



Licensing Sub Committee

Agenda

**Tuesday, 12 September 2023 at 6.30 p.m.
Council Chamber - Town Hall, Whitechapel**

Contact for further enquiries:

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



Public Information

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

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

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A Guide to Licensing Sub Committee

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

Public Engagement

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

London Borough of Tower Hamlets

Licensing Sub Committee

Tuesday, 12 September 2023

6.30 p.m.

APOLOGIES FOR ABSENCE

To receive any apologies for absence.

1. DECLARATIONS OF INTEREST (PAGES 7 - 8)

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

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

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

2. RULES OF PROCEDURE (PAGES 9 - 18)

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

3. ITEMS FOR CONSIDERATION

3.1 Application for a new Premise Licence for Point a Hotel, 13-15 Folgate Street, London, E1 6BX (Pages 19 - 156)

Licensing Objectives:

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

Representations:

- Licensing Authority
- Environmental Protection



- Residents

3.2 Application for a Premises Licence for (Boat Live), 90 White Post Lane, London E9 5EN (Pages 157 - 336)

Licensing Objectives:

- Prevention of crime and disorder,
- Prevention of public nuisance and public safety

Representations:

- Resident (one)
- Environmental Protection
- Health & Safety
- Licensing Authority
- Met Police Licensing

3.3 Application for variation of a Premises Licence for Pasta Evangelists, 148 Bethnal Green Road, London, E2 6DG (Pages 337 - 422)

Licensing Objectives:

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

Representations:

- Licensing Authority
- Environmental Protection

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, 26 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:	14 th June 2016
Reviewed By:	Senior Corporate and Governance Legal Officer
Approved By:	Licensing Committee
Date Approved:	14 th June 2016
Version No.	1
Document Owner:	Paul Greeno
Post Holder:	Senior Corporate and Governance Legal Officer
Date of Next Scheduled Review:	31 st March 2018

1. Interpretation

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

2. Composition of Sub-Committee

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

3. Procedure

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

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

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

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

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

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

4. Exclusions

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

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

Guidance for Licensing Sub-Committee Meetings.

(1) Attendance at Meetings.

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

(2) Licensing Sub-Committee Role and Membership.

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

Licensing Sub-Committee Webpages

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

The pages include:

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

(3) Access to Committee Papers.

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

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

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

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

(5) What can be circulated?

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

(6) How will the applications be considered?

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

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

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

(8) Queries on reports.

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

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

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

LICENSING SUB COMMITTEE HEARING PROCEDURE

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

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

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

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

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Agenda Item 3.1

Committee: Licensing Sub Committee	Date	Classification Unrestricted	Report No.	Agenda Item No.
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Report of: David Tolley Head of Environmental Health & Trading Standards	Title: Licensing Act 2003 Application for a new Premise Licence for Point a Hotel, 13-15 Folgate Street, London, E1 6BX
Originating Officer: Corinne Holland Licensing Officer	Ward affected: Spitalfields and Banglatown

1.0 Summary

Applicant:	QMK Liverpool Street Limited
Name and Address of Premises:	Point a Hotel 13-15 Folgate Street London E1 6BX
Licence sought:	Licensing Act 2003 Sale by retail of Alcohol (on sales) Provision of Regulated Entertainment (recorded music)
Objectors:	Licensing Authority Environmental Health 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 Point a Hotel, 13-15 Folgate Street, London, E1 6BX. This premises falls within the Brick Lane Cumulative Impact Area.

3.2 The applicant has described the premises as: *A hotel applying for the ground floor & restaurant area. There are no external areas for consumption of food & drink and there will be no mini bars in the hotel rooms.*

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

3.4 The hours applied for are as follows:

Sale of Alcohol (on sales only)

Monday – Thursday 11:00 – 23:00

Friday – Saturday 11:00 – 00:00 hours (midnight)

Sunday 11:00 – 22:30 hours

Provision of regulated entertainment (recorded music - indoors)

Monday – Thursday 11:00 – 23:00

Friday – Saturday 11:00 – 00:00 hours (midnight)

Sunday 11:00 – 22:30 hours

Opening times

24 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 August 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 29**
- 6.7 All the representations in this report have been considered by the relevant officer (Team Leader Licensing & Safety) and determined to have met the requirements of the Licensing Act 2003.
- 6.8 This hearing is required by the Licensing Act 2003, because relevant representations have been made by the following.

Licensing Authority	Appendix 6
Environmental Health	Appendix 7
Annila Abbas	Appendix 8
Abdinasir Abdi	Appendix 9
Alex Flynn	Appendix 10
Alex Gordon Shute	Appendix 11

Alan Williams	Appendix 12
Carline Conaty	Appendix 13
Caroline Hamilton	Appendix 14
Cheryl Lawrence	Appendix 15
Christopher Lloyd (SPIRE)	Appendix 16
Faith Edwards	Appendix 17
Glen Leeder & Giacomo Baraldi	Appendix 18
Jasper Joffe	Appendix 19
Jeannie Lowen	Appendix 20
Mark Fisher (SSRA)	Appendix 21
Martin Lane	Appendix 22
Mona Rahman	Appendix 23
John & Sandy Critchley	Appendix 24
Suzi Godson	Appendix 25
Zoe Hudson	Appendix 26
Particia Lloyd	Appendix 27

6.9 All of the responsible authorities have been consulted about this application. They are as follows:

- The Licensing Authority
- The Metropolitan Police
- The LFEPA (the London Fire and Emergency Planning Authority).
- Planning
- Health and Safety
- Noise (Environmental Health)
- Trading Standards
- Child Protection
- Public Health
- Home office (Immigration Enforcement)

6.10 In addition the application was required to be advertised in a local newspaper and by a blue poster. Only objections that relate to the following licensing objectives are relevant:

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

6.11 The objections relate to:

- Public nuisance
- Crime and Disorder
- CIA

6.12 Essentially, the relevant parties oppose the application because the applicant has not explained how within the context of the application they will meet licensing objective of the prevention of public nuisance and the prevention of crime and disorder.

6.13 There are strict time limits to any representations. The time limits are contained in The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005.

6.14 The applicant has offered measures in the operating schedule of the application that address the promotion of the Licensing Objectives. If there were no representations, the Licensing Authority would grant the licence, with conditions consistent with the operating schedule, which are relevant, proportionate and enforceable. Members are asked to consider the schedule and incorporate any conditions as necessary to address the licensing objectives.

7.0 Conditions consistent with Operating Schedule

1. The Premises Licence holder shall ensure that CCTV cameras and recorders are installed at the main entrance to the premises and are of a standard acceptable to and approved by the Police. The CCTV shall be maintained in good working order at all times the premises is open to the public, be fully operational covering both internal and external areas of the reception area which the public have access.
 - a) The CCTV camera views are not to be obstructed.
 - b) At least one CCTV camera is to be placed no more than seven feet above floor level near to the exit in order to capture clear facial images of all persons leaving the premises.
 - c) The medium on which CCTV images are recorded shall be of evidential quality, stored securely; shall be retained for a period of 31 days and be available for inspection by the Police or Local Authority upon request.
 - d) At all times when the premises are open for the purposes of licensable activities a suitably trained member of staff shall be present to assist the Police or an authorised officer in obtaining the CCTV footage.
 - e) The facility to transfer the images to a compatible removable format shall be held on the premises.
2. The sale of alcohol is restricted to hotel residents and their bona fide guests.
3. The premises licence holder shall risk assess the need for SIA security staff and take advice from police in the case of any local special event or specific concerns regarding trading.

4. When the venue is open for licensable activities , the toilets are to be checked by staff at least every two (2) hours and these checks are to be documented on each visit.
5. Notices shall be displayed within the premises warning customers about personal thefts; and to be vigilant.
6. Staff shall be fully trained on safety issues including fire safety and management shall carry out regular inspections of the premises.
7. The premises Licence holder shall ensure that all litter and waste outside the premises (and connected to the premises) is removed and disposed of with other waste from the premises
8. The premises Licence holder shall operate a Challenge 25 age verification policy.

8.0 Conditions Agreed/Requested by Responsible Authority

Conditions agreed with the police – **Appendix 28**

1. *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.*
2. *An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following:*
 - a) *all crimes reported to the venue;*
 - b) *all ejections of patrons;*
 - c) *any complaints received concerning crime and disorder*
 - d) *any incidents of disorder;*
 - e) *all seizures of drugs or offensive weapons;*
 - f) *any faults in the CCTV system, searching equipment or scanning equipment;*
 - g) *any refusal of the sale of alcohol;*
 - h) *any visit by a relevant authority or emergency service.*
3. *In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:*
 - a) *the police (and, where appropriate, the London Ambulance Service) are called without delay;*

- b) *all measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;*
 - c) *the crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and*
 - d) *such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.*
4. *Operate 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.*

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 29 - 38** 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	Representations from LA
Appendix 7	Representation from EH

Appendix 8 -27	Resident representations
Appendix 28	Condition agreed with Police
Appendix 29	Section 182 Advice by the DCMS- Relevant, vexatious and frivolous representations
Appendix 30	Licensing Officer comments on public nuisance
Appendix 31	S182 advice on public nuisance
Appendix 32	Licensing Officer comments on crime & disorder
Appendix 33	S182 advice on crime & disorder
Appendix 34	Licensing Officer comments on protection of children from harm
Appendix 35	S182 advice on protection of children from harm
Appendix 36	Cumulative Impact Area
Appendix 37	Licensing Policy relating to hours of trading
Appendix 38	Planning

Appendix 1

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We QMK Liverpool Street Limited

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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description 13 - 15 Folgate Street			
Post town	London	Post code	E1 6BX

Telephone number at premises (if any)	0207 456 0400
Non-domestic rateable value of premises	£151,000

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick yes

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

h) the chief officer of police of a police force in England and Wales please complete section (B)

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

Please tick yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of Birth old or over		I am 18 years		<input type="checkbox"/> Please tick yes	
Nationality					
Current residential address if different from premises address					

Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)			

(B) OTHER APPLICANTS

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

Name QMK Liverpool Street Limited
Address 3rd Floor 247-249 Cromwell Road, London, SW5 9GA
Registered number (where applicable) 07623619
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional) [REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start? Day Month Year
A S A P [] [] [] []

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

A

<p>Please give a general description of the premises (please read guidance note 1)</p> <p>The premises operates as a hotel. The premises licence will apply to the ground floor bar and restaurant area.</p> <p>There are no external areas for the consumption of food and drinks and there will be no mini bars within the hotel rooms.</p>

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

N/A

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

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

- Provision of regulated entertainment** (please read guidance note 2) **Please tick all that apply**
- a) plays (if ticking yes, fill in box A)
 - b) films (if ticking yes, fill in box B)
 - c) indoor sporting events (if ticking yes, fill in box C)
 - d) boxing or wrestling entertainment (if ticking yes, fill in box D)
 - e) live music (if ticking yes, fill in box E)
 - f) recorded music (if ticking yes, fill in box F)
 - g) performances of dance (if ticking yes, fill in box G)
 - h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)
- Provision of late night refreshment** (if ticking yes, fill in box I)
- Supply of alcohol** (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

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

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>	

Mon			Please give further details here (please read guidance note 4)
Tue			
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)
Thur			
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)
Sat			
Sun			

C

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

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	
Tue				
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)	
Thur				

Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Sat			
Sun			

E

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

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon	11:00	23:00	<u>Please give further details here</u> (please read guidance note 4) Recorded Music		
Tue	11:00	23:00			
Wed	11:00	23:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5) N/A		
Thur	11:00	23:00			
Fri	11:00	00:00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) N/A		
Sat	11:00	00:00			
Sun	11:00	22:30			

G

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

H

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


I

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11:00	23:00	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Tue	11:00	23:00			
Wed	11:00	23:00			
Thur	11:00	23:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	11:00	00:00			
Sat	11:00	00:00			
Sun	11:00	22:30			

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

Name Matthew Moffatt


Address [REDACTED]	
Postcode	[REDACTED]
Personal Licence number (if known) [REDACTED]	
Issuing licensing authority (if known) [REDACTED]	

K

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

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	00:00	00:00	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
Tue	00:00	00:00	
Wed	00:00	00:00	
Thur	00:00	00:00	
Fri	00:00	00:00	
Sat	00:00	00:00	
Sun	00:00	00:00	

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

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

The applicant has considered the licensing objectives and proposed a full schedule of conditions to uphold the licensing objectives.

b) The prevention of crime and disorder

1. The Premises Licence holder shall ensure that CCTV cameras and recorders are installed at the main entrance to the premises and are of a standard acceptable to and approved by the Police. The CCTV shall be maintained in good working order at all times the premises is open to the public, be fully operational covering both internal and external areas of the reception area which the public have access.
2. The CCTV camera views are not to be obstructed.
3. At least one CCTV camera is to be placed no more than seven feet above floor level near to the exit in order to capture clear facial images of all persons leaving the premises.
4. The medium on which CCTV images are recorded shall be of evidential quality, stored securely; shall be retained for a period of 31 days and be available for inspection by the Police or Local Authority upon request.
5. At all times when the premises are open for the purposes of licensable activities a suitably trained member of staff shall be present to assist the Police or an authorised officer in obtaining the CCTV footage.
6. The facility to transfer the images to a compatible removable format shall be held on the premises.
7. The sale of alcohol is restricted to hotel residents and their bona fide guests
8. All off sales of alcohol shall be sold in sealed containers.
9. The premises licence holder shall risk assess the need for SIA security staff and take advice from police in the case of any local special event or specific concerns regarding trading.
10. When the venue is open for licensable activities , the toilets are to be checked by staff at least every two (2) hours and these checks are to be documented on each visit.
11. Notices shall be displayed within the premises warning customers about personal thefts; and to be vigilant.
- 12.

c) Public safety

13. Staff shall be fully trained on safety issues including fire safety and management shall carry out regular inspections of the premises.

d) The prevention of public nuisance

14. The premises Licence holder shall ensure that all litter and waste outside the premises (and connected to the premises) is removed and disposed of with other waste from the premises.

e) The protection of children from harm

15. The premises Licence holder shall operate a Challenge 25 age verification policy.

Please tick yes

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


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

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

Part 4 – Signatures (please read guidance note 11)



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

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid
--------------------	---

	<p>if I cease to be entitled to live and work in the UK (please read guidance note 15)</p> <ul style="list-style-type: none"> The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	13/06/2023
Capacity	Poppleston Allen – Solicitors for and on behalf of the applicant

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Poppleston Allen Solicitors The Stanley Building 7 Pancras Square			
Post town	London	Post code	N1C 4AG
Telephone number (if any) 			
If you would prefer us to correspond with you by e-mail your e-mail address (optional) 			

Notes for Guidance

- Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
- In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.

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

- any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.
 15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership which is not a limited liability 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 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 which an applicant may provide to demonstrate their entitlement to work in the UK (which

do not need to be certified) that are published on GOV.UK and in guidance issued under section 182 of the Licensing Act 2003.

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)

Home Office online right to work checking service

As an alternative to providing a copy of original documents, 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.

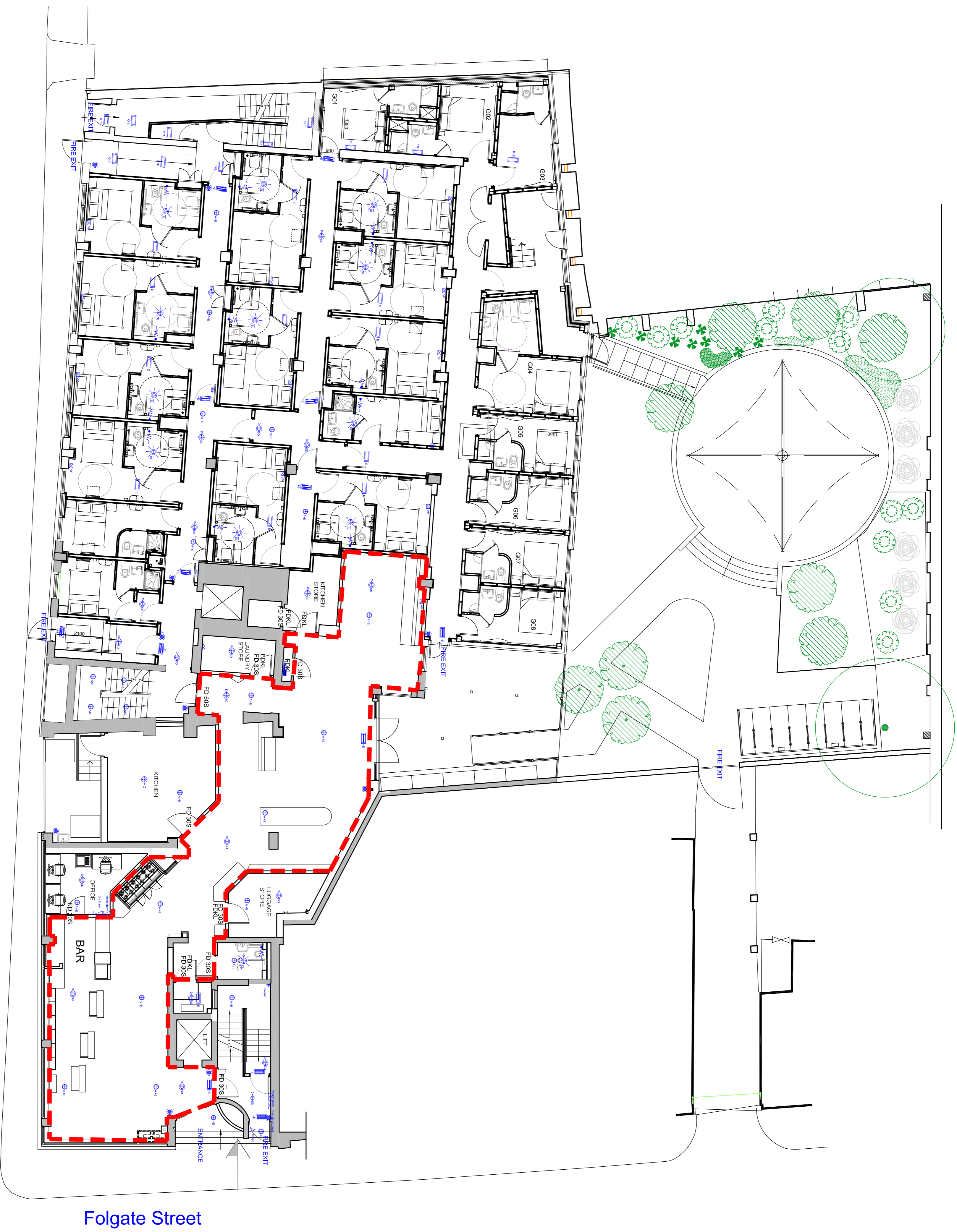
To demonstrate their right to work via the Home Office online right to work check service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided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

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.

Appendix 2



"The area where licensable activities will take place"

"The location and type of any fire safety and any other safety equipment is shown as a dashed red line. This is shown in time to time with the agreement of the Fire Officer or after a fire risk assessment"

- ☉ Magnetic door reader
- ☉ Heat detector
- ☉ Detector with combined sounder & strobe light base
- ☉ Detector with combined sounder & strobe light base
- ☉ Fire alarm strobe light
- ☉ Sounder
- ☉ Call Point
- ☉ Call Point with alarm pull cord
- ☉ Supply indicator for equipment
- ☉ Distribution board
- ☉ Therm Cables with glass cover plus emergency alarm
- ☉ Illuminated Exit sign (Edge type)
- ☉ Therm Escort outdoor subhand with emergency
- ☉ Ventilation airflow unit

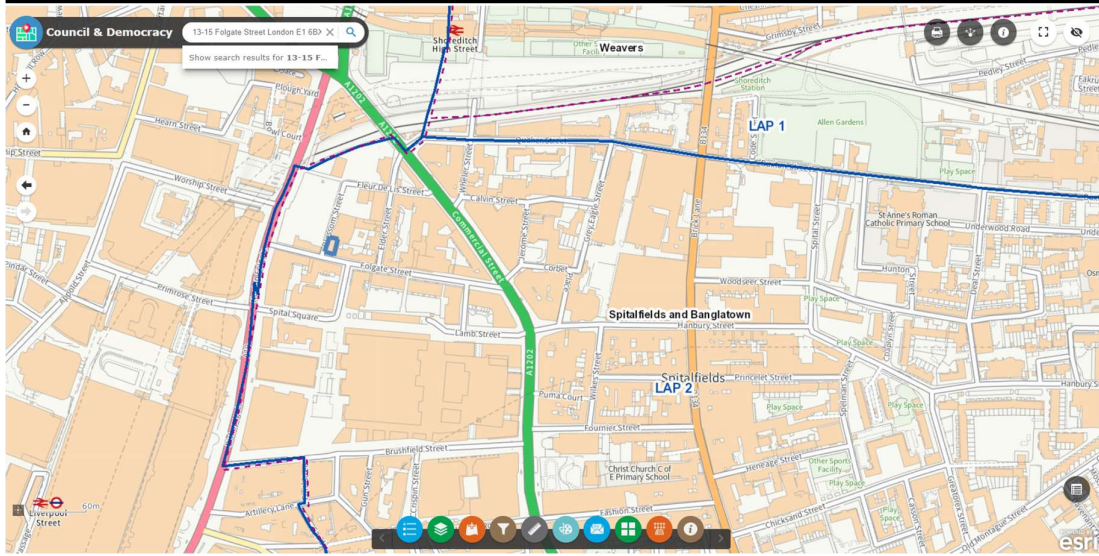
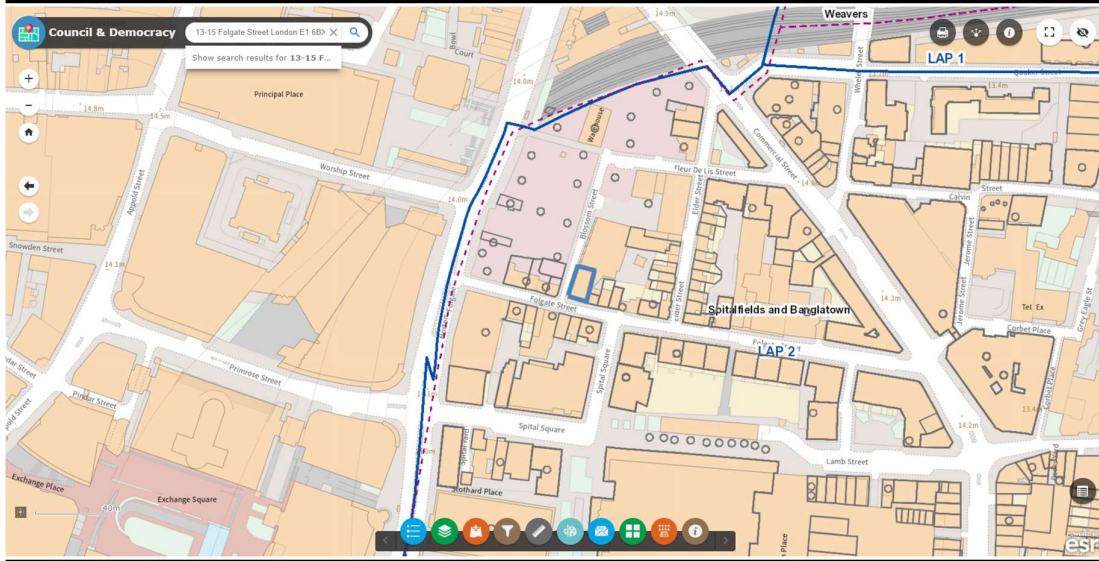
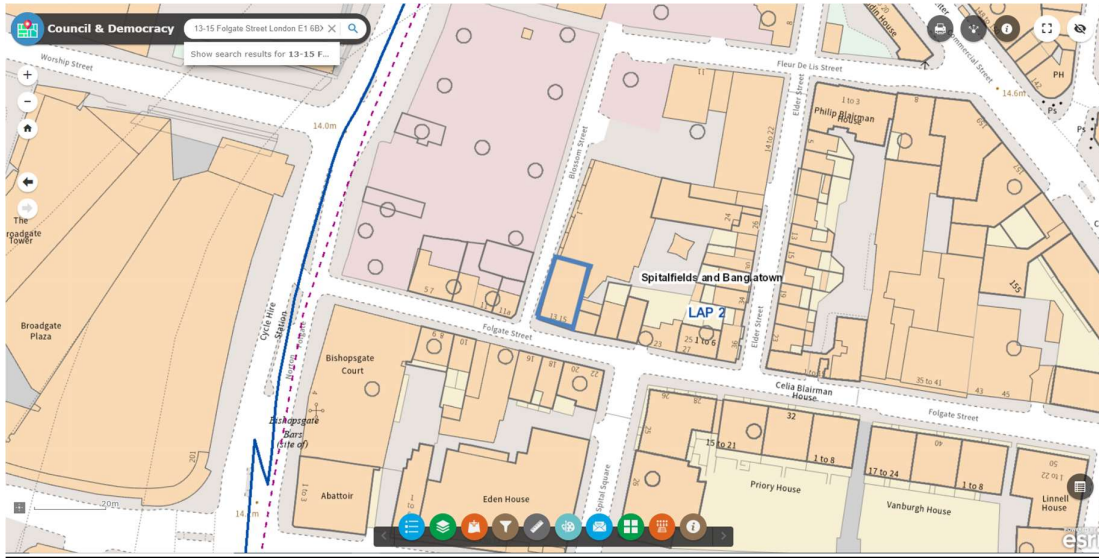
Premises Licence Plan in scale 1:100

Blossom Street

Folgate Street

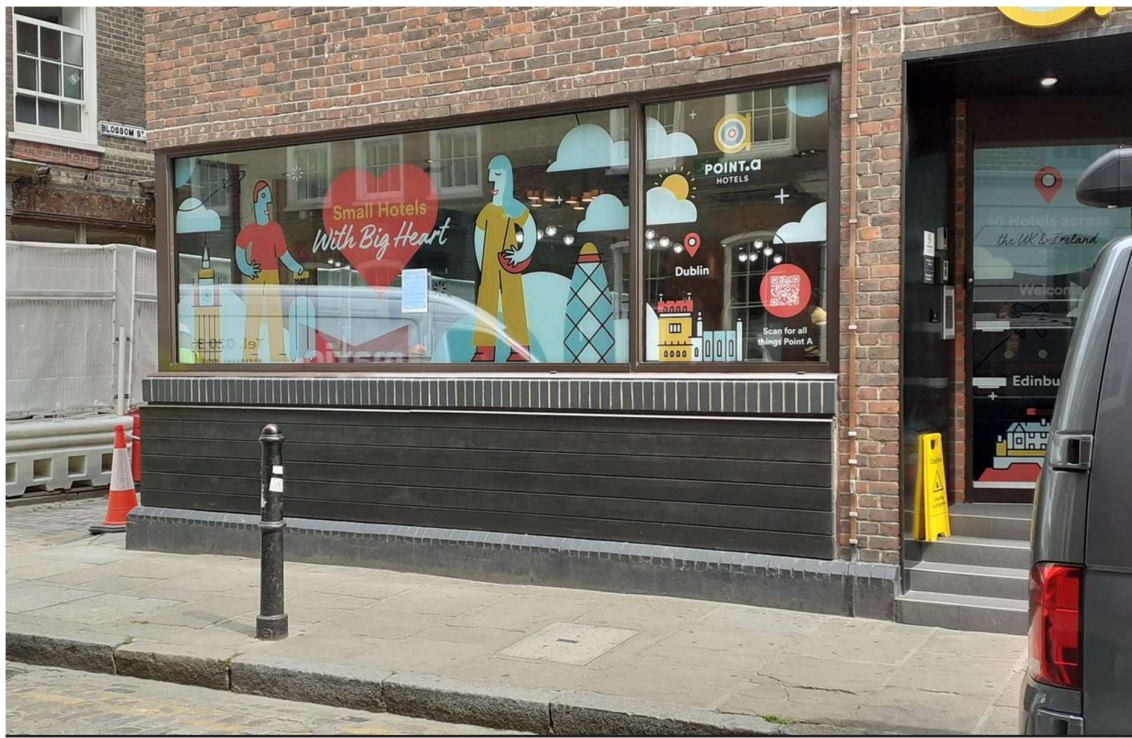
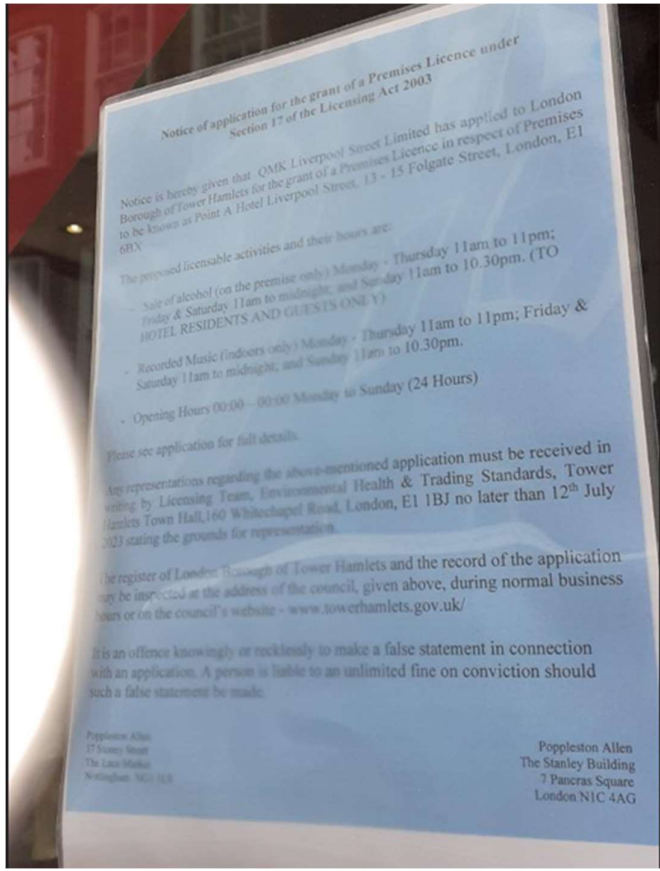
Appendix 3

MAPS – 13-15 Folgate Street

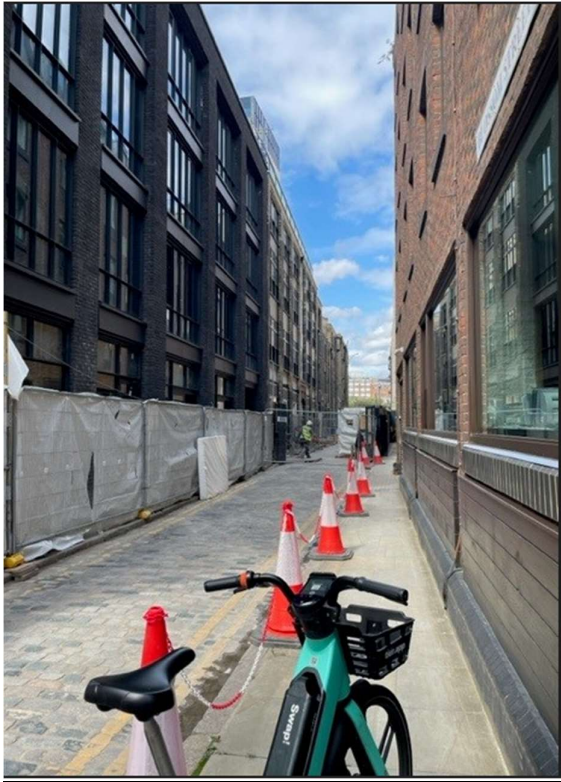


Appendix 4

Photos – 13 Folgate Street









Appendix 5

Address	Licensable activities/times	Opening hours
(Batty Langley's) 12-14 Folgate Street	<u>Sale of Alcohol (on sales only)</u> <ul style="list-style-type: none"> • Monday to Sunday from 10:00hrs to midnight <u>The Provision for Late Night Refreshment (indoors)</u> <ul style="list-style-type: none"> • Monday to Sunday from 23:00hrs to midnight 	There are no restrictions on opening hours (Monday to Sunday – 24 hours)
(ITSU) 30 Spital Square	The sale by retail of alcohol (on sales) Daily 10:00 hours to 21:00 hours	Daily 07:00 hours to 21:30 hours
(Galvin) St Botolph's Hall 35 Spital Square	<u>The sale of alcohol by retail (on & off sales)</u> Monday to Thursday 08:00 hours – 23:00 hours Friday 08:00 hours – midnight Saturday 09:00 hours – midnight Sunday 09:00 hours – 22:00 hours <u>Late Night Refreshment</u> Friday & Saturday 23:00 hours – midnight. <u>Regulated entertainment.</u> (Live music, recorded music, provision of facilities for dancing, Monday to Thursday 08:00 – 23:30 Friday & Saturday 08:00 – midnight Sunday 09:00 – 22:00	Monday to Thursday 08:00 hours – 23:30 hours Friday & Saturday 08:00 hours – 00:30 hours Sunday 09:00 hours – 22:30 hours
(Carluccios) 27 Spital Square	<u>The sale of alcohol by retail</u> <u>On sales</u> <ul style="list-style-type: none"> ▪ Monday to Saturday, 08:00 hours to 23:00 hours ▪ Sunday and Bank Holidays, 09:00 hours to 19:30 hours <u>Off sales</u> <ul style="list-style-type: none"> ▪ Monday to Saturday, 08:00 hours to 23:30 hours ▪ Sunday and Bank Holidays, 09:00 hours to 20:00 hours 	Monday to Saturday, 08:00 hours to 23:30 hours Sunday and Bank Holidays, 09:00 hours to 20:00 hours

Appendix 6



TOWER HAMLETS

Licensing Authority :
[REDACTED]

CC: Poppleston Allen Solicitors
[REDACTED]

PLACE Directorate
Public Realm

Head of Environmental Health
& Trading Standards: David
Tolley

Enquiries to: Mohshin Ali

Tel: [REDACTED]

Email: [REDACTED]

www.towerhamlets.gov.uk

12th July 2023

Your reference

My reference: EHTS/LIC/L1U:160512/MA

Dear Licensing Authority,

Licensing Act 2003

New premises licence application: Point a Hotels Liverpool Street Restaurant, 13 - 15 Folgate Street - M/160512

The Licensing Authority (acting as a Responsible Authority) is making a representation in relation to the above application.

Special Cumulative Impact Policy for the Brick Lane

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

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

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



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

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

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

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

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

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

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

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

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

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

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

Licensable activities and times

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

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

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

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

The Home Office guidance

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

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

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

The applicant has not stated what the capacity of the premises is. There is no explicit reference in the application to the premises being within the CIZ and therefore no additional provisions, on how the applicant intends to uphold the licensing objectives, to demonstrate how the premises will not have a negative effect on the already saturated area.

Also, the applicant has ticked “on the premises” only for the sale of alcohol but has offered a condition relating off sales:

“All off sales of alcohol shall be sold in sealed containers”

I have looked at the history of the premises and there is a previous complaint from 23rd May 2022 alleging that they are having *having deliveries at 6am which is disturbing residents’ sleep*.

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

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

- 1. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.*
- 2. There shall be no “vertical drinking” of alcohol at the premises.*
- 3. There shall be no “off sale” of alcohol from the premises.*
- 4. When the designated premise supervisor is not on the premises any or all persons authorised to sell alcohol will be authorised by the designated premises supervisor in writing. This shall be available on request by the Police or any authorised officer.*

Yours sincerely



Mohshin Ali - Senior Licensing Officer
Licensing & Safety Team
Environmental Health & Trading Standards

Appendix 7

Corinne Holland

From: Nicola Cadzow
Sent: 12 July 2023 14:22
To: Licensing; Corinne Holland
Cc: MARK.J.Perry [REDACTED]; Mohshin Ali; s.taylor [REDACTED]
Subject: 160512 MAU REPRESENTATION Premises license application Point a Hotels Liverpool Street Restaurant

Dear Licensing,

I have considered the new premise licence application Point a Hotels Liverpool Street Restaurant and the potential impact of public nuisance and measures to prevent noise generated from within the premises and the external area, which could cause disturbance to people in the vicinity, with particular consideration that the premises is in Brick Lane Cumulative Impact Zone.

Whilst the premises is not proposing licensable activities of greater hours than framework hours;

There is insufficient information in the operating schedule of the licence application to show how the applicant will promote the licensing objective for the prevention of public nuisance. Only condition under prevention of public nuisance *"The premise license holder shall ensure that all litter and waste outside the premises (and connected to the premises) is removed and disposed of with other waste from the premises"* There is not a noise condition to show how the promotion of the licensing objective for the prevention of public nuisance will be met, and no consideration has been given to the access and egress from the premises, patrons in high spirits etc, and consideration that the premises is in Brick Lane Cumulative Impact Zone

Noise Sensitive premises: residential premises in close proximity to the premise.

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

- Noise breakout from the venue affecting neighbouring residents,
- Access & egress to and from the venue, of patrons, especially due to patrons likely to be in high spirits

CONCLUSION

Environmental Protection **does not** support the premise license application for Point a Hotels Liverpool Street Restaurant for the following reasons:-

- The applicant has not provided sufficient information in the operating schedule to show how they will promote the licensing objective for the prevention of public nuisance.
- The premise is in Brick Lane Cumulative Impact Zone

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


1. Loudspeakers shall not be located in the entrance lobby or outside the premise building.
2. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
3. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 3 persons at any one time.

4. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a public nuisance.

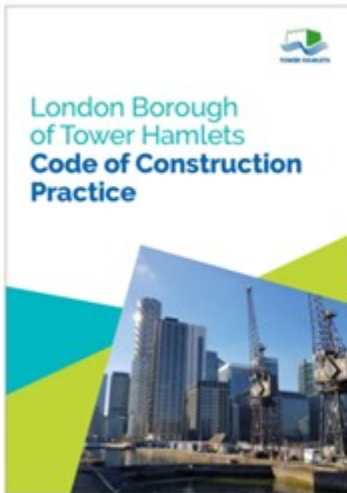
5. Hotel residents shall be limited to 3 bona fide guests

Kind regards

Nicola Cadzow
Environmental Protection Officer
Environmental Health and Trading Standards
4th Floor, Tower Hamlets Town Hall
160 Whitechapel Road
London, E1 1BJ


www.towerhamlets.gov.uk

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Construction Code of Practice 2023

- Development with Planning Permission granted and subject to Planning Conditions is adoption of the new Code will continue to operate under the conditions for working hours of **Code of Construction Practice 2006**.
Permitted to work Saturdays without s61 Agreement (8am to 1pm only)
- Development granted Planning Approval **after the 26th April 2023** and subject to Planning Conditions required to adhere to working hours as set out above and in the **Code of Construction Practice 2006**.
s61 Agreement required for works on Saturdays, Sundays, Bank Holidays, or Public Holidays
- Developments seeking amendments to Planning Approvals issued prior to 26th April 2023 are required to adhere to Working Hours imposed if relevant to the details being amended.
- For more information, please click on the cover page of the Code of Construction Practice 2023.

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

Appendix 8

Corinne Holland

From: Licensing
Sent: 12 July 2023 11:40
To: Corinne Holland
Subject: FW: Objection – Ref: CLC/EHTS/LIC/160512 Point a Hotels Liverpool Street, 13-15 Folgate Street, London E1 6BX

From: Annila Abbas [REDACTED]
Sent: Wednesday, July 12, 2023 10:56 AM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Objection – Ref: CLC/EHTS/LIC/160512 Point a Hotels Liverpool Street, 13-15 Folgate Street, London E1 6BX

Re: Objection – Ref: CLC/EHTS/LIC/160512
Point a Hotels Liverpool Street, [13-15 Folgate Street, London E1 6BX](#)

Objection to Liquor Licence at Point A Hotel (13 to [15 Folgate Street](#))

I am a student and the noise and disruption from drunk hotel guests already interferes with my sleep and studies. A liquor licence will make it worse.

There are often people in Folgate Street smoking and drinking. They cause a noise nuisance, leave their drinks on my window ledge, drop cigarette butts and other litter in the street. The hotel does not clean this up after their guests. Of more concern I do not believe the hotel night staff are able to prevent antisocial behaviour as there are only one or two people on site at night. Guests get into the hotel garden late at night and cause disruption and on occasion have entered our residents garden via the access gate. This potentially puts our safety and security at risk

I believe that we are within the Brick Lane Cumulative Impact Zone which limits the number of licences that are awarded. The hotel has no need for a licence as there will soon be a bar next door to the hotel and restaurants in Blossom St.

Yours Sincerely

Annila Abbas
[REDACTED]

Appendix 9

Corinne Holland

From: Nasir Elmi <[REDACTED]>
Sent: 05 July 2023 16:21
To: Licensing
Subject: Point A Hotel license objection

Follow Up Flag: Follow up
Flag Status: Completed

Point a Hotels Liverpool Street, [13-15 Folgate Street, London E1 6BX](#)

I would like to object to the Point A Hotel Liverpool Street licensing application.

There is already a lot of noise from drunks in the street. They return from clubbing at 3am staying at the hotel and stand outside the hotel shouting.

To allow the hotel to sell alcohol would be a bad thing for our neighbourhood.

Yours Sincerely

Abdinasir Abdi

[REDACTED]

Appendix 10

Corinne Holland

From: Alex Flynn <[REDACTED]>
Sent: 10 July 2023 08:02
To: Licensing
Subject: Point A Alcohol License Folgate Street

Follow Up Flag: Follow up
Flag Status: Completed

I am writing to strongly object to this licensing application.

As a neighbour of the hotel, I have experienced the staff's inability to maintain order on the premises. This is before the hotel adds even more capacity to imbibe alcohol and create disorder. Drunken guests regularly cause a nuisance outside in the street and gain access to the garden after the agreed closing time of 9:30pm. To make matters worse, drunken hotel guests are frequently in the street into the night and early hours of the morning.

I believe that Folgate Street is located within the CIZ and there are already many venues available to obtain alcohol and food in the location. Once the Blossom St development is complete, I expect there will be even more provision directly on the doorstep of the hotel. There is no mention of the CIZ or the requirement for basic age checks in the licensing application.

I am concerned that the mention of a recorded music licence implies the hotel will be running the downstairs reception area as a bar. The combination of music and alcohol would very much change the nature of the venue.

The application is to cover the ground floor bar and restaurant. There are so many dining options in this location therefore, I can see no need for the hotel to provide a restaurant. At present the hotel only provides pre-packed breakfasts that are delivered by van. The hotel is a popular location for stag and hen nights with the ensuing high jinx that implies. Is the idea of the so-called restaurant to give the impression that it will not be just another party bar. I note that when the Water Poet pub, next door to the hotel, was in operation it needed extra security on the door to maintain order. However, I doubt the hotel will employ any security staff.

Also, of concern there is mention that "all off-sales of alcohol shall be sold in sealed containers". This implies it will not just be guests of the hotel buying alcohol.

I would like to note that we can hear the guests when they make noise in their rooms. Add the ability to create an alcohol fuelled room party, this can only give rise to more commotion. Our buildings do not have double glazing and the hotel and garden directly back on to the Folgate St terrace.

For all the above reasons I strongly object to this proposal and believe that it should not be granted as it would increase noise and public nuisance in the street.

Yours Sincerely

Appendix 11

Lavine Miller-Johnson

From: Alex Gordon Shute <[REDACTED]>
Sent: 29 June 2023 10:20
To: Licensing
Subject: Licensing application: Point A Hotel, 13-15 Folgate St (closing date 14/07/2023)

Dear Licensing Team

I am writing to object to the licensing application by Point A hotel, 13-15 Folgate Street. I am a long term Spitalfields resident and for the last 2 years have been resident in Folgate Street, directly across the road from the hotel – so I have detailed, current knowledge of the hotel's attitude to anti-social behaviour and other aspects which (I hope) may impact your desire to grant them this licence.

There are several background factors which are relevant:

1. This hotel has a history of being (at best) disinterested in their local resident neighbours' safety and right to a peaceful life. The hotel has never responded positively to any attempt to get them to control or curtail the night-time antics of their hotel guests. They take no action unless enforcement authorities arrive. They are not a 'good neighbour' to the mostly residential community on Folgate St. The noise levels from their guests at night are often so high as to wake other residents up or stop them getting them to sleep.
2. Spitalfields is now a highly desirable location for property developers who want to put hotels into the area. The two styles of hotel which work best in Spitalfields are 'high end' luxury (such as Batty Langley's, opposite the Point A hotel), and minimalist hotels which just provide budget-end bed and shower facilities (like the Hub hotels on Brick Lane and in other parts of Spitalfields). With both types of hotel, they do NOT generally provide food or drink, because the area is so rich in night-time economy food and drink options for their guests, that they don't need to. This is better for the night-time economy providers of facilities in the area and means both them and the hotels can provide jobs and a rate of return whilst happily co-existing. It also means that a wider circle of businesses benefits from the money being spent in the area by hotel visitors – not just the hotel itself. This is an economic pattern Tower Hamlets should be encouraging in Spitalfields.
3. The big British Land development on Blossom Street, Folgate St, Norton Folgate and Fleur de Lys Street will provide some restaurants and bars for this side of Spitalfields (and the pub which was on the corner of Fleur de Lys and Folgate Street, will be reinstated - the pub is the direct next-door neighbour of Point A's hotel). This big development will be finished within a year, and then the food and drink (including alcohol) outlets will be operating soon afterwards. The last thing that Folgate Street needs is any more provision, when all this development is giving the area a lot of NEW provision already. In addition, Spitalfields Market is increasing their provision of food and drink at the moment (the new 'red' building on the Folgate Street side of the market is entirely for food and drink outlets) – again, this significantly increases the food and drink provision within 500 yards of the Point A hotel. The area does not need more inside Point A.

Specifically, the application from Point A is for an on-sales alcohol licence, but there is also reference in the application to **"all off-sales of alcohol shall be sold in sealed containers"**. The application is for hotel residents and their guests although off-sales immediately assumes that alcohol will be taken from the premises, and my personal experience of Point A gives me no confidence that they would stick to their licence condition of only selling to 'hotel residents and their guests' for off sales. There is also an application for a recorded music licence for the same hours as the alcohol licence – more noise when there is already too much from Point A. The application makes no mention of the CIZ or even basic age checks – which seems to reinforce the view that Point A do not care about their neighbours or the delicate, stretched fabric of the local area.

So, with this background, my specific objections to the application are:

The Prevention of Crime and Disorder and Public Safety

Spitalfields is already number one for various kinds of street crime amongst the wards in Tower Hamlets – increasing alcohol provision in Folgate Street, which is close to Spitalfields Market and is already a hot-spot, will only exacerbate this. The level of 'drunk and disorderly' behaviour from Point A residents in the street (outside the hotel and causing noise disturbance for other local residents) is **ALREADY** high – probably once or twice a week, local residents have their sleep disturbed by Point A residents. Again, the provision of alcohol will make this worse.

The Prevention of Public Nuisance

Point A already makes no effort to stop hotel residents and their guests from causing public nuisance in Folgate Street. There is late night voice noise (shouting, laughing, singing), there is the rattling of wheelie luggage suitcases on the cobbles (surprisingly noisy!) through the night, there is the getting in and out of Ubers and other mini cabs with noisy, raucous behaviour through the night... All of this will be worse with the provision of alcohol. The hotel is one of the cheapest in Spitalfields, so its guests are usually young and enjoying getting drunk and being in 'party mood' when they stay. It is not a 'sophisticated' clientele who are likely to respect the right to a quiet life of their Folgate St neighbours.

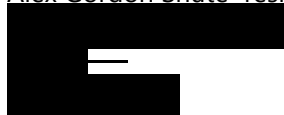
The Protection of Children from Harm

Folgate Street is a largely residential street. The row of houses immediately next door to Point A (on its other side from the pub) is for housing association residents, with a number of families with children living there. The bad behaviour from intoxication from Point A's residents is already a stress to these families, especially as most of them are of Bangladeshi heritage and therefore alcohol is not part of their culture. The rest of Folgate Street is 90% residential too, with other children resident as well. There is also a children's nursery with its entrance on Lamb Street, just one block over towards Spitalfields Market from Folgate Street. So there is a high concentration of children in the area. More intoxicated people on the streets is likely to cause increased harm and disturbance to these children, who already have to contend with very little green space and more noise than most parents would want for their kids.

Please reject this application, for both on and off sales and also reject the music licence.

Best wishes

Alex Gordon Shute (resident)



Appendix 12

Corinne Holland

From: Alan Williams <[REDACTED]>
Sent: 02 July 2023 10:53
To: Licensing
Subject: Licensing application: Point A Hotel, 13-15 Folgate Street ("the Hotel")

Dear Licensing Team

I wish to object to the **Hotel's** licensing application. I have lived in Spitalfields for nearly forty years, and for more than two-thirds of that time, I lived in Elder Street, just around the corner from the **Hotel**.

Why do I object?

The **Hotel** provides, and seemingly rather well, a budget-end bed and shower facility. It does not provide food or drink. The area is already rich in food and drink options for their guests, and so they do not need to.

The nighttime noise levels from the **Hotel's** guests are already often too high for a residential area; and the **Hotel** does not appear to be too interested in controlling the night-time antics of their guests. They take no action unless the police arrive; and I would not call them a 'good neighbour'.

The British Land development on Blossom Street, Folgate Street, Norton Folgate and Fleur de Lys Street is scheduled to be finished within a year. It will provide some restaurants and bars for this side of Spitalfields (and the pub which was on the corner of Fleur de Lys and Folgate Street, is to be reinstated - it will be a direct next-door neighbour of the **Hotel**). The food and drink (including alcohol) outlets will be operating soon afterwards. We do not need in Folgate Street any more provision, of alcohol. Spitalfields Market, just 500 yards round the corner has many more food and drink outlets.

The **Hotel's** application is for an on-sales alcohol licence, but there is also reference in the application to "**all off-sales of alcohol shall be sold in sealed containers**". Although the application is for the **Hotel's** residents and their guests, am I wrong to assume that alcohol will be taken from the premises? How will the **Hotel** control this licence condition of only selling to 'hotel residents and their guests' for off sales?

The application includes a request for a recorded music licence for the same hours as the alcohol licence – more noise when there is already too much from the **Hotel**. The application makes no mention of the CIZ or even basic age checks – which seems to reinforce the view that the **Hotel** has not considered the effect on their immediate surroundings.

And so to my specific objections to the application, which are:

The Prevention of Crime and Disorder and Public Safety

Spitalfields is already top for various kinds of street crime amongst the Tower Hamlets wards – increasing alcohol provision in Folgate Street, which is close to Spitalfields Market and is already a hot-spot, will only exacerbate this. The level of 'drunk and disorderly' behaviour from the **Hotel's** residents in the street (outside the **Hotel** and causing noise disturbance for other local residents) is already high – probably once or twice a week, local residents have their sleep disturbed by the **Hotel's** residents. Again, the provision of alcohol will make this worse.

The Prevention of Public Nuisance

The **Hotel** already makes no effort to stop their residents and guests from causing public nuisance in Folgate Street. There is late night voice noise (shouting, laughing, singing), there is the rattling of wheellie luggage suitcases on the cobbles (surprisingly noisy!) through the night There is the getting in and out of Ubers and other mini cabs with noisy, raucous behaviour through the night. All of this will be worse with the provision of alcohol. The **Hotel** is one of the cheapest in Spitalfields, so its guests are usually young and enjoying getting drunk and being in 'party

mood' when they stay. It is not a 'sophisticated' clientele who are likely to respect the right to a quiet life of their Folgate Street neighbours.

The Protection of Children from Harm

Folgate Street is a largely residential street. The row of houses immediately next door to the **Hotel** (on its other side from the pub) is for housing association residents, with a number of families with children living there. The bad behaviour from intoxication from the **Hotel's** residents must already a stress to these families, especially as most of them are of Bangladeshi heritage and therefore alcohol is not part of their culture. The rest of Folgate Street is 90% residential too, with other children resident as well. More intoxicated people on the streets is likely to cause increased harm and disturbance to these children, who already have to contend with more noise than most parents would want for their children.

Please reject this application, for both on and off sales and also reject the music licence.

Yours faithfully

Alan Williams



PS Please redact my address and url from any online publication of this objection.

Appendix 13



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

7TH July 2023

Dear Licensing,

Batty Langley's Representation in respect of Point A's application to obtain a premises licence.

This is a representation in respect of Point A's application to obtain a premises license - 13-15 Folgate Street E1 6BX – REF: CLC/EHTS/LIC/160512

By way of background, Batty Langley's is a 29-bedroom hotel on Folgate St, opposite the Point A hotel. Many of our bedrooms and suites overlook Folgate Street. Batty Langley's has an incredible reputation, winning an award as one of the 'best new hotels on the planet' – Travel & Leisure magazine in 2016, the first full year of trading. Since then we have been very fortunate to run at high occupancy and achieve higher than average room rates, which has been achieved based on our reputation and glowing press reviews.

The basis of our objection is to protect this hard-won reputation. We are in the business of selling a good night's sleep albeit in very grand surroundings. If we fail to meet this very basic expectation due to external public nuisance then our guest experience will have been compromised alongside our reputation.

We have concerns about public nuisance as we cannot see any mention of how Point A's management has identified the risk that guests may wish to take their alcoholic beverage outside and sit on the steps to smoke, drink, chat. Therefore our objections are as follows:


- Noise escape from guests sitting drinking, smoking, chatting on the steps – or generally outside of the hotel

Under licensing objections:

- Point 14: Waste removable outside the premises: Why is this expected, if only to permit guests to take their drinks outside?
- Point 10: Licensable activities – we seek clarity on what this means and what is intended

We are in full support of all neighbouring businesses however we seek clarity and reassurance on what exactly Point A's intention and resolutions are in managing potential public nuisance.

Yours faithfully,


Carline Conaty
Managing Director

Email: 

Mb: 

Appendix 14

Corinne Holland

From: Licensing
Sent: 12 July 2023 11:39
To: Corinne Holland
Subject: FW: Licensing application: Point A Hotel, 13-15 Folgate St

From: Caroline Hamilton <[REDACTED]>
Sent: Wednesday, July 12, 2023 9:19 AM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Licensing application: Point A Hotel, 13-15 Folgate St

Dear Licensing Team,

I am writing to object strongly to the licensing application by Point A Hotel, 13-15 Folgate Street. This is for the following reasons:

The Prevention of Public Nuisance

Despite the fact that Folgate Street is a largely residential street, Point A is notorious for failing to stop its guests drinking, shouting and singing outside people's houses late at night. The hotel is cheap (by Spitalfields standards) and therefore attracts a lot of young people who come for the express purpose of getting drunk. The problems they cause to the residents will be made considerably worse if Point A has an alcohol licence, especially since it appears they have applied not just for an on-sales licence, but also for off-sales (the application refers to all off-sales being sold in sealed containers).

The Prevention of Crime and Disorder and Public Safety

There are already a very large number of bars and restaurants in the Spitalfields area, and there are planned to be even more. This has led to increased street crime and drunk and disorderly behaviour. The last thing anyone wants is for this crime and disorder to spread further into residential streets such as Folgate Street - yet if Point A is granted an alcohol licence, it is bound to happen.

The Protection of Children from Harm

Folgate Street is home to a large number of families with children, there is also a nursery nearby. If Point A has an alcohol licence, there will inevitably be increased noise and drunkenness in the street, meaning that many children will be kept awake and unable to study. Many of the children are also of Bangladeshi heritage for whom drunken behaviour is particularly offensive and stressful. Their health, education and wellbeing is bound to suffer.

Yours sincerely,

Caroline Hamilton
[REDACTED]

Appendix 15

Corinne Holland

From: cheryl lawrence <[REDACTED]>
Sent: 05 July 2023 16:47
To: Licensing
Subject: Re: Objection – Ref: CLC/EHTS/LIC/160512

Follow Up Flag: Follow up
Flag Status: Completed

Re: Objection – Ref: CLC/EHTS/LIC/160512
Point a Hotels Liverpool Street, 13-15 Folgate Street, London E1 6BX

I would like to object to the licensing application for the Point A Hotel Liverpool Street.

I do not expect the hotel to be able to manage more drunken guests. I am worried how drunken guests will be controlled by the hotel. They do not contain the current level of noise and disorder that occurs. The other week there was a dog barking and running loose late at night in the hotel garden. This was after the garden is supposed to be locked up and clear of guests. I have also been confronted by two hotel guest who drunkenly accessed our private garden from the hotel's garden. They had made their way through the hotel garden gate into our private resident's communal garden. Because they were drunk, they would not easily leave, it took me some time to herd them out into the street. Reception staff are already not able to police disorderly guests and I fear the outcome of the hotel becoming a bar. The addition of a recorded music licence combined with an alcohol licence concerns me due to the atmosphere this could create. How loud will the music and drunk guests become? I can see how this could end up with music blasting out into the garden and not being contained. It is a budget hotel where young people come after clubbing and partying which continues in the rooms. There are also the stag and hen night groups. It can get quite wild in the street outside.

I am frequently disturbed by noise coming from the hotel rooms, from the street when guests assemble at night outside the hotel drinking and shouting and noise from the hotel garden. My studio flat is small and sound penetrates. My windows are only single glazed due to my flat being in a listed building in the Spitalfields conservation zone. I have no escape from external noise and rowdy behaviour. At night drunks hang out outside my windows making noise, smoking, leaving rubbish and on occasion vomiting and urinating.

There are already many places to buy drink and food in Spitalfields. There will be even more places to buy drink and food when the Blossom Street development is complete.

I am against this licensing application as it would have a negative impact on the neighbourhood.

Yours Sincerely

Cheryl Lawrence
[REDACTED]

Appendix 16



29th June 2023

London Borough of Tower Hamlets
Licensing Team
Environmental Health & Trading Standards
Mulberry Place
5 Clove Crescent
London
E14 2BG
licensing@towerhamlets.gov.uk

Sent via EMail

Re: Formal objection to the proposed licencing application for Point A hotel, 13-15 Folgate Street, E1 6BX

Dear Licensing Team

My name is Christopher Lloyd and I am the Vice Chair of Spitalfields Residents Against Anti-Social Behaviour ("SPIRE"), a community group established in 2012, which represents individuals and, at least, six of the largest resident associations including, Exchange Building Residents Association, St George's Residents Association, Spitalfields Community Group (SCG), Spitalfields Market Residents Association (SMRA), Norton Folgate Community Group (NFCG), and Spitalfields Society, in Spitalfields and Banglatown ("the Ward").

SPIRE reviews all new and/or amended applications for alcohol licences in the Ward to ensure the interests of individuals and groups it represents are not negatively impacted by any such application(s).

Specifically, SPIRE reviews all new and/or amended applications for alcohol licences to ensure they do not contravene applicable law, guidelines, and/or other acceptable practices for alcohol licences in the Ward. This includes, but not limited to, the appropriate enforcement of the Brick Lane Cumulative Impact Assessment (CIA), which applies to a majority of the Ward.

SPIRE is a 'pro-commerce' community group and supports the careful balance of a vibrant, diverse, and commercial ward with the needs of residents and visitors to appreciate a safe, clean, and liveable neighbourhood free from anti-social behaviour and related issues. Consequently, when a formal objection is raised by SPIRE, such as the case detailed below, it has been carefully considered and represents a substantial number of constituents in the Ward.

Formal Objection

SPIRE raises formal objection to the proposed application for licence of **Point A hotel, 13-15 Folgate Street, E1 6BX** ("the Premise").

The Premise is located within the CIA where new and varied premise licences are meant to be limited, if not prohibited, based on the over saturation of businesses involved with the sale of alcohol and entertainment, attributable to the Ward's current issues with antisocial behaviour.

After consultation with the SPIRE committee and many local residents groups SPIRE strongly objects to a new alcohol licence being awarded to Point A hotel. Over recent years residents have had serious ongoing issues with both ASB and noise from the guests staying at Point A hotel which have frequently resulted in police attending.

Folgate Street is predominantly a residential area located within a Tower Hamlets conservation area and the building directly connects to housing association properties all of which have single glazing as do all the residential properties at that part of Folgate Street. Over the years Point A hotel have failed to curtail the noise from their guests in the evening despite countless requests from residents and local residents groups. The addition of an alcohol licence at the premises will undoubtedly make the current situation even worse and would be in contradiction to the Tower Hamlets objectives of prevention of public nuisance.

The application is for an on-sales licence but also makes reference at page 10 to "all off-sales of alcohol shall be sold in sealed containers". Again this is a predominantly residential street with plenty of bars and restaurants within a very short walk and any off-sales at what is a budget hotel would only add to the current noise and anti-social behaviour already causing serious issues to Point A hotel neighbours.

The application is also for residents and their guests for the ground floor restaurant and bar area. Historically Point A hotel have proved to be unable to control "guests" to the hotel and since reopening after Covid there have been numerous incidents when the police have been called. The addition of alcohol on the premises combined with the business track record would severely impact on the lives of the residents who currently have to deal with guests outside late into the evening and early hours of the morning.

In summary the SPIRE committee, local residents and residents groups have a long history of involvement with Point A hotel over many years specifically in relation to noise and ASB. The hotel has proved time and time again that they are not interested in taking any responsibility for their guests' behaviour and the impact it has on their neighbours. Folgate Street residents both housing association tenants and private dwellings have real concerns about an alcohol licence being granted to Point A hotel and the inevitable impact it will have on their daily lives and urge the licensing committee to reject this application and uphold the objectives of preventing crime and disorder and public nuisance.

Please acknowledge that our initial objection has been received and that the contents of this letter will be considered as part of the overall review process.

Yours sincerely

Christopher Lloyd
Vice Chair, SPIRE

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Appendix 17

Miss F Edwards

3rd July 2023

Kathy Driver
Principal Licensing Officer
Licensing Section
Tower Hamlets Town Hall
4th floor
160 Whitechapel Road
London E1 1BJ

Re: Objection – Ref: CLC/EHTS/LIC/160512

Licensing Act 2003: Point a Hotels Liverpool Street, 13-15 Folgate Street, London E1 6BX

I received your letter of 21 June 2023 regarding Point a Hotel's application for a premises licence. However, I received this letter on 28 June 2023 allowing only a limited time for objections to be made. I am now sending you my letter of objection to the above premises licence.

Point a Hotel is not a restaurant, so I was surprised to see them referring to themselves as being one. They do serve a pre-packed breakfast which is delivered to the hotel. Due to its location of being surrounded by historic residential buildings it closes its garden at 9.30pm to avoid any overspill of noise and disturbance to all the adjoining neighbour's houses overlooking it. There have been numerous incidents with the garden still being occupied hours after 9.30pm, with all the problem this ensues. The occupants of the rooms can also be heard noisily drinking, partying and fornicating. Recently two men with a small yappy dog, not an assisted dog as they later reassured us, managed to access the garden via the emergency fire exit doors whilst the main garden door had been locked. In the past, I have been intimidated by members of a motorbike club staying at the Hotel, who found it amusing to mount their motorbikes on the pavements, some directly outside my window and revving their very loud engines. When I complained to the Hotel, I was rewarded the following morning with coffee poured onto the wall under my windows, as two members of the motorbike club departed. We have already had other problems with Point a Hotel guests: shouting drunkenly in the garden and street; screaming; fighting; cigarette butts littering the nearby pavement; spitting on walls; vomiting; urinating through our communal yard gate and other drunken disorderly behaviour. I cannot see a need for the provision an alcohol licence as the pub previously known as The Water Poet is due to reopen right next door to Point a Hotel. There are also numerous bars, pubs and food venues in every direction right on the doorstep from the hotel and more due to open next year. The staff understandably are unable to control the guests, especially at nights as there is no form of security presence. There are guests already spilling drunkenly out on to the streets at night, playing music, singing and talking loudly, smoking and drinking, due to the hotel's difficulty in containing their guests. Who is controlling this? Add to this the addition of a music licence the further disturbance of local residents will be inevitable. Even if security staff are present, how will they manage to control large numbers of inebriated guests partying in the hotel garden or on the

immediate or surrounding streets? Under these conditions, at what point does Point a Hotel's responsibility end? I used to work nights when it was Tune Hotel a few years after it first opened, so I know how challenging it potentially could be.

I have to object to Point a Hotel being granted this licence as it will inevitably have a detrimental impact on both the residential community here and the adjoining streets, as well as exacerbate an already challenging problem. Everyone I have so far spoken to in the area, is alarmed by the prospect of this licence.

Yours faithfully,

Miss F Edwards

Appendix 18

Corinne Holland

From: Glenn Leeder <[REDACTED]>
Sent: 05 July 2023 08:22
To: Licensing
Subject: 13 to 15 Folgate Street

Follow Up Flag: Follow up
Flag Status: Completed

Your reference - CLC/EHTS/LIC/160512

We wish to lodge a strong objection to Tower Hamlets granting this licence.

History - Point A Hotel is located in Folgate Street and immediately bordered by housing to the side and rear of their garden. There are also houses and flats opposite the hotel. Folgate Street is a narrow, cobbled street.

There is a history of local residents, including myself, of having to put up with anti-social behaviour from loud, drunk and smoking hotel guests. This is a cheap hotel and many hotel guests come to London to party.

The hotel has a very poor record of closing the hotel garden at 9.30pm. Adjoining neighbours frequently have to complain to hotel staff of noisy guests, partying in the garden past this time. The hotel refuses to appoint security staff to prevent this. Apparently the garden door can be accessed by any guest who chooses to ignore the garden opening times.

Local residents also have the problem of hotel guests and staff smoking and congregating in the street . This contributes to noise, pollution and littering.

Cumulative Impact Zone (CIZ) - Tower Hamlets Council has long promised to help protect the quality of life of residents within the Brick Lane CIZ by limiting the issuing of new liquor licences. Please abide by this promise.

Reasons for my objections -

1. Prevention of Crime and Disorder

Point A Hotel has never employed security staff to prevent disorder. Local residents often have to put up with drunk and unruly hotel guests partying, drinking and smoking in the street. This antisocial behaviour has never been addressed by hotel management. I fear it will only get worse with alcohol sales more readily available from the hotel itself.

During the 2020 and 2021 lockdowns, the hotel lowered room prices to attract more guests. This resulted in prostitutes using the rooms. The police were called and visited on multiple occasions. Please check the number of times police have been called to the hotel in recent years.

2. Public Safety

The lack of security staff has always caused problems to residents and passersby in Folgate Street. Hotel guests congregate in the street to smoke and drink alcohol. By its nature, the Point Hotel rooms are

extremely small and partying and socialising in rooms is limited by space and one would be forced to literally sit on the bed. This fact forces groups out into the street or into the garden which should be closed at 9.30pm

3. The Prevention of Public Nuisance

The Point A hotel management and staff have been unable to manage noise pollution in both Folgate Street and also frequently in their own garden after 9.30pm. Folgate Street is a narrow, cobbled street and noise carries into the homes of residents, particularly in summer when windows are kept open. Similarly, the garden is surrounded by houses and flats with bedroom windows facing the garden of the hotel. Management and staff have been unable or unwilling to stop guests from partying in the garden after 9.30pm. This is an ongoing issue that will only get worse with the granting of a liquor licence. Cigarette butts on the ground continually blight the lives of pedestrians in Folgate Street. The hotel rarely cleans them up.

4. Protection of Children from harm

The licencing application from Point A hotel mentions nothing about basic age checks for those purchasing alcohol.

As mentioned previously, we are concerned about access and use of the garden after 9.30pm. Currently the hotel does not actively police this unless there is a complaint from neighbours.

There is a Right of Way running through our gardens to the hotel garden. This right of way is accessible by hotel guests for emergency evacuation. We are worried that drunk guests, in the garden, will have access to our gardens, where children live.

We believe Tower Hamlets Council is duty-bound to protect its residents from antisocial behaviour. Living in Folgate Street has its challenges. Drunk people in the street cause noise pollution and disruption to residents and we often find litter and vomit in the street. Granting more liquor licences in the Cumulative Impact Zone will only increase this problem. Please help protect local residents.

Thank you

Glenn Leeder
AND Giacomo Baraldi

[Redacted]
[Redacted]

Appendix 19

Corinne Holland

From: Jasper Joffe [REDACTED]
Sent: 07 July 2023 13:59
To: Licensing
Subject: Point a Hotels Liverpool Street Restaurant 13-15 Folgate Street

Follow Up Flag: Follow up
Flag Status: Completed

Jasper Joffe
[REDACTED]

public nuisance issue

I am writing to object to this license. The hotel guest often smoke and chat loudly outside my house at all hours (after 2am on occasion) causing noise and nuisance and keeping me awake. If alcohol is served to guests then that can only make this situation worse. There are many residential properties surrounding the hotel.

Jasper Joffe

Joffe Books
[REDACTED]

Appendix 20

Corinne Holland

From: JT Lo w en [REDACTED]
Sent: 04 July 2023 16:28
To: Licensing
Subject: Objection –Ref: CLC/EHTS/LIC/160512 Point a Hotels Liverpool Street, E1 6BX

Follow Up Flag: Follow up
Flag Status: Completed

Re: Objection – Ref: CLC/EHTS/LIC/160512
Point a Hotels Liverpool Street, 13-15 Folgate Street, London E1 6BX

I am writing to strongly object to this licensing application.

As a neighbour of the hotel, I have experienced the staff's inability to maintain order on the premises. This is before the hotel adds even more capacity to imbibe alcohol and create disorder. Drunken guests regularly cause a nuisance outside in the street and gain access to the garden after the agreed closing time of 9:30pm. There was a recent incident of guests letting their small dog run around barking at around 11pm at night. I had to go over to the hotel to complain. To underline my mistrust of the ability of staff to manage difficult situations, I had a distressing experience back in February this year. It was an extremely bad incident involving a member of staff. I went to make a request over a minor and easily resolved issue – the reception staff member's behaviour was shocking. He was immediately confrontational and the conversation deteriorated quickly to the point where he was disturbingly physical. To make matters worse a drunken hotel guest arrived and decided to join in. I should point out I'm a small female in my 60's. I made an official complaint and although the manager apologised, I received no apology from that staff member although I had requested it. From this experience I would say there is a lack of staff training and accountability. If you would like more information and documentation on this incident, I am happy to provide it.

I believe that Folgate Street is located within the CIZ and there are already many venues available to obtain alcohol and food in the location. Once the Blossom St development is complete, I expect there will be even more provision directly on the doorstep of the hotel. There is no mention of the CIZ or the requirement for basic age checks in the licensing application.

I am concerned that the mention of a recorded music licence implies the hotel will be running the downstairs reception area as a bar. The combination of music and alcohol would very much change the nature of the venue.

The application is to cover the ground floor bar and restaurant. There are so many dining options in this location therefore, I can see no need for the hotel to provide a restaurant. At present the hotel only provides pre-packed breakfasts that are delivered by van. The hotel is a popular location for stag and hen nights with the ensuring high jinx that implies. Is the idea of the so-called restaurant to give the impression that it will not be just another party bar. I note that when the Water Poet

pub, next door to the hotel, was in operation it needed extra security on the door to maintain order. However, I doubt the hotel will employ any security staff.

Also, of concern there is mention that "all off-sales of alcohol shall be sold in sealed containers". This implies it will not just be guests of the hotel buying alcohol.

I would like to note that we can hear the guests when they make noise in their rooms. Add the ability to create an alcohol fuelled room party, this can only give rise to more commotion. Our buildings do not have double glazing and the hotel and garden directly back on to the Folgate St terrace.

For all the above reasons I strongly object to this proposal.

Yours Sincerely

Jeannie Lowen



Appendix 21

From: mark fisher <[REDACTED]>
Sent: 12 July 2023 18:07
To: Licensing
Subject: Licensing application: Point A Hotel, 13-15 Folgate St (closing date 14/07/2023)

Dear Licensing Team

As a resident in Folgate Street and director of the Spital Square Residents Association, I am writing to object to the licensing application by Point A hotel, 13-15 Folgate Street. Our building is immediately opposite the hotel and I have seen first-hand the impact of the hotel's inadequate approach to anti-social behaviour which has worsened significantly since the lifting of pandemic restrictions.

My objection is based on three relevant points.

1. The prevention of crime and disorder and public nuisance

The hotel has never responded positively to complaints about the drunk and disorderly behaviour of its guests. There has never been any attempt to manage anti-social behaviour, noise and nuisance caused by hotel guests or even to listen to residents' concerns or complaints. This is a budget hotel appealing to a young clientele, often using the hotel as a base for clubbing in the area. Getting drunk is usually high on the agenda and the provision of a licence for on- and off-sales and a music licence will only exacerbate what is already a regularly unacceptable situation for residents.

2. Public safety

The hotel makes no effort at all in managing the chaotic scenes as multiple mini cabs drop off and pick up guests in this residential street. Laundry service lorries and private waste collection lorries that are far too large to navigate this narrow street regularly cause nuisance and danger as they pick up and drop off laundry/waste at either very early or late times of the day. Local residents' calls for a smaller van to provide this service have been ignored.

3. The protection of children from harm

Folgate Street is a largely residential area, with a high concentration of children resident. The noise and anti-social behaviour that would increase with more opportunity for late night drinking and music will further disrupt the lives and sleep of children and families who have a right to live in peace in a residential area.

There is already an intense concentration of restaurants, pubs, clubs and bars across Spitalfields supporting a burgeoning night-time economy so the granting of this application is superfluous on that score.

I urge you to reject the application from Point A, for on- and off-sales of alcohol and the music licence.

Best wishes

Mark Fisher
(resident & director, 15 Spital Square Residents Association)

A black rectangular redaction box covering the signature of Mark Fisher.A black rectangular redaction box covering contact information.

Appendix 22

[REDACTED]
Tel. [REDACTED]
Fax. [REDACTED]

3rd July 2023

Dear Madam

RE: Point A Hotel 13-15 Folgate Street Licensing Application
Your ref: CLC/EHTS/LIC/160512

I acknowledge receipt of your letter of 21st June which arrived with me on 28th June. To end the consultation on the 12th July is therefore unreasonable. In addition the heading of the letter is grossly misleading. Liverpool Street is in the City, whereas the hotel referred to is in the Liberty of Norton Folgate, and should be referred to as such.

The licence proposed which includes its garden ground, already reduced in size because of the ground floor extension to the main building, has for many years been overlooked by Grade 2 listed, early 18th century buildings, from both Folgate Street and Elder Street. All are private dwellings in accordance with the Council's policy established many years ago when the area was a Conservation Area. All the listed early 18th century buildings reverted to residential use, while other sites would be designated for small business use.

Since the present owners opened a hotel on this site, they have run it as basic accommodation for tourists visiting London. No food has been prepared on site or alcohol provided. Visitors are expected to eat out at the reasonably priced facilities in the Market, but are allowed to bring alcohol back for their own consumption only.

I object to the grant of this licence, and I imagine that you will be hearing from the Spitalfields Amenity Society, the Manager of the residential block of 9 flats being 20-22 Folgate Street, the Trustees of the Historic Buildings Trust as owners of the Denis Severs House at 18 Folgate Street, the owners of the Batty Langley Hotel and other owners of early 18th century dwellings on that side of Folgate Street, as well as Newlon Housing and their dwelling house residents if a reasonable time is given for a response.

My knowledge of this area is intimate having lived at the above address for more than 50 years.

Yours faithfully,

Martin S. Lane

Ms. K Driver – Principal Licensing Officer
Licensing Section
Tower Hamlets Town Hall
4th Floor
160 Whitechapel Road
London
E1 1BJ

Appendix 23

Corinne Holland

From: Monwara Rahman [REDACTED]
Sent: 05 July 2023 21:25
To: Licensing
Subject: Re: Objection – Ref: CLC/EHTS/LIC/160512

Follow Up Flag: Follow up
Flag Status: Completed

Point a Hotels Liverpool Street, 13-15 Folgate Street, London E1 6BX

I am writing to object to the licensing application for Point A Hotel Liverpool Street.

I live in a one-bedroom flat with my young son. We have no double glazing and noise from outside is very disruptive to his studying and his sleep. I am worried that if you allow the drinks and music licence on the premises this will create a bad environment for my family and my neighbours.

We already suffer from people outside making noise at night in the street. When the windows of the hotel rooms are open there can be a lot of noise from guests in their rooms. Sometimes hotel guests get into the hotel garden late at night and create a disturbance. There have also been occasions when guests have entered our residents garden. I do not think the hotel will be able to look after all the hotel guests along with the added pressure of selling alcohol on the premises. They do not manage to control the guests well at the moment.

My family is opposed to this application.

Yours Sincerely,

Mona Rahman
[REDACTED]

Appendix 24

Corinne Holland

From: John and Sandy Critchley <[REDACTED]>
Sent: 06 July 2023 10:31
To: Licensing
Cc: Critchley, Sandy; Critchley, main
Subject: Licensing Application: Point A Hotel, 13-15 Folgate Street E1 6BX

Dear LBTH Licensing team,

I am writing to object to the application from Point A Hotel, 13-15 Folgate Street for a licence to sell alcohol on the premises, on the grounds that granting a licence to this hotel would exacerbate existing problems with ant-social behaviour in the Spitalfields neighbourhood. Point A already has a record of excessive noise and disturbance.

I have lived in Spitalfields for 26 years and have extensive experience of the nuisance caused to both residents and visitors by drunkenness and disorder fuelled by alcohol. The hotel location is also within the local Cumulative Impact Zone that aims to reduce problems caused by excessive alcohol consumption. Alcohol is already in ample supply elsewhere in the area and further licensed premises are not needed; we are already saturated with bars and restaurants serving alcohol.

In addition, the granting of a licence to Point A Hotel would undermine the objectives of the Licensing Act 2003:

The prevention of Crime and Disorder, as well as protecting Public Safety

Spitalfields has long suffered from various kinds of street crime, and yet another premises serving alcohol would without doubt add to this problem.

The Prevention of Public Nuisance

This hotel has already proved its inability to control noisy and antisocial behaviour from its guests; neighbours are frequently disturbed by shouting, loud laughter, the banging of taxi doors and generally raucous behaviour. The addition of alcohol would make the situation intolerable.

The Protection of Children from Harm

Bad behaviour from hotel guests is already a source of stress to people who live in Folgate Street, most of which is residential, including a block of social housing with a number of children. Those children, as well as others in homes further towards Commercial Street, already suffer sleeplessness because of noise and other disturbance from Point A; making alcohol available in the hotel would only make matters worse.

I therefore ask the licensing authorities to reject this application; please also reject the application for a music licence.

With best regards,
Sand Critchle

[REDACTED]

Appendix 25

Corinne Holland

From: Licensing
Sent: 12 July 2023 11:34
To: Corinne Holland
Subject: FW: Point A hotel Folgate Street objection

From: Suzi Godson <[REDACTED]>
Sent: Tuesday, July 11, 2023 6:06 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Point A hotel Folgate Street objection

Dear Licensing Team

I am writing to object to the licensing application by Point A hotel, 13-15 Folgate Street. I am a long term Spitalfields resident and for the last 2 years have been resident in Folgate Street, directly across the road from the hotel – so I have detailed, current knowledge of the hotel’s attitude to anti-social behaviour and other aspects which (I hope) may impact your desire to grant them this licence.

There are several background factors which are relevant:

1. This hotel has a history of being (at best) disinterested in their local resident neighbours’ safety and right to a peaceful life. The hotel has never responded positively to any attempt to get them to control or curtail the night-time antics of their hotel guests. They take no action unless enforcement authorities arrive. They are not a ‘good neighbour’ to the mostly residential community on Folgate St. The noise levels from their guests at night are often so high as to wake other residents up or stop them getting them to sleep.
2. Spitalfields is now a highly desirable location for property developers who want to put hotels into the area. The two styles of hotel which work best in Spitalfields are ‘high end’ luxury (such as Batty Langley’s, opposite the Point A hotel), and minimalist hotels which just provide budget-end bed and shower facilities (like the Hub hotels on Brick Lane and in other parts of Spitalfields). With both types of hotel, they do NOT generally provide food or drink, because the area is so rich in night-time economy food and drink options for their guests, that they don’t need to. This is better for the night-time economy providers of facilities in the area and means both them and the hotels can provide jobs and a rate of return whilst happily co-existing. It also means that a wider circle of businesses benefits from the money being spent in the area by hotel visitors – not just the hotel itself. This is an economic pattern Tower Hamlets should be encouraging in Spitalfields.
3. The big British Land development on Blossom Street, Folgate St, Norton Folgate and Fleur de Lys Street will provide some restaurants and bars for this side of Spitalfields (and the pub which was on the corner of Fleur de Lys and Folgate Street, will be reinstated - the pub is the direct next-door neighbour of Point A’s hotel). This big development will be finished within a year, and then the food and drink (including alcohol) outlets will be operating soon afterwards. The last thing that Folgate Street needs is any more provision, when all this development is giving the area a lot of NEW provision already. In addition, Spitalfields Market is increasing their provision of food and drink at the moment (the new ‘red’ building on the Folgate Street side of the market is entirely for food and drink outlets) – again, this significantly increases the food and drink provision within 500 yards of the Point A hotel. The area does not need more inside Point A.

Specifically, the application from Point A is for an on-sales alcohol licence, but there is also reference in the application to **“all off-sales of alcohol shall be sold in sealed containers”**. The application is for hotel residents and their

guests although off-sales immediately assumes that alcohol will be taken from the premises, and my personal experience of Point A gives me no confidence that they would stick to their licence condition of only selling to 'hotel residents and their guests' for off sales. There is also an application for a recorded music licence for the same hours as the alcohol licence – more noise when there is already too much from Point A. The application makes no mention of the CIZ or even basic age checks – which seems to reinforce the view that Point A do not care about their neighbours or the delicate, stretched fabric of the local area.

So, with this background, my specific objections to the application are:

The Prevention of Crime and Disorder and Public Safety

Spitalfields is already number one for various kinds of street crime amongst the wards in Tower Hamlets – increasing alcohol provision in Folgate Street, which is close to Spitalfields Market and is already a hot-spot, will only exacerbate this. The level of 'drunk and disorderly' behaviour from Point A residents in the street (outside the hotel and causing noise disturbance for other local residents) is **ALREADY** high – probably once or twice a week, local residents have their sleep disturbed by Point A residents. Again, the provision of alcohol will make this worse.

The Prevention of Public Nuisance

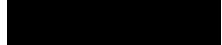
Point A already makes no effort to stop hotel residents and their guests from causing public nuisance in Folgate Street. There is late night voice noise (shouting, laughing, singing), there is the rattling of wheelie luggage suitcases on the cobbles (surprisingly noisy!) through the night, there is the getting in and out of Ubers and other mini cabs with noisy, raucous behaviour through the night... All of this will be worse with the provision of alcohol. The hotel is one of the cheapest in Spitalfields, so its guests are usually young and enjoying getting drunk and being in 'party mood' when they stay. It is not a 'sophisticated' clientele who are likely to respect the right to a quiet life of their Folgate St neighbours.

The Protection of Children from Harm

Folgate Street is a largely residential street. The row of houses immediately next door to Point A (on its other side from the pub) is for housing association residents, with a number of families with children living there. The bad behaviour from intoxication from Point A's residents is already a stress to these families, especially as most of them are of Bangladeshi heritage and therefore alcohol is not part of their culture. The rest of Folgate Street is 90% residential too, with other children resident as well. There is also a children's nursery with its entrance on Lamb Street, just one block over towards Spitalfields Market from Folgate Street. So there is a high concentration of children in the area. More intoxicated people on the streets is likely to cause increased harm and disturbance to these children, who already have to contend with very little green space and more noise than most parents would want for their kids.

Please reject this application, for both on and off sales and also reject the music licence.

Best wishes
Suzi Godson



Sent from my iPhone

Appendix 26

Corinne Holland

From: Z Hudson <[REDACTED]>
Sent: 12 July 2023 20:39
To: Licensing
Subject: Licensing application - Point A Hotel, 13-15 Folgate Street,

As a resident of Spitalfields for over 25 years I am writing to object to this licensing application.

Point A is surrounded by residential property and for some reason attracts guests who frequently exhibit anti-social behaviour. They are noisy and do not respect the local neighbourhood. This is very unpleasant and disturbs the residents in the immediate vicinity.

Please do not give them an alcohol licence or do off sales as this will only make the problem worse.

In summary this contravenes 'The Prevention of Public Nuisance' and the 'Protection of Children from harm'.

Thank you

Zoe Hudson

[REDACTED]

Appendix 27

6th July 2023

m

Dear Mrs Driver,
Re: Point A Hotel 13/15. Folgate Street
Licensing Application.
Your Ref CLC/EHTS/LIC/160512.

I am in receipt of your letter dated 21st July 2023. I found the application confusing "Point A Hotel" I thought was in respect of Liverpool Street refurbishment. Then it refers to de Ture Hotel in Folgate Street. The hotel which is at present not licensed. The hotel which was purchased some years ago agreed to no sale of alcohol and no use of garden by public after 9.00pm at night upon opening. These conditions have ^{been} respected to date.

I hope you have visited the site of so, you are aware that the gardens abridge to properties in Folgate Street and Elder Street E.I. You point out in your letter that the Licence can include regulated entertainment, late night refreshment after 11pm at night. You personally are very aware that alcohol makes people boisterous.

and the granting of this licensing would allow the sale of alcohol.

I have lived at [REDACTED] for forty years. This area has always been a mix of residential and business. I object to the Hotel purchasing the Building, from an Insurance Company. I worked for many years in the original fruit and veg market. I applaud the reinvention of the market and I am not against change. "Well maybe the high rise" buildings". I am in favour of progress. I also respect history and feel privileged to live in an area which was at one stage considered to be a Conservation Area which ^{also} has 18th century buildings that are residential homes.

Having expressed all the above I strongly object to the granting of this licence as it will have a lasting effect on residents "quality of life".

Yours respectfully [REDACTED]

Ms. Driver Principal Licensing Officer
Tower Hamlets Town Hall
4th Floor Licensing Section
Tower Hamlets Town Hall, London E1 1BJ.

WB. Sorry about written here its readable

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Page 2.

Appendix 28

Corinne Holland

From: MARK.J.Perry@ [REDACTED]
Sent: 29 June 2023 17:09
To: f.faulkner@ [REDACTED] Licensing
Subject: RE: Premises License Application - Point A Hotel Folgate Street
PCX:00008500000797

Hi Felix,

Thanks for getting back to me and agreeing conditions so quickly.

Tower Hamlets Council Licensing please see conditions agreed below with the applicant.

Kind Regards

Mark



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

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



From: Felix Faulkner [REDACTED]
Sent: 29 June 2023 14:22
To: Perry Mark J - CE-CU < [REDACTED] >
Subject: RE: Premises License Application - Point A Hotel Folgate Street PCX:00008500000797

Hi Mark,

Can you please confirm you are happy with the below?

Many thanks
Felix

Felix Faulkner | Solicitor

Poppleston Allen

E:f.faulkner [REDACTED]

London Office: The Stanley Building, 7 Pancras Square, London, N1C 4AG

Cybercrime notification: Our bank account details will NOT change during the course of a transaction. Please speak to us before transferring any money. We will not take responsibility if you transfer money to an incorrect bank account. If you receive an email from Poppleston Allen requesting your bank details or purporting to amend our bank details, please contact us, or your solicitor, as appropriate, by telephone immediately to clarify.

From: Felix Faulkner

Sent: Monday, June 26, 2023 1:10 PM

To: [MARK.J.Perry](#) [REDACTED]

Cc: Lisa Inzani <[REDACTED]>

Subject: RE: Premises License Application - Point A Hotel Folgate Street PCX:000085000000797

Importance: High

Hi Mark,

I hope you are well.

Following the below, my client has confirmed they are happy to agree to conditions 1-4 being added to the premises licence.

I have copied these below for ease:

1. *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.*
2. *An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following:*
 - a) *all crimes reported to the venue;*
 - b) *all ejections of patrons;*
 - c) *any complaints received concerning crime and disorder*
 - d) *any incidents of disorder;*
 - e) *all seizures of drugs or offensive weapons;*
 - f) *any faults in the CCTV system, searching equipment or scanning equipment;*
 - g) *any refusal of the sale of alcohol;*
 - h) *any visit by a relevant authority or emergency service.*
3. *In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:*
 - a) *the police (and, where appropriate, the London Ambulance Service) are called without delay;*
 - b) *all measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;*
 - c) *the crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and*
 - d) *such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.*

4. Operate 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.

Please copy me into your correspondence with Tower Hamlets.

Many thanks
Felix

From: [MARK.J.Perry](#) [REDACTED] <[MARK.J.Perry](#) [REDACTED]>
Sent: Thursday, June 22, 2023 1:51 PM
To: Felix Faulkner <[f.faulkner](#) [REDACTED]>
Cc: Lisa Inzani <[L.Inzani](#) [REDACTED]>
Subject: RE: Premises License Application - Point A Hotel Folgate Street PCX:000085000000797

Hi Felix,

[REDACTED]

It was a mistaken duplication by me, please take condition 5 out.

Kind Regards

Mark



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

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



From: Felix Faulkner <[f.](#) [REDACTED]>
Sent: 22 June 2023 13:29
To: Perry Mark J - CE-CU [REDACTED]

Appendix 29

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 30

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 31

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 32

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 33

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 34

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.

Appendix 35

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 36

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

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

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

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

Review of Cumulative Impact Assessment - Supporting Evidence

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

This evidence is published on our website:

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

Cumulative Impact Assessments (Brick Lane and Bethnal Green)

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

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

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

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

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

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

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

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

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

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

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

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

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

Figure One

Brick Lane area:

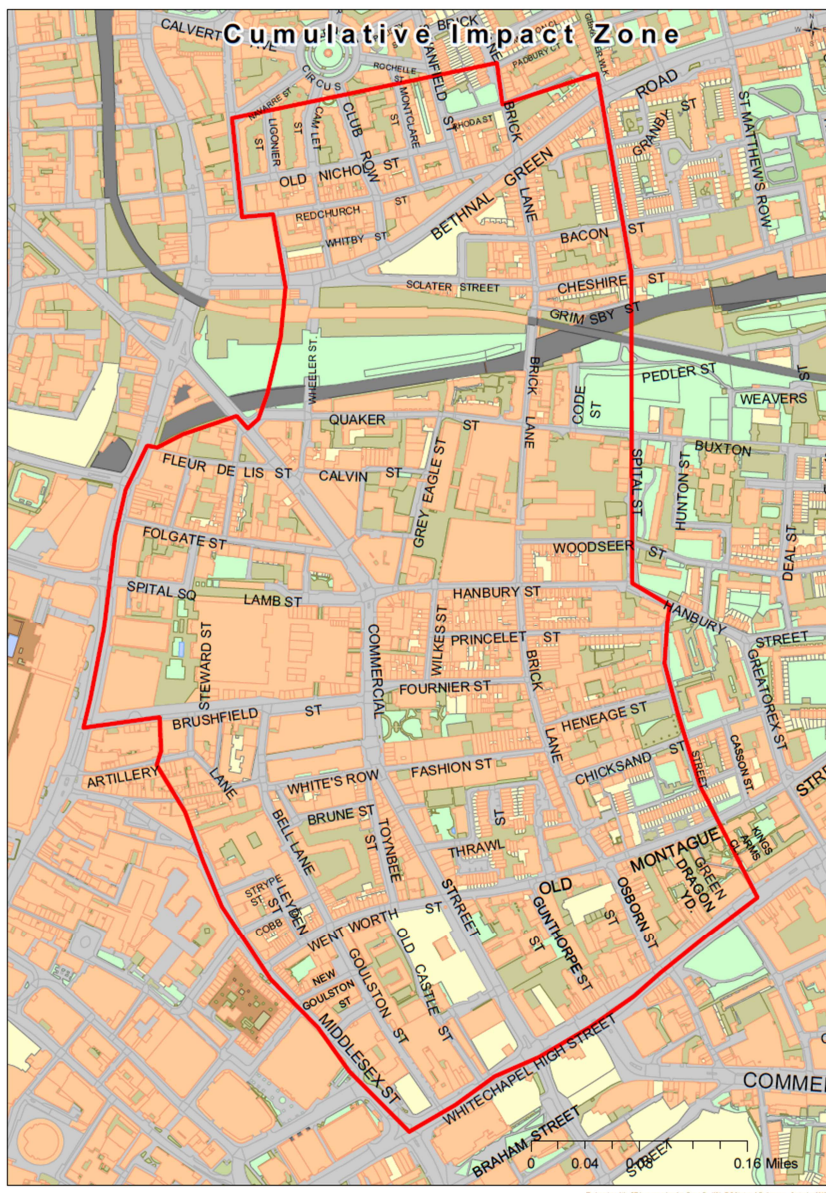
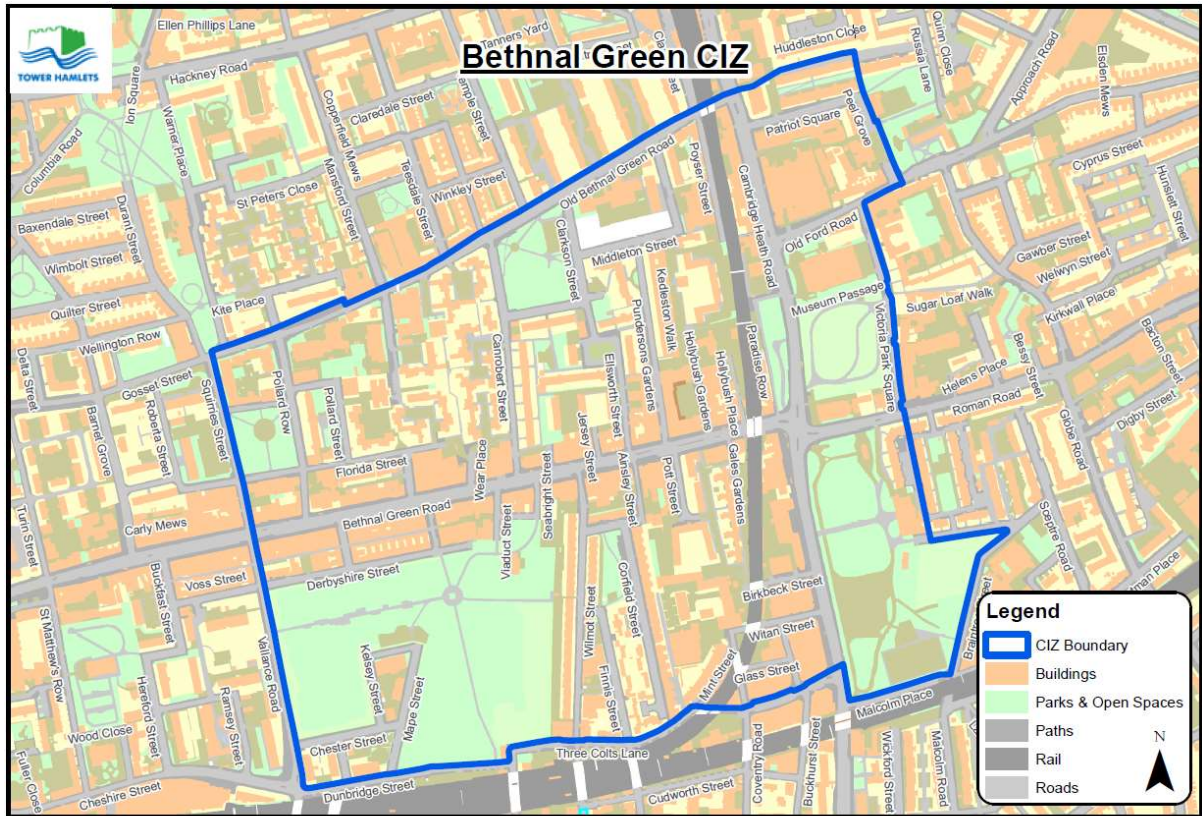


Figure Two:

Bethnal Green Area



Appendix 37

Licensing Policy Relating to Hours of Trading

All applications have to be considered on their own merits.

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

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

(see 14.8 of the Licensing Policy)

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

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

(See 14.9 of the licensing policy)

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

- Theatres
- Cinemas
- Premises with club premises certificates

Appendix 38

Planning

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

Agenda Item 3.2

Committee : Licensing Sub-Committee	Date	Classification Unclassified	Report No.	Agenda Item No.
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Report of: David Tolley Head of Environmental Health & Trading Standards Originating Officer: Mohshin Ali Senior Licensing Officer	Title: Licensing Act 2003 Application for a Premises Licence for (Boat Live), 90 White Post Lane, London E9 5EN Ward affected: Bow East
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1.0 Summary

Applicant: **Boat Live Works Ltd**

Name and Address of Premises: **Boat Live**
90 White Post Lane
London
E9 5EN

Licence sought: **Licensing Act 2003 – premises licence**

- **The sale by retail of alcohol (on sales only)**
- **The provision of regulated entertainment**
- **The provision of late night refreshment**

Representations: **Resident (one)**
Environmental Protection
Health & Safety
Licensing Authority
Met Police Licensing

2.0 Recommendations

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

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

Brief description of "background paper"	Tick if copy supplied for register	If not supplied, name and telephone number of holder
<ul style="list-style-type: none">• Guidance Issued under Section 182 of the Licensing Act 2003• Tower Hamlets Licensing Policy• File		Mohshin Ali 020 7364 5498

3.0 Background

3.1 This is an application for a premises licence for (Boat Live), 90 White Post Lane, London E9 5EN.

3.2 The applicant has described the premises as:

“90 White Post Lane is a cleared gravel yard bounded by 8ft site fencing on all sides. It’s the site of the now demolished Lea Tavern public house and guest rooms, the site has been empty since the demolition of the public house building around 2012... Boat Live project is focused around a small mobile event space built inside an old canal boat, this space has primarily been used to showcase music from the vibrant east London scene, facilitating recording and live broadcast of sessions... we would add some temporary structures to facilitate a wc block, lounge, bar area, most likely housed in shipping containers. We will have a central courtyard area with flexible seating, keeping a space to give us the option to bring in food trucks...”

3.3 A copy of the premises licence application form is enclosed as **Appendix 1**. The licensable activities and timings that have been applied for are as follows:

The sale by retail of alcohol (On sales only)

- *Sunday to Wednesday, from 10:00 hrs to 23:00 hrs*
- *Thursday to Saturday, from 10:00 hrs to 23:59 hrs*

The provision of regulated entertainment

(Films - Indoors and outdoors)

- *Monday to Sunday, from 10:00 hrs to 22:00 hrs*

(Recorded Music - Indoors)

- *Thursday to Saturday, from 23:00 hrs to 00:00 hrs (midnight)*

The provision of late night refreshment – Indoors and outdoors

- *Thursday to Saturday, from 23:00 hrs to 00:00 hrs (midnight)*

Non-standard timings for Alcohol, Recorded Music and Late Night Refreshment

- *New Year’s Eve, from closing time until 04:00 hrs*
- *On days directly preceding a bank holiday, from closing time until midnight*

Hours premises are open to the public

- *Sunday to Wednesday, from 08:00 hrs to 23:30 hrs*
- *Thursday to Saturday, from 08:00 hrs to 00:30 hrs the following day*

Non-standard timings for opening hours

- *New Year’s Eve, from closing time until 04:00 hrs*

- *On days directly preceding a bank holiday, from closing time until midnight*

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 Details of the nearest licensed venues are included as **Appendix 4**.

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 the 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 August 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 5**.
- 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:
- Lindsay Whatters - **(Appendix 6)**
 - Environmental Protection - **(Appendix 7)**
 - Health & Safety - **(Appendix 8)**
 - Licensing Authority (RA) - **(Appendix 9)**
 - Metropolitan Police Licensing - **(Appendix 10)**
- 6.9 Since the representations were made, the applicant has responded to the representations (**See Appendix 11**).
- 6.10 All of the responsible authorities have been consulted about this application. They are as follows:
- The Licensing Authority
 - The Metropolitan Police
 - The LFEP (the London Fire and Emergency Planning Authority).
 - Planning
 - Health and Safety
 - Environmental Protection (Noise)
 - Trading Standards
 - Child Protection
 - Public Health
 - Home Secretary (Home Office Immigration Enforcement)
- 6.11 In addition the application was required to be advertised in a local newspaper and by a blue poster. Only 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
- 6.12 Essentially, the relevant parties oppose the application because in their opinion, the applicant has not explained how within the context of the application they will meet the licensing objective of the prevention of crime and disorder, the prevention of public nuisance and public safety.

- 6.13 There are strict time limits to any representations. The time limits are contained in The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005.
- 6.14 The applicant has offered measures in the operating schedule of the application that address the promotion of the Licensing Objectives. If there were no representations, the Licensing Authority would grant the licence, with conditions consistent with the operating schedule, which are relevant, proportionate and enforceable. Members are asked to consider the schedule and incorporate any conditions as necessary to address the licensing objectives.
- 7.0 Conditions consistent with Operating Schedule (offered by the applicant)**
- 7.1 *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.*
- 7.2 *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.*
- 7.3 *An incident log shall be kept at the premises and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following:*
- a) *all crimes reported to the venue;*
 - b) *all ejections of patrons;*
 - c) *any complaints received concerning crime and disorder*
 - d) *any incidents of disorder;*
 - e) *all seizures of drugs or offensive weapons;*
 - f) *any faults in the CCTV system, searching equipment or scanning equipment;*
 - g) *any visit by a relevant authority or emergency service.*
- 7.4 *In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:*
- a) *the police (and, where appropriate, the London Ambulance Service) are called without delay;*

- b) *all measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;*
 - c) *the crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and*
 - d) *such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.*
- 7.5 *The premises must have a detailed documented security plan that must included but is not limited to an ejections policy, search policy and queue management policy, this document must be available to police upon request.*
- 7.6 *A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record must show the outcome of the person who was intoxicated. The record shall be available for inspection at the premises by the police or an authorised officer at all times whilst the premises is open.*
- 7.7 *The premises shall have a welfare policy that will show how venue staff will manage customers who become vulnerable through intoxication or drugs, such a policy will include but is not limited to the use of dedicated “welfare officers” at peak times who will be easily identifiable, to the customers, their role will be to monitor the welfare of customers including identifying any customers who may be at risk of becoming overly intoxicated and liaising with management/security staff to assist them where necessary. Staff training on customer welfare such as “WAVE” and availability of free water to customers. The policy must be written, reviewed yearly and made available to Police upon request.*
- 7.8 *The premises must risk assess all events taking place at the venue, this will include but is not limited to;*
- a) *Contacting the venues where artist/ performers/ promoters have performed to see if there have been any issues*
 - b) *Looking at social media sites of artist/ performers/promoters etc to check that they are consistent with booking detail*
 - c) *Identifying risks such as potential drug use, underage attendees, violence and disorder*
 - d) *Once potential risks have been identified then mitigation measures must be put in place and documented. The risk assessments must be written down, kept for 1 years and made available to Police upon request.*
- 7.9 *Monitoring Db readings from several locations in the area including at residencies and it will not exceed 65Db at those residencies.*
- 7.10 *Notices shall be prominently displayed requesting patrons to respect the needs of local residents and businesses and leave the area quietly.*

- 7.11 *During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.*
- 7.12 *The premises shall have a written egress policy, that includes but is not limited to, a premises wind down plan (music turned down and lights turned up prior to closing time), and customer dispersal plan. The policy is to be made available to Police upon request.*
- 7.13 *All windows and external doors shall be kept closed after 22:00 hours or at any time when regulated entertainment takes place, except for immediate access and egress of patrons.*
- 7.14 *No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises, which gives rise to a public nuisance*
- 7.15 *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.*
- 7.16 *Children under the age of 16 will not be allowed on the premises unless they are accompanied by someone 18 or over.*

8.0 Conditions in consultation with the Responsible Authorities

8.1 None agreed

9.0 Licensing Officer Comments

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

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

- had a premises licence application where permission for off sales was refused;
- had a variation of a premises licence seeking permission for off sales refused
- had a variation seeking to exclude off sales permission granted

- had a premises licence varied or modified by a review hearing to exclude off sales.
- 9.2 The new off-sales permission will permit off-sales to be made at a time when the licensed premises are open for the purposes of selling alcohol for consumption on the premises, subject to a cut off time of 11pm or the cut off time of the current licensed hours stated on the licence, whichever is earlier. Measures also temporarily suspend existing licence conditions in so far as they are inconsistent with the new off-sales permission. Further Guidance on this can be found at <https://www.gov.uk/government/publications/guidance-for-temporary-alcohol-licensing-provisions-in-the-business-and-planning-bill>
- 9.3 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.
- 9.4 The following is intended simply to advise Members of the relevant aspects of the Boroughs Licensing Policy, guidance from the Secretary of State, legislation and good practice. 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.
- 9.5 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)
- 9.6 The Licensing Act 2003 permits children of any age to be on the premises which primarily sells alcohol providing they are accompanied by an adult. It is not necessary to make this a condition.
- 9.7 In all cases the Members should make their decision on the civil burden of proof, that is “the balance of probability.”
- 9.8 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.
- 9.9 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)

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

9.11 In **Appendices 12 – 18** 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	Other licensed venues in the area
Appendix 5	Home Office concerning relevant, vexatious and frivolous representations
Appendix 6	Representation of residents Lindsay Whatters
Appendix 7	Representation of Environmental Protection
Appendix 8	Representation of Health & Safety
Appendix 9	Representation of Licensing Authority (RA)
Appendix 10	Representation of Metropolitan Police Licensing
Appendix 11	Applicant's response to representations
Appendix 12	Licensing Officer comments on noise while the premise is in use
Appendix 13	Licensing Officer comments on access/egress Problems
Appendix 14	Licensing Officer comments on crime and disorder on the premises
Appendix 15	Licensing Officer comments on crime and disorder from patrons leaving the premises
Appendix 16	Public safety
Appendix 17	Planning
Appendix 18	Licensing Policy relating to hours of trading

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Appendix 1



* required information

Section 1 of 21

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

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

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

Are you an agent acting on behalf of the applicant?

- Yes No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Are you:

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

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

Applicant Business

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

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

Registration number

Business name If your business is registered, use its registered name.

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

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

Premises Address

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

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 21**NON INDIVIDUAL APPLICANTS**

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

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

Continued from previous page...

Limited Liability Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth
dd mm yyyy

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

Section 5 of 21

OPERATING SCHEDULE

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

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

Provide a general description of the premises

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

90 White Post Lane is a cleared gravel yard bounded by 8ft site fencing on all sides. It is the site of the now demolished Lea Tavern public house and guest rooms, the site has been empty since the demolition of the public house building around 2012. The current landlord, Stewart Schwartz, has plans to redevelop the site in the near future, in the interim he has agreed to lease it to us so that we can relocate the Boat Live project which has been running at 66-78 White Post Lane for the last year. The previous site had to be closed to allow for handover from the LLDC to a housing association for development,

Continued from previous page...

leaving the project homeless.
Boat Live project is focused around a small mobile event space built inside an old canal boat, this space has primarily been used to showcase music from the vibrant east London electronic scene, facilitating recording and live broadcast of sessions. The boat has been soundproofed and managed well with no noise complaints from its time at 66-78 White Post Lane. The Boat Live project was previously operating on the Hackney Wick Underground licence on units 2-3 66-78 White Post Lane and was located in the outdoor front yard area to the north of the units. As with the previous licence we would add some temporary structures to facilitate a wc block , lounge, and bar area, most likely housed in shipping containers. We will have a central courtyard area with flexible seating, keeping a space to give us the option to bring in food trucks, similar to the previous premises. We will have a service window from the bar container direct to the street, this will only be used from early morning through the daytime for sales of coffee and smoothies, no alcohol will ever be sold from this window.

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

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the exhibition of films 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.

We would like flexibility for film screenings to take place at the premises, with a combination of both indoors and outdoors to allow the boat and yard to be fully utilised with the option to add temporary enclosures such as tents and marquees. Film will most likely be amplified.

State any seasonal variations for the exhibition of film

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

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

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

Section 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

Continued from previous page...

[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

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

Continued from previous page...

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.

The playing of recorded music such as vinyl or digital media, amplified indoors.

State any seasonal variations for playing recorded music

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

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

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

An extension of hours from closing time on new years eve until 04:00 on New Years Day, an extension of hours from closing time until midnight on days directly preceding a bank holiday.

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?

Continued from previous page...

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

- Indoors Outdoors Both

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

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

State any seasonal variations

Continued from previous page...

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

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

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

An extension of hours from closing time on new years eve until 04:00 on New Years Day, an extension of hours from closing time until midnight on days directly preceding a bank holiday.

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

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

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

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

State any seasonal variations

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

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

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

An extension of hours from closing time on new years eve until 04:00 on New Years Day, an extension of hours from closing time until midnight on days directly preceding a bank holiday.

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

Name

First name

Family name

Date of birth
dd mm yyyy

Continued from previous page...

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

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.

none

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

Continued from previous page...

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

State any seasonal variations

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

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

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

An extension of hours from closing time on new years eve until 04:00 on New Years Day, an extension of hours from closing time until midnight on days directly preceding a bank holiday.

Section 18 of 21

LICENSING OBJECTIVES

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

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

Continued from previous page...

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

The numbered conditions below are the conditions from the licence that the Boat Live project was operating on at 66-78 White Post Lane (lic no 138632 - Tower Hamlets), We have left them numbered so that they can be easily identified. In light of the slightly later times requested Thurs-Saturday we welcome input from the responsible authorities to evolve a set of satisfactory conditions for the revised times. We have added additional suggested conditions based on the outcome of consultations with the Tower Hamlets Police and Environmental Health teams that our proposed D.P.S. underwent for a recent premises application in the local area.

The times applied for in this application represent a general overall reduction from the hours permitted on the licence at the previous premises, where there were operational hours of 06:00 to 23:59 daily with both on and off sales of alcohol.

Our approach to licensable hours and hours the premises would be open to the public has been to allow for an additional 30 minutes beyond the last licensable activities to assist in a more regulated departure of customers, giving them opportunity to drink up and wait for ordered taxis etc inside the premises.

We have also changed the request for supply of alcohol to on sales only to better reflect the operation of the Boat Live Works project over the last year at 66-78 White Post Lane.

Additional suggested conditions have been prefixed with a dash -

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

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

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

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

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

Continued from previous page...

c) Public safety

- 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.

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

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

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

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

d) The prevention of public nuisance

4. Monitoring Db readings from several locations in the area including at residencies and it will not exceed 65Db at those residencies.

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

6. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.

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

- All windows and external doors shall be kept closed after 22:00 hours, or at any time when regulated entertainment takes place, except for the immediate access & egress of persons.

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

e) The protection of children from harm

7. 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

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

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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.

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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.

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PAYMENT DETAILS

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

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

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

Band A - No RV to £4,300 = £100.00

Band B - £4,301 to £33,000 = £190.00

Band C - £33,001 to £8700 = 315.00

Band D - £87001 to £12500 = £450.00*

Band E - £125001 and over = 635.00*

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

Band D - £7001 to £12500 = £900.00

Band E - £125001 and over £1,905.00

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

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

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

Capacity 5000-9999 = £1,000.00

Capacity 10000 -14999 = £2,000.00

Capacity 15000-19999 = £4,000.00

Capacity 20000-29999 = £8,000.00

Capacity 30000-39000 = £16,000.00

Capacity 40000-49999 = £24,000.00

Capacity 50000-59999 = £32,000.00

Capacity 60000-69999 = £40,000.00

Capacity 70000-79999 = £48,000.00

Capacity 80000-89999 = £56,000.00

Capacity 90000 and over = £64,000.00

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

Continued from previous page...

* Fee amount (£)

100.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

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

* Capacity

Date (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.

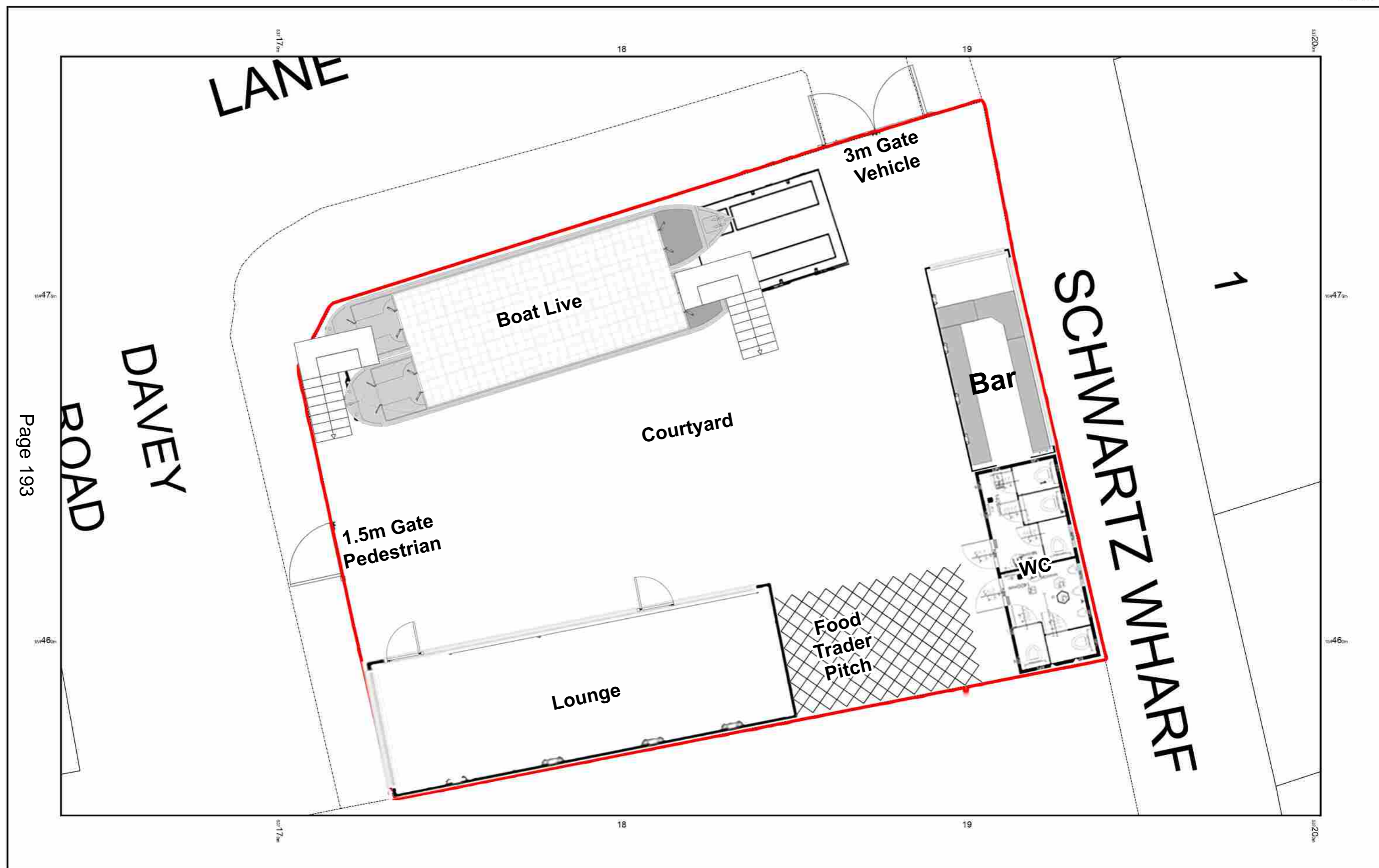
Continued from previous page...

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

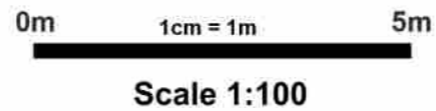
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT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

Appendix 2

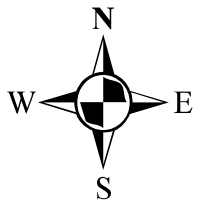
Boat Live Works Redline Site Plan 1:100 @ A3



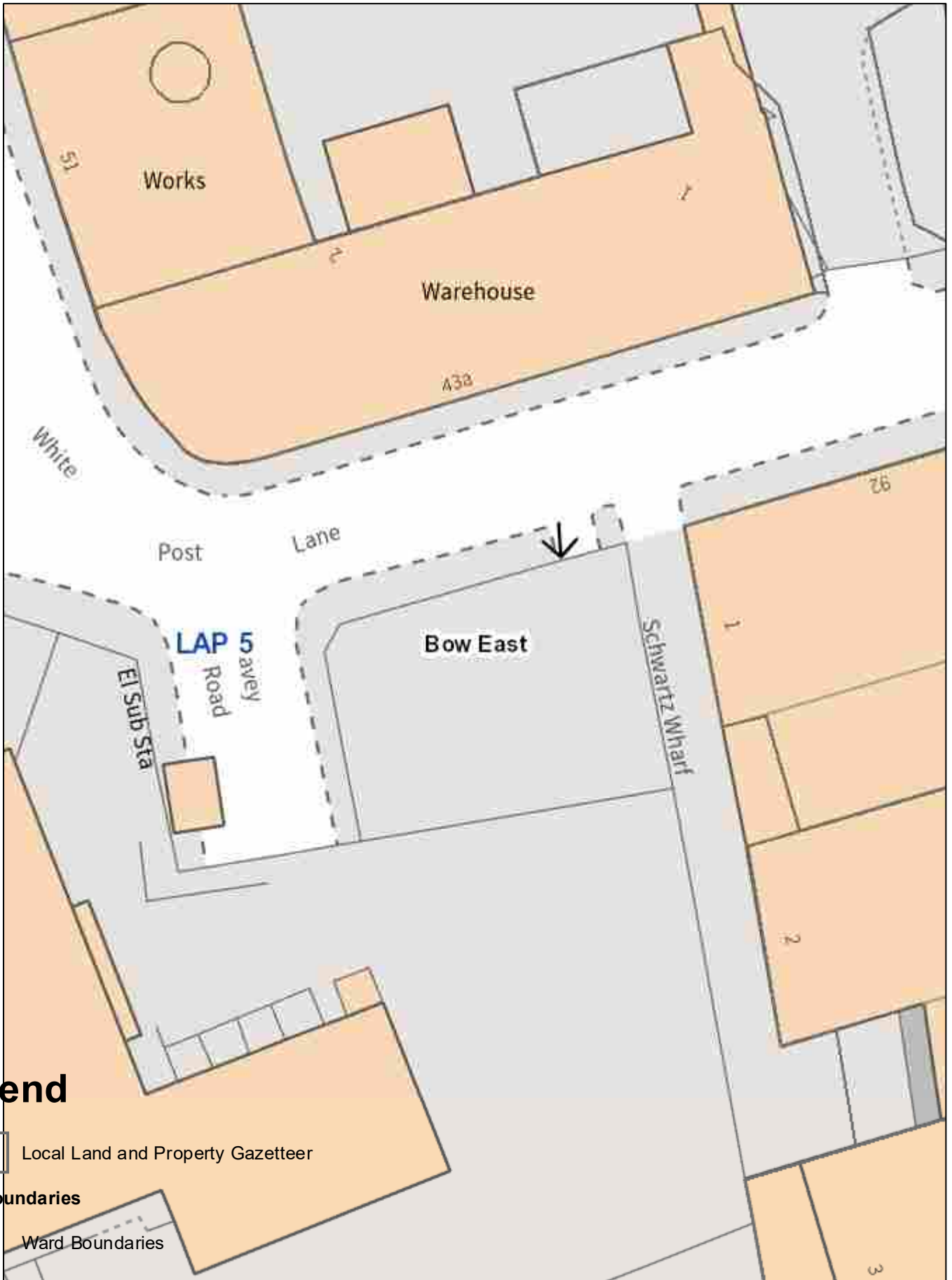
Page 193




Appendix 3




90 White Post Lane



Legend

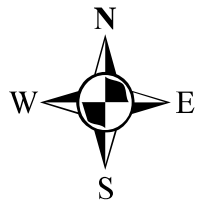
 Local Land and Property Gazetteer

Ward Boundaries

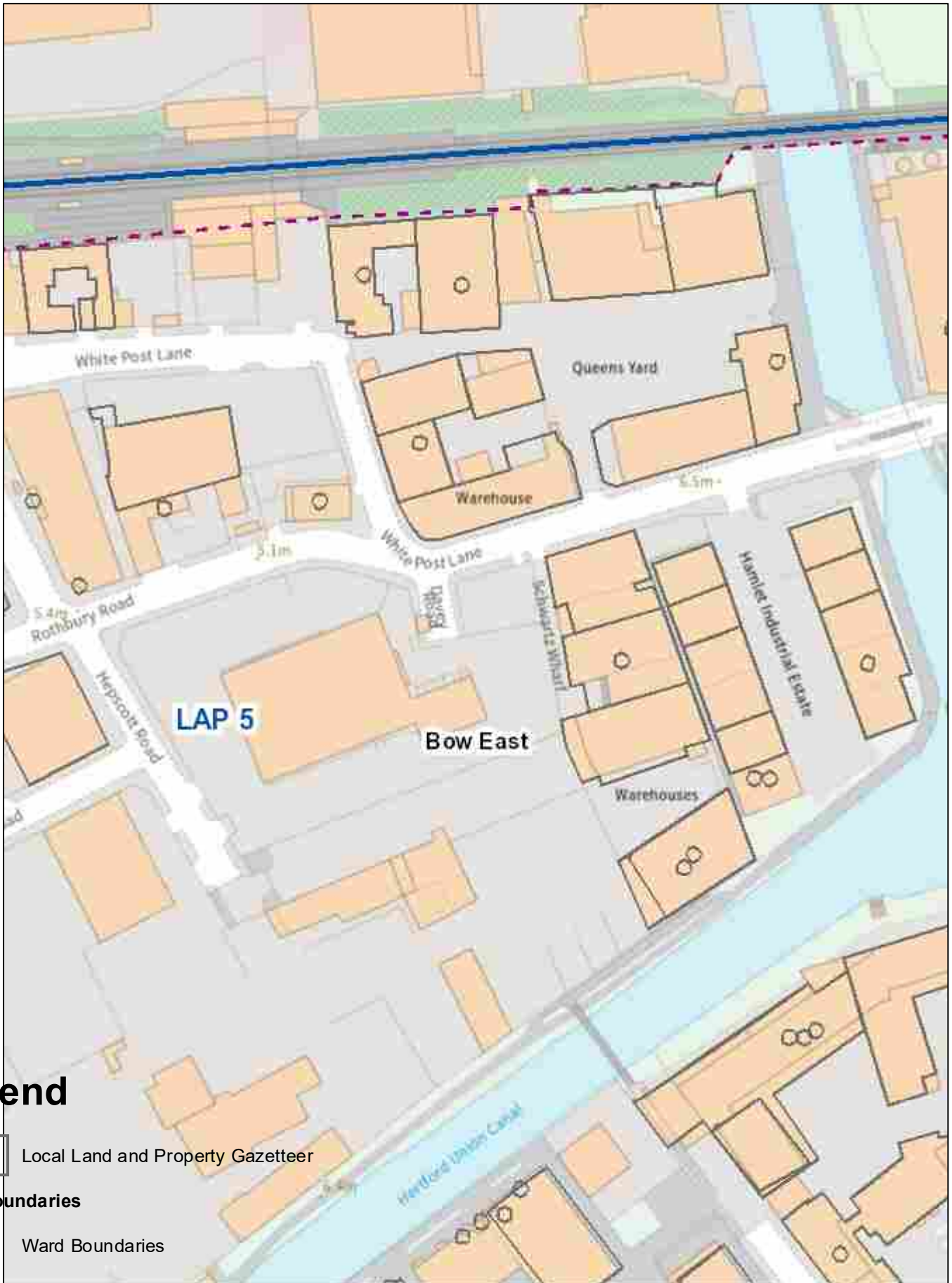
 Ward Boundaries

LAP Boundaries


 LAP Boundaries




90 White Post Lane



Legend

 Local Land and Property Gazetteer

Ward Boundaries

 Ward Boundaries

LAP Boundaries

 LAP Boundaries

Appendix 4

Nearest licences: (Boat Live), 90 White Post Lane, London E9 5EN

Name and address	Licensable activities and hours	Opening hours
<p>Howling Hops Unit 9 Queens Yard White Post Lane London E9 5EN</p>	<p><u>The Supply of Alcohol (both on and off premises)</u></p> <ul style="list-style-type: none"> • Sunday to Thursday from 12:00hrs (midday) to 23:00hrs • Friday to Saturday from 12:00hrs Midday) to 01:30hrs <p><u>Provision of Regulated Entertainment: Plays, Films, Indoor Sporting Events, Live Music (indoors), Recorded Music (indoors), Performance of Dance, Anything of a similar Description</u></p> <ul style="list-style-type: none"> • Sunday to Thursday from 12:00hrs (midday) to 23:00hrs • Friday and Saturday from 12:00hrs (midday) to 01:30hrs <p><u>The Provision of Late Night Refreshments</u></p> <ul style="list-style-type: none"> • Friday and Saturday 23:00hrs – 0200hrs 	<p>Sunday to Thursday from 12:00hrs to 23:30hrs</p> <p>Friday to Saturday from 12:00hrs to 02:00hrs (the following day)</p>
<p>(The Yard Theatre) Unit 2a Queens Yard White Post Lane London E9 5EN</p>	<p><u>The supply of alcohol (on sales only)</u></p> <ul style="list-style-type: none"> • Sunday to Wednesday from 12:00hrs (midday) to 00:00hrs (midnight) • Thursday from 12:00hrs (midday) 02:00hrs (the following day) • Friday to Saturday from 12:00hrs (midday) to 03:00hrs (the following day) <p><u>The provision of regulated entertainment in the form of plays (indoors), films (indoors), performances of dance (indoors)</u></p> <ul style="list-style-type: none"> • Monday to Sunday from 12:00hrs (midday) to 23:00hrs <p><u>The provision of regulated entertainment in the form of live music (indoors), recorded music (indoors)</u></p> <ul style="list-style-type: none"> • Sunday to Wednesday from 18:00hrs to 00:00hrs (midnight) • Thursday from 18:00hrs to 02:00hrs (the following day) • Friday to Saturday from 18:00hrs to 03:00hrs (the following day) <p><u>The provision of late night refreshment</u></p> <ul style="list-style-type: none"> • Sunday to Wednesday from 23:00hrs to 00:00hrs (midnight) 	<p>Sunday to Wednesday from 12:00hrs (midday) to 00:00hrs (midnight)</p> <p>Thursday from 12:00hrs (midday) to 02:00hrs (the following day)</p> <p>Friday to Saturday from 18:00hrs to 03:00hrs (the following day)</p> <p><u>Non-Standard Times</u> 40 nights per year opening times and licensable activities extended until 6am</p>

Nearest licences: (Boat Live), 90 White Post Lane, London E9 5EN

	<ul style="list-style-type: none"> • Thursday from 23:00hrs to 02:00hrs (the following day) • Friday to Saturday from 23:00hrs to 03:00hrs (the following day) <p><u>Non-Standard Times (supply of alcohol, late night refreshment and recorded music only)</u></p> <ul style="list-style-type: none"> • 40 nights per year opening times and licensable activities extended until 6am 	
<p>Wicked Fish Queens Yard White Post Lane London E9 5EN</p>	<p><u>Late Night Refreshment</u> Sunday to Thursday from 23:00 -01:00 HRS Friday to Saturday from 23:00 - 04:00 HRS</p> <p>Non-standard timing Christmas Eve and New Year's Eve Christmas Eve and Christmas Day 23:00 hours to 05:00 hours New Years Eve 23:00 hours to 05:00 hours (the day following), New Year's Day 23:00 hours to 05:00 hours</p> <p>The sale by retail of alcohol (<u>on sales only</u>)</p> <ul style="list-style-type: none"> • Monday to Sunday 12:00 – 23:00 hours 	<p>Sunday – Thursday from 06:00 hours to 01:30 hours Friday -Saturday from 06:00 hours to 04:30 hours</p> <p>Non-standard timing Christmas Eve and Christmas Day 23:00 hours to 05:00 hours New Years Eve 23:00 hours to 05:00 hours (the day following), New Year's Day 23:00 hours to 05:00 hours</p>
<p>(Colour Factory) Unit 8a, Queens Yard White Post Lane London E9 5EN</p>	<p>The sale by retail of alcohol (on & off sales)</p> <ul style="list-style-type: none"> • Monday to Thursday 09:00 hours to 23:00 hours • Friday & Saturday 09:00 hours to 03:30 hours the following day • Sunday 09:00 hours to 00:00 hours (midnight) <p>The provision of late-night refreshment – Indoors and outdoors</p> <ul style="list-style-type: none"> • Friday and Saturday, from 23:00 hours to 02:00 hours the following day <p>The provision of regulated entertainment (Plays, Performances of Dance) – indoors</p> <ul style="list-style-type: none"> • Monday to Thursday 09:00 hours to 23:30 hours • Friday & Saturday 09:00 hours to 04:00 hours (the following day) • Sunday, from 09:00 hours to 00:00 hours (midnight) <p><u>(Films) - indoors</u></p>	<p>Monday to Thursday 09:00 hours to 23:30 hours</p> <p>Friday & Saturday 09:00 hours to 04:00 hours (the following day)</p> <p>Sunday, from 09:00 hours to 00:00 hours (midnight)</p> <p><u>Non-standard timings:</u> For the 20 occasions per year for Live music, recorded Music, later night refreshment until 02:30 am, closing at 03:00 am, including the New Year's Eve closing at 04:00 am that the Police and Environmental Health are informed of each of these events at least 10 working days before they occur, so that they may consider each event, and if there is any reason to believe that the</p>

Nearest licences: (Boat Live), 90 White Post Lane, London E9 5EN

	<ul style="list-style-type: none">• Monday to Thursday 09:00 hours to 23:30 hours• Friday & Saturday, from 09:00 hours to 04:00 hours the following day• Sunday 09:00 hours to 00:00 hours (midnight) <p><u>(Indoor Sporting Event)</u></p> <ul style="list-style-type: none">• Monday to Thursday, from 09:00 hours to 23:30 hours• Friday & Saturday 09:00 hours to 04:00 hours (the following day)• Sunday, from 09:00 hours to 00:00 hours (midnight) <p><u>Live Music & Recorded Music (indoors & outdoors) – Live music cease 23:00 hours outside)</u></p> <ul style="list-style-type: none">• Monday to Thursday 09:00 hours to 23:30 hours• Friday & Saturday 09:00 hours to 04:00 hours (the following day)• Sunday 09:00 hours to 00:00 hours (midnight) <p><u>Anything of a similar description to Live Music, Recorded Music or Performance of Dance – indoors and outdoors</u></p> <ul style="list-style-type: none">• Monday to Thursday 09:00 hours to 23:30 hours• Friday & Saturday 09:00 hours to 04:00 hours (the following day)• Sunday, from 09:00 hours to 00:00 hours (midnight) <p><u>Non-standard timings:</u> For the 20 occasions per year for <u>Live music, recorded Music, late night refreshment</u> until 02:30 hours the following day, closing at 03:00 hours the following day, including the New Year's Eve closing at 04:00 hours the following day that the Police and Environmental Health are informed of each of these events at least 10 working days before they occur, so that they may consider each event, and if there is any reason to believe that the Licensing Objectives will not be met, have the right to refuse an event.</p>	<p>Licensing Objectives will not be met, have the right to refuse an event.</p>
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Nearest licences: (Boat Live), 90 White Post Lane, London E9 5EN

<p>(Old Street Brewery) Unit 1, Queens Yard White Post Lane Hackney Wick London E9 5EN</p>	<p>The sale by retail of alcohol – On and off sales</p> <ul style="list-style-type: none"> Monday to Sunday, from 10:00 hrs to 00:00 hrs (midnight) <p>The provision of late night refreshments – Indoors and outdoors</p> <ul style="list-style-type: none"> Sunday to Wednesday, from 23:00 hrs to 23:30 hrs Thursday to Saturday, from 23:00 hrs to 00:00 hrs (midnight) <p>The provision of regulated entertainment – Indoors and outdoors <u>(Recorded Music only)</u></p> <ul style="list-style-type: none"> Sunday to Wednesday, from 10:00 hrs to 00:00 hrs (midnight) Thursday to Saturday, from 12:00 hrs to 00:30 hrs the following day 	<p>Sunday to Wednesday, from 10:00 hrs to 00:00 hrs (midnight)</p> <p>Thursday to Saturday, from 10:00 hrs to 00:30 hrs the following day</p>
<p>(Crate Bar & Pizzeria) White Building Unit ,7 Queens Yard White Post Lane London E9 5EN</p>	<p>Sale by retail of alcohol (on and off sales)</p> <ul style="list-style-type: none"> Monday to Wednesday, from 09:00 hours to 23:30 hours Thursday to Sunday, from 09:00 hours to 01:30 hours the following days <p>The provision of late night refreshment – Indoors</p> <ul style="list-style-type: none"> Monday to Wednesday, from 23:00 hours to 23:30 hours Thursday to Sunday, from 23:00 hours to 01:30 hours the following days <p>The provision of regulated entertainment – Indoors and outdoors Plays, Films,</p> <ul style="list-style-type: none"> Monday to Wednesday, from 09:00 hours to 00:00 hours (midnight) Thursday to Sunday, from 09:00 hours to 02:00 hours the following days <p>Live Music, recorded music (outside only until 21:00 hours)</p> <ul style="list-style-type: none"> Monday to Wednesday, from 09:00 hours to 00:00 hours (midnight) Thursday to Sunday, from 09:00 hours to 02:00 hours the following days <p>Performance of dance</p> <ul style="list-style-type: none"> Monday to Wednesday, from 09:00 hours to 23:30 hours Thursday to Sunday, from 09:00 hours to 01:30 hours the following days 	<p>Monday to Wednesday, from 09:00 hours to 00:00 hours (midnight)</p> <p>Thursday to Sunday, from 09:00 hours to 02:00 hours the following days</p>

Appendix 5

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 6

Mohshin Ali

From: Lavine Miller-Johnson on behalf of Licensing
Sent: 06 April 2023 08:55
To: Mohshin Ali
Subject: FW: Objection to premises license

From: Lindsey Marie [REDACTED] >
Sent: 05 April 2023 23:54
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Objection to premises license

Dear Sir / Madam,

I would like to make a representation in opposition to the application for a license to supply alcohol late night at:

Boat Live Works
90 Whitepost Lane
E9 5EN

I do not think Hackney Wick needs another late night venue for the reason of prevention of crime and disorder, public safety and the prevention of public nuisance in the area.

Trei Daley was fatally stabbed in February right outside of the venue, and I think that too many clubs and bars are being opened in the area and it's making a public nuisance with an increasing amount of loud noise late at night, loud music, drunk & disorderly behaviour, drug dealers offering you drugs openly on the street and laughing gas sellers touting for business in the area, that there is residents living nearby with children and single females affected the most, with lots of people having to walk from the station home late at night, it's making the area unsafe and unpleasant to walk through at night for residents and in the morning with all the mess and broken glass, drug baggies and laughing gas canisters regularly littering the street.

When the boat live works was a venue last summer the music was incredibly loud and disruptive to residents.

As a long term resident I would ask you please not to give a late night alcohol licence to another venue, it's making Hackney Wick unsafe and increasingly lawless.

Many thanks for your consideration
Lindsay Whatters

[REDACTED]

Appendix 7

Mohshin Ali

From: Nicola Cadzow
Sent: 27 March 2023 12:24
To: Licensing
Cc: 'MARK.J.Perry [REDACTED]'; Boat Live
Subject: 157940 MAU REPRESENTATION for Boat Live 90 White Post Lane London E9 5EN

Good afternoon Licensing,

I have considered the new premise licence application for Boat Live 90 White Post Lane, London and the potential impact of public nuisance and measures to prevent noise generated from within the premises and increased external area, which could cause disturbance to people in the vicinity.

The applicant is proposing licensable activities: Regulated Entertainment, Late night refreshment, Sale of Alcohol:

- with non-standard timings on new year eve until 04:00 hours in the morning and an extension of an hour on days preceding a bank holiday

Whilst the applicant has provided noise conditions in the operating schedule of their application for the prevention of public nuisance I am concerned that the applicant has asked for "flexibility* for film screenings both indoors and outdoors with the option to have tents and marques "most likely amplified", which is general statement .

Also, I refer to Boat live at its previous location at 66-68 White Post Lane a short distance from their new location, which received noise complaints regarding loud amplified music. The boat has poor sound insulation, and local residents reported loud amplified music and a "lack of soundproofing".

I do not believe that by moving the venue on to another site on White Post Lane, particularly with poor sound insulation, that the applicant will promote the licensing objective for the prevention of public nuisance, under the Licensing Act 2003.

Noise Sensitive premises: residential premises in close proximity to 90 White Post Lane, London including Omega Works, White Post Lane, Hepscott Street.

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

- Noise breakout from the venue affecting neighbouring residents, including the external
- Access & egress to and from the venue, of patrons, especially due to patrons likely to be in high spirits
- Hours of operation including use of the external area, and the non-standard timings applied for.

CONCLUSION

Environmental Protection **does not** support the application for Boat Live 90 White Post Lane, London as I do not believe that by granting the license as it stands, that the applicant will promote the licensing objective for the prevention of public nuisance, including use of the external space.

Kind regards

Nicola Cadzow

Environmental Protection Officer (Noise Team)
Environmental Health and Trading Standards
4th Floor, Tower Hamlets Town Hall
160 Whitechapel Road
London, E1 1BJ



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Housing Licensing Consultation

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

Appendix 8

Mohshin Ali

From: Licensing
Sent: 11 April 2023 16:31
To: Mohshin Ali
Subject: FW: Ref 157940 Boat Live 90 White Post Lane

From: Geraldine O'Grady <[REDACTED]>
Sent: 11 April 2023 16:09
To: Licensing <Licensing@towerhamlets.gov.uk>
Cc: Sonia Joseph <[REDACTED]>
Subject: Ref 157940 Boat Live 90 White Post Lane

Dear Sir/ Madam,

I wish to make a representation against the licence application on the ground's public safety.

On reviewing the application, I have concerns regarding the means of escape from the boat and the site in the case of an emergency.

My representation may be lifted details if capacity calculations are calculated for the boat and the site as per the company's fire safety risk assessment. The routes for foot traffic but be designed and constructed to ensure safe passage of staff and customers around the site.

Kind regards,

Geraldine O'Grady
Principal Environmental Health Officer
Health and Safety
Environmental Health and Trading Standards
Place Directorate
Environmental Health and Trading Standards
4 th Floor Tower Hamlets Town Hall
160 Whitechapel Road
London E1 1BJ

Telephone: [REDACTED]

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Appendix 9

Mohshin Ali

From: Lavine Miller-Johnson
Sent: 09 June 2023 17:31
To: Boat Live
Cc: Nicola Cadzow; 'MARK.J.Perry'; Mohshin Ali
Subject: RE: New Premises Licence - Boat Live 90 White Post Lane E9 5EN MA/159556

Dear Licensing,

Please note that my previous objection still stands. Further to the below, the applicant has continually applied for a number of TEN's to which have been withdrawn by the applicant and refused following objections from the Police and Environmental Protection. To date, the responsible authorities have not been given any reassurance in that, the granting of this licence will not undermine any of the four licensing objectives.

Kind Regards

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

020 7364 5008
www.towerhamlets.gov.uk | licensing@towerhamlets.gov.uk

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From: Lavine Miller-Johnson
Sent: 06 April 2023 3:07 PM
To: Boat Live
Cc: Nicola Cadzow; 'MARK.J.Perry'; Mohshin Ali
Subject: New Premises Licence - Boat Live 90 White Post Lane E9 5EN MA/157940

Dear Applicant,

I am the officer from this Licensing Authority, acting as Responsible Authority making an objection against your application for, Boat Live at 90 White Post Lane E9 5EN.

As Mark Perry noted when he visited on 29th March 2023, there were no provisions for water or electric supply, the ground was uneven and had piles of rubbish. The land were they wish to have the premises licence is not fit for purpose, and would undermine the public safety objective.

Images taken by Mark Perry on 29th March 2023 – location for Boat Live premises licence.



There currently is no permanent structure and I understand that the applicant wishes to use a shipping container and a boat to host the events none of which would have the correct sound insulation to prevent noise traveling through to the nearby residents.

The applicant has asked for the ability to provide outdoors and indoors film screenings (most likely amplified), having the options to use tents and marquee. The noise from the tent/marquee would potentially create a noise nuisance to local residents.

The Licensing Team had received the following complaints whilst the premises was located at 66-78 White Post Lane E9

31/10/2022 –resident complaint- Playing music beyond licence timings of 10pm

14/06/2022 – resident complaint– Evening and weekend noise levels very unsettling for the residents

The premises would undermine the licensing objectives, prevention of public nuisance and public safety and therefore this responsible authority does not support the granting of this application.

Kind Regards

Lavine Miller-Johnson

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

 020 7364 5008

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

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Tower Hamlets is reviewing its Licensing Policy to take part in the consultation visit the below link:
<https://talk.towerhamlets.gov.uk/statement-of-licensing-policy-review-consultation-2023>

Appendix 10



Tom Lewis
Head of Licensing
Tower Hamlets Council

HT - Tower Hamlets Borough

Licensing Office
Shoreditch Police Station

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

3 April 2023

Dear Sir,

Central East Police Licensing formally object to the application for a Premises License Application for Boat Live, at 90 White Post Lane E9 5EN. This objection is on the grounds of preventing crime and disorder, public safety and public nuisance.

Central East Police Licensing object to this application as we believe it will lead to increased crime and disorder and public nuisance, as well as a public safety risk. Firstly when the applicant operated from 66 – 78 White Post Lane, not only were there noise complaints from local residents, when Police visited the site we found a poorly run venue with intoxicated customers, and open use of drugs. Management were not running the premises effectively as they had allowed customers to become drunk and there was no sense that anyone was in charge.

The applicant states that he intends to run events and music from the “Electronic Music scene”. We know that from various other operators in the borough that run these events that some customers use illegal drugs and try to take them into the venue. Such premises all have detailed security plans including search, drugs and ejections policies.

Given the poor running of the venue at the last address including the open use of drugs we would of expected the applicant to have included a comprehensive security plan, including policies on both searching customers and dealing with drugs. Yet the applicant has supplied only a basic set of intentions, with little detail on how these policies will operate in reality.

From looking at the plan, the venue is made up of three separate areas, the "Boat", the "Lounge" and the outside area, how many SIA security does the applicant believe they will need to effectively look after the separate areas? Where will the security be placed to both observe customers and respond, as well as monitoring the entrance and searching customers?

The applicant has said that security will conduct random searching, we believe this is not sufficient when dealing with promoted music events as we know there is likely to be social drug use. It is therefore important to search all people entering the venue as not only does it prevent people bringing drugs into the venue, it also acts as a deterrent.

We also know that customers are vulnerable when leaving a venue after the event has finished as if they have consumed alcohol then their decision making is impaired and they are more likely to be either victims of or instigators of alcohol related crime and disorder. The applicant has stated that the capacity is around 200 people. We believe that this will lead to an increased risk of alcohol related crime and disorder as they congregate in what is a small area, next to the entrance of a residential block. The risk of disorder taking place as customers wait for friends or Ubers, while residents try to enter the block, especially under the influence of alcohol is simply too high.

We also believe that this event will lead to noise nuisance, as the venue is so close to local residents. The applicant has stated that there were no noise complaints about the venue they previously operated from. This is not the case, local residents suffered from noise nuisance from Boat Live and complaints from residents were received by Tower Hamlets Council's Noise Team.

Police witnessed noise nuisance from the boat when conducting a late night Patrol in Hackney Wick in the summer of 2022. The music was so loud it could be heard from the street outside. This was raised by Police to the operator who insisted that the boat was sound proofed. This may be the case but it did not stop Police hearing the loud music, or local residents having their sleep disturbed by it.

Given the plan for the venue incorporates two separate structures and two outside areas, how will the venue manage to contain the noise from amplified music events from disturbing local residents who are in such close proximity? What sound proofing will they have for the shipping container converted into a bar? How will they manage to sound

proof these structures when people will be moving from one area to another? What ventilation will they have for the shipping container and how will they work, especially in the summer when temperatures rise and the bar is in essence a large metal container? Where will the guests be, and is this area sound proofed?

In looking at this application I visited the premises on Wednesday the 29th March and although I could not enter the site I was able to look inside, and was very concerned by what I found (please see attached photographs). The site appears to have no power, water or waste water extraction facilities. The boat appears to be mounted on a trailer and the only other structure is a large tent. The ground is uneven and strewn with rubbish. I have serious concerns that the venue will be able to host people without them being at risk from being injured.

We believe that this event will cause alcohol related crime and disorder, noise nuisance and is a health and safety risk. We therefore ask that this application is rejected.

Kind Regards

Mark



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





Mohshin Ali

From: MARK.J.Perry [REDACTED]
Sent: 31 May 2023 11:04
To: Mohshin Ali
Cc: Licensing
Subject: : Boatlive 90 White Post Lane - images 30.5.23
Attachments: IMG-20230530-WA0006.jpg; IMG-20230530-WA0005.jpg; IMG-20230530-WA0004.jpg; IMG-20230530-WA0003.jpg; IMG-20230530-WA0002.jpg; IMG-20230530-WA0001.jpg; IMG-20230530-WA0000.jpg

Dear all,

Please can these photographs be added to my premises license objection to Boat Live.

Kind Regards

Mark



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

Email [REDACTED]
A: Licensing Office, 1st Floor Stoke Newington Police Station



From: Nicola Cadzow <[REDACTED]>
Sent: 31 May 2023 10:46
To: Perry Mark J - CE-CU [REDACTED]
Subject: FW: Boatlive 90 White Post Lane - images 30.5.23

Nicola Cadzow
Environmental Protection Officer (Noise Team)
Environmental Health and Trading Standards
4th Floor, Tower Hamlets Town Hall
160 Whitechapel Road

London, E1 1BJ



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Housing Licensing Consultation

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

From: Nicola Cadzow

Sent: Tuesday, May 30, 2023 12:24 PM

To: Licensing <Licensing@towerhamlets.gov.uk>; Tom Lewis <[redacted]>; Ibrahim Hussain <[redacted]>; Geraldine O'Grady <[redacted]>

Cc: 'MARK.J.Perry@met.police.uk' <[redacted]>; Paul Murphy <[redacted]>

<[redacted]>; Onuoha Olere <[redacted]>

Subject: Boatlive 90 White Post Lane - images 30.5.23

Good Afternoon All,

Please see images from Mark's visit this morning (30.5.23) to the site of Boatlive 90 White Post Lane,

regards

Nicola Cadzow
Environmental Protection Officer (Noise Team)
Environmental Health and Trading Standards
4th Floor, Tower Hamlets Town Hall
160 Whitechapel Road
London, E1 1BJ



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Housing Licensing Consultation

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

From: Nicola Cadzow <[redacted]>

Sent: Tuesday, May 30, 2023 12:18 PM

To: Nicola Cadzow <[REDACTED]>

Subject: Boatlive- images 30.5.23

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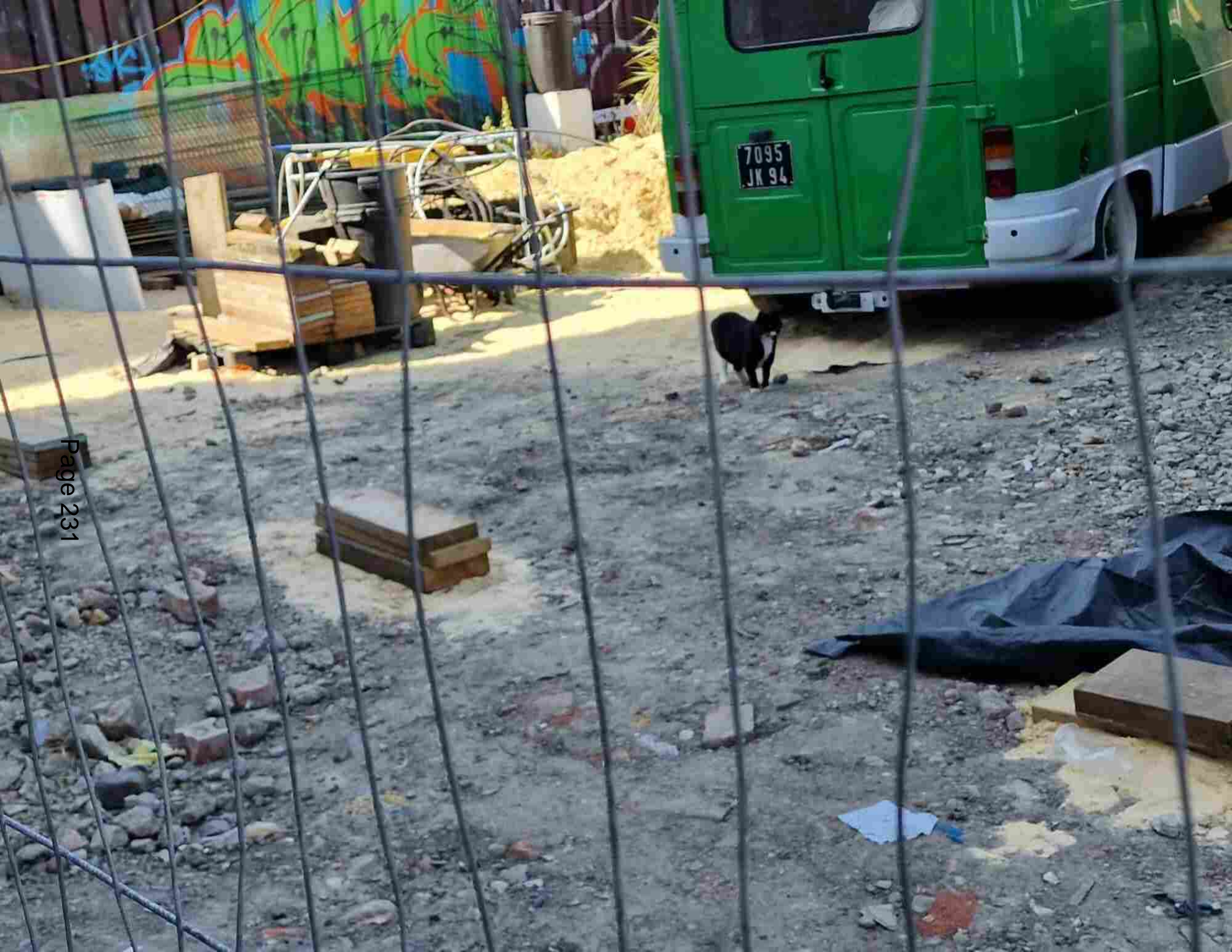


9-9-28



Page 229





Mohshin Ali

From: MARK.J.Perry [REDACTED]
Sent: 24 August 2023 11:02
To: Licensing; Farzana Chowdhury
Cc: Tom Lewis
Subject: Additional evidence Wicked Fish

Follow Up Flag: Follow up
Flag Status: Completed

Dear all,

Central East Police Licensing would like the following added to our evidence for the review of Wicked Fish, and its application for an extension to its hours.

One of the key arguments of our application is the risk that people leaving late night venues will become involved in alcohol related crime and disorder, either because they have impaired decision making due to having consumed alcohol or because they become vulnerable to criminals. Alternatively they may engage in criminal activity themselves. We know that when late night venues close they attract criminals, like those selling illegal drugs like nitrous oxide to people as they leave and those who look to rob or assault them.

When customers from venues are distracted from going home, buy food from venues like Wicked Fish then the chances of them becoming victims of alcohol related crime and disorder increases, sometimes with tragic consequences. The victim of the tragic murder in Queens Yard at 4:36am on Saturday the 11th February 2023 had been eating food from Wicked Fish (when) prior to the deadly assault that took place. We are not saying that Wicked Fish is in anyway responsible for the crime, but it is an extreme example that highlights the risks of people not dispersing quickly.

Such are the problems of people not dispersing that Tower Hamlets Council and Central East Police have conducted joint operations to deal with illegal food sellers and Nitrous Oxide Dealers which prevent dispersal. As can be seen from the report below from the enforcement activity on the 28 and 29 July that targeted the late night food vendors had the effect of “Subsequently significantly lowered the crowd over both nights and lowered the demand / crowd for NOX (Nitrous Oxide)”

Subject: Licensing Tasking 28/29th July 2023

Hi All,

I just wanted to pass on my appreciation for your hard work on the tasking event this weekend targeting NOx and unlicensed food stalls. Our aim was to disrupt the sale of NOx, unlicensed food vendors as well as by being there prevent VAWG offences, violent crimes and drugs/asb. I'd say we achieved that aim and then some.

There were some learning points and take away thoughts for myself and from a licensing perspective, and hopefully we can build on that and improve next time but overall I think it was definitely a success at causing a disruption in these areas.

If you could pass my thanks on to the other THEO's that were on for the night, CCTV officers and also the licensing team at Tower Hamlets.

I'm keen to organise more tasking's around licensed premises/venues in the future so any feedback/ideas feel free to let me know. If anyone has or wants to submit any crimints relating to the events of the night please send me through the references for future tasking's or operations.

Below are the returns overall. Pictures courtesy of the PTF and photographer.

FPN NOX/Traders- 11

ASB warning - 6 ASBW

40 NOX cylinders sized.

2 Food stalls were shut down and issued fines at Hackney Wick which subsequently significantly lowered the crowd over both nights and lowered the demand/crowd for NOx.

1 Group selling NOx were disrupted and the canisters seized.

1 Dispersal issued

Several people dispersed with the warning of a dispersal

2 Arrests – 1 For Nox/Sec 50 and 1 for Drink/Drug Drive.

Also proud to state we didn't end up with any hot dog stalls or food trucks inside Bethnal Green by the end of the night! Not a fun thing to transport!

← Tweet



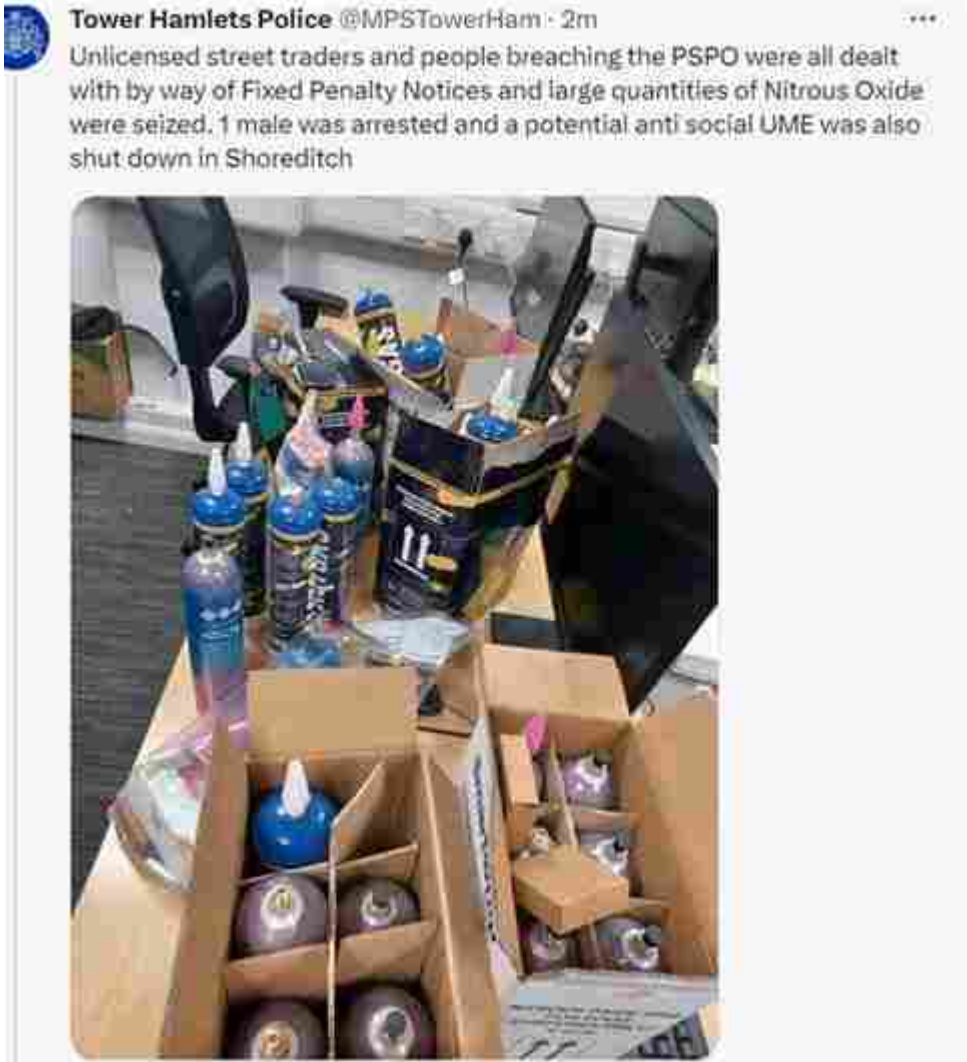
Tower Hamlets Police

@MPSTowerHam

...

[#PartnershipTaskForce](#) officers have been busy working through the night all weekend supporting [@TowerHamletsNow](#) THEOs and licensing officers deal with Nox related ASB. Night time economy venues and residential areas were both targeted





Kind Regards,



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

Email [REDACTED]

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



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

NOT IN MY *met* [CTRL+CLICK TO REPORT WRONGDOING](#)

Appendix 11

Mohshin Ali

From: Rhys Rose <[REDACTED]>
Sent: 29 August 2023 11:51
To: Licensing; Environmental Protection; Health and Safety; alcohol_homeoffice_ov.uk; CEMailbox-.TowerHamletsLicensing@met.police.uk; MARK.J.Perr[REDACTED]
Nicola Cadzow; Geraldine O'Grady; Lavine Miller-Johnson
Cc: Boat Live
Subject: New Premises Licence - Boat Live 90 White Post Lane E9 5EN MA/159556
Attachments: 90 White Post Lane RA 11.07.2023 V1.1 R1.docx; Bar staff Training_Complete_Form.docx; Appendix 4 - Managers Fire Training Brief - Boat Live Works.pdf; Boat Live register of refusals.xls; Boat Live Staff Handbook revision Aug 23.docx; EIC182C_27569092 - electrical Certificate.pdf; SSMRT RA Customer Ejection.docx; Emergency Evacuation Plan 90 White Post Lane v1.2.docx; SSMRT Search Policy .pdf; P5000-R1 - Boat Live - Noise Assessment.pdf; Boat live Security Duties, Dispersal plan & Noise and Nuisance Management v1.3.docx

Follow Up Flag: Follow up
Flag Status: Completed

Dear Licensing, Police and Environmental health teams,

I am writing to you regarding the upcoming hearing for the full premises licence applied for at 90 White Post Lane the 12th of September at 18:30.

As this has been such a long drawn out process I thought it might make sense for us to reopen discussions to address the reps made and try to provide evidence to clear as many of the issues raised as possible to reduce the time it would take to do this in the hearing.

The original licence submission was way back in early March, this was delayed repeatedly as a result of the Docklands advertiser changing hands and it proving almost impossible for us to get an advert placed in the paper. The initial Blue notice period was restarted twice with reps coming in in April and May from Council Licensing, Police Licensing, and Council EHO Safety & Noise teams.

This original application was rejected on May 4th and an updated application was submitted on May 11th with the newspaper advert appearing in The Docklands and East London Advertiser on the 25th May. I was asked by the TH Licensing Team if we would let the representations from the original previous application stand, I said we were happy to do this but a lot had already changed at the premises, at the closure of the representation period on the 9th June it is my understanding that the only reps were the same as previously received with no additional reps from the general public.

If there were any additional reps or changes to reps for the 9th June deadline date I am unaware of them and would appreciate having copies forwarded.

At the time of the original application the premises was a derelict vacant lot and the condition of the site was the source of a large number of the concerns in the reps.

In the last six months we have had multiple meetings and discussions with Mark Perry from the met police licensing team and Nicola Cadzow from the council Noise Team.

We have refined many of the original documents and produced many more as requested to address ongoing concerns, creating and introducing matching operational procedures to monitor and control these concerns.

I have attached 11 updated documents to this email for review and consideration as part of this licence application.

Staff Handbook
Staff Training Complete Form
Register of refusals
Emergency Evacuation Plan
Managers Fire Training Brief & Log
Risk Assessment
Electrical Install Certificate
Noise Assessment Report
Security Duties & Dispersal
Search Policy
Ejection RA

From the start of this application there has been an ongoing confusion as to my role, it seems that an assumption has been made early on that I was acting as an agent for Boat Live Works Ltd solely for the purpose of applying for this premises licence. I would like to clear this up, In February 2023 Antonio discussed licensing the proposed new premises for the boat live project with me and asked me if I would come on board as Operations Director for Boat Live Works Ltd. The focus of this role would be to help him with the new premises project and to generally improve the operations side of the business, utilising my 20 years of experience in the entertainment industry to review the businesses documents & procedures then update them to deliver a higher standard of operational practice.

I accepted the position of Operations Director at Boat Live Works Ltd in March 2023, starting with preparing the new premises licence for submission and taking on the role of D.P.S.

I would like to present details of my vocational qualifications and industry experience to provide an indication of my competence to deliver the operational improvements outlined above as it was brought into question at a previous tens hearing.

My professional qualifications are as follows:

Level 2
IOSH - Managing safely
Chartered Managers Institute - Managing People
BIIAB - personal alcohol licence
Door Supervision
Food Hygiene

btec - audios systems & certificate in sound recording
Dife - Audio systems

First person Fire Responder
First aid at work
Mental Health First Aid

These are working qualifications and have been regularly used over the last 20 years. I have been responsible as dps for over 10 licences in the last 14 years with the largest being a 33000 capacity festival site, I was originally trained at a university running their venues and events and take my duty of care very seriously. I have delivered over 5000 events, with at least 500 days of those on temporary event notices.

Alongside this Operations Director role I am an industry consultant working on many complex projects a year, advising on licensing, fire planning and safety, operations, project management, & event live management. I'm also recognised as a competent person by the LFB.

Whilst managing the alcohol retail & licence compliance at "The Common" field for 4 years as part of Glastonbury festival I have had my best practice documents adopted by the in house Glastonbury Festival compliance team. I also have a track record of building strong working relationships with the relevant Responsible Authorities at all of

the premises where I have been the D.P.S., communicating quickly and clearly and often improving on operational procedures before requested whilst always taking any RA's advice and concerns into consideration.

In the past I have found the use of temporary event notices as a means to test new premises to be extremely useful, generally utilising them to try out proposed timings, event areas and operational procedures throughout the planning, application / reps, & where required subsequent wait for a hearing when applying for a new premises licence.

In this instance I started to apply for tens to take place in early April and met with a large resistance from the TH Noise Team and Met Police, in line with my personal policy of communicating with and accommodating the views of the local responsible authorities I submitted and cancelled 9 weekends of proposed tens, each time taking on board the objections made and working towards improving the site, documents & procedures. By the time there was a hearing for the 1st of July notice I felt that it was time to present our case to a sub committee at hearing. This was counter noticed and as a result we cancelled the following weeks notice to address the points raised. Both the 14th and 20th of July notices were also counter noticed at hearing, requiring that we produce a greater set of documentary evidence to satisfy the committee that we were capable of delivering a safe, well managed project that would not contribute to the crime and disorder or public nuisance already existing in Hackney Wick.

Finally at the hearing for the 28th July tens notice, after the improvement and creation of 11 additional documents, we were granted permission to run the ten.

We have now run 5 weeks of standard trade (limited to Thursday-Sunday), and have another weeks tens approved before our full premises licence hearing.

We have utilised these tens to introduce operational procedures and carry out ongoing noise monitoring.

It would be good to discuss the remaining relevance of your representations and try to reach a mutual agreement before the committee hearing for the full premises licence.

I look forward to you response,

Yours,

Rhys John Rose
D.P.S. (Proposed)
Boat Live Works

VENUE RISK ASSESSMENT – PUBLIC

Version 1 Revision 1.1

90 White Post Lane

Location: Boat Live Works

Site address:
90 White Post Lane
London E9 5EN

Client: Rhys Rose

Principal designer: Boat Live Works

Principal contractor: Boat Live Works

Document created: 07 May 23

Document updated: 11 June 23

Prepared by: Rhys John Rose

Important Note

This Venue Risk Assessment has been prepared by RJR Consultancy Ltd in conjunction with the Client. The content is based on the discussions and information provided by the Client, but does not include any areas, activities or processes that RJR Consultancy Ltd was not made aware of or where information was not provided prior to the issue of this Risk Assessment.

RJR Consultancy Ltd have no liability for matters or information that have not been provided by the Client or which when asked by RJR Consultancy Ltd, the Client did not make RJR Consultancy Ltd aware. Nothing in this statement is intended to exclude RJR Consultancy Ltd's liability for negligence in preparing this Risk Assessment or where the information was provided by the Client but not included or omitted by RJR Consultancy Ltd.

This Risk Assessment document should not be reviewed in isolation. It should be read in conjunction with all other applicable documentation, which includes but is not limited to the Client Health and Safety Management Policies and Procedures, any relevant standards i.e. BS's or ISO, HSE guidance, industry best practice guidance and manufacturer's instructions. It is essential that the Client applies, as applicable, the information set out in the Risk Assessment and ensures that they utilise the control measures to control and / or minimise the identified risks.

A copy of this Risk Assessment should be distributed to all stakeholders.

This document should become part of the induction process for new staff moving forwards.

A copy should be always made available in the venue office(s).

RJR Consultancy Ltd will not be held responsible for a failure by the Client to follow any agreed Risk Assessment control measures or where they are simply ignored.

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Revision History

Revision	Date	Details
V1 R0	07/03/2023	Draft document issued for consideration by the client
V1.1 R1	11/07/2023	Document update following internal review

		SEVERITY / CONSEQUENCE					
		1 Minimal	2 Minor	4 Moderate	6 Significant	8 Major	10 Catastrophic
DOOHITIKIT Page 242	Almost Certain 10	10	20	40	60	80	100
	Probable 8	8	16	32	48	64	80
	Possible 6	6	12	24	36	48	60
	Unlikely 4	4	8	16	24	32	40
	Very unlikely 2	2	4	8	12	16	20
	Rare 1	1	2	4	6	8	10

RISK RATING		
0 - 10	Very Low	Monitor and review
11 - 31	Low	Monitor and review, additional risk reduction measures should be considered
32 - 59	Medium	Additional risk reduction measures should be considered and implemented where practical
60 - 79	High	Additional risk reduction measures are required along with strict control systems and procedures
80 - 100	Very High	Manage with very strict control systems and procedures

Risk	Likelihood	Severity	Risk	Mitigation	Likelihood	Severity	Residual Risk
Threat to public safety from terrorism	8	10	80	<ul style="list-style-type: none"> Event and Venue Security Plans to be followed Clear entry policy in place prohibiting unauthorised access to the venue Detailed prohibited items list made visible at entry Security to be positioned at all emergency exits All doors and windows to be closed, except as required for access or egress ID's to be checked on entry. All attendees and bags to be searched on entry. Regular security and crowd management checks throughout the course of an event. Security secure the venue and conduct a close of venue clearance patrol to ensure no unauthorised persons remain inside the venue after it has closed. 	4	10	40
Fire outbreak; Emergency Evacuation Procedures	4	10	40	<ul style="list-style-type: none"> Managers and designated fire safety staff to be trained in accordance with the venue's full Fire Risk Assessment and Emergency Evacuation Plan. Fire plans to be always made available in the venue's office(s). Constant checks to ensure all assessment and plan control measures are in place for public opening. Emergency Exit signage to be located around the venue and made visible through back lighting or spotlights. Identify combustible materials (including LPG, diesel, helium gas, trees/shrubs, dry grass, wood, awnings/marquees, litter, vehicles, goods etc) & sources of oxygen & sources of ignition before open Check that people including persons with disabilities, who may be in the building/marquee/area, can get out safely Check that people at risk know what to do if there is a fire Ensure there is adequate fire safety equipment according to the size/nature of the event. 	2	10	20

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Risk	Likelihood	Severity	Risk	Mitigation	Likelihood	Severity	Residual Risk
Violence & crime	6	8	48	<ul style="list-style-type: none"> Security are conflict management trained to defuse confrontational situations and trained to use physical intervention under the 'Criminal Law Act 1967 Section 3:1 Security will try to calm aggressive customers and will not ban them if the situation is resolved, however if they continue to be aggressive they will be banned from the venue Security operating the venue ejection policy and arrest procedure will detain offenders in a designated holding room or outside the venue if safe to do so Management will call the Police should an Arrestable Offence be committed Duty Manager and Body Cam Operator should be present during incident ejections, if possible Security involved in incidents will complete a written Incident Report as soon as is reasonably practicable Offenders details will be recorded and they will be banned from the venue Security will exercise a duty of care to its customers, but will not leave the venue to intervene in incidents outside the venue unless assistance is requested by the Police or if their involvement will prevent serious crime to be committed. 	6	6	36
Failure of venue management to protect public from known and recognised potential danger	8	8	64	<ul style="list-style-type: none"> Robust crowd management, health and safety, crowd density, medical and capacity plans in place and operated at the event. 	2	8	16
Over crowding issues	8	8	64	<ul style="list-style-type: none"> In cases of overcrowding, areas would need to be partially or totally closed to alleviate people traffic and disperse crowds Internal patrols and constant security communication with updates on areas of concern for crowding and pinch points. 	2	8	16
Public Entrances and Exits	6	4	24	<ul style="list-style-type: none"> Entrances / exits constructed to allow easy access for disabled people Entry supervised by identifiable security carrying mobile radios to summon assistance if required First Aiders to be made aware of all entrance / exit points. 	2	4	8

Risk	Likelihood	Severity	Score	Mitigation	Likelihood	Severity	Score
Electrical equipment and fittings	4	8	32	<ul style="list-style-type: none"> • Ensure lights, light switches and sockets are in good conditions and fully working before any event • Ensure equipment is well maintained and in good state of repair • PAT testing to be carried out by qualified person(s) on all electrical equipment • Local voltage not be exceeded beyond the venue's capacity • Ensure that all fixed electrical installations have been checked and certificated by a competent person as per current legal requirements • Equipment should be visually inspected prior to use to ensure that it has not been damaged and that there are no obvious defects. 	2	8	16
Slips, trips and falls	4	6	24	<ul style="list-style-type: none"> • Emergency routes to be of adequate width and kept clear at all times • Any uneven or damaged surfaces must be appropriately highlighted usually by means of a physical barrier or hazard tape to warn others of the risks until it can be suitably repaired or replaced • All working at height must be avoided wherever possible; where not, it must be risk assessed, properly planned and organised. Any equipment used (e.g. ladders, cherry pickers) must be properly inspected and maintained in accordance with the Work at Height Regulations (2005) and the Lifting Operations and Lifting Equipment Regulations (1998) • Security and/or stewards to be deployed into positions around the venue • Regular patrols will ensure thoroughfares and stairways are clear to reduce risk • Floor conditions to be inspected and cleaned before opening • All doorways, corridors and stairways to be inspected before opening, with regular checks held throughout the course of any event. • Duty Manager to carry out walk through visual inspection (prior to start of event) to ensure access/egress routes are unobstructed, free from slip and trip hazards and lighting levels are adequate. 	2	6	12

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Risk	Likelihood	Severity	Score	Mitigation	Likelihood	Severity	Score
First Aid and Medical	6	6	36	<ul style="list-style-type: none"> Operations Manager to ensure that adequate first aid arrangements have been provided, including adequate numbers of first aiders (proportionate to the level of risk e.g. size of event, type of activities, audience profile) Event Safety Guide states that for small events this “should never be less than two first aiders, to allow for contingencies” Ensure that first aid provision is clearly signposted Where necessary, liaise with the Emergency Services to ensure that adequate emergency arrangements are in place and that all involved are informed. 	4	6	24
Storage at height	6	6	36	<ul style="list-style-type: none"> Do not store anything at height within public areas Venue checks to be carried out before public opening. 	1	6	6
Sanitation	8	4	32	<ul style="list-style-type: none"> Levels of sanitation should be suitable for capacity to prevent queues and overcrowding Security/stewards to regularly patrol and check sanitation areas Regular cleaning to be carried out to ensure supplies and available and services in full working order. 	4	4	16
Waste Management	8	4	32	<ul style="list-style-type: none"> Ensure that details are given to the waste contractor concerning estimated audience size. The collection company must be a registered waste carrier or exempt from registration. Vehicles used to help with the collection of waste must be mechanically sound and be accompanied with the relevant test certificates including an MOT if appropriate Ensure there are sufficient numbers of waste receptacles positioned within and around the perimeter of the event Ensure suitable type of waste receptacles are selected (e.g. wheeled containers or similar receptacles appear to be the most versatile as they can be easily positioned and manoeuvred as required Ensure that special attention is made to areas such as: Approach to the venue (e.g. surrounding streets and/or land), Entrances/Exits, Performance Areas and public seating areas with tables. 	4	4	16

Risk	Likelihood	Severity	Score	Mitigation	Likelihood	Severity	Score
Contractors	8	4	32	<ul style="list-style-type: none"> Ensure that any contractors or subcontractors hired are competent in managing their own health and safety on site Request copies of the contractors' safety policies & risk assessments for their work, safety method statements and public liability insurance prior to employment Ensure contractors are given adequate safety information regarding the venue. 	6	4	24
Manual handling	6	6	36	<ul style="list-style-type: none"> Avoid manual handling where possible Where significant manual handling will be involved, carry out a manual handling risk assessment and provide suitable information and training Employees/volunteers should be informed of the dangers of manual handling and instructed to assess loads before handling Minimise repetitive bending wherever possible and ensure employees take regular breaks Use individuals who have been trained in techniques or provide basic training in manual handling techniques. 	4	6	24
Page 247 Noise	6	6	36	<ul style="list-style-type: none"> Staff might suffer permanent or temporary hearing damage from long-term exposure to loud music All staff assumed to be at risk, particularly DJ and bar staff Noise limiter fitted to sound system and DJ informed Regular check of sound systems to ensure balance/proper control Quiet areas to be provided Staff rotation between quiet and noisy areas Staff trained in noise risks and the protective measures needed Staff considered to be particularly at risk identified and provided with ear plugs Health surveillance, including hearing tests, for 'at risk' staff. 	4	6	24

Risk	Likelihood	Severity	Score	Mitigation	Likelihood	Severity	Score
Temperature Control	6	6	36	<ul style="list-style-type: none"> Staff and the public may suffer from dehydration or fainting if it is too hot Adequate ventilation to supply fresh air to public areas at a rate of 8 litres/sec/person Air conditioning and floor fans to be used in hot conditions Bar Managers to ensure free drinking water is made available at the end of all bars. 	4	4	16
Lasers	6	8	48	<ul style="list-style-type: none"> Not to be used without permission of licensing authority Assessment of suitability to be carried out by a competent and qualified person Full risk assessment and compliance with HSE guidelines to be carried out. 	2	8	16
Smoke, fog and haze machines	4	8	32	<ul style="list-style-type: none"> Staff may suffer skin damage from handling dry ice Fumes and mists can cause irritation to eyes, nose and breathing Only trained workers have access to the products, which are kept in a locked container Only workers trained in the risk of the product, use the products, following safe systems of work – including wearing appropriate gloves, as recommended by the manufacturer. 	2	8	16
Hanging, drapes and venue decoration	4	8	32	<ul style="list-style-type: none"> Must be flame retardant Must not be hung anywhere that hides exit routes. 	2	8	16
General control of Covid-19 transmission	6	8	48	<ul style="list-style-type: none"> Staff to not visit site/premises if they are experiencing Covid-19 symptoms or have a positive test Staff to consider their safest travel route to/from venue Good hygiene measures are encouraged at all times Ensure the workplace has adequate ventilation. 	4	8	32

Further Actions

A process of continuous assessment and reassessment is to be undertaken, to ensure that the control measures identified within this risk assessment are implemented as required, monitored for effectiveness and that dynamic risk controls are put in place to reflect any changes and/or those additional developing or emerging hazards or risks not already captured within this assessment.

A full review of the assessment is to be made annually or, should further information be received which suggests that the documented control measures are found to be unsuitable, insufficient, ineffective, where there is a significant change in working practices, or an incident occurs.

This risk assessment has been produced by RJR Consultancy Ltd for and on behalf of the Client and is based on the information provided. The content of this assessment has been reviewed by the Client and approved for implementation, as applicable.

Approved by _____

Signed _____

Date _____

Staff Training Complete Form – Boat Live

This form is to sign off the completion of the Venue Induction and forms the record of training.

Once complete, this **MUST** be filed in staff personal folder in Management Office.

<u>Personal Details</u>	
Full Name (please print):	
Job role:	
Primary Area:	Duty Manager:
Date work started:	Date of completion:

1.

Section	Completed	Section	Completed
Challenge 25 & ID checking		Noise protection & earplug demo	
Fire safety & evacuation		Laws relating to serving alcohol	
Responsible alcohol retailing		Smoking policy	
Recording drinks & wastage		Phones/ personal belongings	
Refusing service, drinks not drunks		Drugs policy & drink spiking	
Security of stock areas		Serving perfect products	
Off duty behaviour		Opening & Closing checks	
Theft including free drinks		Front of house areas	
Uniform & personal hygiene		Rotas & availability	
Covid 19		Lost property	
Ask for Angela & W.A.V.E.		Punctuality, lateness and absence	
Cash handling & tills			

2.

ISSUES DISCUSSED WITH THE MEMBER OF STAFF:

3.

DOES THE MEMBER OF STAFF HAVE ANY ISSUES TO RAISE?

4. TRAINING STATEMENTS

1. I have received a staff handbook and have been through the staff induction.

Staff Member _____ **Signed:** _____ **Date** _____

2. I have received information and understand my legal responsibilities when selling alcohol.

Staff Member _____ **Signed:** _____ **Date** _____

3. I understand the importance of being in place, ready to work, in clean uniform, for shift start time.

Staff Member _____ **Signed:** _____ **Date** _____

4. I have received information about hearing protection, and know when to use it.

Staff Member _____ **Signed:** _____ **Date** _____

5. I have received information on fire safety and know the fire evacuation procedure.

Staff Member _____ **Signed:** _____ **Date** _____

6. I am happy with the training for my job role, and feel confident in what is expected of me.

Staff Member _____ **Signed:** _____ **Date** _____

Witnessed by Duty Manager: _____

Signed: _____ **Date** _____

Boat Live Works - Managers Fire Training Brief

(to be used in conjunction with evacuation plan)

- Go over the fire evac procedure and meeting point details explaining the role of evac controller and the importance of the fire signing in sheet.
- Show the trainee around the site, clearly showing fire exit doors, manual call points and extinguishers.
- It is important that each new employee is told that all final exit fire doors must be unlocked at the start to each trading session.
- Cover **M.O.P.** the priorities in a fire evac situation, look after **MYSELF, OTHERS** and then **POSSESSIONS**. Always make sure you are safe, never put yourself into a situation that is more dangerous than the one you are in now, never walk towards smoke or fire, only use extinguishers if you have been trained and remember **M.O.P.**
- Upon hearing the Fire Alarm you prepare to take up designated marshal duties
- Upon hearing the Evacuation call "**FULL EVACUATION**" you should begin evacuation immediately.
- Put on a Hi-Viz vest located in each area of work, this will instantly give you more authority in the eyes of patrons.
- Exit the space via the nearest fire escape, guiding patrons as you go.
- Do not delay your escape by collecting belongings.
- Listen to any instructions given to you by the security team, radio holders or your manager.
- Make your way to the meeting point as quickly as possible.
Remain calm, when exiting the building assume the role of Fire Marshal & direct customers in a calm but firm manner, you know the site better than them and can show them the quickest route out. "This is an evacuation, this way to the nearest exit" is a useful phrase. You should repeat this message to patrons three times, if they refuse to exit with you move on to the next patrons on your route out, remember the location and number of any patrons who refuse to leave so that you can inform the Evacuation Controller once clear of the premises. Do not use the word fire.

If you discover a fire:

- **Do not panic – All radio holders switch to channel 1 (security channel)**
- **Operate the nearest manual call point & inform the nearest radio holder/member of the security team.**
- **Only tackle the fire if you are sure you are able to and have received training, ensuring you are not in any way at risk.**

Go over Fire Marshal tasks, there are High Viz Vests for staff to put on to assist in clearing the venue.

FIRE MARSHAL TASK LIST

1. **Routine Activities:** Make regular checks on the fire safety provisions with their designated area.
To ensure the following are in place:
 - Fire exits and escape routes are clear of obstructions and fire exit doors are free to open.
 - Fire doors are kept shut or are held open by automatically released or easily removable devices.
 - Fire extinguishers are in place with tamper proof seal intact
 - Fire extinguishers have been serviced within the last 12 months.
 - New members of staff are given fire safety information as part of their induction.
 2. **Non-Routine Activities:** In the event of a fire alarm:
 - Remind all occupants in the Fire Marshals designated area to leave the building, indicating the nearest fire exit.
 - Conduct a sweep search of their area to ensure that no one is left, particularly in areas such as toilets & store rooms.
 - Report that their area is clear, or not, to the Evacuation Controller.
 - Assist in guiding visitors and event attendees to the meeting points located across White Post Lane in Queens Yard, this includes keeping them off the road and on the sidewalk to allow access for emergency vehicles.
- Any Questions?

BOAT LIVE REGISTER OF REFUSALS

Date ____/____/____

The bar manager should maintain and monitor a 'register of refusals' and challenges which will record the number and nature of challenges and their outcome. This register should include columns for refusals based on being underage, as well as refusals based on drunkenness.

This register should be kept up to date, and made available upon demand for inspection

Today's date 18 years ago was ____/____/____

If there is any doubt or no proof as to the age of the customer they will be refused service. The onus will be on the individual to demonstrate unequivocally that they are 18 years old or over and if the individual cannot do so they will not be served. All matters regarding the evaluation of the identification produced will be referred to the bar manager or their nominee

	NAME OF STAFF MEMBER	REASON FOR CHALLENGE			ID PRESENTED			OUTCOME	
		Looks Under 25	Appears Visibly Drunk	Other	Full British Photo Driving Licence	PASS Logo ID (with PASS hologram)	Passport	Yes	No
1									
2									
3									
4									
5									
6									
7									
8									
9									
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11									
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25									

BOAT LIVE STAFF TRAINING HANDBOOK

Mana in Director – Boat Live: Antonio Miranda –
[REDACTED]

O erations Manager – D.P.S. – Rhys John Rose – [REDACTED]
[REDACTED]

Venue Manager – T.B.C.

Introduction

Welcome to Boat Live where you are part of a team that shares the goal of ensuring our customers have a great experience.

The handbook will provide all new members of staff, with an understanding of what we expect of you as part of our team, the handbook will also always be available in a folder the bar if you ever need a reminder of your training. It is intended to answer questions that might arise, covers some essential safety information and will help you understand how we operate.

We are committed to your training and the information in this handbook will help you on your way through our training and development programme. The training you will receive will make your job easier, help overcome any initial worries and make you an effective part of the team.

Once you have read and understood this handbook you will be required to complete the employee training complete form with a member of the management team. This must be completed within two weeks of your employment date and is made up of questions that you must answer to demonstrate that you have read and understood the handbook followed by a number of statements that confirm you have been trained in key areas and are happy with the training. The record of the training complete form will be kept in your personal file.

The handbook will not answer all the questions you will have; learning whilst you work will be an important part of your development. It is important that if you are in a situation that has not been covered here, are presented with a task that you have not been trained for or you are faced with a problem you do not feel happy dealing with that you ask for help. Your Supervisors and Managers are here to assist you at all times and you won't be judged for asking questions.

Have fun, work hard

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1 Understanding where you are

1.1 *The Customer & your behaviour*

Customers at our venue are made up mostly of people like yourselves; they want good customer service and it's our job to give it to them!

Positive & Professional

The first point of customer contact is the most important place to show professionalism and positivity, obviously a warm welcome can make a big difference to a night out. Treat everybody efficiently and equally, there is no room for favours to friends and chatting anybody up. All shifts will bring you into contact with customers and it is also important that we have a consistently positive approach.

More often than not customers will reflect the image they perceive of you in their behaviour. If your body language is negative, you will unwittingly encourage a negative response. We will expect you to sound good, look good & acknowledge people.

Be Helpful

Customers will come and ask you for help or assistance, as they will identify you as someone who can offer it. Always make sure you know what is going on and when/where things are and where further assistance can be found. Ask questions.

“I don't know” is not a good response.

If you cannot help someone refer them to someone that can, never just cut people off.

Difficulties

If you are dealing with a customer who is being difficult in any way, you should act assertively, never aggressively.

Should you have customers that wish to make a complaint, please

refer them directly to your Supervisor/Manager, who should be able to resolve it. Should the customer wish to make a formal complaint, offer them the email address [REDACTED] whereby the Management will follow complaints up to a resolution.

We do not tolerate any form of abusive behaviour directed towards any member of staff or customer. If any person is rude, abusive or acts in an inappropriate manner towards you or anyone else in any way, find your Supervisor/Manager immediately and let them know.

It is unacceptable to get in arguments, behave aggressively or be rude to a customer or another member of the team - regardless of what they say. You are a professional.

Ask for Angela

Ask for Angela is a national campaign that allows anyone to discreetly approach a member of staff in a bar, restaurant or club if they are having a bad time. It is important that you remember this as you will be their get out of jail free card.

What to do:

If someone Asks for Angela respond with something like “Angela, yeah, I’ll just see If I can find her”. Whilst doing this assess the situation around you. You are always going to act on this so you will need to decide what action to take, the thing you are trying to do is get the person who’s asked away from the situation they are in.

If your look at the situation identifies a threat that you don’t feel comfortable dealing with then ask the person to wait a moment, go to the bar radio and radio security saying clearly “front door front door, do you have Angela working down there, I have her friend at the bar in (clearly state your location) can you confirm?” if for some reason the security doesn’t get this then you can repeat “No – They’re Asking for Angela. A member of security or a manager should turn up and walk them away. Good work, you’ve done your bit! If you do not have a radio, the area that you are working in isn’t

busy, you have other staff with you to cover and there is no immediate threat to you you could simply say “Angela is working on the door, come with me and we’ll find her” Walk the person to the door and pass them on to security or welfare. Great Job!

W.A.V.E. Wellness And Vulnerability Engagement

WAVE is an initiative launched by the police all across the UK, it is training to help you identify and assist vulnerable people, you will be asked to attend a WAVE training session and will receive a certificate on completion. In the meantime, remember that you can change a person’s whole night by looking out for them. There is all of our customers and staff, if you see something that you don’t like or that makes you feel off report it to your supervisor or manager.

Lost or found person procedure

If someone reports a person lost or you find a person who appears lost you should report it to your supervisor, manager or any member of security as soon as possible.

1.2 The Venue

Whether you spend time at Boat Live, or any future sites it is important that you get to know the venues well. You will be expected to be able to provide basic information to customers such as room names, toilet facilities, entry and exit points, security locations, welfare areas and smoking areas etc. You will be expected to know this information for any space you are working in.

2 Important Information

2.1 Your Contract of Employment

All staff, whether they be full or part-time, will be issued with a contract stating the terms and conditions of their employment.

If you wish to stop working for us, you will be required to give the notice detailed in your employment contract, and to give back any company property, such as a uniform shirt. Failure to hand back

your uniform may result in the cost being deducted from your final pay.

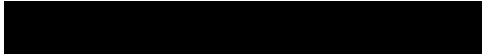
2.2 Payroll Arrangements

All staff are paid by BACS payment. Payment is usually made on or around the 5th of each month and the payment will be for the calendar month preceding the payroll date. Payslips and other important payment information, such as your P60, will be sent to your email address, so please ensure it is kept up to date.

Signing in for work is done using the fire signing in sheet, usually kept at the front door or bar. Failure to sign in and out correctly may lead to problems with your pay, so please ensure you sign in and out every time you work.

In the event of a fire, the signing in system is used to check that no one is left in the building, so failure to accurately sign in or out could endanger lives.

2.3 Personal Details

We need to have accurate details of your name, address and telephone number, in case you need to be contacted. You will be asked to fill out a form with these and other details as part of your induction. If any of your personal details change let us know immediately by emailing .

2.4 Confidential Information

You must not use for your own benefit or gain, divulge to any person(s), firm, company or other organisation, any confidential information belonging to Boat Live Works Ltd or relating to their affairs or dealings.

2.5 Staff Shift system & Rota

It is extremely important that you know when you are expected to be at work, i.e. – when your shifts are. We will expect you to know when, where, what time and what you are doing.

The Staff Rota is completed weekly by your manager based on the availability information you have given to them. We will ask you to provide details of when you are available to work and will allocate shifts based on this availability. We aim to provide shifts at least a week ahead. We will always endeavour to be as flexible as possible, and will always try and fulfil any requests; in return we ask that you be flexible at times and assist each other in covering shifts (you never know when you might need to ask for help with shifts, so try to be understanding if you are asked for help).

Once you have been allocated a shift, that shift then becomes your responsibility. If you are unable to work a shift that you have been allocated you should inform a member of the management team as soon as possible and try to find somebody else to cover it. If you cannot find cover, you will be expected to work.

2.6 Attendance

If it is impossible for you to get to a shift at the right time, use the phone and let your manager know when you will arrive. Punctuality is expected, remember that the time specified on the rota is when your shift starts, not the time you are expected to arrive. We recommend planning to arrive 15 minutes before your scheduled shift time. Persistent lateness or unreliability will result in disciplinary action and possibly having your shifts cut.

Attendance is also required at staff meetings and training sessions; we try to keep these to a minimum and will do our best to give you plenty of notice of meetings and training. Staff meetings are your chance to give feedback and influence how we operate, this is why your attendance is required, appreciated and also, we'll do our best to make it rewarding.

2.7 Sickness

If you are ill and are unable to work, please phone us as soon as possible to let us know so that cover can be arranged. If you feel ill during the day do not leave it until the last minute to let us know you won't be there for a shift in an hour! You **MUST** call as soon

as you feel unwell and let us know, that way we can try to find cover and allow you time to recover.

2.8 Standard of Dress

You are expected to provide your own work clothes. These may be smart casual, no scruffy or dirty clothing please, e.g., Clean plain t shirt & dark trousers or dark jeans (if you are working an event with a dress code then this code must be followed). You are encouraged to wear fancy dress when appropriate, but please remember you must still be able to work comfortably!!

Long hair must be tied back.

Staff T shirts must never be worn when not on duty.

You will be expected to wear sensible shoes for working in most areas, do not wear any shoes with open toes, slippery soles, or loose laces.

If you are loading equipment, moving barrels or other heavy objects you must wear protective shoes.

2.9 Personal Property

Do not keep personal property in work areas, it is insecure and could cause a hazard. Any property found behind the bar will be removed. There is space provided at Boat Live for you to store your bags and coats whilst on shift. If you are not happy with this level of security speak to your Supervisor/Manager and they will lock valuables away for you until you finish work.

2.10 Company Property, Facilities and Equipment

Property must be used with due care and consideration. Breakages from misuse are unacceptable and may present operational difficulties as well as the cost of repair. Nothing may be removed from the premises.

2.11 Use of the Telephone

Use of the telephone whilst on shift is prohibited without explicit permission of your Supervisor/Manager and should be limited to breaks. Mobile phones these days can be very expensive and we are happy for you to keep your phone on you when you work but it must be in silent or airplane mode, incoming messages on social media are not a valid reason for you to stop what you are doing. We accept that in certain extenuating circumstances you may need to have your phone on for contact, if this is the case, please inform your Supervisor/Manager and give the reason. You should never leave your area of work unattended to answer your phone, even after being given permission to keep your phone on for an extenuating reason.

2.12 Breaks

If you work for a period of 6 or more hours you will be entitled to a 20 minutes unpaid break. Cigarette breaks should be included within these times only. Your manager will ensure you are able to take your breaks at appropriate times; if you have specific requests, please make them at the start of your shift. Do not wander off and take your break without permission!

2.13 Smoking

The law requires that there is no smoking indoors in any place of work, signage is up around the venues, if you see someone smoking inside report it to a member of security or your manager.

3. Health & Safety

Health and Safety at Work Act (HASAW)

The Health & Safety at Work Act states that both we as your employer and you as our employee have legal responsibilities. It is designed to protect both you and us.

3.1 Your Responsibilities as an Employee

- Take care of your health and safety whilst at work.

- Take care of the health and safety of others at work.
- Co-operate with us to reduce risks
- Not to interfere with, misuse or damage anything that is provided for health & safety purposes.

3.2 Our Responsibilities as your Employer

- Provide and maintain premises, equipment and systems of work, which are safe and healthy. e.g., Earplugs.
- Make arrangements for the safe handling, storage and transport of stock and other substances (including chemicals).
- Provide information, training and supervision.
- Provide a health and safety policy statement.

We must also ensure that our work activities do not put visitors and the public at unnecessary risk.

3.3 Manual Handling (Lifting & Moving)

Every year over a third of reported accidents result from moving, lifting or carrying things at work. The damage you can do to your back can be severe and precautions should always be taken.

Initial Precautions

If at all possible, use something to take the strain – sack truck, trolley, pallet truck, a box on wheels.

Wear protective shoes when moving heavy objects.

Make the object lighter.

Plan the lift

How heavy, hot, cold or unstable is the object?

Is the route clear of obstructions?

Is there enough space, light and grip?

Lift

Share the load, count into the lift.

Feet apart, one leg forward, weight evenly spread.

Carefully select a grip, keeping heaviest part of load closest to you.

Lift with your legs, slowly bending your knees, keeping your back straight.

Keep your shoulders level, bring the object up to waist height.

Move your feet only (don't twist), make sure you can see where you are going.

Lower the load in the same way as you picked it up, taking care of your fingers and toes, only reposition the load after putting it down.

Never lift something that is uncomfortable or feels too heavy for you, it is ok to ask for assistance.

3.4 Slips & Falls

Slips and falls cause 20% of accidents; the consequences of a fall, even to young people can be serious.

Common Causes:

- Poor cleaning - wet or greasy floors
- Poor housekeeping - rubbish left on floors
- Spillages - water, beer or food.

Remember:

- Clean up any spillage immediately
- Ensure that warning signs are put in these areas

3.5 Hazardous Substances (COSHH)

What Is COSHH?

The Control of Substances Hazardous to Health are regulations that have been brought in protect everyone from potentially hazardous chemicals at work, these include: beer line cleaner, smoke machine fluid, glass washer chemicals and even washing up liquid.

How can I be exposed?

Through the inhalation of vapours, contact with skin, splashes to eyes or ingestion. Incorrect use of a chemical could significantly increase the risk you could face, whereas following simple precautions will minimise any risk.

- Identify the substance – label on a container, data sheet in the store cupboard and then assess the risk of using it.
- Never mix substances or store them in anything other than its original container
- Use protective equipment where necessary – gloves, eye protection
- Store chemicals in the cupboard in the storeroom

Report any ill effects after using chemicals immediately, be sure you know where the data sheets are if first aid or hospital treatment is needed

Warning symbols to look for:



Toxic: Cause death or chronic damage to health, take extra precautions

Corrosive: Destroys skin on contact



Harmful: Treat as toxic

Irritant: Can cause problems through repeated or prolonged contact

3.6 Accidents & First Aid at Work

Minor Injuries to Staff

If you sustain a minor injury at work of the sort that you would normally attend to yourself at home, then you may wash your hands and apply a small-sterilised dressing from the first aid kits. No matter how small, all accidents must be reported to your manager and be recorded in the incident book held either at the front door or by your manager. If an accident is any more serious you need a first aider or emergency services, again this is to be recorded on an incident record form.

First Aid kits and hand wash handwash are available at every bar.

First Aiders

Your manager is your contact for the provision of first aid.

Accidents Involving Staff or Customers

On discovering or being told of an accident some simple procedures can in the long run save a lot of pain and possibly a life. The seriousness of an accident should immediately be assessed and help called for straight away. Inform a manager, supervisor or member of security immediately.

Do not panic or do anything reckless

First aid kits are situated at the bar and with the security team at the front door (make sure you know where they are). Try to assimilate the circumstances of the accident from witnesses or anyone else involved, keep it clear and simple - don't make assumptions.

If somebody is hurt let him or her have plenty of space (stop people from crowding round), and if they can walk get them to the front door to recover.

Remember: remain calm; act quickly, if in any doubt call 999

If you cut yourself: Contact appointed First Aider for suitable dressing.

If a customer cuts themselves:

Act as above but be sure that you are wearing protective disposable gloves. Do not let anyone else touch this spilled blood. If applying a dressing, keep these gloves on. Dispose of all items, in a separate biological waste bin bag.

If required to clear vomit, or urine, protect yourself again by wearing gloves and dispose of the waste in a biological waste bin bag.

3.7 Fire safety

On Discovering a Fire

On discovering a fire, immediately raise the alarm by activating a break glass.

Never attempt to tackle a fire. Raise the alarm immediately.

On Hearing the Fire Alarm

On hearing the fire alarm immediately evacuate the building by the nearest exit route. Leave the building swiftly and orderly, never stop to collect any belongings.

When evacuating everyone must leave the premises, this will include Customers, Performers, Contractors, staff and finally security. The Kitchen/bar will close immediately, make sure the tills are closed and locked off. Security, Management & the staff team (you guys) will oversee the evacuation of customers before leaving themselves.

If working on the bar/door/cloakroom etc, follow the instructions of your manager.

If you are working on the technical crew, ensure all the music and soundsystems are stopped when an evacuation is called. All house lights are on and technical equipment safely secured before leaving, when possible, without any personal danger. Turn off any smoke or haze.

The meeting point for all staff, once they have left the premises is as described in the site-specific evacuation plan, you will receive fire training on your first shift and a record of this training will be kept on site. Once you are outside report to the Evacuation Controller or Duty manager (senior member of front of house staff wearing a high viz with the fire clipboard) who will take a roll call of all staff, then proceed to the meeting point.

All of our premises are capable of being emptied quickly (within a few minutes) and safely if everyone remains calm and moves immediately. As crew and staff, you are a role model to other customers and you should act promptly.

On being given the all clear, all the staff will be readmitted to the premises by the front doors, in order to set up for the return of the customers.

Fire prevention

A fire needs three ingredients:

oxygen – heat – fuel

Remove any one of these and the fire will go out!

Reduce the risk of fire:

- Don't leave rubbish lying around
- Don't store combustible material on electrical appliances
- When emptying ashtrays make sure they do not contain anything that is still alight
- Don't use electrical equipment that is faulty

Fire Extinguishers.

WATER - Works by cooling the fire.

Used on paper, wood, cardboard and fabric

Do not use on fat or electrical fires

Positioned behind bars, outside cloakrooms

CO2 - Works by smothering the fire with gas.

Used on electrical fires

Do not use on fat fires

Positioned in DJ booths, by cloakrooms

DRY POWDER - Works by smothering the fire with a blanket of powder. Used on electrical and fat fires

Positioned in the kitchen

From January 1st, 1997, all new extinguishers will be red so if you ever need to use an extinguisher make sure that it is the correct one, the labels are colour coded.

3.8 Noise

Why bother about noise?

Sounds and noises, if too loud, can permanently damage your hearing. The danger depends on how loud the noise is and how long you are exposed to it. The damage builds up gradually and

you may not notice changes from one day to another, but once the damage is done, there is no cure.

There are two main action levels, measured in dB (decibels)

80 dB - First action level. This will cover every public area and behind the bars when the premises is busy. There will be some risk to hearing and you can use the earplugs supplied if you wish, but you are not required to do so. You should inform your manager if you think your hearing is being affected.

85 dB - Second action level. This is actually twice as loud as the first action level and will be where the music is loudest, i.e., on the dance floor, in the DJ booth, on and around the stage areas. You have a duty to use the earplugs provided and we can require you to wear earplugs. Also, we provide a quiet rest area for you to go to on your break so that you are not exposed to noise constantly.

I find the earplugs are hard to use and don't make much difference?

You must make sure that you insert the earplugs correctly. Follow the instructions on the packet. Ask for help from a manager if you are not sure.

Don't they stop us from hearing the customer?

No. The earplugs act as attenuators and cut a few decibels off the sound level that you are exposed to – they do not stop you hearing. If anything, they will protect you from customers shouting loudly directly into your ear. They take away all the 'extra' noise, you are still able to hear the music, hear customers and have a good time.

On our part, we try to control noise at work. The best way to reduce exposure to noise is to turn the volume down and we set the sound levels to peak well below maximum. It is stressful to be exposed to constant uncontrolled noise, especially when trying to concentrate. However, we are in the business of late-night entertainment where music is expected to be loud by our customers, so the bars, stage,

DJ booth and other public areas are designated noisy areas. A balance has to be struck between a high sound level for the public and a controlled level for the staff.

The Control of Noise at Work Act (2005) means that we, as your employer, are obliged to look out for your hearing when you are at work. This means that during very loud events we may insist that you wear hearing protection; otherwise you will not be able to work. If you have trouble wearing the earplugs provided, or find them uncomfortable, you must speak with a manager before you are exposed to high volumes.

Remember that for ear protection to be effective, you should use it for all of the time that you are exposed. It only takes one unprotected exposure to do the damage.

4. Licensing

Under the Licensing Act 2003, we are required to have a premises licence allowing us to operate as both an entertainment venue and to sell intoxicating liquor. The licence is essential to our operation and without it we would be in breach of the law. It is therefore essential that we protect our licence to the full. As a member of our staff, we will expect you to adhere to the company rules and encourage others to. We cannot afford to risk our licence and your support in its protection is important. This does not mean that you have to have any in depth knowledge of it but just to understand why we have to have such rules.

4.1 Premises Licence

The premises has a licence issued by the local Borough Council and allows us to open as an entertainments venue at the times stated & sell alcohol, providing it has been authorised by a Personal Licence Holder. The licence governs times that we can carry out a variety of licensable activities. The council take into consideration many other factors in granting the licence, including how we will help prevent crime and disorder, how we will protect

public safety, prevent public nuisance and protect children from harm. If we breach any conditions they lay upon us we can lose our licence, be fined up to £20,000 and risk up to six months in jail.

The contact details of the designated premises supervisor and licensee are clearly displayed at front door.

4.2 Personal Licence Holders

All sales of intoxicating liquor must be authorised by someone who holds a personal licence. Your D.P.S./Manager holds a personal licence. Actual opening times will depend on the event.

Underage Drinking

It is illegal to serve anyone under the age of 18.

If you have any doubt there are only 3 acceptable proofs of age.

- PASS accredited proof of age card.
- Passport
- A Photo Driving Licence

It is your responsibility to ensure everybody you serve alcohol is over the age of 18. The police can, and do, bring children into the premises to make a test purchase, and **if caught you will face a fixed penalty of £90 and a prosecution. Boat Live is not allowed to pay this for you.**

Challenge 25

We will be operating a challenge 25 policy at our premises, if they look younger than 25 ask for I.D. any challenge on id must be recorded on the challenge sheet.

We serve drinks, not drunks

It is illegal to serve anyone that is drunk. Use your common sense and if you feel someone has had too much to drink tell your

manager who will deal with each customer appropriately.

By law, you are responsible for those drinking in the bar. To discourage drunkenness it is our policy that the following drinks are not served:

Spirits added into pints of beers
Only 2 shots of spirit in 1 glass

Passing Off

Passing off is selling something different to what the customer asked for. You must not substitute an alternative to what a customer has ordered or paid for without informing them.

Credit

We do not offer any type of slate or tab unless it has been arranged in advance with the Manager. Boat Live accepts credit cards at certain bars; ask your supervisor how to do this.

Weights & Measures

It is a legal requirement that alcohol must be sold in the appropriate measure, i.e., spirits through optics or with the measures provided (all 25ml or 50ml). Wine by the glass (125ml, 175ml or 250ml). Draught beverages in half and pint glasses.

4.3 Illegal Drugs – Zero Tolerance

We do not tolerate the use, sale or possession of any illegal drugs. Anyone found in possession of an illegal drug will be immediately asked to leave, in line with our zero-tolerance policy.

Random searches DO take place.

Never come to work under the influence of illegal drugs. Any staff found in possession of illegal drugs will be dismissed.

5. Discipline & Appeals

5.1 General Rules & Regulations

Employment Rights Act 1996 ACAS Code of Practice on Disciplinary and Grievance Procedures

Please read the lists below.

They give some indication of conduct that is liable to cause the disciplinary rules and procedures to be enacted. These lists are not intended to be exclusive or exhaustive.

Misconduct

Depending on the severity of the case this could lead to verbal or written warnings.

- Absence without leave
- Poor timekeeping
- Poor work performance or work capability
- Violation of safety rules of a minor nature
- Improper or negligent use of care of property and equipment
- Smoking in prohibited areas
- Violation of hygiene regulations of a minor nature

Gross Misconduct

Depending on the severity of the case this could lead to summary dismissal.

- Serious negligence or breach of safety or hygiene rules potentially causing unacceptable loss, damage, or injuries
- Deliberate damage to property belonging to the Company, staff or visitors
- Assault on or fighting with fellow members of staff, or visitors whilst on duty
- Deliberate falsification or misrepresentation of records

- Theft, misappropriation or unauthorised possession of the assets, funds, equipment and/or property of the Company, staff or visitors
- Serious incapability at work or on duty through alcohol or the use of illicit drugs
- Use of profane or abusive language
- Prolonged absence from work without notification
- Divulging confidential information to interested parties
- Serious insubordination, including flagrant refusal to comply with a reasonable instruction
- Committing an act outside work or being convicted for a criminal offence that affects adversely or is liable to affect adversely the performance of the contract of employment and/or the relationship between the Company and a member of staff, and/or brings the reputation of the Company into disrepute.



This certificate is not valid if the serial number has been defaced or altered

27569092

Original (to the person ordering the work)

ELECTRICAL INSTALLATION CERTIFICATE

Issued in accordance with BS 7671: 2018+A2:2022 – Requirements for Electrical Installations

EIC18.2C

PART 1 : DETAILS OF THE CONTRACTOR, CLIENT AND INSTALLATION

DETAILS OF THE CONTRACTOR		DETAILS OF THE CLIENT	
Registration No. 610714000	Branch No* 000	Contractor Reference Number (CRN):	N/A
Trading Title: PK Electrics		Name:	Boat Live works Ltd
Address:		Address:	1st Floor West Terrace, Aspen House, Weststreet Terrace, Folkestone, Kent
Postcode:		Postcode:	CT20 1TH
Tel No:		Tel No:	N/A
		Unique Property Reference Number (UPRN):	N/A
		Address:	90 White Post Lane, London
		Occupier:	Boat Live works Ltd
		Postcode:	E9 5EN
		Tel No:	N/A

DETAILS OF THE INSTALLATION

Where necessary, continue on a separate numbered page: Page No(s) (6)

The installation is New: An addition: (N/A) An alteration: (N/A) Replacement of a distribution board: (N/A)

Description and extent of the installation covered by this certificate: Supplying 3 phase power to a container opposite the road/intake room. From the busbar distribution box to the meter and to the isolator with 2.5mm tails. On this we cover the supply SWA 25mm2 glanded to a 100A isolator switch to the container, glanded to 63 Isolator Switch.

PART 2 : DETAILS OF THE ELECTRICAL WORK COVERED BY THIS INSTALLATION CERTIFICATE

Date works completed: 04/07/2023

Where necessary, continue on a separate numbered page: Page No(s) (6)

PART 3 : COMMENTS ON THE EXISTING INSTALLATION (in the case of an addition or alteration see Regulation 644.1.2)

None

Where necessary, continue on a separate numbered page: Page No(s) (N/A)

PART 4 A : DECLARATION FOR THE ELECTRICAL INSTALLATION WORK (use where the design, construction, inspection & testing have been the responsibility of one person)

DESIGN, CONSTRUCTION, INSPECTION & TESTING (the extent of liability of the signatory is limited to the work detailed in PART 2)

I, being the person responsible for the design, construction, inspection and testing of the electrical installation, particulars of which are described in PART 2, having exercised reasonable skill and care when carrying out the design, hereby CERTIFY that the design, construction, inspection and testing for which I have been responsible is to the best of my knowledge and belief in accordance with BS 7671: 2018+A2:2022 except for the departures, if any (Regulations 120.3, 133.4.3 and 133.5), detailed as follows:

N/A

where required, continued on attached separate page(s) (N/A)

Permitted exception applied (411.3.3): Yes/N/A (N/A) Risk assessment attached: N/A Page No(s) (N/A)

I, being the designer of the electrical installation, also RECOMMEND that this installation is further inspected and tested by: 04/07/2024 (date)

The proposed date for the next inspection should take into consideration any legislative or licensing requirements and the frequency and quality of maintenance that the installation can reasonably be expected to receive during its intended life. The period should be agreed between relevant parties

Name (capital): PERPARIM KUSHI Organisation: PK Electrics Registration No*: 610714000

Address: [Redacted] Postcode: NW9 5UD

Signature: [Redacted] Date: 04/07/2023 Tel No: [Redacted]

REVIEWED BY QUALIFIED SUPERVISOR

Name (capital): PERPARIM KUSHI Signature: [Redacted] Date: 04/07/2023



APPROVED CONTRACTOR

27569092

EIC18.2C

ELECTRICAL INSTALLATION CERTIFICATE

Issued in accordance with BS 7671: 2018+A2:2022 – Requirements for Electrical Installations

Original (to the person ordering the work)

PART 4B : DECLARATION FOR THE ELECTRICAL INSTALLATION WORK (to be completed where different parties are responsible for the design, construction, inspection & testing)

DESIGN (The extent of liability of the signatories is limited to the work detailed in PART 2)

I/we being the person(s) responsible for the design of the electrical installation, particulars of which are described in PART 2, having exercised reasonable skill and care when carrying out the design, hereby CERTIFY that the design work for which I/we have been responsible is to the best of my/our knowledge and belief in accordance with BS 7671: 2018+A2:2022 except for the departures, if any, detailed on attached page(s) (N/A) (Regulations 120.3, 133.13 and 133.5).

- Permitted exception applied (411.3.3): ~~X~~ N/A Risk assessment attached: (N/A) Page No(s) (N/A)

DESIGNER 1 Name (capital): N/A Signature: N/A Date: N/A

DESIGNER 2 (where there is divided responsibility for design) Name (capital): N/A Signature: N/A Date: N/A

I/we, being the designer(s) of the electrical installation, also RECOMMEND that this installation is further inspected and tested by: (date) (*Where applicable)
The proposed date for the next inspection should take into consideration any legislative or licensing requirements and the frequency and quality of maintenance that the installation can reasonably be expected to receive during its intended life. The period should be agreed between relevant parties.

Organisation (Designer 1): N/A Organisation (Designer 2): N/A Registration No*: N/A

Address: N/A Address: N/A Organisation No*: N/A

Postcode: N/A Postcode: N/A Tel No: N/A

INSPECTION & TESTING (The extent of liability of the signatory is limited to the work detailed in PART 2)

I, being the person responsible for the construction of the electrical installation, particulars of which are described in PART 2, having exercised reasonable skill and care when carrying out the construction, hereby CERTIFY that the said work for which I have been responsible is, to the best of my knowledge and belief, in accordance with BS 7671: 2018+A2:2022 except for the departures, if any, detailed on attached page(s) (N/A) (Regulations 120.3 and 133.5).

Name (capital): N/A Organisation: N/A Registration No*: N/A

Address: N/A Address: N/A

Postcode: N/A Postcode: N/A Tel No: N/A

INSPECTION & TESTING (The extent of liability of the signatory is limited to the work detailed in PART 2)

I, being the person responsible for the inspection and testing of the electrical installation, particulars of which are described in PART 2, having exercised reasonable skill and care when carrying out the inspection and testing, hereby CERTIFY that the said work for which I have been responsible is, to the best of my knowledge and belief, in accordance with BS 7671: 2018+A2:2022 except for the departures, if any, detailed on attached page(s) (N/A) (Regulations 120.3 and 133.5).

Name (capital): N/A Organisation: N/A Registration No*: N/A

Address: N/A Address: N/A

Postcode: N/A Postcode: N/A Tel No: N/A

REVIEWED BY QUALIFIED SUPERVISOR (for the Contractor detailed in PART 1)

Name (capital): N/A Signature: N/A Date: N/A

Where the electrical work to which this certificate relates includes the installation of a fire alarm system and/or an emergency lighting system (or a part of such systems), this electrical safety certificate should be accompanied by the particular certificate(s) for the system(s).

This certificate is based on the model forms shown in Appendix 6 of BS 7671: 2018+A2:2022 @ Copyright Certsure LLP (March 2022)

Enter a (✓) or value in the respective fields, as appropriate. Where an item is not applicable insert N/A



NIEE
APPROVED
CONTRACTOR

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27569092

EIC18,2c

ELECTRICAL INSTALLATION CERTIFICATE

Issued in accordance with BS 7671: 2018+A2:2022 – Requirements for Electrical Installations

PART 5 : SUPPLY CHARACTERISTICS AND EARTHING ARRANGEMENTS

System type and earthing arrangements TN-C: (N/A) ✓ TT: (N/A)		Number and type of live conductors AC 1-phase, 2-wire: (N/A) 3-phase, 3-wire: (N/A)		Nature of supply parameters Nominal voltage between lines, U_{ll} : (400) V Nominal line voltage to Earth, U_0 : (230) V Nominal frequency, f : (50) Hz	
Supply protective device BS EN: (88-2) Type: (E)		Other: (N/A)		Prospective fault current, I_{pf} : (33) kA Earth fault loop impedance, Z_e : (0.09) Ω	

PART 6 : PARTICULARS OF INSTALLATION REFERRED TO IN THIS CERTIFICATE

Main protective conductors Earthing conductor: (material) Copper csa (N/A) mm ²		Main protective bonding connections Water installation pipes: (N/A) Gas installation pipes: (N/A) Structural steel: (N/A) Oil installation pipes: (N/A) Lightning protection: (N/A) Other (state): (N/A)		Main switch / Switch-fuse / Circuit-breaker / RCD Location: (N/A) BS EN: (5419) No. of poles: (2) Current rating: (100) A Voltage rating: (230) V	
Means of Earthing Distributor's facility: (N/A) ✓ Installation earth electrode(s): (N/A) ✓ Main electrode type - rod(s), tape, etc.: (N/A) ✓		Main protective conductors Earthing conductor: (material) Copper csa (N/A) mm ²		Where an RCD is used as the main switch RCD rated residual operating current, $I_{Δn}$: (N/A) mA Rated time delay: (N/A) ms Measured operating time: (N/A) ms	

PART 7 : SCHEDULE OF ITEMS INSPECTED (enter ✓ or N/A, as applicable)

Item	Outcome	Outcome	Outcome
1. Condition of consumer's intake equipment (visual inspection only)	(N/A)	(N/A)	(N/A)
2. Parallel or switched alternative sources of supply	(N/A)	(N/A)	(N/A)
3. Protective measure: Automatic disconnection of supply (ADS)	(N/A)	(N/A)	(N/A)
4. Basic protection	(N/A)	(N/A)	(N/A)
5. Protective measures other than ADS	(N/A)	(N/A)	(N/A)
6. Additional protection	(N/A)	(N/A)	(N/A)
7. Distribution equipment	(N/A)	(N/A)	(N/A)
8. Circuits (distribution and final)	(N/A)	(N/A)	(N/A)
9. Isolation and switching	(N/A)	(N/A)	(N/A)
10. Current-using equipment (permanently connected)	(N/A)	(N/A)	(N/A)
11. Identification and notices	(N/A)	(N/A)	(N/A)
12. Location(s) containing a bath or shower	(N/A)	(N/A)	(N/A)
13. Other special installations or locations	(N/A)	(N/A)	(N/A)
14. Prosumer's low voltage installation(s)	(N/A)	(N/A)	(N/A)

Schedule of Items Inspected by
 Name (capital): PERPARIM KUSHI
 Signature: [Redacted] Date: 04/07/2023

PART 8 : SCHEDULES AND ADDITIONAL PAGES (the pages identified are an essential part of this report (see Regulation 653.2))

Schedule of Circuit Details and Schedule of Test Results for the installation (PARTS 9A & 9B) Page No(s): (4 & 5)	Additional pages, including data sheets for additional sources Page No(s): (6)	Special installations or locations (indicated in item 13 of PART 7) Page No(s): (None)	Schedules relating to Prosumer's installations (indicated in item 14 of PART 7) Page No(s): (None)	Continuation sheets Page No(s): (7-9)
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*Where the installation is supplied by more than one source, the higher or highest values of prospective fault current, I_{pf} , and external earth fault loop impedance, Z_e , must be recorded.

This certificate is based on the model forms shown in Appendix 6 of BS 7671: 2018+A2:2022

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This certificate is not valid if the serial number has been defaced or altered

27569092

N18.2C

GENERAL CONTINUATION SHEET

Issued in accordance with BS 7671: 2018+A2:2022 – Requirements for Electrical Installations

NOTES

Extent Of Electrical Installation Covered

Supplying 3 phase power to a container opposite the road/intake room. From the busbar distribution box to the meter and to the isolator with 25mm tails. On this EIC we cover the supply SWA 25mm² glanded to a 100A isolator switch to the container glanded to 63 Isolator Switch.

27569092

N18.2C

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GENERAL CONTINUATION SHEET

Issued in accordance with BS 7671: 2018+A2:2022 – Requirements for Electrical Installations



NOTES



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PK11ELECTRIC
APPROVED
CONTRACTOR

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N18.2C

GENERAL CONTINUATION SHEET

Issued in accordance with BS 7671: 2018+A2:2022 – Requirements for Electrical Installations

NOTES



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27569092

N18.2C

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GENERAL CONTINUATION SHEET

Issued in accordance with BS 7671: 2018+A2:2022 – Requirements for Electrical Installations



NOTES



NOTES FOR RECIPIENT

THIS CERTIFICATE IS AN IMPORTANT AND VALUABLE DOCUMENT WHICH SHOULD BE RETAINED FOR FUTURE USE

This safety certificate has been issued to confirm that the electrical installation work to which it relates has been designed, constructed, inspected and tested in accordance with the national standard for the safety of electrical installations, *BS 7671: 2018+A2:2022* - Requirements for Electrical Installations.

You should have received the certificate marked 'Original' and the contractor should retain a duplicate. If you were the person ordering the work, but not the owner or user of the installation, you should pass this certificate, or a full copy of it, immediately to the owner or user of the installation.

The 'Original' certificate should be retained in a safe place and shown to any person inspecting, or undertaking further work on the electrical installation in the future. If you later vacate the property, this certificate will demonstrate to the new user that the electrical installation works complied with the requirements of *BS 7671: 2018+A2:2022* at the time the certificate was issued.

The Construction (Design and Management) Regulations require that, for a project covered by those Regulations, a copy of this certificate, together with schedules, is included in the project health and safety documentation.

For safety reasons, the complete electrical installation will need to be inspected and tested at appropriate intervals by a skilled person or persons competent in such work. The maximum interval recommended before the next inspection is stated in PART 4A or 4B. With the exception of domestic (household) premises, there should be a notice at or near the main switchboard or distribution board indicating the date when the next inspection is due.

Page No
This certificate is issued only for a new electrical installation or for the replacement of a distribution board (or consumer unit). It should not have been issued for the inspection of an existing electrical installation. An 'Electrical Installation Condition Report' should be issued for such a periodic inspection.

The certificate, which consists of at least five numbered pages, is only valid if the Schedule of Items Inspected has been completed to confirm that all relevant inspections have been carried out and the Schedule of Circuit Details and Test Results is attached. The certificate has a unique serial number which is traceable to the contractor to which it was supplied by NICEIC.

For installations having more than one distribution board (or consumer unit) or more circuits than can be recorded on Page 5, one or more additional Schedules of Circuit Details and Test Results, should form part of the certificate.

This certificate should not have been issued for electrical work in a potentially explosive atmosphere (hazardous area) unless the contractor holds an appropriate extension to their NICEIC registration for such work.

Page 1 and 2 of this certificate provide details of the electrical installation, together with the name(s) and signature(s) of the person(s) certifying the three elements of installation work: design, construction and inspection and testing, and page 3 identifies the organisation(s) responsible for the work certified by their representative(s).

Certification for inspection and testing provides an assurance that the electrical installation work has been fully inspected and tested, and that the electrical work has been carried out in accordance with the requirements of *BS 7671: 2018+A2:2022* (except for any departures sanctioned by the designer and appended to the certificate).

Where responsibility for the design, the construction and the inspection and testing of the electrical work is divided between the contractor and one or more other bodies, the division of responsibility should have been established and agreed before commencement of the work. In such a case, NICEIC considers that the absence of certification for the construction, or the inspection and testing elements of the work would render the certificate invalid. If the design section of the certificate has not been completed, NICEIC recommends that you question why those responsible for the design have not certified that this important element of the work is in accordance with *BS 7671: 2018+A2:2022*.

Where the installation includes a residual current device (RCD) it should be tested every six months, by pressing the button marked "T" or "Test". The device should switch off the supply and should then be switched on to restore the supply. If the device does not switch off the supply when the button is pressed, seek expert advice. For safety reasons it is important that this instruction is followed.

Where the installation includes an arc fault detection device (AFDD) having a manual test facility, it should be tested six-monthly by pressing the test button. Where an AFDD has both a test button and automatic test function, manufacturer's instructions should be followed with respect to test button operation.

Where the installation includes a surge protection device (SPD) the status indicator should be checked to confirm it is in operational condition in accordance with manufacturer's information. If the indication shows that the device is not operational, seek expert advice.

Where a number of sources are available to supply the installation, and where the data given for the primary source may differ from other sources, an additional page should have been provided which gives the relevant information relating to each additional source, and to the associated earthing arrangements and main switchgear.

Where the electrical work to which this certificate relates includes the installation of a fire alarm system and/or an emergency lighting system (or a part of such systems) in accordance with British Standards *BS 5839* and *BS 5266* respectively, this electrical safety certificate should be accompanied by a separate certificate or certificates as prescribed by those standards.

Should the person ordering the work (e.g. the client, as identified on Page 1 of this certificate), have reason to believe that any element of the work for which the Contractor has accepted responsibility (as indicated by the signatures on this certificate) does not comply with *BS 7671: 2018+A2:2022*, the client should in the first instance raise the specific concerns in writing with the contractor. If the concerns remain unresolved, the client may make a formal complaint to NICEIC, for which purpose a standard complaint form is available on request. The complaints procedure offered by NICEIC is subject to certain terms and conditions, full details of which are available upon application. NICEIC does not investigate complaints relating to the operational performance of electrical installations (such as lighting levels), or to contractual or commercial issues (such as time or cost).

For further information about electrical safety and how NICEIC can help you, visit:

www.niceic.com

* NICEIC is operated by Certsure LLP, a partnership between the Electrical Contractors' Association and the charity, Electrical Safety First. NICEIC maintains and publishes registers of electrical contractors that it has assessed against particular scheme requirements (including the technical standard of electrical work).

MANAGEMENT OF HEALTH AND SAFETY AT WORK REGULATIONS 1999 - RISK ASSESSMENT

TASK/SITUATION ASSESSED			RISK ESTIMATION																																												
Description: Customer Ejection			LIKELIHOOD					Risks are adequately controlled (Yes or No) See over for details	Y	N																																					
			Certain (5)	Very likely (4)	Likely (3)	May happen (2)	Unlikely (1)		Y																																						
Definitions: Hazard: Potential to cause injury or loss Risk: Function of the likelihood of the injury or loss occurring and the severity of its consequences			SEVERITY	Death (5)	25	20	15	10	5 C	RISK EVALUATION 1. Current Task/Situation acceptable – no further action 2. Improve preventative measures required - see Action Plan over																																					
HAZARDS IDENTIFIED ✓ Ref				Major injury (4)	20	16	12	8	4																																						
Animals				Over 3 day injury	15	12	9 C	6 A, B,	3	Relevant Specific Assessments																																					
Biological					Under 3day	10	8	6	4				2																																		
Broken glass						Minor injury (1)	5	4	3	2	1																																				
Confined space entry				Overall average risk rating of task /situation Medium (7)					Completed By: G.Wright																																						
Congestion/obstruction				Definitions High: The likelihood of severe consequences is unacceptable; strict controls measures necessary. Medium: Serious injury or loss is a definite possibility. Low: The adverse outcome will be minor although not unlikely to occur.									Assessment Ref No: Location:																																		
Entrapment									Completed By: G.Wright								Date: Risk Assessment produced by G.Wright																														
Electrical														Date: Risk Assessment produced by G.Wright																																	
Environment (hot/cold)																			Date: Risk Assessment produced by G.Wright																												
Fire/Emergency incident			Date: Risk Assessment produced by G.Wright																																												
Flammable liquids/gasses																								Date: Risk Assessment produced by G.Wright																							
Hand tools																													Date: Risk Assessment produced by G.Wright																		
Hazardous substances																																		Date: Risk Assessment produced by G.Wright													
Hot fluids/surfaces																																							Date: Risk Assessment produced by G.Wright								
Machinery																																												Date: Risk Assessment produced by G.Wright			
Manual handling								Date: Risk Assessment produced by G.Wright																																							
Noise													Date: Risk Assessment produced by G.Wright																																		
Operational mistakes ✓ A																		Date: Risk Assessment produced by G.Wright																													
Pressure systems/bottled gas																							Date: Risk Assessment produced by G.Wright																								
Racking/storage			Date: Risk Assessment produced by G.Wright																																												
Slips/trips/falls																												Date: Risk Assessment produced by G.Wright																			
Steam/fumes/vapour/smoke																																	Date: Risk Assessment produced by G.Wright														
Stress/fatigue/illness/injury ✓ B																																						Date: Risk Assessment produced by G.Wright									
Vehicles																																											Date: Risk Assessment produced by G.Wright				
Violence/crime ✓ C																																															
Working at heights								Date: Risk Assessment produced by G.Wright																																							
Insert Detail Overleaf PTO													Date: Risk Assessment produced by G.Wright																																		

Hazard Ref	Hazard	Should the Hazard Arise	Existing Controls	Adequate
------------	--------	-------------------------	-------------------	----------

		Persons Affected *	Numbers Affected #		Y/N
A	Operational mistakes	S, M, V	5-15	Guards trained and operating to Security Deployment Plan and Mode of Operation.	Y
B	Stress, fatigue, illness and injury	S, M, V	<5	Duty First Aiders on duty will be supported by Guards when tending to injured customers.	Y
C	Violence and crime	S, M, V	5-15	Guards trained and operating to Security Deployment Plan and Mode of Operation. Guards are conflict management trained to defuse confrontational situations and trained to use physical intervention under the 'Criminal Law Act 1967 Section 3:1. Security will try to calm aggressive customers and will not ban them if the situation is resolved, however if they continue to be aggressive they will be banned from the venue. Guards operating to the venue ejection policy and arrest procedure will detain offenders in a designated holding area. Control Room will call the Police via Joint Control should an Arrestable Offence be committed. Team leader and Body worn CCTV Operator should be present during incidents ejections. Guards involved in incident will complete a written Incident Report as soon as is reasonably practicable. Offenders will their details will be recorded and they will be banned from the venue. Guards will exercise. If the Police are not required then the Team along with a TL and Body worn CCTV will remove the aggressor via the nearest exit Gate. This will be monitored by event control along with cctv control to obtain a facial image of aggressor to ban and prevent further entry. CCTV will also monitor the incident to protect the Security dealing with the incident.	Y

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Key: * E = Engineers/Maintenance H = Hygiene/Cleaners S = Staff/Guards C = Contractors V = Visitors M = Members of Public A = Admin/Office Staff
 R = Reception Staff
 # Score (<5) (5-15) (16-25) (25+)

ACTION ARISING FROM RISK ASSESSMENT

Hazard Ref	Risk H/M/L	Action(s) Required	Person(s) Responsible	Target Date	Date Completed

Boat Live Works

EMERGENCY FIRE EVACUATION PLAN

**90 White Post Lane, Hackney Wick,
E9 5EN**

ON HEARING FIRE ALARM

(Continuous two tone siren)

Leave by the **nearest** exit

Do not delay your escape by collecting belongings

Do **not** use lifts

Go to the assembly point – The opposite side of White Post Lane in Queens Yard

THE EVACUATION CONTROLLER IS the DUTY MANAGER or the HEAD of SECURITY

Do not re-enter the building until instructed to do so by the Evacuation Controller

ON DISCOVERING A FIRE

Immediately raise the alarm

Alert anyone nearby

Operate the nearest break glass call point

Leave the building by the **nearest** exit

Do not attempt to fight the fire unless you have been trained to do so

Report location of the fire to the first radio holder you see on your way out

Do not re-enter the building until instructed to do so by The Evacuation Controller

When calling the emergency services state clearly you require the "FIRE" service and that the fire is at:

**90 White Post Lane, Hackney Wick,
E9 5EN**

EVACUATION PROCEDURE

Summoning Assistance.

On activation of the fire alarm the Evacuation Controller will give the radio call “**MR SANDS IS IN THE BUILDING**” repeated three times slowly and clearly, from this point on all radio holders should maintain radio silence and await further instruction from the EC or Duty Manager.

Once the Mr Sands radio call has been made the Duty Manager should check the alarm panel/s (location T.B.C.), the DM will forward the location of the alarm activation to the EC and will attend the location and if safe to do so investigate the indicated location to determine if there is a fire. For any fire alarm activation in the Boat area it should be evacuated immediately as there is only one fire exit, all activities and music in the boat should be switched off at once and attendees should be directed to the fire exit. If the Duty Manager fails to identify a false alarm at any other zone within 3 minutes or radio contact is lost between the DM & EC the EC should initiate a full evacuation. If a fire is discovered or it is not possible to safely confirm that there is no fire the Duty Manager will call for a full evacuation on the two way radio system.

During the 3 minute investigation period all radio holders should ensure that all other staff are aware of the Mr Sands incident and are preparing for a full evacuation.

A full evacuation will be initiated by the radio call “**FULL EVACUATION, FULL EVACUATION, FULL EVACUATION**” this call should be calm and clear, repeated at 10 second intervals by the EC to allow time for feedback from radio holders inside the premises.

When a full evacuation is called all activities will cease, house lights should be switched on throughout & all entertainment be stopped, all in house staff should begin to assist in the clearance of the site by taking up their role as Fire Marshals.

Once the decision has been made to call a full evacuation or the 3 minute investigation time has expired it will be the responsibility of the EC or DM to contact the fire brigade. 999 should be called & the fire service requested,

Confirmation should indicate that the Fire Service should attend

**90 White Post Lane, Hackney Wick,
E9 5EN**

The Role of Designated Persons

At Boat Live Works the designated persons will be comprised of any staff who are working directly for Boat Live Works. All staff will receive fire awareness and evacuation training on their first day at work, they will then form part of the Fire Marshals team in conjunction with the sia security team.

Role of Evacuation Controller

The Evacuation Controller (EC) will be a senior member of the management Team (The Duty Manager or Head of Event Security) with sufficient knowledge of the premises to advise the fire service on best access routes to the incident and of any significant hazards in the building. The EC will be the main contact point for the attending fire service.

The EC will receive and note reports of areas evacuated from designated persons; people remaining in the building (for whatever reason); location, evacuation route and any assistance

required for any disabled occupants; any injuries or any other relevant information to be conveyed to the fire service.

When a full evacuation is underway and/or the fire brigade have been called the EC will put on a high visibility tabard, The EC will go to the vehicle gate on White Post Lane. On the arrival of the fire service EC will make contact with the officer in charge to relay any relevant information.

Role of Fire Marshals

Fire Marshals will be all members of Boat Live Works staff and any sia front of house team. Their role is to guide occupants to the assembly point and to keep fire brigade access routes clear. They will also relay relevant information to the EC as necessary. In the event of a fire alarm they will put on high visibility tabards and take up predetermined marshalling duties.

Communications

Designated Persons & Fire Marshals must relay any relevant information passed to them to the EC. All two way radio holders must maintain radio silence to allow the EC/Duty Manager to coordinate the evacuation, they should however listen to the radio carefully for instructions and may respond if addressed directly by the EC or Duty Manager. During an evacuation radio requests may be made to locations from either the EC or Duty Manager when looking for information, e.g. "any radio holder in the reception area please respond". When responding to a radio call remember to stay calm and speak slowly & clearly.

The exception to the radio silence rule is that any radio holder can contact the EC in the event of them having important new information about the fire/evacuation situation. An example of this is that a radio holder attempting to exit the building finds a fire in a fire exit route, in this instance they should double back and attempt to prevent anyone else using the route, ensuring that they are moving away from danger throughout. Only after they have reached a place of safety should they call in the information. The radio holder should attempt to remain calm, speak slowly and clearly identifying the location and delivering the information as concisely as possible during a break in the repeated full evacuation message, for example "EC, THERE IS A FIRE IN THE COURTYARD BY THE TOILETS, THIS ROUTE IS UNSAFE, COPY MESSAGE?" . The radio holder should continue to make their way to an alternative escape route, directing others away from the danger where possible.

FIRE MARSHAL TASK LIST

1. **Routine Activities:** Make regular checks on the fire safety provisions with their designated area. To ensure the following are in place:
 - Fire exits and escape routes are clear of obstructions and fire exit doors are free to open.
 - Fire doors are kept shut or are held open by automatically released or easily removable devices.
 - Fire extinguishers are in place with tamper proof seal intact
 - Fire extinguishers have been serviced within the last 12 months.
 - New members of staff are given fire safety information as part of their induction.

2. **Non-Routine Activities:** In the event of a fire alarm:
 - Remind all occupants in the Fire Marshals designated area to leave the building, indicating the nearest fire exit.
 - Conduct a sweep search of their area to ensure that no one is left, particularly in areas such as toilets & store rooms.
 - Report that their area is clear, or not, to the Evacuation Controller.
 - Assist in guiding visitors and event attendees to the meeting point on the opposite side of White Post Lane in Queens Yard, this includes keeping them off the road and on the sidewalk to allow access for emergency vehicles.

Notes.

- a) All Fire Marshals must receive fire training at the start of their first shift.
- b) Fire Marshals will put on high viz tabards in an evacuation situation.

Fire Alarm Failure - Contingency Plans

Occupants of any building must always be made aware of fire in the building. If a fault on the fire alarm system prevents this, a **contingency plan** must be put in place. This is the responsibility of the venue management. Options that will be considered by the team are initiating a fire watch with temporary fire alarms/loud hailers, closing the affected part of the building or as a last resort closing the whole building. All contingency plans will be subject to dynamic risk assessment by the venue managers.

Training.

All staff must be given a basic fire safety induction on their first day of work at Boat Live Works. A record of this training should be kept in the fire safety log book.

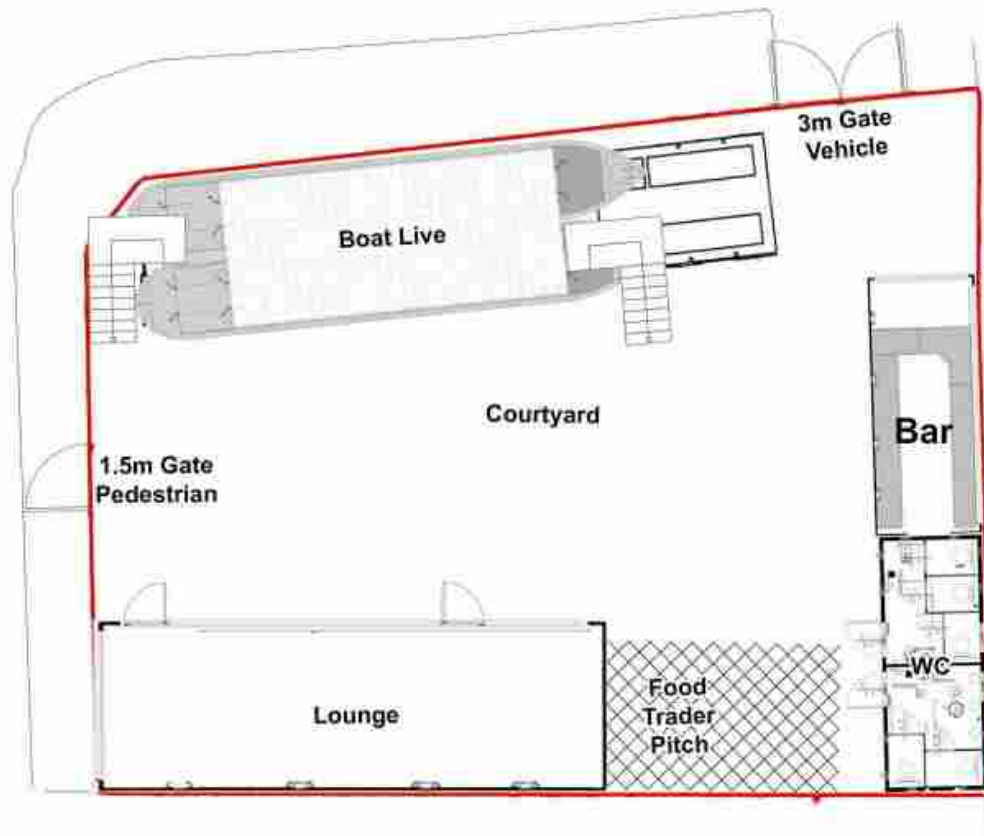
A fire evacuation drill should be carried out at least once every six months.

The following map shows the location of the meeting point and the fire evacuation routes around the premises.



The following floor plan will be updated to show the locations of Manual Call Points (MCP indicated by red diamonds) and Fire Fighting Equipment (FFE) within Boat Live Works when the construction of the site is completed.
 All areas of the site will be equipped with the appropriate firefighting equipment to BS5306.
 A fire detection and notification system shall be installed throughout the site to BS 5839-1:2017 and BS 5839-6:2019+A1:2020.

Premises plan Boat Live Works



Capacities Calculations

This section outlines the safe exit capacity based on the division of the premises into areas, each area will have capacity calculations which are based on the smaller outcome of the maximum occupancy by floor space and the final exit width calculations for fire doors serving that area. Finally, a summary of the whole premises will be given which will justify a maximum capacity after considering the interaction of evacuation flows from each area, in particular where combined flows may occur.

The Safe capacity for the premises is 300 people determined by exit width as explained below.

Area Capacity Calculations

All occupancy density calculations are based on the approved document b fire safety volume 2 2019 – table D1, Floor Space Factors utilising points:

- 1 Standing spectator areas, bar areas (within 2m of serving point), .3m² per person.
- 2 Events area without fixed seating, .5m² per person.
- 4 for a lounge/bar area, 1m² per person.

Occupancy calculations by area:

The Lounge – 100 people by floor space

The Lounge area has no fixed seating and can be used as a performance area, there will be a bar counter along the 3.95m west internal wall. It is assumed that a performance area set up at the east end of the room would reduce the audience floor space by 2.44m from the east wall. This would leave an audience area of 9.5m x 3.95m. Within 2m of the bar and stage floor space factor 1 of .3m²pp (15.8m² / .3) 52 people. The 5.5m area between these spaces calculated using floor space factor 2 of .5m²pp (21.73m² / .5) gives an additional 43 people. Allowing for 5 performers on stage this gives a maximum occupancy by floor space of 100people.

There are two exit doors of 850mm width, each allowing for 110 people to evacuate, the final exit calculations from the lounge area are as follows:

- Door 1 850mm = 110people.
- Door 2 850mm = 110people.
- Door 1+2 – widest door = 110people.

Boat Live – 50 people

The boat live space has previously been agreed at a capacity of 50 people with LFB, I would recommend reviewing this figure with accurate measurements and calculations once the installation at the premises is completed.

Courtyard – 156 people

The courtyard has an area of 78m², it will have non fixed seating and as such a maximum occupancy capacity has been calculated using floor space factor 2 of .5m²pp (78m² / .5) which equals 156people.

Final Exits to the street – 300 people

The premises has two gated final exits to the street, using the formula of 5mm per person for exit routes intended to accommodate more than 200 people the calculations are as follows:

- 1.5m pedestrian gate = 300people.
- 3m vehicle gate = 600people.
- Gate 1+2 – widest gate = 300people.

This should also be considered the safe maximum capacity for the whole premises including customers, staff, security, performers and any other persons on site.

Exit width capacities are derived using the formula 5mm per person for widths over 1100mm. This is taken from table 2.3 Widths of escape routes and exits from section B2 of the building regulations 2010 Fire Safety Approved Document B Volume 2 – Buildings other than dwellinghouses 2019 edition incorporating 2020 amendments (copied below)

Maximum number of people	Minimum width (mm) ⁽¹⁾⁽²⁾
60	750 ⁽⁴⁾
110	850
220	1050
More than 220	5 per person ⁽⁵⁾

NOTES:

1. See Appendix D for methods of measurement.
2. Widths may need to be increased to meet guidance in Approved Document M.
3. Widths less than 1050mm should not be interpolated.
4. May be reduced to 530mm for gangways between fixed storage racking, other than in public areas of 'shop and commercial' (purpose group 4) buildings.
5. 5mm/person does not apply to an opening serving fewer than 220 people.

Crowd control and entry arrangements

This section details the entry arrangements and crowd control for queuing and any action to be taken in an evacuation situation.

Any area to be used as an entry point is to be staffed by sufficient staff to clear the area of queuing customers and crowd control barriers in an evacuation and will be staffed with extra as required to quickly and efficiently process any access queue. The queuing system will be made up of sections of tensa barrier and lo-ped barrier. The security team are instructed to release the tensa barrier and move the posts in the event of a potential emergency evacuation. They are also instructed to move any queuing guests to the muster point across the street in Queens Yard on the opposite side of White Post Lane.

As the site has multiple areas that can be used for events there is no single set up that suits every occasion, a simple access statement for the site is as follows:

Access to the site will be arranged to ensure good crowd control at any chosen entry point, a combination of lo ped barriers and tensa barrier will be deployed as required to ensure the best crowd control possible. There will be sufficient security at the access point to ensure that any crowd control devices can be removed and any queue cleared in the event of an emergency evacuation.

Set up of each entry system will be by ongoing dynamic risk assessment of the requirements of each event and is likely to change throughout each event, assessments will be made by the venue management and the head of SIA door security team.



SSMRT

SPECIALIZED SECURITY, MEDICS, RESPONSE + TRAINING

Search Policy

Version 1 date 17/05/2023 Gary Twining-Wright M.ISRM .FPMemNFPS. MCoROM

Policy Statement: At SSMRT Ltd, we prioritise the safety and security of our customers, staff, and buildings as integral to our mission. To maximise safety precautions and adapt to changing circumstances and venue instructions, we may introduce additional security measures, including body and bag searches. The methodology applied to these searches ensures the following:

1. Lawful and Consensual Search:

- All searches will be conducted lawfully and with the explicit consent of the individual being searched.
- Customers will be fully informed and aware of the search procedure before it takes place.

2. Appropriate and Thorough Search:

- Searches will be conducted in an appropriate and thorough manner, ensuring that prohibited items are identified
- The purpose of the search is to prevent the presence of items such as alcohol not purchased on the premises, substances suspected to fall under the Misuse of Drugs Acts 1977-2015, weapons, or potential weapons.

3. Use of Personal Protective Equipment (PPE):

- Staff conducting searches will be required to wear appropriate personal protective equipment (PPE) during the process.
- This measure aims to enhance the safety of both staff and customers and mitigate potential health risks.

4. Video Documentation:

- *Body-worn cameras will be switched on and functioning properly to record the search process if required.*
- This measure ensures transparency, accountability, and provides a record for reference if needed.

5. Presence of Management Team or Senior Supervisor:

- A member of the management team or a senior supervisor will be present during the search procedure to oversee and provide guidance.

6. Clear Location:

- Searches will be conducted in designated areas that provide privacy while maintaining safety and security.

7. Gender-Specific Searches:

- ***If a search needs to be conducted by a staff member of the opposite sex, a witness of the same sex will be present.***
- ***The availability of CCTV footage or body-worn camera recordings will further ensure staff protection and prevent false allegations.***

8. Requests from Police or Licensing:

- Bag or body search procedures may be requested by the police or licensing authorities for certain events or Temporary Event Notices (TENs).
- The final decision regarding additional security measures rests with the site or venue manager, in consultation with the relevant head of security (Venue Safety Officer - VSO).

Purpose of Search:

- *The purpose of a search is to ensure the prevention of prohibited items, such as alcohol not purchased on the premises, substances falling under the Misuse of Drugs Acts 1977-2015, and weapons or potential weapons. All instances of implementing bag or body search procedures will be managed by the site or venue manager.*

Refusal to be searched may result in ejection from the site/venue based on the 4 licensing objectives and with confirmation from the manager.

Training:

- Staff responsible for conducting bag or body searches will receive comprehensive training following the content outlined in this document and its appendices.

Related Policies:

- Security staff have the responsibility to maintain a welcoming, safe, and secure environment in line with the current venue policies.

Implementation and Review:

- The methodology for performing searches has been approved by the Senior Management Team, and staff will be appropriately trained.
- Complaints from the public will be initially handled by the Supervisor and, if necessary, escalated to the Head/Deputy Head of Security. Supervisors will maintain complaint records, which will be monitored by the Head of Department.

- The policy will be subject to review by the Head of Operations every two years, with accompanying procedures reviewed as required by changing circumstances and at least every two years.

Equalities Impact:

- An equalities impact assessment has been conducted on this policy and the accompanying procedures. Measures to

Contact and Further Information:

***For additional information regarding this policy and its implementation, please contact the Head of Operations at [REDACTED].
Venue Safety Officers are responsible for the day-to-day operation of the procedures outlined in this policy.***



BOAT LIVE

90 WHITE POST LANE, HACKNEY WICK,
LONDON

24 July 2023

AEC REPORT: P5000/R1/WJK

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APPENDIX A – Acoustic Terminology in Brief

DOCUMENT STATUS

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1.0 INTRODUCTION

- 1.1 Acoustic & Engineering Consultants Limited (AEC) has been appointed to undertake a sound propagation test and set a noise limiter in relation to amplified music at the Boat Live premises at 90 White Post Lane, Hackney Wick, London.
- 1.2 This report details the results of the sound propagation tests that were carried out to set the internal operating noise limits for amplified music at the premises, along with a subjective assessment of music noise levels at nearby noise sensitive properties, which were considered appropriate for the area.
- 1.3 The London Borough of Tower Hamlets have requested the following in relation to the operation of the premises:

'The noise assessment report is for the applicant to show how they are going to mitigate noise nuisance.

*Applicant needs to employ a noise consultant, who must be IOA or ANC registered (institute of Acoustics and/or Association of Noise Consultants) to undertake the report.
A sound limiter will be required on the music system to ensure noise levels are not increased during the night, and the limiter will need to be locked with a key or keypad.'*

- 1.4 Acoustic terminology used throughout this report is described in Appendix A.

Boat Live

- 1.5 The premises is proposed multi-use event space consisting of a boat structure and small external seating area. It is proposed that amplified music is to be played within the boat structure only through a permanently installed sound system. All DJ's are to play through the sound system which includes a noise limiting device. The external area is to be used for activities such as yoga classes and art exhibitions.
- 1.6 The premises will serve coffee in the mornings and food during the day in the external area and hold events such as livestreams with amplified music during the evening/night-time periods.
- 1.7 The proposed terminal hours for the premises are as follows:
- Sunday to Wednesday - 0800 - 2330h (background music only)
Thursday to Saturday - 0800 - 0030h
- Sale of alcohol, food and regulated entertainment to cease 30 minutes before the terminal hour to assist with a soft dispersal
- 1.8 The London Borough of Hackney Wick is a vibrant mixture of residential apartments, commercial and licensed premises providing late night entertainment. There are numerous licensed premises in the immediate vicinity as shown in the following Figure 1.1.

Figure 1.1 – Site Location Plan



- 1.9 The hours sought are in line with the earlier closing licensed premises in the immediate vicinity
- 1.10 The nearest noise sensitive properties are located on the corner of Schwartz Wharf which overlook the premises as shown in Figure 1.1. The apartments are a similar distance to a number of other larger premises operating within the immediate area.

2.0 SOUND PROPAGATION TESTS

Sound Propagation Test

- 2.1 A sound propagation test was carried out on the evening of Tuesday 18 July 2023. The sound system was operated at the intended level on Thursday to Saturday nights and then reduced to be representative of the background music noise level intended on Sunday to Wednesday nights. The music was of a similar level and genre as proposed for events at the venue.
- 2.2 No other premises in the immediate area were operating as would do later in the week, so noise levels from the Boat Live premises only were able to be assessed.
- 2.3 Continuous noise measurements were recorded inside the venue using a Cirrus type 1 integrating sound level meter. A subjective assessment of noise levels from the premises was made from inside the nearest noise sensitive properties on Schwartz Wharf.
- 2.4 It was not possible to have access to the apartments overlooking the premises themselves, but noise levels were assessed in the stairwell next to windows on the southern elevation, which were open in a typical manner for ventilation. In addition, one of the residents living in an apartment with windows on the western elevation overlooking the premises was able to provide feedback in terms of what they could hear within their apartment and a subjective comparison of noise levels with the other venues in the area when operating on a typical night.

2.5 A summary of the internal music noise levels and corresponding subjective assessment inside the apartment building on Schwartz Wharf is shown in the following Table 2.1.

Table 2.1 – Summary of Sound Propagation Tests

Time	Noise Level, dB L _{eq} at Octave Band Centre Frequency, Hz							dBL _{Aeq}	Comments	
	63	125	250	500	1k	2k	4k			
Thursday to Saturday Intended Music Noise Level										
21:28	85	95	99	96	86	88	87	97	Music noise in stairwell by open window was audible at low level, along with road traffic noise on the surrounding roads.	
21:29	85	95	99	96	85	83	85	96		
21:30	84	95	100	92	84	86	87	96		
21:31	82	93	98	89	87	88	86	95		
21:32	84	93	101	93	90	89	85	97		
21:33	85	93	101	94	92	93	87	99		
21:34	84	92	101	91	88	88	83	95		
21:35	82	92	100	94	91	91	86	97		
21:36	83	93	98	96	85	85	84	96		
21:37	83	93	99	96	86	85	85	96		
21:38	84	92	98	98	84	85	84	96		
21:39	90	91	100	94	84	85	83	95		
21:40	88	92	102	97	83	85	83	96		
21:41	90	93	100	93	84	85	83	94		
21:42	88	96	100	90	81	83	83	94		
21:43	86	96	100	87	79	81	83	93		
21:44	86	97	101	88	80	81	83	93		Resident compared music noise levels inside apartment with a party in the distance. Comparable with noise from Howling Hops premises on a typical Thursday afternoon with window open.
21:45	85	96	100	88	80	82	84	93		
21:46	86	96	97	86	80	81	81	91		
21:47	85	96	95	90	80	79	78	91		
21:48	85	96	95	90	81	79	78	91		
21:49	86	97	101	95	84	81	83	95		
21:50	86	98	101	93	86	85	83	95		
21:51	86	97	100	93	89	88	86	96		
21:52	87	97	101	92	86	86	86	96		
21:53	84	92	97	91	87	89	87	95		
21:54	85	94	98	100	88	90	89	99		
21:55	85	93	97	98	92	94	89	100	Resident commented that music noise levels were much lower (subjectively around 1/4 of the noise level) than the Yard and Colour Factory on a Friday and Saturday night.	
21:56	85	93	97	94	88	89	85	96		
21:57	85	95	100	93	92	90	87	98		
21:58	86	95	100	91	88	88	85	96		
21:59	87	97	102	91	84	86	84	95		
22:00	84	94	100	93	85	87	81	95		
22:01	85	97	104	92	85	87	85	97		
22:02	84	97	104	90	86	86	85	96		
22:03	84	97	104	93	89	88	87	98		

22:04	83	95	103	95	89	90	89	98	
22:05	83	94	101	92	87	89	88	97	
Sunday to Wednesday Music Noise Level									
22:09	69	81	92	91	81	75	76	90	Music noise levels reduced in premises. Music noise in stairwell by window inaudible above background noise with window open.
22:10	64	75	89	94	75	74	63	90	
22:11	61	75	89	93	76	75	63	90	The resident commented that music noise was not audible in the apartment above road traffic with the window open.
22:12	61	77	93	94	77	78	73	92	
22:13	69	82	92	93	78	78	77	91	
22:14	79	91	94	90	80	79	76	90	
22:15	80	91	94	90	83	81	78	91	

2.6 No noise complaints were received during sound propagation tests.

3.0 ASSESSMENT OF NOISE LEVELS

- 3.1 The noise assessment was carried out when the other premises in the immediate vicinity were closed in order to establish the likely contribution to the prevailing noise climate from the Boat Live premises only. Music noise levels were audible at low level inside the apartment block with windows open in a typical manner for ventilation, however road traffic noise from the surrounding area was also audible at a similar level. In addition, the subjective opinion provided by the resident in the apartment block indicated that the higher noise levels were significantly lower than when the other venues in the area were open, and the lower music noise levels were inaudible within the property with the window open.
- 3.2 Furthermore, based on a previous site visit carried out by AEC on a typical Saturday night and the proximity, sizes and construction of the existing premises it is considered unlikely that music noise from those sources would not be audible within the apartments.
- 3.3 Given the existing noise climate, it is considered that a reasonable approach would be to limit amplified music noise from the premises to achieve a condition of no increase in the prevailing ambient or background noise levels.
- 3.4 Therefore, based on the above, noise levels should not exceed those shown in Table 3.1, below. The setting and operation of the noise limiting device was witnessed at the noise limits specified below.

Table 3.1 – Internal music noise limits

Period	dBL _{Aeq}	Noise Level, dB _{Leq,1min} at Octave Band Centre						
		Frequency, Hz						
		63	125	250	500	1k	2k	4k
Thursday to Saturday	96	86	95	100	94	87	88	85
Sunday to Wednesday	91	74	86	92	93	79	78	75

4.0 NOISE MANAGEMENT

- 4.1 In addition to the noise limiter discussed above, the following measures should be considered to minimise noise from the premises when operating. These include but are not limited to:
- Provide residents in the local area a means by which noise complaints can be made directly to the premises so that they can be dealt with quickly and efficiently.
 - Manage and limit the number of people in external areas. Practical measures may include preventing patrons from taking drinks out into these areas.
 - Provide clear and legible signage at the exit point, requesting that they respect the local neighbourhood and keep noise to a minimum by refraining from shouting. As far as is reasonably practicable, door staff and venue management will encourage customers leaving the premises to do so quickly and quietly and act responsibly.
- 4.2 A log of any noise monitoring and subjective assessments of music noise levels should be kept and maintained for all events.

5.0 CONCLUSIONS

- 5.1 Acoustic & Engineering Consultants Limited has been appointed to undertake a sound propagation test and set a noise limiter in relation to amplified music at the Boat Live premises at 90 White Post Lane, Hackney Wick, London, in accordance with the requirements of the London Borough of Tower Hamlets.
- 5.2 Sound propagation tests have been carried out to set internal noise limits for the premises based on subjective assessments from inside the closest noise sensitive properties on Shwartz Wharf by AEC and a resident living in an apartment overlooking the premises, who was also able to provide a comparison with the other venues in the vicinity.
- 5.3 Based on the subjective noise assessments, previous site visits, proximity, size and constructions of the other premises in the immediate vicinity, an internal noise level has been set for Thursday to Saturday nights, which is anticipated would not result in any increase in the prevailing ambient and background noise levels on those nights.
- 5.4 A further noise limit has also been set that equates to an inaudible condition inside the closest noise sensitive properties with windows open in a typical manner for ventilation for Sunday to, Wednesdays.
- 5.5 In addition to the setting of the noise limiter to the levels specified in this report, the premises will be subject to additional noise management measures to minimise the potential noise impact as a result of amplified music.

APPENDIX A - Acoustic Terminology in Brief

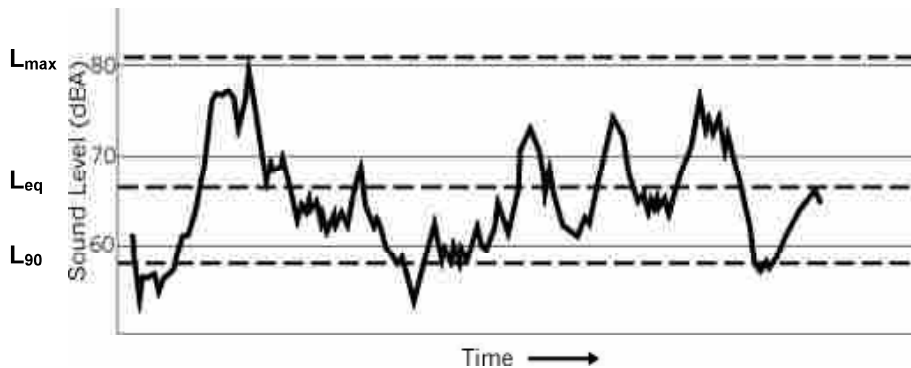
Sound is produced by mechanical vibration of a surface, which sets up rapid pressure fluctuations in the surrounding air. The rate at which the pressure fluctuations occur determines the pitch or *frequency* of the sound. The frequency is expressed in Hertz (*Hz*), that is, cycles per second. The human ear is sensitive to sounds from about 20 Hertz to 20,000 Hertz. Although sound can be of one discrete frequency - a 'pure tone' - most noise is made up of many different frequencies.

The human ear is more sensitive to some frequencies than others, and modern instruments can measure sound in the same subjective way. This is the basis of the A-weighted sound pressure level *dBA*, normally used to assess the effect of noise on people. The *dBA* weighting emphasises or reduces the importance of certain frequencies within the audible range.

Noise Units

In order to assess environmental noise, measurements are carried out by sampling over specific periods of time, such as fifteen minutes or one hour, the statistically determined results being used to quantify various aspects of the noise.

The figure below shows an example of sound level varying with time. Because of this time variation the same period of noise can be described by several different levels. The most common of these are described below.



Example of Sound Level Varying With Time

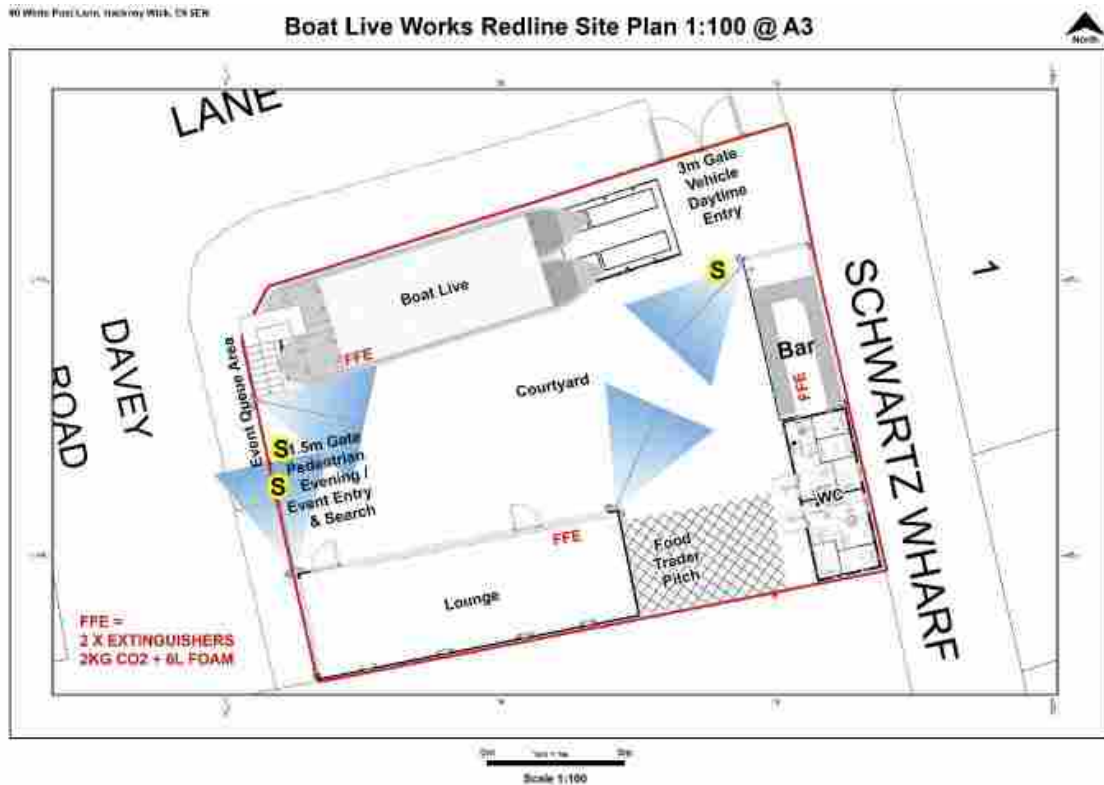
- $L_{Aeq,T}$** The equivalent continuous (A-weighted) sound level. May be thought of as the "average" sound level over a given time, *T*. It is used for assessing noise from various sources: industrial and commercial premises, construction sites, railways and other intermittent noises and can be considered as the "ambient" noise level.
- L_{A90}** The (A-weighted) sound level exceeded for 90% of a measurement period. It is the value used to describe the "background" noise.
- L_{Amax}** The maximum (A-weighted) sound level during a measurement period.
- Free-field Level** This refers to the sound level measured outside, away from reflecting surfaces.
- L_{AE}** The A-weighted sound exposure level is the equivalent noise level of an event as if the event was of one-second duration and allows the overall average, L_{Aeq} , level to be determined over different time periods for a number of events. L_{AE} is a mathematical unit which cannot easily be described in terms of perception.

Security Duties Music Event Plan Boat Live Works, Hackney Wick, 90 White Post Lane

SIA Security will be provided by SSMRT my regular security team for the last 4 years at all of my previous premises and events. Security will provide medical and welfare cover with the assistance of myself as Management.

The planned entertainment use of the site will be regular artist residencies booked and promoted by boat live with customers made up from walk up trade and our regular clientele, as a policy we will not have externally booked or promoted events. We do intend to continue to book out the boat space providing live streaming and recording facilities for dj's and electronic music. We will not exceed the safe premises capacity identified in the emergency plans of 300. The demographic of the attendees is expected to be our more usual local clientele aged 20-45 made up from the wide demographic of people who live in Hackney Wick. The offer will be food, drinks and resident artists playing music.

There will be up to three security booked at a ratio of 1:100 guests expected, one static on front door, two to float internally, one for each area, who can assist front door as required. Shown on the site plan below:



Security Duties

Security will carry out mandatory searches on entry at all publicised events in the search area covered by CCTV (blue triangles above) (not daytime yoga etc), record attendance with mechanical clickers, sweep the premises regularly checking: fire exits, customer noise levels in outdoor areas, toilets and customer welfare, paying particular attention to the possibility of vulnerable people from recreational drug use and drunkenness.

Security will also take up appointed roles in an evacuation, & provide medical and welfare assistance.

Security will ensure that doors and windows are kept shut after 22:00 and that during dispersal customers leaving the premises are asked to do so quietly with respect for our neighbours.

Welfare

We will provide drinking water for free and have signage at the bars, there will be a first aid kit at each bar, security will carry out welfare checks on their patrols and we have in place ask for Angela signage with staff training to support this.

Dispersal plan

1. All patrons will be reminded to leave the area quietly and signage stating "please respect our neighbours and leave the area quietly" will be in place.
2. Sia security will monitor the street and front door and will be on site until the site is clear.
3. No open containers of alcohol will be permitted to be removed from the site.
4. Security will prevent people staying on the street after leaving the premises by asking them to move along politely.
5. Visitors will be encouraged to wait inside the premises if they have ordered a taxi until it arrives to reduce the impact on the street.
6. Security will assist in the management of taxis on the street, reminding them not to use their horns and marshalling vehicle movement if required.

Noise & Nuisance Management

Throughout any event we will use an acoustic level spectrometer to look for peaks in noise frequencies that may be causing nuisance around the perimeter of the site. These reads will be digitally documented.

The outcome of any reading identifying nuisance noise will allow us to take action during the events to minimise the sound breakout and to will provide notes to allow for better design of acoustic sound reduction treatments that we could install moving forwards.

We will provide a copy of these logs to the Environmental Health Enforcement team should they so wish.

After 9pm the security team and management will remind customers to keep the noise down in the outdoor areas. We will also have signage to reinforce this, "Please Keep the noise down outdoors after 9pm"

The boat has been subject to a sound survey and report and the Acoustician set levels for use Thursday to Saturday and Sunday to Wednesday. The report detailing this is held on file and shared with the responsible authorities.

Additional security details

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.

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.

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

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

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

- a) the police (and, where appropriate, the London Ambulance Service) are called without delay;
- b) all measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;

Appendix 12

Noise while the premise is in use

General Advice

If they conclude this is a problem Members should consider whether it is possible to carry out suitable and proportionate noise control measures so that noise leakage is prevented. In addition Members may consider that only certain activities are suitable.

The hours of operation also need to be considered (see below).
If Members believe that there is a substantial problem of noise while the premises are in use and it cannot be proportionately address by licensing conditions they should refuse the application.

Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. **(See Sections 9.1 of the Licensing Policy)**. While all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. **(See Section 14.10)**.

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. **(See Section 9.2 of the Licensing Policy)**.

The Licensing Authority will consider attaching conditions to prevent nuisance. In particular Members may wish to consider (this list is not exhaustive):

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

Police Powers

Part 8 of the Licensing Act 2003 enables a senior police officer to close down a premises for up to 24 hrs where public nuisance is being caused by noise coming from the premises and the closure of the premises is necessary to prevent that nuisance.

Guidance Issued under Section 182 of the Licensing Act 2003

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

Licence conditions should not duplicate other legislation (1.16).

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

Other Legislation

The Environmental Protection Act 1990, Part 111 gives Environmental Health Officers the power to deal with statutory nuisances.

The Anti-social Behaviour Act 2003, Sections 40 and 41 give Environmental Health Officers the power of closure up to 24 hours in certain circumstances.

Appendix 13

Access and Egress Problems

Such as:

Disturbance from patrons arriving/leaving the premises on foot

Disturbance from patrons arriving/leaving the premises by car

Lack of adequate car parking facilities

Close proximity to residential properties

Comment

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

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

General Advice

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

The hours of operation also need to be considered.

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

Licensing Policy

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

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

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

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

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

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

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

Licence conditions should not duplicate other legislation (1.16).

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

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

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

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

Appendix 14

Anti-Social Behaviour on the Premises

Licensing Policy

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

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

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

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

Police Powers

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

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

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

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

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

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

Guidance Issued by the Office of Fair Trading

This relates to attempts to control minimum prices.

Other Legislation

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

Appendix 15

Anti-Social Behaviour from Patrons Leaving the Premises

General Advice

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

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

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

Licensing Policy

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

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

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

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

Cumulative Impact

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

Police Powers

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

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

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

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

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

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

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

Other Legislation

Crime and Disorder Act 1998

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

Page 327

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

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

Appendix 16

Safety Problems

General Advice

Members need to bear in mind the substantial amount of primary legislation in this area, and to only impose conditions where they are both proportionate to identified problems and not adequately covered by primary legislation.

The larger and more complex a premises before Members, the more likely it is that specific conditions will be proportionate and necessary.

Licensing Policy

Premises should be constructed so as to minimise public safety risks. (See 7.1).

The Licensing Authority expects applicants to seek advice from both the relevant Health and Safety body and also the Fire and Emergency Planning Authority. (See 7.2). The applicant should identify where existing legislation is not adequate. (See 7.3).

The Licensing Authority will consider attaching conditions to ensure public safety and these may include Conditions drawn from the Model Pool of Conditions relating to public safety. (See Appendix 2 Annex E, F and J of the Licensing Policy). In particular Members may wish to consider the following headings: (this list is not exhaustive):

Annex E

- Adequate arrangements for people with disabilities, inc. their awareness of them.
- Escape routes
- Safety checks
- Curtains, hangings, decorations, upholstery etc.
- Accommodation limits
- Fire action notices
- Emergency procedures
- Water
- Emergency vehicle access
- First aid
- Lighting
- Temporary electrical installations
- Alterations to the premises
- Special effects

Annex F

This concerns Theatres and Cinemas

Annex J

The safe clubbing checklist

Guidance Issued under Section 182 of the Licensing Act 2003

The public safety objective “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 a relevant premises rather than public health, which is addressed in other legislation” (2.6). For example, conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.

2.7, 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 2.11-2.12, 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).

Safe capacities “should only be imposed where necessary for the promotion of public safety or the prevention of disorder.” (2.11). Therefore, conditions of a fire certificate must not be reproduced.

Other Legislation

- The Health and Safety at Work Act 1974, and various Regs.
- The Regulatory Reform Order (Fire Safety) 2005.

Other Guidance

- Model National and Standard Conditions for Places of Public Entertainment and Assoc. Guidance
- The Event Safety Guide
- Managing Crowds Safely
- 5 Steps to Risk Assessment
- Safer Clubbing
- Safety Guidance for Street Art etc.
- Various BS and ISO standards

Appendix 17

Planning

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

Appendix 18

Licensing Policy Relating to Hours of Trading

All applications have to be considered on their own merits.

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

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

(see 14.8 of the Licensing Policy)

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

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

(See 14.9 of the licensing policy)

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

- Theatres
- Cinemas
- Premises with club premises certificates

Agenda Item 3.3

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

Report of : David Tolley Head of Environmental Health & Trading Standards Originating Officer: Corinne Holland Licensing Officer	Title: Licensing Act 2003 Application for variation of a Premises Licence for Pasta Evangelists, 148 Bethnal Green Road, London, E2 6DG Ward affected: Weavers
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1.0 Summary

Applicant: **Pasta Evangelists Ltd**

Name and Address of Premises: **Pasta Evangelists
148 Bethnal Green Road
London
E2 6DG**

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

- **Add the provision of late-night refreshments (deliveries only)**

Objectors: **Licensing Authority
Environmental Protection**

2.0 Recommendations

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

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

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

Section 182 guidance
Licensing Policy
File

Corinne Holland
020 7364 3986

3.0 **Background**

- 3.1 This is an application for a variation of the premises licence for Pasta Evangelist, 148 Bethnal Green Road, London, E2 6DG
- 3.2 The existing Premise Licence was issued on 22nd December 2020 and a copy is enclosed as **Appendix 1**. The licence currently is for the sale of alcohol (off sales only). The premises operates as a delivery kitchen and is not open to the public.
- 3.3 The timings of the existing licence are detailed below for information purposes only:-

Sale of Alcohol (off sales)

- *Monday – Sunday 12:00 – 23:00 hours*

- 3.4 The applicant has described the nature of the variation as follows:
- *To sell hot food from 23:00 – 02:00 hours. No member of the public can collect from the premises.*

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

- 3.6 The variation/additional hours applied for are:

Provision of late-night refreshment – (outdoor)

- *Friday – Sunday 23:00 hours – 02:00 hours the following day*

Opening hours

- *Friday – Sunday 11:00 hours - 02:00 hours the following day*

4.0 **Location and Nature of the premises**

- 4.1 Photographs of the venue and immediate vicinity are enclosed in **Appendix 3**.
- 4.2 Maps showing the vicinity are included as **Appendix 4**.
- 4.3 Nearby Licensed Premises are shown in **Appendix 5**.

5.0 **Licensing Policy and Government Advice**

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

- 5.3 The Home Secretary has issued Guidance under Section 182 of the Licensing Act 2003. This is available on the Government’s website, www.homeoffice.gov.uk. It was last revised in August 2023.
- 5.4 Relevant Sections of this advice are brought to Members attention within the Licensing Officers report. Members should note however, than in some areas Tower Hamlets, after a proper consideration of local circumstances, has not followed the Government’s advice, or has developed it further.

6.0 Representations

- 6.1 All representations have to meet basic legal and administrative requirements. If they fail to do so they cannot be accepted. When rejected the person sending in the representation must be written to, and an explanation for rejection given in writing.
- 6.2 A responsible authority or other person can make a representation. There are two tests for other persons and only one for a responsible authority. The two tests are contained in Section 18 of the Act.
- 6.3 All representations must be “about the likely effect of the grant of the premises licence on the promotion of the licensing objectives.” Likely means something that will probably happen, i.e. on balance more likely than not.
- 6.4 Representations by responsible authorities do not have to meet the second test of not being vexatious and frivolous. Other persons have to meet this test.
- 6.5 The Home Office recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation.
- 6.6 Section 182 Advice by the Home Office concerning relevant, vexatious and frivolous representations is attached as **Appendix 8**.
- 6.7 All the representations in this report have been considered by the relevant officer (Team Leader Licensing & Safety) and determined to have met the requirements of the Licensing Act 2003.
- 6.8 This hearing is required by the Licensing Act 2003, because relevant representations have been received.

REPRESENTATION	APPENDIX
Licensing Authority	6
Environmental Health Noise Team	7

6.9 All of the responsible authorities have been consulted about this application. They are as follows:

- The Licensing Authority
- The Metropolitan Police
- The LFEPA (the London Fire and Emergency Planning Authority).
- Planning
- Health and Safety
- Noise (Environmental Health)
- Trading Standards
- Child Protection
- Public Health
- Immigration

6.10 In addition the application was required to be advertised in a local newspaper and by a blue poster. Only objections that relate to the following licensing objectives are relevant:

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

6.11 The objections cover allegations of

- Public nuisance
- Crime & Disorder

6.12 There are strict time limits to any representations. The time limits are contained in The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005.

6.13 The applicant has offered measures in the operating schedule of the application that address the promotion of the Licensing Objectives. If there were no representations, the Licensing Authority would grant the licence, with conditions consistent with the operating schedule, which are relevant, proportionate and enforceable. Members are asked to consider the schedule and incorporate any conditions as necessary to address the licensing objectives.

7.0 Conditions on existing Premises Licence

1. The premises are not open to the public at any time.
2. A standard age verification check shall be undertaken on entering the website.
3. Challenge 25 age verification shall be applied at the point of delivery and no delivery shall be left without I.D being show.

4. Every third party courier delivery box shall be labelled with the words "Age Restricted Product".
5. Alcohol shall only be delivered to a residential or business address and not to a public place.
6. All off sales to be in sealed containers.
7. No idling of delivery vehicles whilst awaiting orders to be collected.

8.0 Conditions consistent with Operating Schedule

1. The premises will operate as a delivery only business.
2. The premises will not open to the public and will be used for the dispatch of alcohol and other goods only.
3. There shall be no collection of alcohol by the public from the premises.
4. All CCTV recordings made by the CCTV system shall be retained and stored in a suitable and secure manner for a minimum of 30 days. There shall be at least one camera positioned at each entry and exit point to monitor any external areas to the premises and of such quality to enable identification of the recorded person in any light.
5. The business will arrange for the telephone number for the premises and/or a member of the management team to be provided to residents upon request in order that any complaints can be made direct
6. The premises will encourage all riders involved in deliveries to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally gather outside the premises; (where vehicles have engines) not to leave engines running when the vehicles are parked; and not to obstruct the highway.

9.0 Conditions agreed in consultation with the responsible authorities

None

10.0 Licensing Officer Comments

- 10.1 The following is intended to advise Members of the relevant aspects of the Boroughs Licensing Policy, guidance from the Secretary of State, legislation and good practice. Members may depart from the Council's

Licensing Policy and/or Government advice, provide they consider it appropriate to do so, and have clear reasons for their decision.

10.2 Guidance issued under section 182 of the Licensing Act 2003

- ❖ As stated in the guidance it is “provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act.” It is a key medium for promoting best practice, ensuring consistent application and promoting fairness equal treatment and proportionality (1.7).
- ❖ Also “as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons. Departure from this Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.” Therefore licensing authorities will need to give full reasons for their actions (1.9).
- ❖ Also Members should note “A Licensing Authority may depart from its own policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the licensing objectives.” (1.12)
- ❖ Also, “The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives.” Therefore, conditions may not be imposed for the purpose other than promoting the licensing objectives and in some cases no additional conditions will be appropriate. (10.8)
- ❖ Necessary conditions should emerge from a risk assessment by the applicant, which should then be reflected in the operating schedule (10.4).
- ❖ The Guidance states: “Where there are objections to an application to extend the hours during which licensable activities are to be carried on and the licensing authority determines that this would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.” (10.14)
- ❖ Mandatory conditions must be imposed (10.25) and censorship avoided (10.17).

- ❖ The Government has advised that conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. Conditions cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff and standardised conditions should be avoided where they cannot be shown to be appropriate. (1.16/1.17)
- 10.3 The Licensing Act 2003 permits children of any age to be on the premises which primarily sell alcohol providing they are accompanied by an adult. It is not necessary to make this a condition.
- 10.4 In all cases the Members should make their decision on the civil burden of proof, that is “the balance of probability.”
- 10.5 In all cases Members should consider whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.
- 10.6 The Government has advised that “Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area and to respect the rights of people living nearby to a peaceful night.” (2.21)
- 10.7 The Council’s Licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.
- 10.8 In **Appendices 8 – 15** Members are given general advice, and also have explanations of the Council’s Licensing Policy, Government advice and other legislation relating to the matters previously identified.

11.0 **Legal Comments**

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

12.0 **Finance Comments**

12.1 There are no financial implications in this report.

13.0 Appendices

Appendix 1	A copy the existing licence
Appendix 2	A copy of the application for variation
Appendix 3	Photographs
Appendix 4	Maps of the surrounding area
Appendix 5	Nearby licensed premises
Appendix 6	Representation from LA
Appendix 7	Representation from the Environmental Health
Appendix 8	Section 182 Advice by the DCMS- Relevant, vexatious and frivolous representations
Appendix 9	S182 advice re crime & disorder
Appendix 10	Licensing policy advice re crime & disorder
Appendix 11	S182 advice re public nuisance
Appendix 12	Licensing Policy advice on public nuisance
Appendix 13	Brick Lane CIA
Appendix 14	Framework hours
Appendix 15	Planning

Appendix 1



**Lic No:
134136**

**Pasta Evangelists
148 Bethnal Green Road
London
E2 6DG**

Licensable Activities authorised by the licence

The sale by retail of alcohol

See the attached licence for the licence conditions

Signed by

David Tolley 
Head of Trading Standards & Environmental Health

Date: 22nd December 2020

OFFICE USE	Receipt No: 111474	Paid: £315	Date: 14/10/20
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Part A - Format of premises licence

Premises licence number

134136

Part 1 - Premises details

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

**(Pasta Evangelists)
148 Bethnal Green Road**

Post town

London

Post code

E2 6DG

Telephone number

None

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

Sale of Alcohol (off sales)

Monday – Sunday 12:00 hours – 23:00 hours

The opening hours of the premises

Premises are not 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

Pasta Evangelists Ltd
230 York Way
London
N7 9AG

[REDACTED]

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

Company Number: 10188849

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

Tommaso Alessandro Marano

[REDACTED]

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

Personal Licence Number: [REDACTED]

Issuing Authority: [REDACTED]

Annex 1 - Mandatory conditions

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

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

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

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;

(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 prevent the supply in question; and
- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994

- 3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day

Annex 2 - Conditions consistent with the operating Schedule

1. The premises are not open to the public at any time.
2. A standard age verification check shall be undertaken on entering the website.
3. Challenge 25 age verification shall be applied at the point of delivery and no delivery shall be left without I.D being show.
4. Every third party courier delivery box shall be labelled with the words "Age Restricted Product".
5. Alcohol shall only be delivered to a residential or business address and not to a public place.
6. All off sales to be in sealed containers.
7. No idling of delivery vehicles whilst awaiting orders to be collected.

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

Not applicable

Annex 4 - Plans

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

23/11/20 (Basement Plan dated Dec 2013 – BP)



BASEMENT LAYOUT PLAN

Project 148-150 Bethnal Green Road London E2 6DG	Rev.	Drawing Drawing Date
	Scale 1:50	Issue Dec. 2013
Drawing Drawing Date		Drawing No. BP



Part B - Premises licence summary

Premises licence number

134136

Premises details

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

**(Pasta Evangelists)
148 Bethnal Green Road**

Post town

London

Post code

E2 6DG

Telephone number

None

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

Sale of Alcohol (off sales)
Monday – Sunday 12:00 hours – 23:00 hours

The opening hours of the premises

Premises are not open to the public

Name, (registered) address of holder of premises licence

Pasta Evangelists Ltd
230 York Way
London
N7 9AG

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)

Company Number: 10188849

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

Tommaso Alessandro Marano

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

No restrictions

Appendix 2

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Pasta Evangelists ltd

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

R9212.54443.A1347

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
148 Bethnal Green Road E2 6DG

Post town

London

Postcode

E2 6DG

Telephone number at premises (if any)

Non-domestic rateable value of premises

£ 44,250

Part 2 – Applicant details

Daytime contact
telephone number

E-mail address (optional)

Current postal address if
different from premises
address

148 Bethnal Green Road E2 6DG

Post town

London

Postcode

E2 6DG

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

Yes

No

If not, from what date do you want the variation to take effect?

DD		MM		YYYY			

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

The premises would like to sale hot food from 23:00 to 02:00.
No member of the public can collect food from the premises.
The business will be delivery only kitchen.

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

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat								
Sun								

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur								
Fri								
Sat						<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun								

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5) <u>State any seasonal variations for the performance of live music</u> (please read guidance note 6) <u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5) <u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6) <u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23:00	02:00	<u>Please give further details here</u> (please read guidance note 5) Delivery only kitchen		
Tue	23:00	02:00			
Wed	23:00	02:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6) none		
Thur	23:00	02:00			
Fri	23:00	02:00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7) none		
Sat	23:00	02:00			
Sun	23:00	02:00			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun			<u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).</p> <p>No matters ancillary to the premises</p>
--

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6) Please be aware that the hours stated in this section are only the regular trading hours. The premises is not open to any member of the public.
Day	Start	Finish	
Mon	11:00	02:00	
Tue	11:00	02:00	
Wed	11:00	02:00	
Thur	11:00	02:00	
Fri	11:00	02:00	
Sat	11:00	02:00	
Sun	11:00	02:00	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 7)

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

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

The premises will operate as a delivery only business. The premises will not open to the public and will be used for the dispatch of alcohol and other goods only. There shall be no collection of alcohol by the public from the premises.

b) The prevention of crime and disorder

All CCTV recordings made by the CCTV system shall be retained and stored in a suitable and secure manner for a minimum of 30 days. There shall be at least one camera positioned at each entry and exit point to monitor any external areas to the premises and of such quality to enable identification of the recorded person in any light.

c) Public safety

The business will arrange for the telephone number for the premises and/or a member of the management team to be provided to residents upon request in order that any complaints can be made direct

d) The prevention of public nuisance

The premises will encourage all riders involved in deliveries to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally gather outside the premises; (where vehicles have engines) not to leave engines running when the vehicles are parked; and not to obstruct the highway.

e) The protection of children from harm

The business will arrange for the telephone number for the premises and/or a member of the management team to be provided to residents upon request in order that any complaints can be made direct.

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

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

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	05/05/2023
Capacity	Expansion Manager

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

Piertommaso Lisi



Post town	London	Post code	EC2A 4BX
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Telephone number (if any)	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)	

Notes for Guidance

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

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for ‘not-for-profit’ film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the

relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.

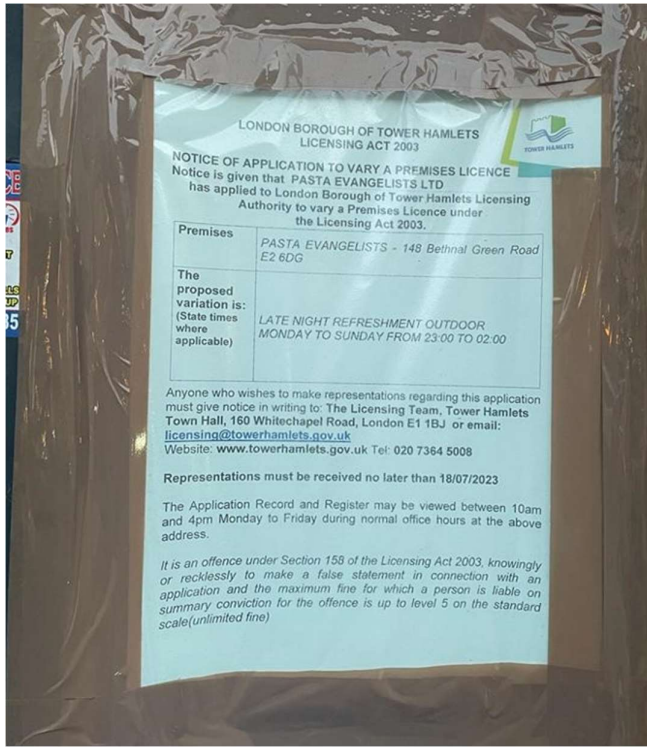
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example 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.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not

exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.

11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

Appendix 3

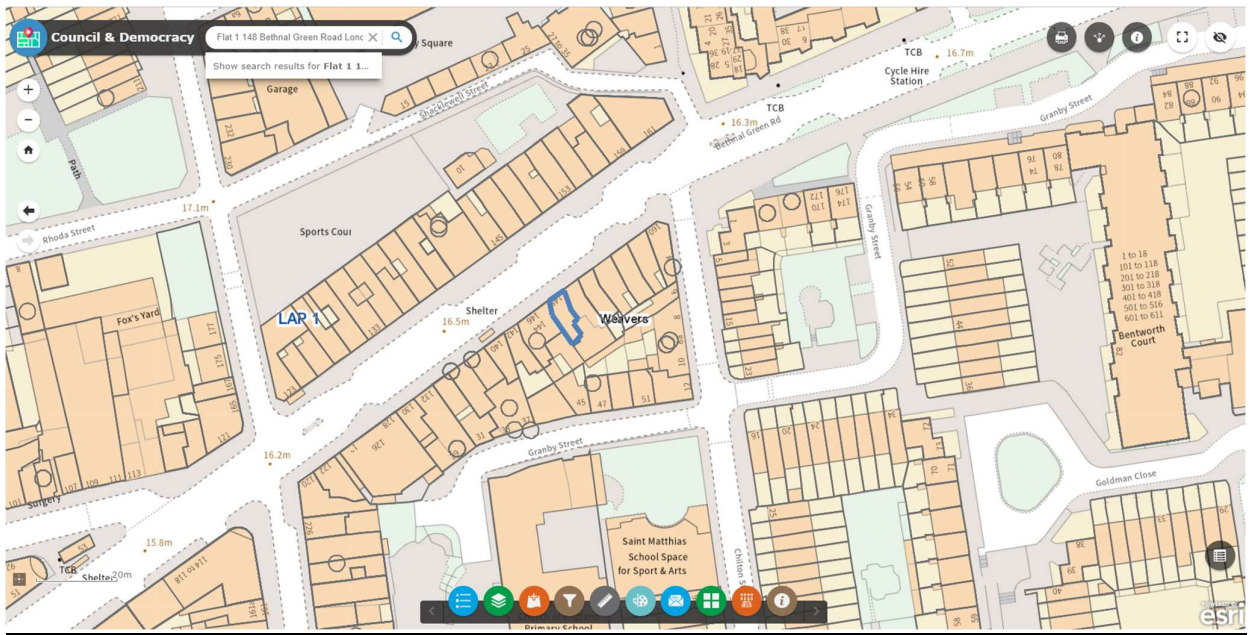
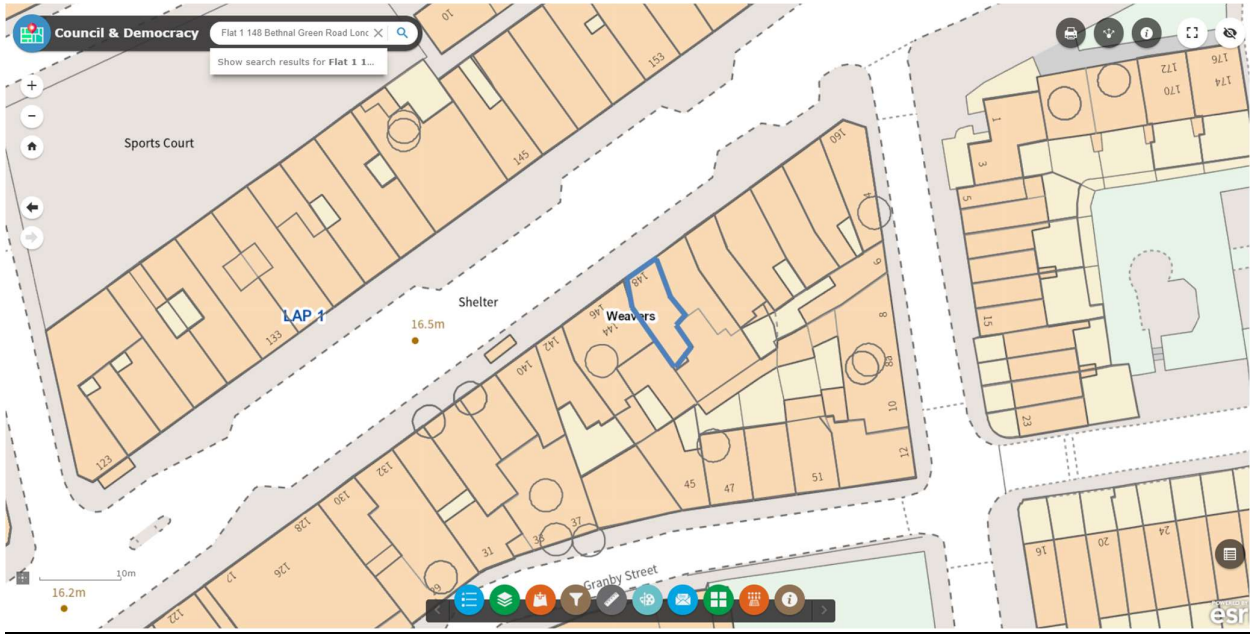
Photos – 148 Bethnal Green Road





Appendix 4

Maps – 148 Bethnal Green Road



Appendix 5

Address	Licensable activities/times	Opening hours
<p>(The Well and Bucket) 143 Bethnal Green Road</p>	<p><u>Sale of Alcohol (both on and off premises)</u></p> <ul style="list-style-type: none"> • Monday to Thursday from 10:00hrs – 00:00hrs (midnight) • Friday & Saturday from 10:00hrs – 00:30hrs (the following day) • Sunday from 10:00hrs – 23:00hrs <p><u>The Provision of Late Night Refreshment</u></p> <ul style="list-style-type: none"> • Monday to Thursday from 23:00hrs – 00:00hrs (midnight) • Friday & Saturday from 23:00hrs – 00:30hrs (the following day) <p><u>The Provision of Regulated Entertainment (in the form of Films (indoors) and Recorded Music (indoors))</u></p> <ul style="list-style-type: none"> • Monday to Thursday from 10:00hrs – 00:00hrs (midnight) • Friday & Saturday from 10:00hrs – 00:30hrs (the following day) • Sunday from 10:00hrs – 23:00hrs <p><u>Non Standard Timings (in relation to licensing activities)</u></p> <p>New Year's Eve from the end of the permitted hours to the beginning of the permitted hours on New Year's Day.</p>	<p>Monday to Thursday from 09:00hrs – 00:30hrs</p> <p>Friday & Saturday from 09:00hrs – 01:00hrs (the following day)</p> <p>Sunday from 09:00hrs – 23:30hrs</p>

<p>(Casa Blue) 120 Bethnal Green Road</p>	<p>The sale by retail of alcohol:</p> <ul style="list-style-type: none"> ▪ Sunday, Monday, Tuesday, Wednesday and Thursday from 13:00 hours to 00:30 hours the following day ▪ Friday and Saturday from 13:00 hours to 02:30 hours the following day. <p>Late night refreshment</p> <ul style="list-style-type: none"> ▪ Sunday, Monday, Tuesday, Wednesday and Thursday until 00:30 hours the following day ▪ Friday and Saturday until 02:30 hours the following day. <p>Regulated entertainment (recorded music – unamplified ambient background music):</p> <ul style="list-style-type: none"> ▪ Sunday, Monday, Tuesday, Wednesday and Thursday from 11:00 hours to 00:30 hours the following day ▪ Friday and Saturday from 11:00 hours to 02:30 hours the following day. 	<p>Sunday - Thursday from 11:00 hours to 01:00 hours the following day</p> <p>Friday and Saturday from 11:00 hours to 03:00 hours the following day.</p>
<p>(123) 123 Bethnal Green Road</p>	<p><u>The sale of alcohol (on sales)</u></p> <p>Monday to Sunday, 12.00 hours to 22.30 hours</p>	<p>Monday to Sunday, 12.00 hours to 23.00 hours</p>
<p>(Maida Restaurant) 148-150 Bethnal Green Road</p>	<p><u>The sale of alcohol (on sales)</u></p> <p>Monday to Sunday 11:00 hours to 23:00 hours</p>	<p>Monday to Sunday 11:00 hours to 23:00 hours</p>
<p>(Yanji) 153 Bethnal Green Road</p>	<p><u>The Sale of Alcohol (on sales)</u></p> <p>Monday to Sunday 12:00 – 22:30 hours</p>	<p>Monday to Sunday 12:00 – 23:00 hours</p>
<p>(City Wines) 158 Bethnal Green Road</p>	<p><u>The sale by retail of alcohol (off sales)</u></p> <p>Monday to Thursday 07 00 - 01:00</p>	<p>There are no restrictions on the hours during which this</p>

	hours the following day Friday to Saturday 07 00 hrs to 01 30 hrs the following day Sunday 07 00 hrs to midnight	premises is open to the public
(Tas Firin Restaurant) 160 Bethnal Green Road	Alcohol may be sold or supplied: (1) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 11am to 12pm. (2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12 noon to 11:30pm	There are no restrictions on the hours during which this premises is open to the public
(Ekol Food and Wine) 161 Bethnal Green Road	Sale of Alcohol (off sales only): Sunday to Thursday from 10:00 hours to 24:00 hours Friday to Saturday from 10:00 hours to 01:00 hours the next day	Monday to Thursday from 07:00 hours to 01:00 hours the next day Friday to Saturday from 07:00 hours to 02:30 hours the next day Sunday from 08:00 hours to 01:00 hours the next day
(Lady Dinah's Cat Emporium) 152-154 Bethnal Green Road	<u>The sale of alcohol (on sales)</u> Monday to Sunday from 10:00 hours to 21:00 hours	Monday to Sunday from 10:00 hours to 21:00 hours

Appendix 6

By Email:
Licensing Authority:
licensing@towerhamlets.gov.uk

CC: Applicant:
[REDACTED]

18th July 2023

Your reference
My reference: LIC/159435

Dear Licensing Authority,

**Place Directorate
Public Realm**

**Head of Environmental Health and
Trading Standards: David Tolley**

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

Tel: [REDACTED]
Enquiries to: **Lavine Miller-Johnson**
Email: [REDACTED]

www.towerhamlets.gov.uk

Licensing Act 2003

New premises licence application: Pasta Evangelists, 148 Bethnal Green Road London E2 6FG

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

Special Cumulative Impact Policy for the Bethnal Green area

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

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

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

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

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

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

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

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

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

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

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

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

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

The Home Office guidance

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

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

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

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

(2) *“(2) The information contained in the plan must be clear and legible in all material respects.”.*

(3) *The plan shall show -*

(a) the extent of the boundary of the building, if relevant, and any external and internal walls of the building and, if different, the perimeter of the premises;

(b) the location of points of access to and egress from the premises;

(c) if different from sub-paragraph (3)(b), the location of escape routes from the premises;

(d) in a case where the premises is to be used for more than one licensable activity, the area within the premises used for each activity;

(e) fixed structures (including furniture) or similar objects temporarily in a fixed location (but not furniture) which may impact on the ability of individuals on the premises to use exits or escape routes without impediment;

(f) in a case where the premises includes a stage or raised area, the location and height of each stage or area relative to the floor;

(g) in a case where the premises includes any steps, stairs, elevators or lifts, the location of the steps, stairs, elevators or lifts;

(h) in the case where the premises includes any room or rooms containing public conveniences, the location of the room or rooms;

(i) the location and type of any fire safety and any other safety equipment including, if applicable, marine safety equipment; and

(j) the location of a kitchen, if any, on the premises.

(4) The plan may include a legend through which the matters mentioned or referred to in paragraph (3) are sufficiently illustrated by the use of symbols on the plan.

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

On a balance of probability, this Authority is concerned by the addition of another premises providing late night refreshments, potentially adding to the existing anti-social issues in the area, particularly through access and egress of the delivery drivers at noise sensitive hours.

The premises already has a licence for the following hours:

Sale of Alcohol (off sales)

Monday – Sunday 12:00 hours – 23:00 hours

The opening hours of the premises

Premises are not open to the public

Tower Hamlets have the following framework hours for licensed premises:

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

The applicant has applied for the following hours:

- Monday to Sunday from 23:00 hours to 02:00 hours

These hours applied for are:

- 2 hours past framework hours Friday -Saturday
- 2.5 hours past framework hours Monday – Thursday
- 3.5 hours past framework hours on Sunday

I have noted in the application that, the applicant has not applied to extend alcohol off sales. I am not convinced that there will be no off sales of alcohol when orders are made for late night refreshments. The applicant has not provided any information as to how they will prevent sales of alcohol whilst orders are made for LNR.

I would also like to draw to your attention a previous warning letter sent to the premise on **30th January 2023** regarding a breach of condition. *See letter attached.*

Annex 2 - Conditions consistent with the operating Schedule

1. *The premises are not open to the public at any time.*

A complaint was received by a resident stating that the premises was operating beyond 23:00 hours and customers are also attending the premises to collect their orders.

This breach demonstrates that, potentially the applicant may not be able to uphold licensing objectives if they were to be granted later hours within a CIA and this is a concern for this authority.

If the applicant is unable to prove to the Licensing Sub-Committee, that the granting of the application will not undermine the licensing objectives; then the application should be rejected.

Yours faithfully,


Lavine Miller-Johnson
Licensing Officer (Acting as a Responsible Authority)

Pasta Evangelists Ltd
Basement
148 Bethnal Green Road
London
E2 6DG

30th January 2023

Our reference P/EHTS/LIC/C113971/CH

Dear Sir/Madam

Licensing Act 2003
Premises: Pasta Evangelists, 148 Bethnal Green Road, London, E2 6DG

The Licensing Authority has received a complaint, from a resident, stating that the businesses which occupy within 148 Bethnal Green Road are operating beyond 23:00 hours. Customers are also attending the premises to collect their food.

As one of the businesses which operate from this address I am writing to bring it to your attention that your Premises Licence does not include the provision of late night refreshments, which is a requirement to provide hot food and drink between 23:00 – 05:00 hours.

I am aware you are just one of the premises which operate from this address and therefore I am writing to all the businesses which operate here in order to bring it to their attention.

If customers are attending the premises to collect their order then I must also draw to your attention that you have the following conditions on your licence which prevents customer collections:

1. The premises are not open to the public at any time.

**Place Directorate
Public Realm**

Environmental Health & Trading Standards

Head Of Service **David Tolley**

Licensing Officer - Licensing and Safety
Environmental Health and Trading Standards
Place Directorate
2nd Floor, Mulberry Place
5 Clove Crescent
London
E14 2BG

Tel [REDACTED]
Enquiries to Corinne Holland
Email [REDACTED]

www.towerhamlets.gov.uk



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

The ACT covers;

1. the sale by retail of alcohol (off or on sales)
2. the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club (or permitted guest)
3. the provision of regulated entertainment (with or without a licence to sell alcohol)
4. the provision of late-night refreshment (selling hot food and drinks after 23:00 hours and before 05:00 hours)

A person guilty of an offence under section 136 (1) of the ACT is liable on a summary conviction to imprisonment for a term not exceeding six months or an unlimited fine.

You are advised to cease the unauthorised licensing activity with immediate effect. This included the delivery of hot food and drink.



Should you wish to apply for a Premises Licence please see our website for application forms and guidance at www.towerhamlets.gov.uk/licensing.

Enforcement visits will be conducted to ensure compliance. If any offences come to light the Licensing Authority may instigate prosecution proceedings.

I welcome any comments you may wish to make regards to the above.

Yours sincerely


Corinne Holland
Licensing Officer

C.c
Police Licensing Unit, 
Pasta Evangelists Ltd, 230 York Way, London, N7 9AG 

Appendix 7

Corinne Holland

From: Tim Hung
Sent: 22 June 2023 14:34
To: Licensing
Subject: Pasta Evangelists 148 Bethnal Green Road London (MAU159435)

Follow Up Flag: Follow up
Flag Status: Completed

Dear Licensing,

Having considered the premises license application for Pasta Evangelists 148 Bethnal Green Road London. I have to consider the impact of the licensing objectives, particular for Environmental Protection the prevention of public nuisance and the prevention of noise generated from within the premises or outside to be causing disturbance to people in the vicinity. Consideration also has to be given to the fact that the premises is within Brick Lane Cumulative Impact Zone.

2. The proposed hours open to public is extended from 2300- 0200 hours.

3. There is insufficient information in the operating schedule of the licence application to show how the applicant will promote the licensing objective for the prevention of public nuisance, nor consideration of the impact on public nuisance when considering the premises is in Brick Lane Cumulative Impact Zone.

Noise Sensitive premises: residential premises in close proximity.

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

- Noise breakout from the venue affecting neighbouring residents,
- Access & egress to and from the venue including patrons and delivery riders,
- The hours of operation

CONCLUSION

5. Environmental Protection does not support the application for Pasta Evangelists, 148 Bethnal Green Road, London for the following reasons:

- There is great likelihood of disturbance to residential premise.
- The applicant has not provided sufficient information to show how they will promote the licensing objective for the prevention of public nuisance.
- The premises is in Brick Lane Cumulative Impact Zone.

6. For your info, we received a complaint against noise from the address (SR351926).

Thanks and best regards,

Name: Tim Hung

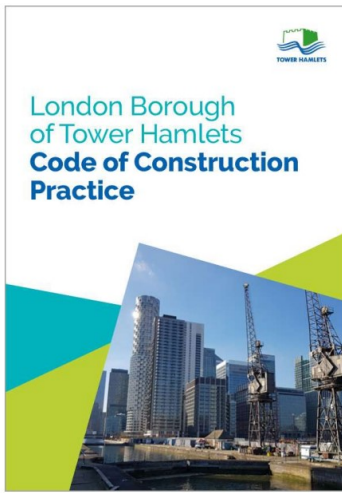
Position: Environmental Protection Officer
Noise Team
Environmental Health and Trading Standards
4 th Floor Tower Hamlets Town Hall
160 Whitechapel Road
London E1 1BJ

Tel: [REDACTED]

www.towerhamlets.gov.uk

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Construction Code of Practice 2023

- Development with Planning Permission granted and subject to Planning Conditions issued prior to the adoption of the new Code will continue to operate under the conditions for working hours of **Code of Construction Practice 2006**.

Permitted to work Saturdays without s61 Agreement (8am to 1pm only)

- Development granted Planning Approval **after** the **26th April 2023** and subject to Planning Conditions required to adhere to working hours as set out above and in the **Code of Construction Practice 2023**. s61 Agreement required for works on Saturdays, Sundays, Bank Holidays, or Public Holidays
- Developments seeking amendments to Planning Approvals issued prior to 26th April 2023 Working Hours imposed if relevant to the details being amended.
- For more information, please click on the cover page of the Code of Construction Practice 2023 [here](#).

To apply for all Control of Pollution Act 1974 Section 61 consents, dispensations and variations please apply [here](#).

Appendix 8

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 9

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

Updated December 2022

Crime and disorder

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

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

Appendix 10

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 11

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

Updated December 2022

Public nuisance

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

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

Appendix 12

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 13

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

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

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

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

Review of Cumulative Impact Assessment - Supporting Evidence

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

This evidence is published on our website:

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

Cumulative Impact Assessments (Brick Lane and Bethnal Green)

4. The Licensing Authority is of the view that the number, type and density of premises selling/supplying alcohol for consumption on and off the premises and/or the provision of late night refreshment in the Brick Lane and Bethnal Green Areas (highlighted in Figures One and Two below) is having a cumulative impact on the licensing objectives. Therefore, it is likely that granting further licences would be inconsistent with the authority's duty to promote the licensing objectives. Thus, it has declared a cumulative impact assessment within these areas.
5. The Brick Lane and Bethnal Green CIAs aim to manage the negative cumulative impact of the concentration of licensed premises in these areas and the stresses that the saturation of licensed premises has had on the local amenity, environmental degradation and emergency and regulatory services in managing this impact.
6. The effect of this Special Cumulative Assessment Policy will apply to the following types of applications:
 - New Premises Licences applications,
 - New Club Premises Certificates applications
 - Provisional Statements,
 - Variation of Premises Licences and Club Premises Certificate applications (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity).

However, it will only apply where the application seeks to permit the Licensable activities of:

- the sale or supply of alcohol for consumption on or off the premises, and/or,
- the provision of late night refreshment.

7. **This Policy will be strictly applied and where relevant representations are received and it is the view of the Council that the application will be refused. Applicants will need to demonstrate that there are exceptional circumstances and that granting their application will not negatively add to the cumulative effect on the Licensing Objectives within the Brick Lane and Bethnal Green CIAs if they wish to rebut this presumption.**
8. The Special Cumulative Impact policy creates a rebuttable presumption that where relevant representations are received by one or more of the responsible authorities and/or other persons against applications (Councillors, Members of the Public) within the CIA zones the application will be refused.
9. Where representations have been received in respect to applications within the CIA zones the onus is on the applicant to adequately rebut the presumption.

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

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

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

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

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

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

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

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

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

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

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

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

Figure One

Brick Lane area:

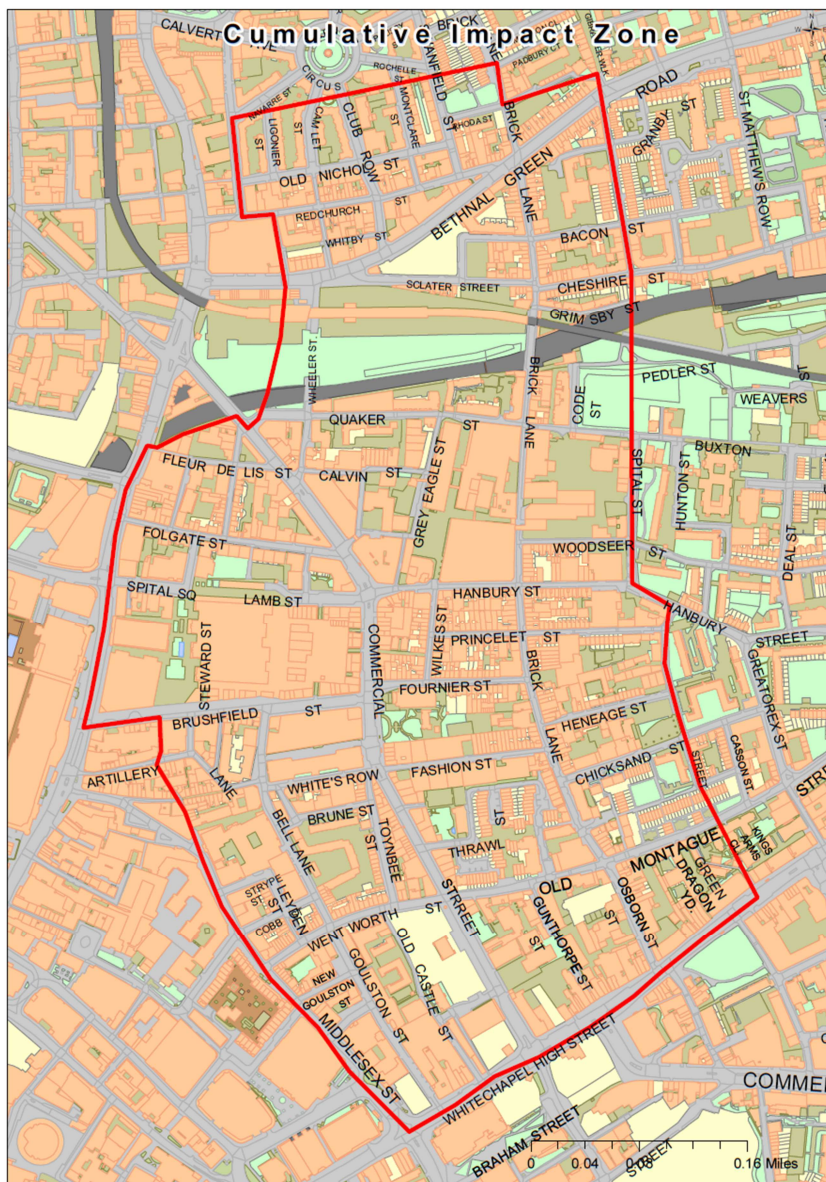
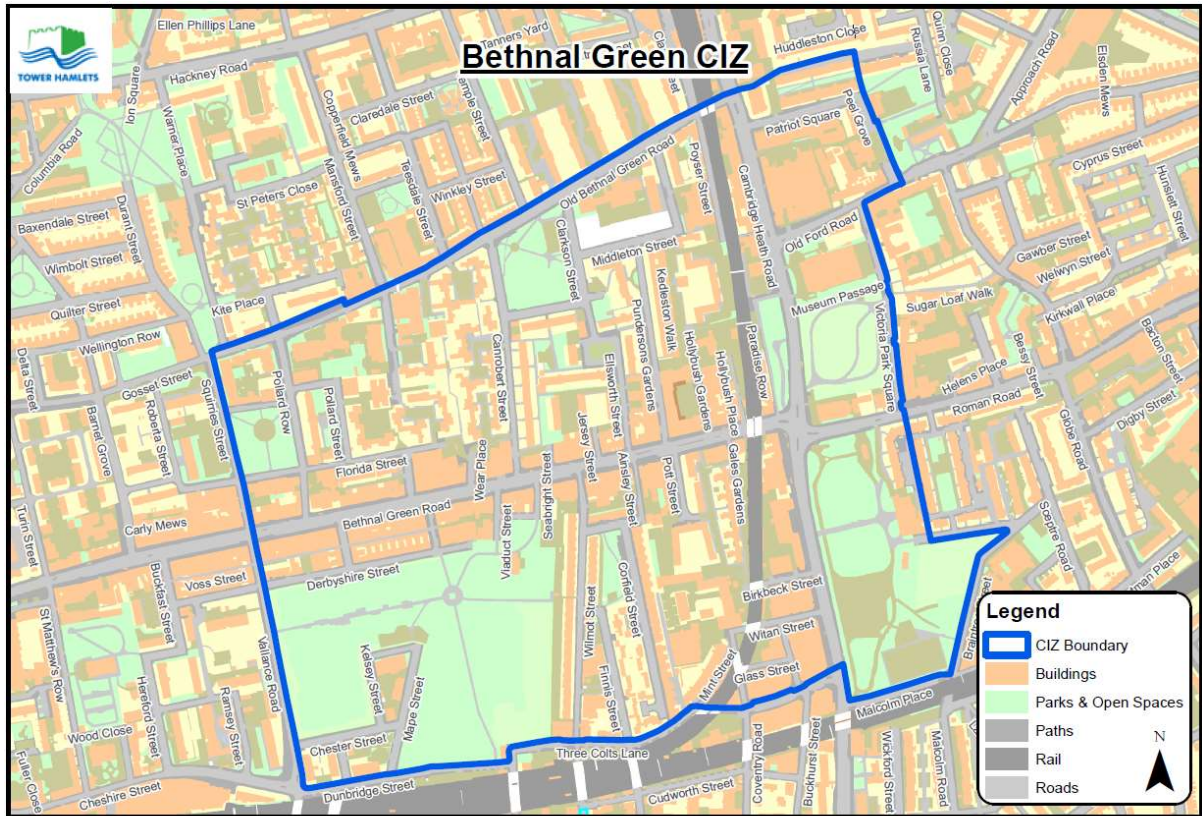


Figure Two:

Bethnal Green Area



Appendix 14

Licensing Policy Relating to Hours of Trading

All applications have to be considered on their own merits.

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

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

(see 14.8 of the Licensing Policy)

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

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

(See 14.9 of the licensing policy)

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

- Theatres
- Cinemas
- Premises with club premises certificates

Appendix 15

Planning

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

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