This caused vibrations in my apartment and especially so in my bedroom. This noise is unacceptably high for a peaceful domestic existence. Should the licence be granted, it is possible that the volume will be even louder. Once granted, I understand that it would be difficult to have it revoked;
- b) scraping noises caused by the movement of tables and chairs;
- c) laughter noises;
- d) shouting noises;
- e) chatter noises
- f) arrivals and pick ups/taxis i.e. slamming of car door;
- g) take out/away alcohol will generate more traffic and the consequential noises;
- h) extra high spirits/voices due to the consumption of alcohol;
- i) these licences would mean that stragglers would extend the above mentioned disturbances well beyond 11pm.

My apartment was purchased because my (late) husband and I wanted a safe and quiet residential area.

The licences would alter this state considerably .

I fear for the quality of my life.

I urge you to reject these applications.

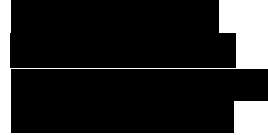
Many thanks,

Myrna Metherringham,
(Sent from my iPad)



Appendix 45

Julie Anne Davey



28 June 2023

The Licensing Section
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY

Café Brera Licence Application LIC/160051 - 31 Westferry Circus, London E14 8RR

Dear Sir/Madam

I am writing to express my extreme concerns about the licence application for Café Brera, 31 Westferry Circus, London E14 8RR. I believe that the licence application for Café Brera would significantly increase public nuisance and the risk of crime and disorder in the immediate vicinity of the location.

I live in the Canary Riverside complex, and Café Brera is part of the Canary Riverside estate. I am an Interested Party under the terms of the Licensing Act 2003.

My primary concern is regarding the disturbance that I will encounter from patrons drinking outside until 23:00 (or later, if they have purchase drinks 'off-licence') and from recorded music being played outside and inside the premises.

The application is to grant permission to:

- Play recorded music from 07.00 to 23.00, inside and outside seven days a week.
- Sale/supply of alcohol off and on the premises from 11:00 to 23:00 seven days a week

I object to:

- The length of the hours during which alcohol can be served.
- The application to play recorded music outside.

Location

Café Brera is located within residential buildings containing over 100 flats (it is within Hanover House which is joined to Berkeley Tower). The Canary Riverside estate has a total of 325 flats across four blocks. We stand to be significantly impacted by the noise and nuisance that will be caused by the application.

Since 2001 Café Brera had operated as a café restaurant. There was no recorded music played outside and the premises were generally closed c.8pm-9pm. It had caused me no disturbance, nor am I aware of my neighbours having encountered any disturbance. It operated primarily as a food establishment, ie, it was not a bar.

Since recently opening under the ownership/management of Republiks Ltd, with a temporary licence, residents have already had cause to complain to the estate manager about the disturbance being caused by the music and patrons. Early indications are that the new owners intend to move away from the quiet café/restaurant that Café Brera has been for the past 22 years. This would be wholly unsuitable within our residential development.

Objection

I object to the application on the grounds of the prevention of public nuisance and the prevention of crime and disorder. Our homes are the 'nearest noise sensitive premises', with our bedrooms and living rooms located directly above the premises.

1. **Prevention of public nuisance - music.** There is no measure proposed in the application – and nor is one possible with an uncovered open-air terrace – to prevent the sound of recorded music drifting upwards. Notably the application omits any mention of the fact it is located within a block of flats. I **object** to the premises being granted a licence permitting the playing of recorded music **outside the premises at any time**.

If it were to be granted inside the premises it **must not be audible outside** – including when the entrance door and/or windows are open.

It would be a change from the way the premises have been operating for the past 22 years. Sound travels upwards and affects people sleeping on the fourth floor as much as it does those trying to sleep on the 14th floor. Canary Riverside is not the business district of Canary Wharf. It is a residential estate on the edge of Canary Wharf. If a licence was to be granted permitting the serving of alcohol beyond 21:00 our ability to sleep/enjoy our homes would be changed forever, as neighbouring premises would seek licences on similar terms.

Any inside music should cease by 21:00. The licence should contain the relevant restrictions to ensure that music does not 'leak' from inside the premises, with speakers located at the farthest point from doors and windows.

2. **Prevention of public nuisance – sale/supply of alcohol.** The proposed licensing hours would make the venue a late-night drinking venue immediately below bedrooms and living rooms. Alcohol and people out to enjoy themselves is an anti-social mix for children, working adults and other residents who are trying to sleep. It only takes one loud conversation between half a dozen people to cause a disturbance, and to grant a licence to 23:00 would open the potential for nightly disturbances seven days a week, inevitably straying well beyond 23:00. It would be a magnet for people seeking a drink and a cigarette in this area.

Residents in Belgrave Court (a block of flats at the other corner of Canary Riverside) already have to put up with the disturbance from Mala's patrons (37 Westferry Circus), with people using their tables and chairs long after closing time. The outside chairs/tables at Café Brera would be subject to similar late night use by people who have purchased alcohol from the premises.

The application contains no mention whatsoever of 'noise' nor the approach to managing noise. It is clear no thought has been given to local residents and the proactive management of noisy patrons at any time of day. CCTV is no protection, nor is 'seek the service of a security company in extreme situations'.

It is not just noise from patrons: the clearing up bottles and glasses etc will also cause a disturbance.

The supply of alcohol licensing hours should be restricted to 21:00 at the latest.

There should be appropriate restrictions imposed as part of the licence regarding the management of patrons leaving the premises, responding to noise complaints from residents, clearing up etc.

3. **Prevention of crime and disorder– sale/supply of alcohol.** Many of the points from 2 above apply to this licensing objective. The premises would become a magnet for people seeking a late night (beyond 9pm) drink, and off-licence sales would enable people to sit on the benches by the river – also beneath our bedroom windows.

Unfortunately there is not a Public Spaces Protection Order in operation in this part of the riverfront – the Ropemakers PSPO ends just before reaching Canary Riverside – because, we understand, Canary Wharf Group objected to it extending on property owned by them. It is important to restrict the licensing hours so that Café Brera does not become a drinking establishment and continues to be premises where alcohol is secondary to the supply of food.

To prevent the possibility of crime and disorder in this residential area **the supply of alcohol licensing hours should be restricted to 21:00 at the latest and there should be no outside (or audible outside) recorded music.**

I am told the premises are under new ownership/management, Republiks Ltd, a company with one director who has 66 other directorships, the majority outside of the hospitality sector and is therefore probably a nominee director. There is no 'track record' for residents to check similar premises managed by the applicant.

Finally I wish to raise the recent planning application PA/23/00513/NC for a rooftop restaurant and bar within the Canary Riverside gardens, an application I have objected to.

The applicant – who is also the Landlord of Café Brera (ie, Republiks Ltd are their commercial tenant) - has sought to justify their application by falsely claiming Canary Riverside is already a noisy area [and so a roof terrace restaurant/bar for 100+ patrons would not impact residents]. The Council would be assisting that application, by turning Canary Riverside into a noisy location, if it were to grant Café Brera a licence that permitted outside music and an alcohol licence beyond 21:00.

I therefore support a **rejection of the licence application** per the above.

Yours sincerely

Julie Anne Davey

Appendix 46

Josephine Swaby

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

[REDACTED]

28 June 2023

The Licensing Section
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY

Dear Sir/Madam

**Re: Café Brera Licence Application LIC/160051 - 31 Westferry Circus,
London E14 8RR**

I am writing to express my serious concerns regarding the licence application for the above premises. I believe that the licence application would cause significant public nuisance and increase the risk of crime and disorder at Canary Riverside and the neighbouring area.

I live in Canary Riverside and have done so since 2001. Café Brera is part of the Canary Riverside estate, which is primarily a residential estate. I am an Interested Party under the terms of the Licensing Act 2003.

My primary concern is regarding the disturbance that I will encounter from patrons drinking outside until 23:00 (or later, if they have purchased drinks 'off-licence') and from recorded music being played outside and inside the premises.

The application is to grant permission to:

- Play recorded music from 07.00 to 23.00, inside and outside seven days a week.
- Sale/supply of alcohol off and on the premises from 11:00 to 23:00 seven days a week

I object to:

- The length of the hours during which alcohol can be served.
- The application to play recorded music outside.

Location

Café Brera is located within residential buildings containing over 100 flats - it is within Hanover House which is joined to Berkeley Tower. The Canary Riverside estate has a total of 325 flats across four blocks. We stand to be significantly impacted by the noise and nuisance that will be caused by the application.

Since 2001 Café Brera had operated as a café restaurant. There was no recorded music played outside and the premises were generally closed c.8pm-9pm. It had caused me no disturbance, nor am I aware of my neighbours having encountered any disturbance. It operated primarily as a food establishment, ie, it was not a bar.

Since recently opening under the ownership/management of Republiks Ltd, with a temporary licence, residents have already had cause to complain to the estate manager about the disturbance being caused by the music and patrons. Early indications are that the new owners intend to move away from the quiet café/restaurant that Café Brera has been for the past 22 years. This would be wholly unsuitable within our residential development.

Objection

I object to the application on the grounds of the prevention of public nuisance and the prevention of crime and disorder. Our homes are the 'nearest noise sensitive premises', with our bedrooms and living rooms located directly above the premises.

1. **Prevention of public nuisance - music.** There is no measure proposed in the application - and nor is one possible with an uncovered open-air terrace - to prevent the sound of recorded music drifting upwards. Notably the application omits any mention of the fact it is located within a block of flats. I **object** to the premises being granted a licence permitting the playing of recorded music **outside the premises at any time**.

If it were to be granted inside the premises it **must not be audible outside** - including when the entrance door and/or windows are open.

It would be a change from the way the premises have been operating for the past 22 years. Sound travels upwards and affects people sleeping on the fourth floor as much as it does those trying to sleep on the 14th floor. Canary Riverside is not the business district of Canary Wharf. It is a residential estate on the edge of Canary Wharf. If a licence was to be granted permitting the serving of alcohol beyond 21:00 our ability to sleep/enjoy our homes would be changed forever, as neighbouring premises would seek licences on similar terms.

Any inside music should cease by 21:00. The licence should contain the relevant restrictions to ensure that music does not 'leak' from inside the premises, with speakers located at the farthest point from doors and windows, and doors and windows to be closed when music is being played inside in order to contain the sound.

2. **Prevention of public nuisance - sale/supply of alcohol.** The proposed licensing hours would make the venue a late-night drinking venue immediately below bedrooms and living rooms. Alcohol and people

out to enjoy themselves is an anti-social mix for children, working adults and other residents who are trying to sleep. It only takes one loud conversation between half a dozen people to cause a disturbance, and to grant a licence to 23:00 would open the potential for nightly disturbances seven days a week, inevitably straying well beyond 23:00. It would be a magnet for people seeking a drink and a cigarette in this area.

Residents in Belgrave Court (a block of flats at the other corner of Canary Riverside) already have to put up with the disturbance from Mala's patrons (37 Westferry Circus), with people using their tables and chairs long after closing time. The outside chairs/tables at Café Brera would be subject to similar late night use by people who have purchased alcohol from the premises.

The application contains no mention whatsoever of 'noise' nor the approach to managing noise. It is clear no thought has been given to local residents and the proactive management of noisy patrons at any time of day. CCTV is no protection, nor is 'seek the service of a security company in extreme situations'.

It is not just noise from patrons: the clearing up of bottles and glasses etc will also cause a disturbance.

The supply of alcohol licensing hours should be restricted to 21:00 at the latest. There should be appropriate restrictions imposed as part of the licence regarding the management of patrons leaving the premises, responding to noise complaints from residents, clearing up etc.

3. **Prevention of crime and disorder- sale/supply of alcohol.** Many of the points from 2 above apply to this licensing objective. The premises would become a magnet for people seeking a late night (beyond 9pm) drink, and off-licence sales would enable people to sit on the benches by the river – also beneath our bedroom windows. Unfortunately there is not a Public Spaces Protection Order in operation in this part of the riverfront – the Ropemakers PSPO ends just before reaching Canary Riverside – because, we understand, Canary Wharf Group objected to it extending on property owned by them. It is important to restrict the licensing hours so that Café Brera does not become a drinking establishment and continues to be premises where alcohol is secondary to the supply of food.

To prevent the possibility of crime and disorder in this residential area **the supply of alcohol licensing hours should be restricted to 21:00 at the latest and there should be no outside (or audible outside) recorded music.**

I am told the premises are under new ownership/management, Republiks Ltd, a company with one director who has 66 other directorships, the majority outside of the hospitality sector and is therefore probably a nominee director. There is no 'track record' for residents to check similar premises managed by the applicant.

Finally I wish to raise the recent planning application PA/23/00513/NC for a rooftop restaurant and bar within the Canary Riverside gardens, an application I have already objected to on 2 occasions. The applicant – who is also the Landlord of Café Brera (ie, Republiks Ltd are their commercial tenant) - has sought to justify their application by falsely claiming Canary Riverside is already a noisy area [and so a roof terrace restaurant/bar for 100+ patrons would not impact residents]. The Council would be assisting that application, by turning

Canary Riverside into a noisy location, if it were to grant Café Brera a licence that permitted outside music and an alcohol licence beyond 21:00.

I therefore support a **rejection of the licence application** per the above.

Yours Sincerely,

A black rectangular box redacting the signature of Josephine (Jo) Swaby. A small handwritten mark is visible to the left of the box, and a small loop is visible below it.

Josephine (Jo) Swaby

Appendix 47

Corinne Holland

From: Corinne Holland
Sent: 24 July 2023 12:16
To: Corinne Holland
Subject: FW: Important update on Alcohol License Application for Cafe Brera

On 14 Jul 2023, at 17:14, Yulia Bliss @ Cafe Brera <[REDACTED]> wrote:

Dear Residents,

We hope this email finds you well. We are writing to provide you with an important update regarding the objections raised concerning our alcohol license application for Republiks limited trading as Cafe Brera. We have taken your concerns seriously and have made significant changes to address them in collaboration with the local authorities and relevant professionals.

First and foremost, we want to emphasise that Cafe Brera is not a pub or bar but a family-oriented establishment. Our goal is to create a welcoming and inclusive environment that caters to a variety of patrons, including families and individuals seeking a comfortable and enjoyable dining experience.

In response to your concerns, we want to clarify that our food menu will be available until closing time, including hot options, pastas, sandwiches, and snacks. We understand the importance of providing a comprehensive dining experience that complements responsible alcohol consumption. Our intention is to offer a well-rounded menu that satisfies our customers throughout the day.

We would also like to assure you that no music will be played outside the premises during working hours. We recognise the need to maintain a peaceful environment and ensure that any potential noise disturbances are minimised.

Furthermore, we are pleased to inform you that we have accepted the recommendations put forth by the police and environmental officer. We have implemented the following changes to address the concerns raised:

- Crime and Disorder Prevention:
 - Installation and maintenance of a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team.
 - Designation of a staff member who is conversant with the operation of the CCTV system.
 - Implementation of a Challenge 25 proof of age scheme.
 - Maintenance of an incident log available for inspection by the police or authorised officers.
-
- Public Nuisance Mitigation:
 - All sales of alcohol for consumption off the premises will be in sealed containers only, strictly prohibiting their consumption on-site.
 - Alcohol consumed outside the premises will be limited to patrons seated at tables.
 - Outside tables and chairs will be rendered unusable at 9pm each day.
 - Prominent notices will be displayed in smoking areas, requesting patrons to respect the needs of local residents and use the area quietly.
 - Measures will be in place to remove and prevent litter or waste, ensuring the cleanliness of the area outside the premises.
-
- Protection of Children from Harm:
 - Operation of a Challenge 25 proof of age scheme.
 - Maintenance of detailed records of all refused sales of alcohol, including outcomes and staff involved.

-
- Public Safety:
- Windows and external doors will be kept closed during regulated entertainment if there any will be planned, except for the immediate access and egress of persons.
- The external area will not be used after 9pm, except for a limited number of patrons temporarily leaving and re-entering the premises.

Additionally, we have revised our policies to ensure the last sale of alcohol is not later than 10.30pm for consumption inside the premises only or in sealed containers for consumption off the premises. This adjustment allows for sufficient time for customers to "drink up" and facilitates a safe and responsible environment for both patrons and the community.

We strongly believe that these measures address the concerns raised and demonstrate our commitment to being a responsible establishment.

We would also like to extend an invitation to meet with the management of Cafe Brera Riverside during the upcoming week on Tuesday 18/07 at 4pm and Thursday 20/07 at 7pm. This meeting would provide an opportunity to address any remaining concerns you may have and ensure open lines of communication moving forward. In addition, as a token of goodwill and in appreciation of our neighbours, we would like to offer a permanent 10% discount to all residents. It is important to us that we foster a positive and harmonious relationship with the community.

We sincerely apologise for any inconvenience or apprehension caused by the initial application and assure you that we will make every effort to be a responsible and valued member of the neighbourhood.

Please feel free to contact us [REDACTED] to schedule a meeting or discuss any further concerns you may have. We look forward to the opportunity to address any remaining issues and work towards building a mutually beneficial relationship.

We kindly request that if you are satisfied with the implemented changes and do not have any other objections, please send an email to Corinne Holland at licensing@towerhamlets.gov.uk stating that if the mentioned above changes were implemented to Cafe Brera 31 Westferry Circus E14 License application - M/160051, the objection is withdrawn.

We kindly ask you to confirm if you are happy to do so.

Thank you for your understanding and cooperation.

Warm regards,

Cafe Brera Riverside management

Appendix 48

Corinne Holland

From: Lavine Miller-Johnson on behalf of Licensing
Sent: 23 June 2023 17:39
To: Corinne Holland
Subject: FW: License Application Cafe Brera, 31 Westferry Circus E14 8RR

From: Yulia Bliss @ [REDACTED]
Sent: Friday, June 23, 2023 3:57 PM
To: Kieran.Wells [REDACTED]
Cc: MARK.J.Perry [REDACTED] Licensing <[REDACTED]>
Subject: Re: License Application Cafe Brera, 31 Westferry Circus E14 8RR

Dear Kieran,
We are happy to accept all the changes.
I will notify the License holder Republiks Ltd.

With Kind Regards
Yuliya
[REDACTED]

On 23 Jun 2023, at 15:06, [REDACTED] wrote:

Hello Julia,

With regards to the application for Café Brera, as per the attached email correspondence and our phone conversations , could you review the below changes to the license application and tell me whether you agree to the conditions we have proposed or not. Due to the deadline approaching fast and previous attempts to contact Mr Dina could you please reply ASAP or we will have to put an objection in with the local authority.

[REDACTED]

Having studied your license application, we feel that the following license conditions as a minimum standard in keeping with the Tower Hamlets Licensing Policy 2018 – 2023 and the Licensing Act 2003 will be needed in order to achieve the four licensing objectives:

License application changes:

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

No

(See Guidance around the Live Music Act 2012)

Section 18 condition changes:

Crime and Disorder

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:*
 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.*
5. *In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:*
 1. *the police (and, where appropriate, the London Ambulance Service) are called without delay;*

2. *all measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;*
3. *the crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and*
4. *such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.*

Public Nuisance

6. *All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.*
7. *Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.*
8. *All outside tables and chairs shall be rendered unusable by 21:00 hours each day.*
9. *Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.*
10. *During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.*
11. *The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.*

Protection of Children from Harm

12. *A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.*
13. *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.*

General

14. *All staff whose responsibilities include the retail sale of alcohol shall receive training about the prevention of underage sales on induction and then every 12 months thereafter/01 times a year. 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.*
15. *The outdoor area shall not be used by patrons after 21:00 hours*

Furthermore to this your closing times and last sale of alcohol times are identical. As a standard the last sale of alcohol should be 30 minutes prior to your closing time to allow for “drinking up” and prevent any lingering around in a residential area as well as to facilitate safe transport home for patrons. As such we would suggest making your last sale of alcohol 22:30 hours /10:30pm.

Please also notify the License Holder REPUBLIKS LTD if you are acting as a representative of their company.

If these conditions are acceptable please let me know and I will inform Tower Hamlets Council Licensing that we have no objection.

Kind Regards,

Kieran.

<image001.png>

PC Kieran Wells
P244838



<image002.gif>

<image003.gif>

**Unless otherwise stated this email is
GSC Code – Official**

<image004.png>

<image006.jpg>

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

<mime-attachment>

Appendix 49

Corinne Holland

From: Lavine Miller-Johnson on behalf of Licensing
Sent: 23 June 2023 17:42
To: Corinne Holland
Subject: FW: 160051 - Cafe Brera -31 Westferry Circus, London, E14 8RR
Attachments: VIDEO-2023-06-20-13-58-57.mp4

From: Yulia Bliss @ [REDACTED]
Sent: Friday, June 23, 2023 5:10 PM
To: Onuoha Olere <[REDACTED]>
Cc: Licensing <Licensing@towerhamlets.gov.uk>; MARK.J.Perry [REDACTED] Alexandru Dina <al[REDACTED]>; Office @ Cafe Brera [REDACTED]m>; Finance @ [REDACTED]
Subject: Fwd: 160051 - Cafe Brera -31 Westferry Circus, London, E14 8RR

Dear Onuoha,
We are happy to accept all requested conditions.
I informed the License holder Republiks Ltd.
Have a nice weekend!

With Kind Regards
Yuliya
[REDACTED]

From: Alexandru Dina <[REDACTED]>
Date: 21 June 2023 at 15:07:16 BST
To: pa [REDACTED] "Yulia Bliss @ [REDACTED] <y.bliss[REDACTED]>
Subject: Fwd: 160051 - Cafe Brera -31 Westferry Circus, London, E14 8RR

----- Forwarded message -----

From: Onuoha Olere
<Onuoha.Olere@[REDACTED]>k<mailto:Onuoha.Olere[REDACTED]>
>
Date: Wed, 21 Jun 2023 at 10:51
Subject: 160051 - Cafe Brera -31 Westferry Circus, London, E14 8RR
To:
AlexandruDin [REDACTED]
[REDACTED]
<AlexandruDina [REDACTED]>
[REDACTED]
Cc: Licensing
<Licensing@towerhamlets.gov.uk<mailto:Licensing@towerhamlets.gov.uk>>,
MARK.J.Perry@[REDACTED]>
[REDACTED]

>>

Dear Alexandru,

Upon review of the application and my inspection of the area for the license application for Café Brera, 31 Westferry Circus, London, E14 8RR<<https://www.google.com/maps/search/31+Westferry+Circus,+London,%0D%0A+E14+8RR?entry=gmail&source=g>>, with particular attention to the licensing objectives for the prevention of public nuisance, I wish for the following noise conditions to apply as below:-

- * Loudspeakers shall not be located in the entrance lobby, or outside the premise building nor on internal walls or ceilings and without the use of anti-vibration mounts used for speakers attached to the walls.
- * All windows and external doors shall be kept closed when regulated entertainment takes place, except for the immediate access & egress of persons.
- * Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- * No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises, which gives rise to a public nuisance.
- * The external area shall not be used after 21:00 hours, except for patrons permitted to temporarily leave and then re-enter the premises, e.g.to<<http://e.g.to>> smoke, and shall be limited to 8 persons at any one time.

I do not object to this application, but the above conditions must be agreed to be applied before.

I have attached video and photographs of business and its proximity to residential properties, this highlight why the above conditions must be agreed to.

Kind regards

Olere

<<https://www.google.com/maps/search/160+Whitechapel+Road+%0D%0A+London,+E1+1BJ?entry=gmail&source=g>>

Onuoha OLERE

Environmental Protection Officer
Environmental Health & Trading Standards
4th Floor, Tower Hamlets Town Hall
160 Whitechapel
Road<<https://www.google.com/maps/search/160+Whitechapel+Road+%0D%0A+London,+E1+1BJ?entry=gmail&source=g>>
London, E1
1BJ<<https://www.google.com/maps/search/160+Whitechapel+Road+%0D%0A+London,+E1+1BJ?entry=gmail&source=g>>
Phone – [REDACTED]

Please send your response or email reply directly to
Environmental.Protection@towerhamlets.gov.uk<<mailto:Environmental.Protection@towerhamlets.gov.uk>> quoting your case
reference number.

Section 61 consent

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

Click here to see the Tower Hamlets Noise
map: [https://towerhamlets.maps.arcgis.com/apps/webappviewer/i
ndex.html?id=ab567dca90424100b0026259e447d911](https://towerhamlets.maps.arcgis.com/apps/webappviewer/index.html?id=ab567dca90424100b0026259e447d911)

[Image showing the map of Tower Hamlets split into the four sub
areas]

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

----- Forwarded message -----

From: Onuoha Olere

<[Onuoha.Olere@\[REDACTED\]](mailto:Onuoha.Olere@[REDACTED])>

To: Onuoha Olere

<[Onuoha.Olere@\[REDACTED\]](mailto:Onuoha.Olere@[REDACTED])>

Cc:

Bcc:

Date: Wed, 21 Jun 2023 09:31:20 +0000

Subject: FW:

[cid:188de474a856e4823222]

Appendix 50

Section 182 Advice by the Home Office Updated on December 2022

Relevant, vexatious and frivolous representations

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

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

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

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

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

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

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

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

Appendix 51

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 52

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 53

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 54

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 55

Public Safety

- 8.1 The 2003 Act covers a wide range of premises that require a licence, and so such premises present a mixture of risks to users and should be constructed or adapted and operated so as to acknowledge and safeguard occupants against these risks.
- 8.2 The Licensing Authority will expect Operating Schedules to satisfactorily address these issues and applicants are advised to seek advice from the Council's Environmental Health (Health & Safety) Officers and the London Fire Brigade before preparing their plans and Schedules.
- 8.3 Where an applicant identifies an issue in regard to public safety (including fire safety) which is not covered by existing legislation, the applicant should identify in their operating schedule the steps that will be taken to ensure public safety. This needs to take into account any unique characteristics that arise in connection with the licensable activity, any requirements that are specific to the premises.
- 8.4 One of the Council's Community Safety Partnership Priorities is tackling violence against women and girls. As a result the Licensing Authority expects Licence holders to take a proactive approach to customer safety including the following:
- Making provisions to ensure that customers safely leave their premises, for example providing information on licensed taxi companies, adequate lighting outside the premises,
 - Training of staff in spotting signs of harassment, and how to intervene where safe and appropriate to do so, and/or reporting such harassment to management/emergency services.

The Licensing Authority may be able to sign post Licence Holders in regards to local/national safeguarding schemes which may assist with the above.

- 8.5 The Licensing Authority, where its discretion is engaged, will consider attaching proportionate and appropriate Conditions to licences and permissions to promote safety, and these may include Conditions drawn from a the Model Pool of Conditions found in the Secretary of States Guidance.
- 8.6 The Licensing Authority will impose conditions that relate to its licensing objectives, and in a way that is proportionate to the individual circumstances of the premises seeking a licence.

Appendix 56

Public safety

- 2.7 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.
- 2.8 A number of matters should be considered in relation to public safety. These may include:
- Fire safety;
 - Ensuring appropriate access for emergency services such as ambulances;
 - Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4 above);
 - Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;
 - Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);
 - Ensuring appropriate and frequent waste disposal, particularly of glass bottles;
 - Ensuring appropriate limits on the maximum capacity of the premises (see paragraphs 2.12-2.13, and Chapter 10; and
 - Considering the use of CCTV in and around the premises (as noted in paragraph 2.3 above, this may also assist with promoting the crime and disorder objective).
- 2.9 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. As set out in Chapter 8 (8.38-8.46), applicants should consider when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they achieve that.

Ensuring safe departure of those using the premises

- 2.10 Licence holders should make provision to ensure that premises users safely leave their premises. Measures that may assist include:
- Providing information on the premises of local taxi companies who can provide safe transportation home; and
 - Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks.

Maintenance and repair

- 2.11 Where there is a requirement in other legislation for premises open to the public or for employers to possess certificates attesting to the safety or satisfactory nature of certain equipment or fixtures on the premises, it would be inappropriate for a licensing condition to require possession of such a certificate. However, it would be permissible to require as a condition of a licence or certificate, if appropriate, checks on this equipment to be conducted at specified intervals and for evidence of these checks to be retained by the premises licence holder or club provided this does not duplicate or gold-plate a requirement in other legislation. Similarly, it would be permissible for licensing authorities, if they receive relevant representations from responsible authorities or any other persons, to attach conditions which require equipment of particular standards to be maintained on the premises. Responsible authorities – such as health and safety authorities – should therefore make their expectations clear in this respect to enable prospective licence holders or clubs to prepare effective operating schedules and club operating schedules.

Safe capacities

- 2.12 “Safe capacities” should only be imposed where appropriate for the promotion of public safety or the prevention of disorder on the relevant premises. For example, if a capacity has been imposed through other legislation, it would be inappropriate to reproduce it in a premises licence. Indeed, it would also be wrong to lay down conditions which conflict with other legal requirements. However, if no safe capacity has been imposed through other legislation, a responsible authority may consider it appropriate for a new capacity to be attached to the premises which would apply at any material time when the licensable activities are taking place and make representations to that effect. For example, in certain circumstances, capacity limits may be appropriate in preventing disorder, as overcrowded venues can increase the risks of crowds becoming frustrated and hostile.
- 2.13 The permitted capacity is a limit on the number of persons who may be on the premises at any time, following a recommendation by the relevant fire and rescue authority under the Regulatory Reform (Fire Safety) Order 2005. For any application for a premises licence or club premises certificate for premises without an existing permitted capacity where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act¹, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their recommendation to the fire and rescue authority which will consider it and decide what the “permitted capacity” of

¹ S 177 of the 2003 Act now only applies to performances of dance

those premises should be.

- 2.14 Public safety may include the safety of performers appearing at any premises, but does not extend to the prevention of injury from participation in a boxing or wrestling entertainment.

Appendix 57

Protection of children from harm

- 10.1 The wide range of premises that require licensing means that children can be expected to visit many of these, often on their own, for food and/or entertainment. The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Home Office Guidance also expects Licensing authorities to consider the need to protect children from sexual exploitation when undertaking licensing functions.
- 10.2 Tackling Child Sexual Exploitation (CSE) is a key target both locally and nationally as such the Licensing Authority expects Licence Holders to:
- Understand that there are criminal offences in relation to sexual exploitation of a child,
 - Ensure that they and their employees have a basic awareness of the signs of CSE and how to report it;
 - Report any concerns to the appropriate authorities or to the Licensing Authority can advise them of the appropriate authority to report concerns to.
- 10.3 Applicants are to consult with the Responsible Authority designated for Child Protection listed in appendix 1 - List of Responsible Authorities of this who this Licensing Authority recognises to be competent body to advise on the protection of children from harm.
- 10.4 The Act does not prohibit children from having access to any licensed premises; the Council recognises that limitations may have to be considered where it appears necessary to protect children from harm.
- 10.5 The Licensing Authority will judge the merits of each separate application before deciding whether to impose conditions limiting the access of children to individual premises. The following are examples of premises that will raise concern:-
- Where there have been convictions, Fixed Penalty Notices (FPNs) or formal cautions for serving alcohol to minors or with a reputation for underage drinking

- With a known association with drug taking or dealing
 - Where there is a strong element of gambling on the premises
 - Where entertainment of an adult or sexual nature is provided
 - Where irresponsible drinking is encouraged or permitted.
- 10.6 Where its discretion is engaged, the Licensing Authority will consider any of the following options when dealing with a licence application where limiting the access of children is considered necessary to prevent harm to children:
- Limitations on the hours when children may be present,
 - Limitations on ages below 18,
 - Limitations or exclusion when certain activities are taking place,
 - Requirements for an accompanying adult,
 - Full exclusion of people under 18 from the premises when any licensable activities are taking place.
- 10.7 No conditions will be imposed requiring that children must be admitted to any premises and, where no limitation is imposed, this will be left to the discretion of the individual licensee.
- 10.8 The Act details a number of offences designed to protect children in licensed premises and the Licensing Authority will work closely with the police to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol to children.
- 10.9 All licence holders will be expected to comply the Portman Group Code of Practice, and in particular the Retailer Alert Bulletin by which the Portman Group informs licensed retailers, which products have been found to be in breach of the code, and should be removed from sale.
- 10.10 The Licensing Authority expects all licensed suppliers of alcohol to have robust measures, effectively managed and monitored, in place to ensure that minors are fully protected from harm. This will require operating plans to specify these measures and management controls taking into account paragraph 10.1 and 10.2 above. Where appropriate a written childcare policy should be available and be incorporated in the induction of staff.

- 10.11 The Licensing Authority will take appropriate and proportionate action where there are serious concerns in relation to the safe guarding of children in connection with a licensed premises, which may include consideration of applying for a review of the licence where there is significant evidence of undermining the licensing objective of the protection of children from harm.
- 10.12 The sale of alcohol to a minor is a criminal offence and Trading Standards will conduct appropriate covert test purchasing exercises and will take account of any complaints and intelligence received. The Act permits the use of children under the age of 18 to undertake test purchases.
- 10.13 Where there are age restrictions imposed by the Act on the licensable activities in respect of children below a certain age, then the licensee will be required to demonstrate that they have age verification systems in place. This Licensing Authority believes that that Licensed Premises should have age verification policies to require individuals who appear to the person serving alcohol to be under the age of 25 years of age to produce on request appropriate identification. This is commonly referred to as the "Challenge 25 Scheme". The rationale for this is because it can often be difficult to judge how old teenagers are and "Challenge 25 age verification system" would provide licensed premises with margin of error to prevent underage sales. Thus Challenge 25 can help to empower staff to challenge customers where there is doubt about their age. In turn this is likely to reduce the risk of the owner, or the seller of the alcohol, committing an offence.
- 10.14 Training in age verification systems should be given to all persons who might be in a position to serve or refuse the sale of alcohol to children. The training should include a basic understanding of the law, seeking proof of age, verifying the authenticity of proof of age cards and handling and recording refusals.
- 10.15 Where proportionate and appropriate, and its discretion is engaged, the Licensing Authority will impose the following standard conditions in relation to age verification systems:
- 1) All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
 - 2) A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
 - 3) A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record

shall be available for inspection at the premises by the police or an authorised officer at all times whilst the premises is open.

- 4) All staff whose duties include the serving of alcohol must be trained in the requirements of this scheme including the importance of recording any refusals.

11 Access to Cinemas

- 11.1 Films cover a vast range of subjects, some of which deal with adult themes and / or contain, for example, scenes of horror or violence that may be considered unsuitable for children within certain age groups.
- 11.2 In order to prevent children from seeing such films, the Licensing Authority will impose conditions requiring licensees to restrict children from viewing age restricted films classified according to the recommendations of the BBFC, or the Council itself. The Licensing Authority will not consider reclassifying any films already classified by the BBFC. The Council will charge for classifying films, on a full cost recovery basis.
- 11.3 The Licensing Authority will classify films itself where it is satisfied that no BBFC classification exists. It will inform relevant licensee and require such classifications to be clearly contained in any advertising or informative material relating to such films.

12 Children and Public Entertainment

- 12.1 Many children go to see and / or take part in an entertainment arranged substantially for them. Consequently additional arrangements are required to safeguard them at such times.
- 12.2 Where 10.1 applies, and its discretion is engaged, the Licensing Authority will require the following arrangements in order to control their access and egress and to assure their safety:-
 - An adult member of staff to be stationed in the vicinity of each of the exits from any level, subject to there being a minimum of one member of staff per 50 children or part thereof,
 - No child unless accompanied by an adult to be permitted in the front row of any balcony,
 - No standing to be permitted in any part of the auditorium during the Performance.

- 12.3 Where children are taking part in any regulated entertainment, and its

discretion is engaged, the Licensing Authority will require the operating schedule to clearly state the steps taken to assure their safety.

- 12.4 Where its authority is engaged, the Licensing Authority will consider attaching conditions to licences and permissions to prevent harm to children, and these may include conditions drawn from the Model Pool of. Conditions that can be found in the Secretary of State's Guidance.

Appendix 58

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

Updated December 2022

Protection of children from harm

2.22 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.

2.23 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:

- adult entertainment is provided;
- a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
- it is known that unaccompanied children have been allowed access;
- there is a known association with drug taking or dealing; or
- in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.

2.24 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature. Applicants, responsible authorities and licensing authorities will need to consider this point carefully. This would broadly include topless bar staff, striptease, lap-, table- or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language.

- 2.25 Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.
- 2.26 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.
- 2.27 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:
- restrictions on the hours when children may be present;
 - restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;
 - restrictions on the parts of the premises to which children may have access;
 - age restrictions (below 18);
 - restrictions or exclusions when certain activities are taking place;
 - requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and full exclusion of people under 18 from the premises when any licensable activities are taking place.
- 2.28 Please see also Chapter 10 for details about the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010.

- 2.29 Licensing authorities should give considerable weight to representations about child protection matters. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform such representations. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the licensing authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons under 18 years old with alcohol-related illnesses or injuries) this evidence should be considered, and the licensing authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the licensing authority considers what conditions may be appropriate to ensure that this objective is promoted effectively.
- 2.30 The 2003 Act provides that, where a premises licence or club premises certificate authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the licence (the British Board of Film Classification is currently the only body which has been so designated) or by the licensing authority itself. Further details are given in Chapter 10.
- 2.31 Theatres may present a range of diverse activities and entertainment including, for example, variety shows incorporating adult entertainment. It is appropriate in these cases for a licensing authority to consider restricting the admission of children in such circumstances. Entertainments may also be presented at theatres specifically for children. It will be appropriate to consider whether a condition should be attached to a premises licence or club premises certificate which requires the presence of a sufficient number of adult staff on the premises to ensure the wellbeing of the children during any emergency.

Offences relating to the sale and supply of alcohol to children

- 2.32 Licensing authorities are expected to maintain close contact with the police, young offenders' teams and trading standards officers (who can carry out test purchases under section 154 of the 2003 Act) about the extent of unlawful sales and consumption of alcohol by minors and to be involved in the development of any strategies to control or prevent these unlawful activities and to pursue prosecutions. Licensing authorities, alongside the police, are prosecuting authorities for the purposes of these offences, except for the offences under section 147A (persistently selling alcohol to children). Where, as a matter of policy, warnings are given to retailers prior to any decision to prosecute in respect of an offence, it is important that each of the enforcement arms should be aware of the warnings each of them has given.

| Table of relevant offences under the 2003 Act Section | Offence | Prosecuting Authority |
|--|--|---|
| Section 145 | Unaccompanied children prohibited from certain premises | Police and/or Licensing Authority |
| Section 146 | Sale of alcohol to children | Police, Licensing Authority and/or Local Weights and Measures Authority |
| Section 147 | Allowing the sale of alcohol to children | Police, Licensing Authority and/or Local Weights and Measures Authority |
| Section 147A | Persistently selling alcohol to children | Police and/or Local Weights and Measures Authority |
| Section 148 | Sale of liqueur confectionery to children under 16. (This offence will be repealed by the Deregulation Act 2015 on 26 May 2015). | Police and/or Licensing Authority |
| Section 149 | Purchase of alcohol by or on behalf of children | Police and/or Licensing Authority |
| Section 150 | Consumption of alcohol by children | Police and/or Licensing Authority |
| Section 151 | Delivering alcohol to children | Police and/or Licensing Authority |
| Section 152 | Sending a child to obtain alcohol | Police and/or Licensing Authority |
| Section 153 | Prohibition of unsupervised sales by children | Police and/or Licensing Authority |

Appendix 59

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 60

Planning

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

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Agenda Item 3.2

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

| | |
|---|--|
| Report of: David Tolley Head of Environmental Health & Trading Standards Originating Officer: Lavine Miller-Johnson Licensing Officer | Title: Licensing Act 2003 Application to Review the Premises Licence for (Denni's News) 103 Brabazon Street London E14 6BL Ward affected: Lansbury |
|---|--|

1.0 Summary

| | |
|-----------------------|---|
| Name and | Denni's Off Licence |
| Address of premises: | 103 Brabazon Street London E14 6BL |
| Licence under review: | Licensing Act 2003 <ul style="list-style-type: none">▪ Sale by retail of alcohol (off sales only) |
| Review triggered by: | Trading Standards |
| Review supported by: | Licensing Authority (RA) Metropolitan Police |

2.0 Recommendations

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

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

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

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

Lavine Miller-Johnson
020 7364 2665

3.0 Review Application

- 3.1 This is an application for a review of the premises licence for (Denni's Off Licence) 103 Brabazon Street London E14 6BL
- 3.2 A copy of the review application is attached in **Appendix 1**.
- 3.3 Evidence supporting review is attached in **Appendix 2, (Appendix I – XI)**.

4.0 The Premises

- 4.1 The premises licence was issued on the 18th July 2005 to Mr Dinesh Kanzaria and Mrs Rasila Kanzaria. At the time of the visit by Trading Standards, Dinesh Kanzaria was the Designated Premises Supervisor.
- 4.2 A transfer of the premises licence and vary DPS was made on 6th March 2023 to Preti Kanzaria.
- 4.3 A copy of the current premises licence is included in **Appendix 3**.
- 4.4 Maps showing the premises, surrounding area and vicinity of local residents are included in **Appendix 4**.

5.0 Representations

- 5.1 This hearing is required by the Licensing Act 2003, because a review has been triggered by Trading Standards.
- 5.2 The review is also being supported by the following:
- Licensing Authority (RA) - See **Appendix 5**
 - Metropolitan Police- See **Appendix 6**
- 5.3 Only representations that relate to the following licensing objectives are relevant:
- the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm
- 5.4 In the view of the responsible authorities it is necessary to achieve the licensing objectives of the prevention of public nuisance and prevention of crime & disorder.

6.0 Review Explained

- 6.1 The Licensing Act 2003 was described by the Government at the time as "light touch" but as Baroness Blackstone stated in the Lords at the time of the second reading (26 Nov 2002) "Local residents and businesses

as well as expert bodies, will have the power to request that the licensing authority review existing licences where problems arise. Such a review could result in the modification of the licence, its suspension, or ultimately, revocation.”

- 6.2 The Home Office has issued guidance under Section 182 of the Licensing Act 2003 in relation to reviews and that is contained in **Appendix 7**. It is available on the Government’s website, www.homeoffice.gov.uk. It was last revised in April 2018.
- 6.3 Members are particularly asked to note the comments in relation Crime and Disorder. In particular the home office advice is that “The role of the licensing authority when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure that the crime prevention objective is promoted.”
- 6.4 In relation to its advice on representations the home office has also advised that “there is no requirement for an interested party or responsible authority to produce a recorded history of problems at a premises to support their representations.” It has also issued revised guidance about Crime and Disorder. **See Appendix 8.**
- 6.5 Members should also note the Council’s Licensing Policy in relation to Crime and Disorder, the relevant parts of which are contained in **Appendix 9**.
- 6.6 Guidance Issued by the Home Office concerning Public Nuisance **Appendix 10**.
- 6.7 London Borough of Tower Hamlets Policy in relation to the prevention of Public Nuisance **Appendix 11**.
- 6.8 The Home Office has advised that in relation to reviews “ Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co-operation. ”
- 6.9 An interested party or a responsible authority can trigger a review at any time, but the grounds must be relevant to the licensing objectives. The form of the application, and the advertisement of the review are the subject of regulations (The Licensing Act 2003 (Premises Licences and Club Premises Certificate) Regulations 2005). In addition, the licensing authority has to satisfy itself of certain matters in relation to the Licensing Act 2003. The Licensing & Safety Team Leader is the delegated officer

who deals with this on behalf of the Licensing Authority. All the matters stated in 5.0 were considered before any representations were accepted for inclusion in this report.

6.10 The Licensing Act 2003 requires that the Licensing Authority satisfies itself that it should reject the grounds for a review because:

- The ground is not relevant to one or more of the licensing objectives
- In the case of an application by a local resident that the application is frivolous, vexatious or repetitious.

7.0 Review Advertisement

7.1 The review was advertised by a blue poster, next to the premises, by the Licensing Section. This was periodically monitored by the Section to ensure it was on continuous display, and replaced as necessary. It was also advertised at Tower Hamlets Town Hall, 160 Whitechapel Road, London E1 1BJ.

7.2 The party that triggers the review must notify the licence holder and responsible authorities. The review documents were sent to the licence holders.

7.3 The procedure for a review can be summarised as follows:

- A review is triggered by a responsible authority or interested party
- Consultation is conducted for 28 full days
- Other responsible authorities or interested parties may join in the review
- Members conduct a hearing
- Members make a determination
- All the parties to the review have the right of appeal to the magistrates court (i.e. the licence holder, the person who triggered the review and those who have made a representation).

8.0 Licensing Officer Comments

8.1 When licence holders or designated premises supervisors move, leave a premises or dispose of their premises they remain responsible in law until they have informed the licensing authority and surrendered the licence or arranged a transfer, which may involve notification to the Police as well. Any licensees or designated premises supervisors who are not sure what to do should contact the licensing authority. Please note that should the DPS cease to work/be employed by the premises the Licensing Authority will consider that there is no DPS for those premises. This consideration shall apply regardless of whether that person is still named on the Premises Licence, or whether they have asked for their name to be removed from it. This consideration shall apply until such time that an application is received to nominate a new premises supervisor. In such cases, the Licensing Authority shall expect no sales of alcohol to

take place until an application to vary the DPS has been submitted to the Licensing Authority. (27.1 Licensing Policy)

8.2 Members must consider all the evidence and then decide from the following alternatives:

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

8.3 The licence should only be suspended or revoked if Members believe that alterations to the existing licence, including imposing new conditions does not have a reasonable prospect of ensuring that the licensing objectives are met.

8.4 Members should bear in mind that conditions may not be imposed for any purpose other than to meet the licensing objectives.

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

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

9.0 Legal Comments

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

10.0 Finance Comments

10.1 There are no financial implications in this report.

11.0 Appendices

| | |
|--------------------|--|
| Appendix 1 | Copy of the review application |
| Appendix 2 | Additional evidence (includes old premises licence (number6410) |
| Appendix 3 | Current premises licence |
| Appendix 4 | Maps of the premises and surrounding area |
| Appendix 5 | Representation of Licensing Authority (RA) |
| Appendix 6 | Representation of Police |
| Appendix 7 | Guidance issued under Section 182 by the Home Office for reviews |
| Appendix 8 | Guidance Issued by the Home Office under Section 182 of the Licensing Act 2003 concerning Crime and Disorder |
| Appendix 9 | London Borough of Tower Hamlets Licensing Policy in relation to the prevention of Crime and Disorder |
| Appendix 10 | Guidance Issued by the Home Office concerning the protection of children from harm |
| Appendix 11 | London Borough of Tower Hamlets Policy in relation to the protection of children from harm |

Appendix 1



LICENSING ACT 2003

This form should be completed and forwarded to:

**London Borough of Tower Hamlets,
Licensing Section, 4th Floor Tower Hamlets Town Hall,
160 Whitechapel Road, London E1 1BJ**

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

**I, Alex Brander, apply for the review of a premises licence under section 51 /
apply for the review of a club premises certificate under section 87 of the
Licensing Act 2003 for the premises described in Part 1 below (delete as
applicable)**

Part 1 – Premises or club premises details

| | |
|--|--|
| Postal address of premises or club premises, or if none, ordnance survey map reference or description | |
| Denni's Off-Licence 103 Brabazon Street | |
| Post town: London | Post code (if known) E14 6BL |

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

Miss Preti Kanzaria

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

6410

Part 2 - Applicant details

Please tick ☐ yes

I am

1) an interested party (please complete (A) or (B) below)

a) a person living in the vicinity of the premises

b) a body representing persons living in the vicinity of the premises

c) a person involved in business in the vicinity of the premises

d) a body representing persons involved in business in the vicinity of the premises

☐
☐
☐
☐
☐

2) a responsible authority (please complete (C) below)

☒

3) a member of the club to which this application relates (please complete (A) below)

☐

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

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

Surname

First names

Please tick yes

I am 18 years old or over

☒

Current postal
address if
different from
premises
address

Post Town

Postcode

Daytime contact telephone number

E-mail address
(optional)

(B) DETAILS OF OTHER APPLICANT

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

| Surname | First names |
|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> |

I am 18 years old or over

Please tick ☐ yes
☐

Current postal
address if
different from
premises
address

Post Town

Postcode

Daytime contact telephone number

E-mail address
(optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

| | |
|--|----------------------|
| Name and address | |
| Alex Brander London Borough of Tower Hamlets Tower Hamlets Town Hall 160 Whitechapel Road London E1 1BJ | |
| Telephone number (if any) | <input type="text"/> |
| E-mail (optional) | <input type="text"/> |

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

Please tick one or more boxes

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

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

The Trading Standards Service, as the Local Weights and Measures Authority, is designated a 'responsible authority' for the purposes of the Act and is making representations in relation to the prevention of crime & disorder, public safety, the prevention of public nuisance and the protection of children from harm.

The grounds for the review concern the sale of alcohol to people under the age of 18, contrary to the licensing objective of the protection of children from harm.

On 21st December 2022 LB Tower Hamlets Trading Standards carried out an underage sales test purchase operation. The operation involved visiting various food and drinks shops in the borough and instructing a person aged under the age of 18 to attempt to purchase age-restricted products, including alcohol.

Senior Trading Standards Officer Alex Brander led on the operation. Trading Standards Officers Bridget Rushmoor and Audrey Dembinski also participated in the operation.

One child volunteer assisted with the operation; Volunteer A (14 year old female).

At approximately 12.33 pm STSO Brander instructed Volunteer A to attempt to purchase alcohol from Denni's Off-Licence, 103 Brabazon Street, London, E14 6BL. Officer Rushmoor entered the shop first to witness the test purchase. Volunteer A entered the shop soon after. On this occasion Volunteer A managed to purchase a 700 ml bottle of WKD Blue (ABV 4%). The cost of the WKD Blue was £3.39. Volunteer A was not challenged for proof of age by the seller during the transaction, or by anyone else working in the shop at that time.

The sale of alcohol to a person under the age of 18 constitutes an offence under **Licensing Act 2003; section 146 (1)**.

Following the sale, at approximately 12.44 pm Officers Brander and Rushmoor entered Denni's Off-Licence. There were two men working behind the counter. Officer Rushmoor identified one of the men, who was wearing a grey sweater, as the man that sold the WKD to Volunteer A.

The officers explained to this man that he had sold alcohol to an underage person. The man gave his name as Jignesh V Patel and his date of birth as [REDACTED] Mr Patel had a provisional driving licence on his person. This gave his full name as Jigneshkumar Vinubhai Patel and an address in [REDACTED]

Mr Patel told the officers that his current address is in [REDACTED] Mr Patel does not hold a personal licence for alcohol.

The other man standing behind the counter told the officers that he did not work there, then left the shop.

Mr Patel was asked by the officers if there was a refusals register behind the counter. Mr Patel found one, but no entries had been made in it.

There was a premises licence on display in a frame. The licence number was 6410.

There was also a Licensing Act 2003 notice on display that named the Designated Premises Supervisor as being Dinesh Kanzaria. This notice listed names of people authorised to sell alcohol at the premises. Jignesh Patel's name was not on the list.

Also on display above the tobacco gantry behind the till was a Challenge 25 poster, a No ID No Sale poster and the statutory tobacco age-restriction notice.

The shop uses a till that does not utilise an EPOS system. There were no signs or notices on or immediately beside the till to prompt staff to check for proof of age.

At 1:00 pm another male entered the shop and came behind the till. This man gave his name as Meed Patel and said he was the manager but not the owner. Meed Patel told the officers that the person who ran the business was Dinesh Kanzaria, but he was not present.

See Appendix I – photograph of Volunteer A, Appendix II – photograph of bottle of WKD, Appendix III – photograph of premises licence, Appendix IV – photograph of DPS authorisation, Appendix V – photographs of the refusals book, Appendix VI – photograph of tobacco gantry, Appendix VII – photograph of the till and surrounding area & Appendix VIII – photographs of the alcohol displays.

At the time of the sale the premises licence holders for 103 Brabazon Street, E14 6BL (number 6410) were Mr Dinesh Kanzaria and Mrs Rasila Kanzaria. They were granted the licence in July 2005. Dinesh Kanzaria assumed the position as the Designated Premises Supervisor in February 2007. **See Appendix IX – copy of the premises licence applicable on 21st December 2022.**

Annex 1 of the premises licence contains the mandatory conditions, including:

- The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as appears in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
- Every supply of alcohol under the premises licence must be made or authorised by a

person who holds a personal licence.

Mr Dinesh Kanzaria attended an interview under caution at Tower Hamlets Town Hall on 9th February 2023. In this interview, Mr Kanzaria, through his legal representation, provided a prepared statement:

My name is Dinesh Kanzaria and I am the licence holder and Designated Premises Supervisor for Denni's Off Licence, 103 Brabazon Street, London E14 6BL. I have owned and operated that shop since the 1980s. I am aware of a test purchase at the shop on 21st December 2022 and will state the following:

- 1) I have seen a photo of the female volunteer and accept that she does not look 18 or over.*
- 2) I accept the sale took place.*
- 3) I accept the sale should not have taken place.*
- 4) I was out of the country on 21st December 2022. I flew to India on 11th October and was due to return on 24th November, but I had heart problems whilst I was in India and had to stay until last week, when I returned to the UK.*
- 5) My premises licence has been held by me since November 2005, when it was transferred over when the Licensing Act 2003 was enacted. There are currently no enforceable non mandatory conditions on that licence and I accept there should be going forward, to include CCTV, staff training and a refusals book.*
- 6) As at the date of this interview, Jignengeshkumar Patel is not employed by me or the shop and I have no means of contacting him.*

I am 65 years of age and I have a chronic heart condition and high blood pressure. I have three stents and I have had this condition for the last three years. I am looking to wind down in the next three months and transfer the business and the licence to my daughter.

When questioned about what the shop's age-verification policy was, Mr Kanzaria responded with "no comment". Mr Kanzaria declined the opportunity to provide any explanation as to what the age-verification policy was.

Mr Kanzaria also made no comment as to why Jigneshkumar Patel's name was not on the DPS Letter of Authorisation. Trading Standards is not aware that Jigneshkumar Patel was authorised to sell alcohol by a personal licence holder. Merely working at the premises does not necessarily mean that someone has permission to sell alcohol.

As indicated in Mr Kanzaria's prepared statement, an application to transfer the premises licence was received by Tower Hamlets Licensing on the 6th March 2023. The application was to transfer the licence to Preti Kanzaria, whom would also become the DPS.

Jigneshkumar Patel has not responded to any letters sent to him about an interview under caution, so it has not been possible to obtain his full version of events. This has not been helped by Mr Kanzaria's claim that he has no means of contacting Mr Patel, which brings into question what records he keeps of his employees.

The sale of alcohol to minors undermines the licensing objective of the protection of children from harm. Alcohol can have a serious detrimental effect on a child's psychological and physical

development. It can also impair their decision-making ability, leaving them and others around them vulnerable to risk of harm through serious injury.

It is the opinion of this Responsible Authority that Mr Dinesh Kanzaria and Mrs Rasila Kanzaria have failed to uphold the licensing objective of the protection of children from harm. Mr Kanzaria was unwilling to explain what his age-verification policy was, despite it being a mandatory condition on the licence.

Furthermore, Dinesh Kanzaria has a history of failing to uphold the licensing objectives at this premises. Dinesh Kanzaria received a written warning (dated 2nd September 2009) following an underage sale of alcohol by a staff member at Dennis Off-Licence, 101-103 Brabazon Street, E14 6BL That sale occurred on 30th June 2009 **(see Appendix X – copy of written warning)**. Dinesh Kanzaria and Rasilaben Kanzaria were both convicted for s.92 Trade Marks Act 1994 offences that occurred on 9th January 2012 at Dennis Off-Licence, 101-103 Brabazon Street. E14 6BL (they had in their possession for supply counterfeit Jacobs Creek wine bottles). Dinesh Kanzaria was fined £300 and Rasilaben Kanzaria was fined £200 **(see Appendix XI – copy of Court Attendance Note)**. This Responsible Authority considers this to be failing to uphold the licensing objective of the prevention of crime and disorder.

In 2011 a Fixed Penalty Notice was issued to a staff member at Dennis Beckton, 2-6 East Ham Manor Way, E6 5NG following an underage sale of alcohol there. This is another shop, situated in Newham, that Mr Kanzaria is responsible for.

In more recent history, on the 1st August 2022 a bottle of alcohol was sold to a 14 year old during a Trading Standards test purchase at Denni's News, 15 Swaton Road, London, E3 4ES. Dinesh Kanzaria is the premises licence holder for that store too. On that occasion the alcohol was sold by someone working in the shop that Mr Kanzaria denied knowing. This was despite the seller having Mr Kanzaria's telephone number on his phone. Mr Kanzaria was not present in that shop at the time of the sale. A court hearing is pending for this case, as well as a separate licence review hearing at Tower Hamlets.

This Responsible Authority lacks confidence that the licensing objectives will be upheld at this premises in the future, despite the licence having already been transferred to Preti Kanzaria. It is unclear as to how much involvement Preti Kanzaria has with the business and day to day control of it. Whilst there is scope to add conditions to the licence concerning the prevention of alcohol sales to minors, the recent and historical failings to uphold the licensing objectives would warrant a revocation, for which this Responsible Authority seeks.

Have you made an application for review relating to this premises before

Please tick ? yes

☐

If yes please state the date of that application

| | | |
|-----|-------|------|
| Day | Month | Year |
| | | |

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

.

Please tick ☐ yes


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

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

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

Part 3 – Signatures (please read guidance note 3)

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

Signature 

Date: 24/05/2023

Capacity: Senior Trading Standards Officer

| | |
|--|------------------|
| Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 5) | |
| | |
| Post town | Post code |
| Telephone number (if any) | |
| If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) | |

Notes for Guidance

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

Appendix 2

Appendix I



Appendix II



Appendix III

TOWER HAMLETS
Licence / Registration

Certificate Number 6410 ✓

Postal Address
(Dennis Off Licence)
103 Brabazon Street
London
E14 6BL

Licensable Activities authorised by the licence
Sale by retail of alcohol.

See the attached licence for the licence conditions

Signed by John Cruse
Team Leader Licensing

Date: 18th July 2005

1
M:\LICENSING\Word97\2003 Licensing Act certs & lices\2003 Issued Premises Licences\BrabazonStreet103.doc

| FOR OFFICE USE | | Receipt Number | Fee paid | Fee Req. | Date | Initial |
|----------------|--|----------------|----------|----------|------|---------|
| | | | | | | |

Appendix IV

Licensing Act 2003

Designated Premises Supervisor (DPS) Letter of Authorisation

Full Name of DPS: DINESH KANZARIA
 Personal License No: [REDACTED]

being the Designated Premises Supervisor (DPS) for the premises known as:

Premises Name: DENNIS POPPERS LTD
 Premises License No: 6410

hereby authorise the following named person(s) to sell and supply alcohol in compliance with the Licensing Act 2003 in my absence from the premises.

I can always be contacted on the following telephone number(s):
[REDACTED]

Name(s) of Authorised Person(s):

| Full Name(s): | Personal License No: (If applicable) | Non Personal License Holder (please tick) |
|---------------|--------------------------------------|---|
| VIREN DASHI | | <input checked="" type="checkbox"/> |
| Shakuntalaben | [REDACTED] | <input checked="" type="checkbox"/> |
| | | |
| | | |

Designated Premises Supervisor to sign:

| | | | |
|---------------|-------------------|-------|-----------------------|
| Signed: (DPS) | <u>[REDACTED]</u> | Date: | <u>17- APR - 2019</u> |
|---------------|-------------------|-------|-----------------------|

Please ensure that this form is kept at the premises and can easily be made available for inspection Officers of all Relevant Authorities.

Postal Address

**(Dennis Off Licence)
103 Brabazon Street
London
E14 6BL**

Licensable Activities authorised by the licence

Sale by retail of alcohol.

See the attached licence for the licence conditions

Signed by

**John Cruse _____
Team Leader Licensing**

Date: 18th July 2005



LICENSING ACT 2003

Part A - Format of premises licence

Premises licence number

6410

Part 1 - Premises details

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

(Dennis Off Licence)
103 Brabazon Street

Post town
London

Post code
E14 6BL

Telephone number
[REDACTED]

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities

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.

The opening hours of the premises

There are no restrictions on the hours during which this premises is open to the public

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

Off sales only

Part 2

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

Mr. Dinesh Kanzaria and Mrs. Rasila Kanzaria
(Dennis Off Licence)
103 Brabazon Street
London
E14 6BL



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

N/A

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

Dinesh Narendra Kanzaria



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



Annex 1 - Mandatory conditions

4.

- (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) 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 a holographic mark.

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

Alcohol shall not be sold in an open container or be consumed in the licensed premises

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.

The above restrictions do not prohibit:

- (a) 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;
- (b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (c) the sale of alcohol to a trader or club for the purposes of the trade or club;
- (d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

Private Entertainment

The premises may be used for the following purpose, that is to say, dancing, music, or other entertainment of the like kind which-

- a) is not a public entertainment but
- b) is promoted for private gain

Public Entertainment

Public Entertainment consisting of music and singing provided solely by the reproduction of recorded sound

Annex 2 - Conditions consistent with the operating Schedule

None

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

N/A

Annex 4 - Plans

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

2nd June 2005



Part B - Premises licence summary

Premises licence number

6410

Premises details

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

**(Dennis Off Licence)
103 Brabazon Street**

**Post town
London**

**Post code
E2 0HU**

Tele hone number

Where the licence is time limited the dates

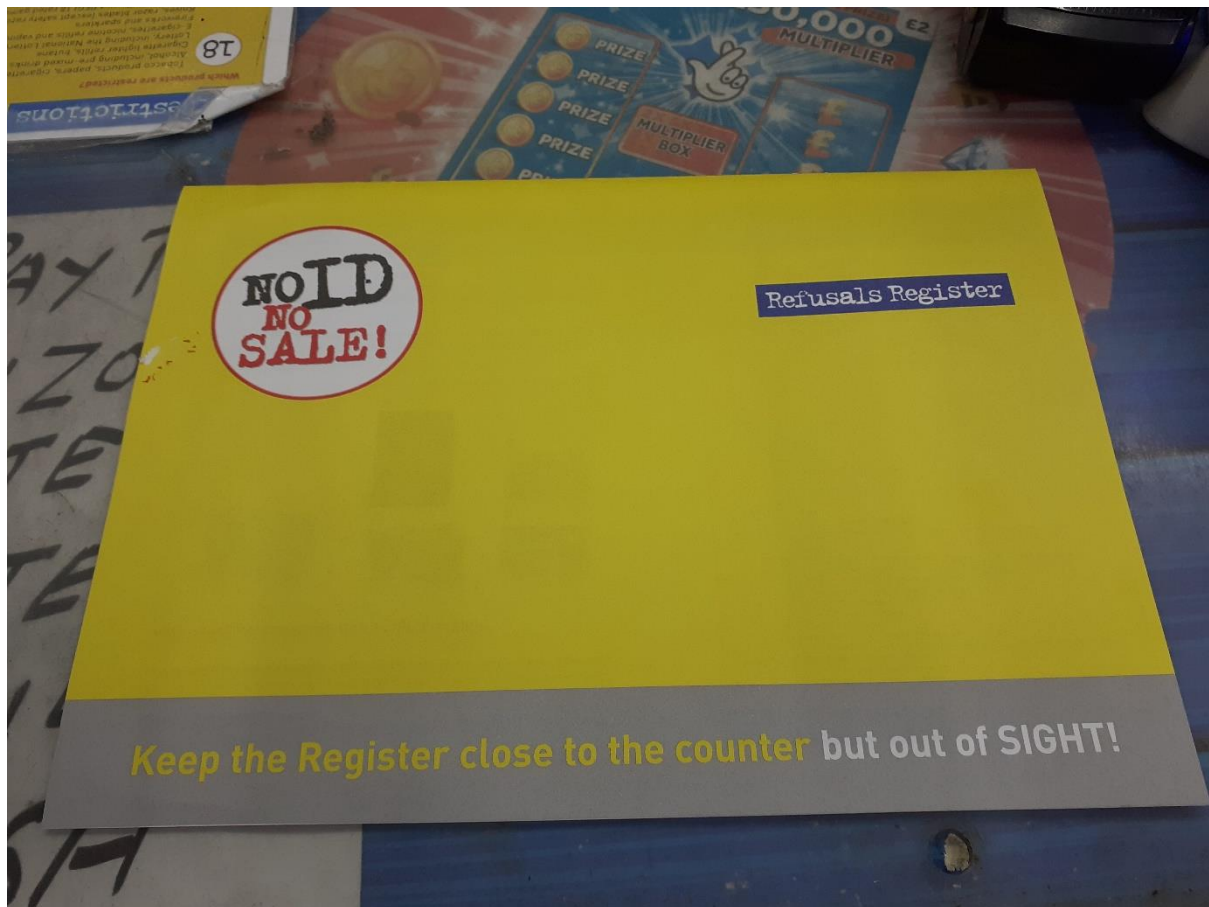
N/A

**Licensable activities authorised by the
licence**

Off sales of alcohol

| | |
|--|---|
| The times the licence authorises the carrying out of licensable activities | <p>Alcohol shall not be sold or supplied except during permitted hours.</p> <p>In this condition, permitted hours means:</p> <p>a. On weekdays, other than Christmas Day, 8 a.m. to 11 p.m.</p> <p>b. On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m.</p> <p>c. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.</p> <p>d. On Good Friday, 8 a.m. to 10.30 p.m.</p> |
| The opening hours of the premises | Not restricted |
| Name, (registered) address of holder of premises licence | <p>Mr. Dinesh Kanzaria and Mrs. Rasila Kanzaria (Dennis Off Licence) 103 Brabazon Street London E14 6BL</p> |
| Where the licence authorises supplies of alcohol whether these are on and / or off supplies | Off Sales only |
| Registered number of holder, for example company number, charity number (where applicable) | N/A |
| Name of designated premises supervisor where the premises licence authorises for the supply of alcohol | Dinesh Narendra Kanzaria |
| State whether access to the premises by children is restricted or prohibited | No restriction |

Appendix V



Refusals Register

Please record all refusals on the register below

| NO. | Date | Product | Time | Name of person or description | Observations | Staff member |
|-----|--------------------|------------|--------|---------------------------------|---------------------------------|--------------|
| 01 | Example 01/04/2022 | Cigarettes | 7.10pm | Male, 19 yrs Blonde, 5ft 11" | Nervous and refusing to show ID | Alan Smith |
| 02 | | | | | | |
| 03 | | | | | | |
| 04 | | | | | | |
| 05 | | | | | | |
| 06 | | | | | | |
| 07 | | | | | | |
| 08 | | | | | | |

Manager's Signature: _____ Date: _____

Additional pages can be downloaded from noidnosale.com

NO!D NO SALE!

Refusals Register

Best Practice

The manager will sign off and date each page of this register, which will be kept in a safe place away from customers. The Register may need to be produced to the local authority enforcement officers undertake food purchases, other enforcement activity or if a threat of legal action against the premises, manager or staff arises.

Age Restrictions

18
16
15
12

WATCHES & LIGHTERS

If you have a petrol vehicle on site, there is an additional restriction prohibiting a person under 16 years of age from operating the petrol pump.

Please record all refusals on the register below

| NO. | Date | Product | Time | Name of person or description | Observations | Staff member |
|-----|------|---------|------|-------------------------------|--------------|--------------|
| 18 | | | | | | |
| 19 | | | | | | |
| 20 | | | | | | |
| 21 | | | | | | |
| 22 | | | | | | |
| 23 | | | | | | |
| 24 | | | | | | |
| 25 | | | | | | |
| 26 | | | | | | |

Manager's Signature: _____ Date: _____

Additional pages can be downloaded from noidnosale.com

NO ID NO SALE!

Please record all refusals on the register below

| NO. | Date | Product | Time | Name of person or description | Observations | Staff member |
|-----|------|---------|------|-------------------------------|--------------|--------------|
| 17 | | | | | | |
| 18 | | | | | | |
| 19 | | | | | | |
| 20 | | | | | | |
| 21 | | | | | | |
| 22 | | | | | | |
| 23 | | | | | | |
| 24 | | | | | | |

Manager's Signature: _____ Date: _____

Additional pages can be downloaded from noidnosale.com

NO ID NO SALE!

Please record all refusals on the register below

| NO. | Date | Product | Time | Name of person or description | Observations | Staff member |
|-----|------|---------|------|-------------------------------|--------------|--------------|
| 27 | | | | | | |
| 28 | | | | | | |
| 29 | | | | | | |
| 30 | | | | | | |
| 31 | | | | | | |
| 32 | | | | | | |

Manager's Signature: _____ Date: _____

Additional pages can be downloaded from noidnosale.com

NO ID NO SALE!

Please record all refusals on the register below

| NO. | Date | Product | Time | Name of person or description | Observations | Staff member |
|-----|------|---------|------|-------------------------------|--------------|--------------|
| 33 | | | | | | |
| 34 | | | | | | |
| 35 | | | | | | |
| 36 | | | | | | |
| 37 | | | | | | |
| 38 | | | | | | |
| 39 | | | | | | |
| 40 | | | | | | |

Manager's Signature: _____ Date: _____

Additional pages can be downloaded from noidnosale.com

NO ID NO SALE!

Additional pages can be downloaded from noidnosale.com

NOID SALE!

Manager's Signature: _____

Date: _____

| No. | Date | Product | Time | Name of person or description | Observations | Staff member |
|-----|------|---------|------|-------------------------------|--------------|--------------|
| 41 | | | | | | |
| 42 | | | | | | |
| 43 | | | | | | |
| 44 | | | | | | |
| 45 | | | | | | |
| 46 | | | | | | |
| 47 | | | | | | |
| 48 | | | | | | |

Please record all refusals on the register below

Refusals Register

Appendix VI



Appendix VII







Appendix VIII





Appendix X



Mr Dinesh Kanzaria
Premises Licence Holder
Designated Premises Supervisor
Dennis T/A Best One
103 Brabazon Street
London E14 6BL

Date 2nd September 2009

Your reference
My reference **P2544**

Environment & Culture Trading Standards and Environmental Health (Commercial)

Head of Service **Colin Perrins**

Council Offices
Southern Grove
London E3 4PN

Tel **020 7364 5008**
Fax **020 7364 6901**
Enquiries to **Nazir Ali**
Email [REDACTED]

www.towerhamlets.gov.uk

Dear Mr Kanzaria,

Licensing Act 2003, Section 146 - Sale of Alcohol to children

On the 30th June 2009, a 15-year-old volunteer entered the premises of Dennis (Best One), 103 Brabazon Street, London E14 6BL, where your employee sold her a bottle of 275ml Smirnoff Ice.

The sale of alcohol to children is a serious offence under the provisions of Section 146 of the Licensing Act 2003, which may lead to prosecution of both the seller and the owner of the premises, and may result in penalties up to level 5 on the standard scale, currently £5000, as well as loss of licence.

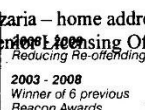
We have considered the circumstances of this particular sale and taken into consideration the fact that this appears to be a first offence, the Council will be taking no further action on this occasion however, if any further offences of this nature occur, the matter will be reported for prosecution.

You must exercise all due diligence and take all reasonable precautions to avoid committing offences of this nature. I am advised that some sections of the licensed trade have adopted policies of requiring IDs from customers who appear under 21 or, in some cases, under 25.

Yours sincerely,

Nazir Ali
Senior Trading Standards Officer

Cc - [REDACTED]
Kath [REDACTED] - home address: 18 Derby Road, London E7 8NJ
[REDACTED] - Licensing Officer - LB Tower Hamlets



Corporate Director
Environment & Culture
Alex Cosgrave

COURT ATTENDANCE NOTE

| | |
|----------------------------|--|
| File Name(s): | Dinesh and Rasila Kanzaria |
| Datetime Number(s): | 33370 |
| Client Ref(s): | |
| Offence(s): | 1 x Section 92 (1) (b) and 1 x section 92 (1) (c) of the Trade Marks Act 1994 |
| Advocate at court : | Michelle Terry |
| Date: | 18 th April 2013 |
| Place: | Thames Magistrates Court |
| Courtroom: | 5 |
| Coram: | DJ Comyns |
| Defendant(s): | Both defendants attended jointly represented by Mr Sandhu of Sandhu and Shah solicitors [REDACTED] [REDACTED] |
| Outcome: | <p>Matters put and both defendants plead guilty to both charges. I mention previous matter of underage sale of alcohol. Costs application for £1904.61 made and schedule handed up – Defence and DJ say amount is high. Mr and Mrs Kanzaria accept responsibility for purchase of wine on the basis that even though they say they were not at the shop at the time of the purchase, but as owners did nothing when they found out their manager had bought ‘cheap wine’ from a white van man.</p> <p>Mr Kanzaria – Fine £300 Costs £300 V/S £15</p> <p>Mrs Kanzaria (said she only works at the shop part-time) – Fine £200 Costs £200 V/S £15 14 days to pay and collection order F & D of the seized wine</p> |

Appendix 3



Postal Address

**(Dennis Off Licence)
103 Brabazon Street
London
E14 6BL**

**Licence Number
157793**

Licensable Activities authorised by the licence

Sale by retail of alcohol.

See the attached licence for the licence conditions

Signed by

David Tolley
**Head of Environmental Health & Trading
Standards**

Date: 18th July 2005

Part A - Format of premises licence

Premises licence number

157793

Part 1 - Premises details

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

(Dennis Off Licence)
103 Brabazon Street

Post town
London

Post code
E14 6BL

Telephone number

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities

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.

The opening hours of the premises

There are no restrictions on the hours during which this premises is open to the public

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

Off sales only

Part 2

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

Preti Kanzaria

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

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

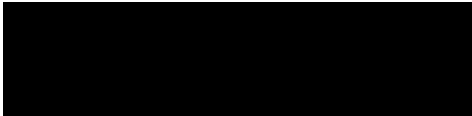
N/A

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

Preti Kanza



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



Annex 1 - Mandatory conditions

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.

5. 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(1);

(b) “permitted price” is the price found by applying the formula —

$$P = D + (D \times V)$$

where —

(i) **P** is the permitted price

(ii) **D** is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) **V** is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence

(i) the holder of the premises licence

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994(2)

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day

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

Annex 2 - Conditions consistent with the operating Schedule

Alcohol shall not be sold in an open container or be consumed in the licensed premises

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

N/A

Annex 4 - Plans

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

2nd June 2005

Part B - Premises licence summary

Premises licence number

157793

Premises details

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

**(Dennis Off Licence)
103 Brabazon Street**

**Post town
London**

**Post code
E2 0HU**

Telephone number

[REDACTED]

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

Off sales of alcohol

The times the licence authorises the carrying out of licensable activities

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.

The opening hours of the premises

Not restricted

Name, (registered) address of holder of premises licence

Preti Kanzaria



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

Off Sales only

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

N/A

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

Preti Kanzaria

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

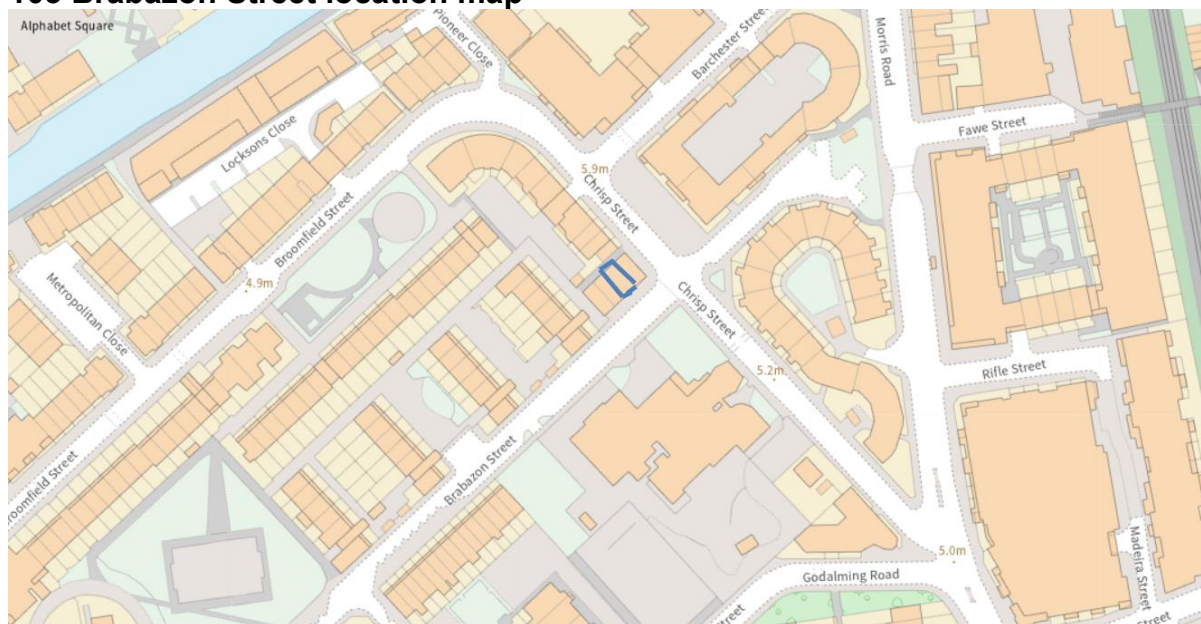
No restriction

Appendix 4

103 Brabazon Street - Surrounding area & map



103 Brabazon Street location map



Appendix 5

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

licensing@towerhamlets.gov.uk

PLACE Directorate
Public Realm

Head of Environmental Health
& Trading Standards: David
Tolley

Enquiries to: Mohshin Ali

Tel: [REDACTED]

Email: [REDACTED]

www.towerhamlets.gov.uk

22nd June 2023

Your reference

My reference: LIC/1599180/MA

Dear Licensing Authority,

Licensing Act 2003

Review of premises licence application: Denni's Off-Licence, 103 Brabazon Street, London E14 6BL

The Licensing Authority (acting a Responsible Authority) is making a representation in relation to the above application under the following licensing objectives:

- *the protection of children from harm*

The Licensing Authority (RA) supports the review triggered by Trading Standards on the 25th May 2023 as the licensing objectives have been undermined. In addition, I have looked at the history of the premises and the following are registered on the Council's system Civica Authority Protection (APP)

- **28/9/2015** - LA visit due to failure to pay the annual fee Suspension notice left with staff member. Advice and notice left in regard to having Licence on premises and summary on display.
- **18/08/2016** - LA visit due to failure to pay the annual fee on time and the suspension notice was left with staff.
- **13/09/2017** - LA visit due to failure to pay the annual fee on time and the fee was paid immediately.
- **18/07/2018** (EVU:073869) – Premises failed a Challenge 25 compliance visit and Test Purchase by the Licensing working along with Community Alcohol Partnerships. A warning letter was then



sent to all the premises that had failed and a copy of the letter (dated 08/02/2019) is attached. The results are as follows:

The visit to **Dennis Poplar Ltd** at 14:50 on 18th July 2018 was a **FAIL**.

Site Review

Premises Details

| | |
|---------------|-------------------------|
| Premises Name | Dennis Poplar Ltd |
| Address 1 | 101-103 Brabazon Street |
| Premises City | London |
| Post Code | E14 6BL |

Site Details

| | |
|------------|---------|
| Store Code | E14 6BL |
|------------|---------|

Visit Details

| | |
|----------------------|-------------|
| Actual Date of Visit | 18/07/2018 |
| Actual Time of Visit | 14:50 |
| Visit Result | FAIL |

Report

| Question | Response |
|---|--------------------------------|
| What type of alcohol did you purchase? | Spirit |
| Please give details of the alcohol purchased (brand and size): | A can of Flare Cocktails 250ml |
| Did you make the purchase on its own or as part of a larger shop? | On its own |
| Did the person who served you ask your age? | No |

| | |
|---|---|
| Did the person who served you (or their supervisor) ask you for ID? | No |
| Was a supervisor called at any time during the transaction? | No |
| Was the person who served you working entirely alone? | No |
| Did the person who served you make eye contact with you? | No |
| If eye contact was made, when was it FIRST made? | No eye contact made |
| In your opinion, did the person who served you make an assessment of your age? | No |
| How many people were waiting in the queue (if there was no queue, enter 0)? | 0 |
| What was the gender of the person who served you? | Female |
| What was the approximate age of the person who served you? | In their 40's |
| Please accurately describe the person who served you (include hair colour and style, height and any distinguishing features): | The server was a mixed race female, with long black hair and earrings. |
| What was the name of the person who served you (from the receipt or name badge): | N/A |
| Were "Think 21" or "Think 25" posters next to, hanging above, or visible from the till? | No |
| Were "Think 21" or "Think 25" posters visible in the aisles where alcohol is stocked | No |
| If you were given a receipt, please enter any number codes or staff names shown on the receipt: | N/A |
| Please describe the location of the store (i.e. names of the stores on either side): | On the right is a side street and on the left is a Fish and Chips shop. |
| Please use this space to explain anything unusual about your visit or to clarify any detail of your report: | |

- **07/09/2018** - LA visit due to failure to pay the annual fee on time. Suspension notice was posted by hand.
- **26/10/2018** - LA visit due to failure to pay the annual fee on time. The premises was closed at the time of visit so the suspension notice was posted by hand.
- **15/04/2019** – LA compliance visit reveals premises selling alcohol with no authorisation from the DPS. See attached Record of Contact form. Advised to ensure a letter of authorisation signed by the DPS is on the premises.
- **17/10/2022** – LA received information from Police Licensing of underage sale at the premises as follows:

"INFT - I am at a shop the Off Licence in BRIMBAY STREET E14 and they won't give me a refund for a bottle of Alcohol I bought from them. They also sold it to me and I am 17 years old and Under Age"

The male informant sounded intoxicated during the call to Police and later claimed that he had left the shop now and had sorted the problem out and that it was a mistake to have called the Police

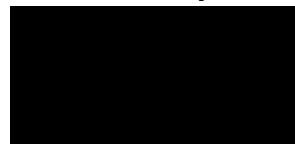
It is possible that this Off Licence at DENNIS OFF LICENCE, 101 - 103 BRABAZON STREET E14 6BL is selling Alcohol to Under Age Customers and should be flagged to the Licensing Team for observation”.

- **21/12/2022** - Trading Standards carried out an underage sales test purchase operation which has led them to trigger the review.
- **06/03/2023** – LA received applications to transfer the licence and vary the DPS to Preti Kanzaria.
- **22/06/2023** – Business Rates confirmed their records show the current rate payer (since 31.7.2005) is Mr Dinesh Chandra Narendra Kumar Kanzaria.

The Home Office Guidance issued under section 182 of the Licensing Act 2003 states (11.29) *“...where persistent sales of alcohol to children have occurred at premises, and it is apparent that those managing the premises do not operate a responsible policy or have not exercised appropriate due diligence, responsible authorities should consider taking steps to ensure that a review of the licence is the norm in these circumstances. This is particularly the case where there has been a prosecution for the offence under section 147A or a closure notice has been given under section 169A of the 2003 Act. In determining the review, the licensing authority should consider revoking the licence if it considers this appropriate”.*

Going by the surname, it is assumed the management has been artificially changed to another family member. Mr Dinesh Kanzaria still remains the business rates payer. Having seen the Trading Standards review, the Licensing Authority is concerned about consistent failures at the premises despite previous advice and reminders. In order to promote that licensing objectives, Trading Standards are requesting the revocation of the licence and the Licensing Authority is in support of this.

Yours sincerely



**Mohshin Ali - Senior Licensing Officer
(Acting as a Responsible Authority)
Licensing & Safety Team
Environmental Health & Trading Standards**

**Communities, Localities & Culture
Safer Communities**

Licensing Section
Mulberry Place
5 Clove Crescent
London
E14 2BG

08/02/2019

Email
[REDACTED]

www.towerhamlets.gov.uk

Dear ,

LPH &DPS and the Community Alcohol Partnership (CAP)

My name is Vincent Fajilagmago and I have written to you premises and have visited it over the last 12 months, conducting research and Challenge25 Test purchases and have discovered many facts some of them listed below:

- Off Licenses in the local area are alleged to be providing Young People which is illegal.
- Failure to uphold Challenge 25 by shop staff in the local area.
- Communication breakdown between DPS and Local Authority.

As we have local premises recorded as failing a Challenge 25 we are concerned about your premises, staff and the young people which your licence requires you to protect. We have therefore been tasked to ensure everything possible can take place to protect young people and your Off License.

The DPS is the single point of accountability, therefore we are making efforts to meet your acquaintance and address these issues. Please be aware that we will be visiting your Off Licence to meet you, check you have everything in order, and insure staffs are responsive and communicable in English. Together with you it is our hope to discuss these issues, find and agree ways to overcome them.

Also, we shall be holding further Challenge 25 compliance visits and Test Purchases in your area. All activities shall be kept on our record to prove your Off License has done its due diligence thereby protecting your License, staff and your local area.

If you have any questions or comments, please email me and I shall answer as best possible.

Thank you in advance for your consideration and I await in hope for your reply.

Faithfully,

Vincent Fajilagmago
Licensing Officer

Innovation Award 2017 Community Alcohol Partnership
Twitter: @BBNTowerHamlets

John Onslow House
1 Ewart Place
London
E3 5EQ

By Post and personal callers:
Licensing Team
Environmental Health & Trading Standards
John Onslow House
1 Ewart Place
London
E3 5EQ

Please note:
Meetings with Licensing Officers are by prearranged appointment only.

Tel: 020 7364 2286
Fax: 020 7364 0863

General email: licensing@towerhamlets.gov.uk

See our regular licensing news pages at www.towerhamlets.gov.uk **(Business/Alcohol and Street Trading)**

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



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

Premises / Business Name:
DENNIS OFF LICENCE

Licence Holder/DPS (where known):

Address: **105 BRABAZON ST.
LONDON
E14 6BL**

Tel. No:

Email:

☐ Intelligence Lead Visit (1L)
☒ Compliance Visit (Proactive 1L)
☐ Revisit (1R)
☐ Notice Check (1N)

Visiting Officer: **VINCENT FAJFZAGMAGO**

App Officer Initials: **VF**

Position: **LICENSING OFFICER**

Signature:

Tel: 020 7364 500 Email: licensing@towerhamlets.gov.uk

| Offence of Licensing Act 2003 | Section | Action Required |
|--|---------|---|
| <input type="checkbox"/> Unauthorised sale of alcohol [no licence] [suspended licence] *strikeout as appropriate | 136 | <input type="checkbox"/> Cease sale by retail of alcohol with immediate effect |
| <input type="checkbox"/> Unauthorised provision of late night refreshment (hot food or drink between 23:00 and 05:00 hours) [no licence] [suspended licence] *strikeout as appropriate | 136 | <input type="checkbox"/> Cease the provision of late night refreshment with immediate effect |
| <input type="checkbox"/> Unauthorised regulated entertainment [no licence] [suspended licence] *strikeout as appropriate | 136 | <input type="checkbox"/> Cease regulated entertainment with immediate effect |
| <input type="checkbox"/> Sale of alcohol outside licensed hours | 136 | <input type="checkbox"/> Remove all alcohol from sale |
| <input type="checkbox"/> Provision of late night refreshment (hot food or drink between 23:00 and 05:00 hours) outside licence hours | 136 | <input type="checkbox"/> Display part 2 summary of the premises licence |
| <input type="checkbox"/> Alcohol displayed for unauthorised sale [no licence] [suspended licence] [outside licensed hours] *strikeout as appropriate | 137 | <input type="checkbox"/> Ensure a copy of the full premises licence is available for inspection on the premises |
| <input type="checkbox"/> Keeping alcohol on the premises for unauthorised sale [no licence] [suspended licence] [outside licensed hours] *strikeout as appropriate | 138 | <input checked="" type="checkbox"/> Ensure a letter of authorisation signed by the DPS is on the premises to enable staff to sell alcohol on their behalf |
| <input type="checkbox"/> Breach of licence condition(s) (specify condition text box below) | 136 | <input type="checkbox"/> Licensable activity must only be carried out within the hours detailed on your premises licence |
| <input checked="" type="checkbox"/> Selling alcohol with no authorisation from DPS/no DPS present | 136 | <input type="checkbox"/> Alcohol must only be displayed for sale within the licence hours detailed on your premises licence |
| <input type="checkbox"/> Failure to display premises licence summary | 57 | <input type="checkbox"/> Cease the sale by retail of alcohol until a DPS is in place and named on the premises licence |
| <input type="checkbox"/> Failure to produce the full premises licence | 57 | <input type="checkbox"/> Comply with all conditions stated on the premises licence, in particular ones found to be in breach detailed on second sheet |
| <input type="checkbox"/> Sale of alcohol to a person who is drunk | 141 | <input type="checkbox"/> See action detailed on second sheet |
| <input type="checkbox"/> Allowing disorderly conduct on licensed premises | 140 | |
| Other offences not Licensing Act 2003 (please insert legislation here) | | |

Action taken by LBTH

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

Licence holder/DPS cautioned ☒

Person seen: **SAGAR JOSHI**

Position in business: **HELPER**

Signature:

Date: **15/4/19**

This report only covers those areas checked at the time of the visit. It does not indicate compliance with any provision of the Licensing Act 2003 or any associated legislation. If you have any queries regarding this report, please contact the Licensing and Safety Team or write to Environmental Health and Trading Standards, John Onslow House, Ewart Place, London E3 5EQ or visit www.towerhamlets.gov.uk/licensing.

Premises Business Name/Address:



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

Action:

MR KANZARIA TO COMPLETE AND
DISPLAY LETTER OF AUTHORISATION

- WHEN DAUGHTER RETURNS FROM
HOLIDAY MR KANZARIA SHALL
WRITE TO LICENSING TO CHANGE
DPS

- DAUGHTER WILL SIGN AS DPS

BOTH WILL WRITE TO LICENSING EMAIL

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

Visiting Officer:

VINCENT FAJILAGUMBO

Date: 15/4/19

Signature of Licensee / DPS Person Seen

*Circle as appropriate

*
Date: 15/4/19

ACTION TAKEN BY LBTH:

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

Appendix 6

Lavine Miller-Johnson

From: Lavine Miller-Johnson on behalf of Licensing
Sent: 07 June 2023 14:27
To: Lavine Miller-Johnson
Subject: FW: Review of Denni's Off-Licence, 103 Brabazon Street, E14

From: MARK.J.Perry [REDACTED]
Sent: Monday, June 5, 2023 2:24 PM
To: Alex Brander <[REDACTED]>; Sean Rovai <[REDACTED]>; Licensing <Licensing@towerhamlets.gov.uk>
Subject: Review of Denni's Off-Licence, 103 Brabazon Street, E14

Dear Licensing,

Central East Police Licensing formally support the review of Denni's Off-Licence at 103 Brabazon St E4, although we have no new evidence to offer having checked our records, we are very concerned that not only has the venue sold alcohol to under 18's, but also has demonstrated little remorse and gives Police no confidence that the premises has either the policies put in place to prevent the sale of alcohol to under the age of 18, nor the will to do this.

We know that from a health, academic and well-being standpoint that those under 18 who consume alcohol are far more likely to have poorer life chances. The reason that the legislation requires licensed premises selling alcohol to not sell alcohol to those under 18 and that Tower Hamlets Council has a Challenge 25 stipulation in its licensing policy is to protect the youngest members of our society. Indeed it is why Protecting Children from Harm is one of the Licensing Objectives.

The owners of Denni's Off-Licence had a refusal log at the premises but this was blank with no entry's, it is simply not credible that an off- licence has operated for several years and had no cause to refuse the sale of alcohol to anyone who might be underage or even intoxicated. We believe on the balance of probabilities that the venue simply sells alcohol to anyone who can afford to buy it including children.

If the owners of Denni's new had any intention of obeying the law and not selling alcohol to those under 18, then we would of expected the owner to have put a detailed and effective policy, including training in place to prevent such sales happening again. Yet during the in interview with Tower Hamlets Trading Standards Mr Kanzaria was unwilling to describe what the shops policy was. To us this demonstrates that the premises license holder is not able or willing to ensure the licensing objectives are upheld, nor that any conditions imposed on the license would be adhered to. We therefore have no choice but to support the application that the Licensing Sub- Committee revokes the license.

Kind Regards

Mark



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

Email [REDACTED]

A: Licensing Office, [REDACTED]



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POLICE**

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Compassion, Integrity,
Courage and Respect**

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Appendix 7

11. Reviews

The review process

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

achieve this separation of responsibilities can be found in Chapter 9, paragraphs 9.13 to 9.19 of this Guidance.

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

Repetitious grounds of review

- 11.12 A repetitious ground is one that is identical or substantially similar to:

- a ground for review specified in an earlier application for review made in relation to the same premises licence or certificate which has already been determined; or
- representations considered by the licensing authority when the premises licence or

certificate was granted; or

- representations which would have been made when the application for the premises

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

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

Powers of a licensing authority on the determination of a review

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

- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
 - exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption)¹⁰;
 - remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
 - suspend the licence for a period not exceeding three months;
 - revoke the licence.
- 11.20 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.
- 11.21 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.
- 11.22 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.
- 11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives or preventing illegal working. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

¹⁰ See chapter 16 in relation to the licensing of live and recorded music.

Reviews arising in connection with crime

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

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

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

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

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

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

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

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

Appendix 8

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 9

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 10

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

Updated December 2022

Protection of children from harm

2.22 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.

2.23 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:

- adult entertainment is provided;
- a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
- it is known that unaccompanied children have been allowed access;
- there is a known association with drug taking or dealing; or
- in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.

2.24 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature. Applicants, responsible authorities and licensing authorities will need to consider this point carefully. This would broadly include topless bar staff, striptease, lap-, table- or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language.

- 2.25 Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.
- 2.26 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.
- 2.27 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:
- restrictions on the hours when children may be present;
 - restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;
 - restrictions on the parts of the premises to which children may have access;
 - age restrictions (below 18);
 - restrictions or exclusions when certain activities are taking place;
 - requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and full exclusion of people under 18 from the premises when any licensable activities are taking place.
- 2.28 Please see also Chapter 10 for details about the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010.

- 2.29 Licensing authorities should give considerable weight to representations about child protection matters. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform such representations. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the licensing authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons under 18 years old with alcohol-related illnesses or injuries) this evidence should be considered, and the licensing authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the licensing authority considers what conditions may be appropriate to ensure that this objective is promoted effectively.
- 2.30 The 2003 Act provides that, where a premises licence or club premises certificate authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the licence (the British Board of Film Classification is currently the only body which has been so designated) or by the licensing authority itself. Further details are given in Chapter 10.
- 2.31 Theatres may present a range of diverse activities and entertainment including, for example, variety shows incorporating adult entertainment. It is appropriate in these cases for a licensing authority to consider restricting the admission of children in such circumstances. Entertainments may also be presented at theatres specifically for children. It will be appropriate to consider whether a condition should be attached to a premises licence or club premises certificate which requires the presence of a sufficient number of adult staff on the premises to ensure the wellbeing of the children during any emergency.

Offences relating to the sale and supply of alcohol to children

- 2.32 Licensing authorities are expected to maintain close contact with the police, young offenders' teams and trading standards officers (who can carry out test purchases under section 154 of the 2003 Act) about the extent of unlawful sales and consumption of alcohol by minors and to be involved in the development of any strategies to control or prevent these unlawful activities and to pursue prosecutions. Licensing authorities, alongside the police, are prosecuting authorities for the purposes of these offences, except for the offences under section 147A (persistently selling alcohol to children). Where, as a matter of policy, warnings are given to retailers prior to any decision to prosecute in respect of an offence, it is important that each of the enforcement arms should be aware of the warnings each of them has given.

| Table of relevant offences under the 2003 Act Section | Offence | Prosecuting Authority |
|--|--|---|
| Section 145 | Unaccompanied children prohibited from certain premises | Police and/or Licensing Authority |
| Section 146 | Sale of alcohol to children | Police, Licensing Authority and/or Local Weights and Measures Authority |
| Section 147 | Allowing the sale of alcohol to children | Police, Licensing Authority and/or Local Weights and Measures Authority |
| Section 147A | Persistently selling alcohol to children | Police and/or Local Weights and Measures Authority |
| Section 148 | Sale of liqueur confectionery to children under 16. (This offence will be repealed by the Deregulation Act 2015 on 26 May 2015). | Police and/or Licensing Authority |
| Section 149 | Purchase of alcohol by or on behalf of children | Police and/or Licensing Authority |
| Section 150 | Consumption of alcohol by children | Police and/or Licensing Authority |
| Section 151 | Delivering alcohol to children | Police and/or Licensing Authority |
| Section 152 | Sending a child to obtain alcohol | Police and/or Licensing Authority |
| Section 153 | Prohibition of unsupervised sales by children | Police and/or Licensing Authority |

Appendix 11

Protection of children from harm

- 10.1 The wide range of premises that require licensing means that children can be expected to visit many of these, often on their own, for food and/or entertainment. The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Home Office Guidance also expects Licensing authorities to consider the need to protect children from sexual exploitation when undertaking licensing functions.
- 10.2 Tackling Child Sexual Exploitation (CSE) is a key target both locally and nationally as such the Licensing Authority expects Licence Holders to:
- Understand that there are criminal offences in relation to sexual exploitation of a child,
 - Ensure that they and their employees have a basic awareness of the signs of CSE and how to report it;
 - Report any concerns to the appropriate authorities or to the Licensing Authority can advise them of the appropriate authority to report concerns to.
- 10.3 Applicants are to consult with the Responsible Authority designated for Child Protection listed in appendix 1 - List of Responsible Authorities of this who this Licensing Authority recognises to be competent body to advise on the protection of children from harm.
- 10.4 The Act does not prohibit children from having access to any licensed premises; the Council recognises that limitations may have to be considered where it appears necessary to protect children from harm.
- 10.5 The Licensing Authority will judge the merits of each separate application before deciding whether to impose conditions limiting the access of children to individual premises. The following are examples of premises that will raise concern:-
- Where there have been convictions, Fixed Penalty Notices (FPNs) or formal cautions for serving alcohol to minors or with a reputation for underage drinking

- With a known association with drug taking or dealing
 - Where there is a strong element of gambling on the premises
 - Where entertainment of an adult or sexual nature is provided
 - Where irresponsible drinking is encouraged or permitted.
- 10.6 Where its discretion is engaged, the Licensing Authority will consider any of the following options when dealing with a licence application where limiting the access of children is considered necessary to prevent harm to children:
- Limitations on the hours when children may be present,
 - Limitations on ages below 18,
 - Limitations or exclusion when certain activities are taking place,
 - Requirements for an accompanying adult,
 - Full exclusion of people under 18 from the premises when any licensable activities are taking place.
- 10.7 No conditions will be imposed requiring that children must be admitted to any premises and, where no limitation is imposed, this will be left to the discretion of the individual licensee.
- 10.8 The Act details a number of offences designed to protect children in licensed premises and the Licensing Authority will work closely with the police to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol to children.
- 10.9 All licence holders will be expected to comply the Portman Group Code of Practice, and in particular the Retailer Alert Bulletin by which the Portman Group informs licensed retailers, which products have been found to be in breach of the code, and should be removed from sale.
- 10.10 The Licensing Authority expects all licensed suppliers of alcohol to have robust measures, effectively managed and monitored, in place to ensure that minors are fully protected from harm. This will require operating plans to specify these measures and management controls taking into account paragraph 10.1 and 10.2 above. Where appropriate a written childcare policy should be available and be incorporated in the induction of staff.

- 10.11 The Licensing Authority will take appropriate and proportionate action where there are serious concerns in relation to the safe guarding of children in connection with a licensed premises, which may include consideration of applying for a review of the licence where there significant evidence of undermining the licensing objective of the protection of children from harm.
- 10.12 The sale of alcohol to a minor is a criminal offence and Trading Standards will conduct appropriate covert test purchasing exercises and will take account of any complaints and intelligence received. The Act permits the use of children under the age of 18 to undertake test purchases.
- 10.13 Where there are age restrictions imposed by the Act on the licensable activities in respect of children below a certain age, then the licensee will be required to demonstrate that they have age verification systems in place. This Licensing Authority believes that that Licensed Premises should have age verification policies to require individuals who appear to the person serving alcohol to be under the age of 25 years of age to produce on request appropriate identification. This is commonly referred to as the "Challenge 25 Scheme". The rationale for this is because it can often be difficult to judge how old teenagers are and "Challenge 25 age verification system" would provide licensed premises with margin of error to prevent underage sales. Thus Challenge 25 can help to empower staff to challenge customers where there is doubt about their age. In turn this is likely to reduce the risk of the owner, or the seller of the alcohol, committing an offence.
- 10.14 Training in age verification systems should be given to all persons who might be in a position to serve or refuse the sale of alcohol to children. The training should include a basic understanding of the law, seeking proof of age, verifying the authenticity of proof of age cards and handling and recording refusals.
- 10.15 Where proportionate and appropriate, and its discretion is engaged, the Licensing Authority will impose the following standard conditions in relation to age verification systems:
- 1) All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
 - 2) A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
 - 3) A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record

shall be available for inspection at the premises by the police or an authorised officer at all times whilst the premises is open.

- 4) All staff whose duties include the serving of alcohol must be trained in the requirements of this scheme including the importance of recording any refusals.

11 Access to Cinemas

- 11.1 Films cover a vast range of subjects, some of which deal with adult themes and / or contain, for example, scenes of horror or violence that may be considered unsuitable for children within certain age groups.
- 11.2 In order to prevent children from seeing such films, the Licensing Authority will impose conditions requiring licensees to restrict children from viewing age restricted films classified according to the recommendations of the BBFC, or the Council itself. The Licensing Authority will not consider reclassifying any films already classified by the BBFC. The Council will charge for classifying films, on a full cost recovery basis.
- 11.3 The Licensing Authority will classify films itself where it is satisfied that no BBFC classification exists. It will inform relevant licensee and require such classifications to be clearly contained in any advertising or informative material relating to such films.

12 Children and Public Entertainment

- 12.1 Many children go to see and / or take part in an entertainment arranged substantially for them. Consequently additional arrangements are required to safeguard them at such times.
- 12.2 Where 10.1 applies, and its discretion is engaged, the Licensing Authority will require the following arrangements in order to control their access and egress and to assure their safety:-
 - An adult member of staff to be stationed in the vicinity of each of the exits from any level, subject to there being a minimum of one member of staff per 50 children or part thereof,
 - No child unless accompanied by an adult to be permitted in the front row of any balcony,
 - No standing to be permitted in any part of the auditorium during the Performance.

- 12.3 Where children are taking part in any regulated entertainment, and its

discretion is engaged, the Licensing Authority will require the operating schedule to clearly state the steps taken to assure their safety.

- 12.4 Where its authority is engaged, the Licensing Authority will consider attaching conditions to licences and permissions to prevent harm to children, and these may include conditions drawn from the Model Pool of. Conditions that can be found in the Secretary of State's Guidance.

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