



# Licensing Sub Committee

## Agenda

**Tuesday, 10 October 2023 at 6.30 p.m.  
Council Chamber - Town Hall, Whitechapel**

### Contact for further enquiries:

Farzana Chowdhury, Democratic Services Officer,

farzana.chowdhury@towerhamlets.gov.uk

020 7364 3037

Town Hall, 160 Whitechapel Road, London, E1 1BJ

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



## Public Information

### Viewing or Participating in Committee Meetings

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

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

### Meeting Webcast

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

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

### Electronic agendas reports and minutes.

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

To access this, click [www.towerhamlets.gov.uk/committee](http://www.towerhamlets.gov.uk/committee) and search for the relevant committee and meeting date.

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



Scan this QR code to view the electronic agenda



## **A Guide to Licensing Sub Committee**

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

### **Public Engagement**

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

# London Borough of Tower Hamlets

## Licensing Sub Committee

Tuesday, 10 October 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**

### **4. Application for a new Premise Licence for Brewdog, Unit 17, 2 Churchill Place, London, E14 5RB (PAGES 19 - 102)**

Licensing Objectives:

- The Prevention of Crime and Disorder

Representations:

- Metropolitan Police

**Ward: Canary Wharf**



**5. Application for a new Premise Licence for Pirate Studios, 13 Rothbury Road, London, E9 5HA (PAGES 103 - 210)**

Licensing Objectives:

- The Prevention of Public Nuisance
- The Prevention of Crime and Disorder

Representations:

- Residents

**Ward: Bow East**

**6. Application for a Premises Licence for (Baran Off Licence) 18 Wentworth Street, London E1 7TF (PAGES 211 - 296)**

Licensing Objectives:

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

Representations:

- Licensing Authority
- Environmental Protection
- Resident
- Residents Association (SPIRE)

**Ward: Spitalfields & Banglatown**

**7. 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, 24 October 2023 at 6.30 p.m. to be held in Council Chamber - Town Hall, Whitechapel



This page is intentionally left blank

# Agenda Item 1

## **DECLARATIONS OF INTERESTS AT MEETINGS– NOTE FROM THE MONITORING OFFICER**

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

### **(i) Disclosable Pecuniary Interests (DPI)**

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

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

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

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

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

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

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

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

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

### **Guidance on Predetermination and Bias**

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

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

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

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

## APPENDIX A: Definition of a Disclosable Pecuniary Interest

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

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



**TOWER HAMLETS**



**LICENSING COMMITTEE**

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

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

## **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](http://www.towerhamlets.gov.uk/committee) - 'agenda, reports, decisions and minutes', then click on 'Licensing Sub-Committee'.

The pages include:

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

### (3) Access to Committee Papers.

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

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

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

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

**(5) What can be circulated?**

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

**(6) How will the applications be considered?**

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

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

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

**(8) Queries on reports.**

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

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

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



## LICENSING SUB COMMITTEE HEARING PROCEDURE

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

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

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

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

This page is intentionally left blank

# Agenda Item 4

Committee: <b>Licensing Sub Committee</b>	Date	Classification <b>Unrestricted</b>	Report No.	Agenda Item No.
--	------	---------------------------------------	------------	-----------------

Report of: <b>David Tolley</b> <b>Head of Environmental Health &amp; Trading Standards</b>  Originating Officer: <b>Corinne Holland</b> <b>Licensing Officer</b>	Title: <b>Licensing Act 2003 Application for a new Premise Licence for Brewdog, Unit 17, 2 Churchill Place, London, E14 5RB</b>  Ward affected: <b>Canary Wharf</b>
--	---

## 1.0 Summary

Applicant:	<b>Brewdog Retail Limited</b>
Name and Address of Premises:	<b>Brewdog Unit 17, 2 Churchill Place London E14 5RB</b>
Licence sought:	<b>Licensing Act 2003 Sale by retail of Alcohol (on &amp; off sales) Provision of regulated entertainment (films &amp; recorded music,) Late-Night refreshments</b>
Objectors:	<b>Police</b>

## 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 Brewdog, Unit 17, 2 Churchill Place, London, E14 5RB.
- 3.2 The applicant has described the premises as: *This application is for a new layout and to incorporate the adjacent unit into the existing site*
- 3.3 Brewdog already holds a licence at this location. The licence was granted on 17<sup>th</sup> June 2009 and will be surrendered upon the grant of this application.
- 3.4 For information purposes only the current licence has the following licensable activities and hours. A full copy of the licence can be seen in **Appendix 1**

*Provision of regulated entertainment.*

*Films and recorded music:*

*Monday to Sunday from 09:00 hours to midnight.*

*In addition to all of the above: From end of permitted hours on New Years Eve to the start of permitted hours on New Years Day*

*Late Night Refreshment:*

*Monday to Sunday from 23:00 hours to 05:00 hours the following day*

*The sale by retail of alcohol:*

*Monday to Sunday from 09:00 hours to midnight*

*In addition to all of the above: From end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.*

- 3.5 A copy of the application and supporting documentation is shown in **Appendix 2.**
- 3.6 The hours applied for are as follows:

**Sale of Alcohol (on & off sales)**

Monday – Sunday 09:00 hours – 00:00 hours (midnight)

**Late-Night refreshments (indoors & outdoors)**

Monday – Sunday 23:00 hours – 00:00 hours (midnight)

**Provision of regulated entertainment – (indoors)**

*Films and recorded music:*

Monday - Sunday from 09:00 hours to 00:00 (midnight).

**Non-Standard hours (all of above)**

From the end of the permitted hours on New Years Eve to the start of the permitted hours on New Years Day

### **Opening Hours**

Monday – Sunday 09:00 hours – 00:30 hours

### **Non-Standard hours**

From the end of the permitted hours on New Years Eve to the start of the permitted hours on New Years Day

#### **4.0 Location and Nature of the premises**

4.1 The site plan of the venue is included as **Appendix 3**.

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

4.3 Photographs of the premises are included in **Appendix 5**.

4.4 Details of other licensed venues in the immediate vicinity are included as **Appendix 6**.

#### **5.0 Licensing Policy and Government Advice**

5.1 The Council has adopted a licensing policy and this is available from the Licensing Section, and at the hearing. The revised policy came into effect on 1<sup>st</sup> 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](http://www.homeoffice.gov.uk). It was last revised in July 2023.

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

#### **6.0 Representations**

6.1 All representations have to meet basic legal and administrative requirements. If they fail to do so they cannot be accepted. When rejected the person sending in the representation must be written to, and an explanation for rejection given in writing.

6.2 A responsible authority or other person can make a representation. There are two tests for other persons and only one for a responsible authority. The two tests are contained in Section 18 of the Act.

- 6.3 All representations must be “about the likely effect of the grant of the premises licence on the promotion of the licensing objectives.” Likely means something that will probably happen, i.e. on balance more likely than not.
- 6.4 Representations by responsible authorities do not have to meet the second test of not being vexatious and frivolous. Other persons have to meet this test.
- 6.5 The Home Office recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation.
- 6.6 Section 182 Advice by the Home Office concerning relevant, vexatious and frivolous representations is attached as **Appendix 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 made by the following:
- **Police – Appendix 7**
- 6.9 All of the responsible authorities have been consulted about this application. They are as follows:
- The Licensing Authority
  - The Metropolitan Police
  - The LFEPA (the London Fire and Emergency Planning Authority).
  - Planning
  - Health and Safety
  - Noise (Environmental Health)
  - Trading Standards
  - Child Protection
  - Public Health
  - Home office (Immigration Enforcement)
- 6.10 In addition the application was required to be advertised in a local newspaper and by a blue poster. Only objections that relate to the following licensing objectives are relevant:
- the prevention of crime and disorder
  - public safety
  - the prevention of public nuisance
  - the protection of children from harm
- 6.11 The objections relate to:
- Crime and Disorder

- 6.12 Essentially, the relevant parties oppose the application because the applicant has not explained how within the context of the application they will meet licensing objective of the prevention of public nuisance and the prevention of crime and disorder.
- 6.13 There are strict time limits to any representations. The time limits are contained in The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005.
- 6.14 The applicant has offered measures in the operating schedule of the application that address the promotion of the Licensing Objectives. If there were no representations, the Licensing Authority would grant the licence, with conditions consistent with the operating schedule, which are relevant, proportionate and enforceable. Members are asked to consider the schedule and incorporate any conditions as necessary to address the licensing objectives.

#### **7.0 Conditions consistent with Operating Schedule**

1. The premises shall operate a CCTV system that complies with the minimum requirements.
2. The premises licence holder must ensure that:
  - (i) Cameras are located within the premises to cover all public areas (not including the toilets) and all entrances and exits;
  - (ii) The system records clear images enabling the identification of individuals;
  - (iii) All recorded footage is securely retained for a minimum period of twenty-eight days;
  - (iv) The CCTV system operates at all times the premises are open for licensable activities;
  - (v) All equipment must have constant and accurate time and date generation;
  - (vi) The CCTV system is fitted with security functions to prevent recordings being tampered with;
  - (vii) There is at least one member of trained staff at the premises during opening hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with all relevant data protection legislation.
3. SIA registered door supervisors shall be employed at the premises in accordance with a risk assessment, to be carried out by the DPS.
4. When employed, all door supervisors on duty at the premises must correctly display their current SIA accreditation and be briefed on their responsibilities and relevant company operating procedures before they commence duty.

5. When employed, all door supervisors shall wear high visibility armbands.
6. When employed, a register of door supervisors shall be maintained at the premises and shall include:
  - (i) The SIA registration number of door staff on duty;
  - (ii) the identity of each member of door staff;
  - (iii) the dates and times the door staff are on duty.
7. The Designated Premises Supervisor must have attended a CT Awareness training session delivered by CTPNW-trained personnel as soon as is reasonably practicable. In all cases, within 28 days of a new Designated Premises Supervisor being named on the licence, they must have registered to attend a course and be able to provide evidence of this if requested by a police officer or authorised officer of Tower Hamlets Council.
8. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area.
9. All staff authorised to sell alcohol shall be trained in:
  - (i) Relevant age restrictions in respect of products
  - (ii) Prevention of underage sales
  - (iii) Prevention of proxy sales
  - (iv) Maintenance of the refusals log
  - (v) Recognising signs of drunkenness and vulnerability
  - (vi) How overservice of alcohol impacts on the four objectives of the Licensing Act 2003
  - (vii) How to refuse service
  - (viii) The premises' duty of care policy, understanding and dealing with situations involving vulnerable people, and incidents of harassment; and how to report issues of modern slavery and trafficking
  - (ix) Action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services
  - (x) The conditions in force under this licence.

This training shall be documented and repeated at 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Tower Hamlets Council.

10. A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying within a reasonable time of a request by an officer of a Responsible Authority.



11. The premises licence holder shall ensure that at all times when the public is present there is an appropriate number of competent person(s) able to administer first aid, that an adequate and appropriate supply of first aid equipment and materials is available on the premises, and that adequate records are maintained in relation to the supply of any first aid treatment.
12. Regular safety checks shall be carried out by staff.
13. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.
14. Any and all of the following incidents must be noted including pertinent details and, as appropriate, reported promptly so that investigations can be made and action taken:
  - a. alleged crimes reported to the venue or by the venue to the police
  - b. ejections of patrons
  - c. complaints received
  - d. incidents of disorder
  - e. seizures of drugs, offensive weapons, fraudulent ID or other items
  - f. faults in the CCTV system, searching equipment or scanning equipment
  - g. visit by a responsible authority or emergency service
15. Incident logs (which may be kept electronically) must be kept at the premises for at least 6 months and must be made available on request to the police or an authorised officer of the licensing authority.
16. The premises shall maintain public liability insurance.
17. The premises shall have a documented Duty of Care policy for managing intoxicated and vulnerable customers and dealing with incidents of harassment at the premises. The policy shall also include provision for persons refused entry to the premises who are also considered vulnerable by staff.
18. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.
19. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
20. The exterior of the building shall be cleared of litter at regular intervals.
21. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.

22. All external doors and windows must be kept shut at all times when regulated entertainment is being provided, save for normal access and egress.
23. The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority.
24. The premises shall display prominent signage indicating that the Challenge 25 scheme is in operation.
25. The premises shall display prominent signage indicating that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol.
26. Staff training will include the Challenge 25 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training must be given to a new member of staff before they commence employment and all staff must receive refresher training every 6 months.

#### **8.0 Conditions Agreed/Requested by Responsible Authority**

**Not applicable**

#### **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 8- 12** 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

<b>Appendix 1</b>	A copy of existing licence
<b>Appendix 2</b>	Licence application & supporting documents
<b>Appendix 3</b>	Site Plan
<b>Appendix 4</b>	Maps of the surrounding area
<b>Appendix 5</b>	Photographs of the premises
<b>Appendix 6</b>	Other licensed venues in the area
<b>Appendix 7</b>	Representations from the police
<b>Appendix 8</b>	Section 182 Advice by the DCMS- Relevant, vexatious and frivolous representations
<b>Appendix 9</b>	Licensing Officer comments on crime & disorder
<b>Appendix 10</b>	S182 advice on crime & disorder
<b>Appendix 11</b>	Licensing Policy relating to hours of trading
<b>Appendix 12</b>	Planning

This page is intentionally left blank

# Appendix 1



Lic No:  
26949

**(BrewDog)  
Unit B  
Churchill Place Shopping Mall  
Canary Wharf  
London  
E14 5RB**

**Licensable Activities authorised by the licence**

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

**See the attached licence for the licence conditions**

**Signed by**

**David Tolley**   
**Head of Environmental Health & Trading Standards**

**Date: 17<sup>th</sup> June 2009**

Minor Variation 7<sup>th</sup> September 2018





**Part A - Format of premises licence**

Premises licence number

26949

**Part 1 - Premises details**

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

Unit B  
Churchill Place Shopping Mall  
Canary Wharf

**Post town**

London

**Post code**

E14 5RB

**Telephone number**

**Where the licence is time limited the dates**

N/A

**Licensable activities authorised by the licence**

The sale by retail of alcohol  
The provision of regulated entertainment consisting of films and recorded music  
The provision of late night refreshment

**The times the licence authorises the carrying out of licensable activities**

Provision of regulated entertainment.

Films and recorded music:

Monday to Sunday from 09:00 hours to midnight.

In addition to all of the above: From end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

Late Night Refreshment:

Monday to Sunday from 23:00 hours to 05:00 hours the following day

The sale by retail of alcohol:

Monday to Sunday from 09:00 hours to midnight

In addition to all of the above: From end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

**The opening hours of the premises**

Monday to Sunday from 07:00 hours to 00:30 hours the following day.

From end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

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

On and off sales

## **Part 2**

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

BrewDog Retail Ltd  
Balmacassie Commercial Park  
Ellon  
Aberdeenshire  
AB41 8BY

[REDACTED]

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

Company No: SC389114

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

Jazmin Juri

[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

1.

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

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

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

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

## **Annex 2 - Conditions consistent with the operating Schedule**

1. A high quality and extensive CCTV system will be installed at the premises and there will be co-operation with the police as to the location of the cameras if so required by the police.
2. All staff will be trained in respect of Licensing Act requirements and offences, and in particular in respect of underage sales. If there is any doubt about the age of any customer requesting the purchase of alcohol, photographic evidence will be required.

- Substantial food and suitable beverages other than alcohol, including drinking water shall be available for the whole of the permitted hours on all parts of the premises when alcohol is sold or supplied.

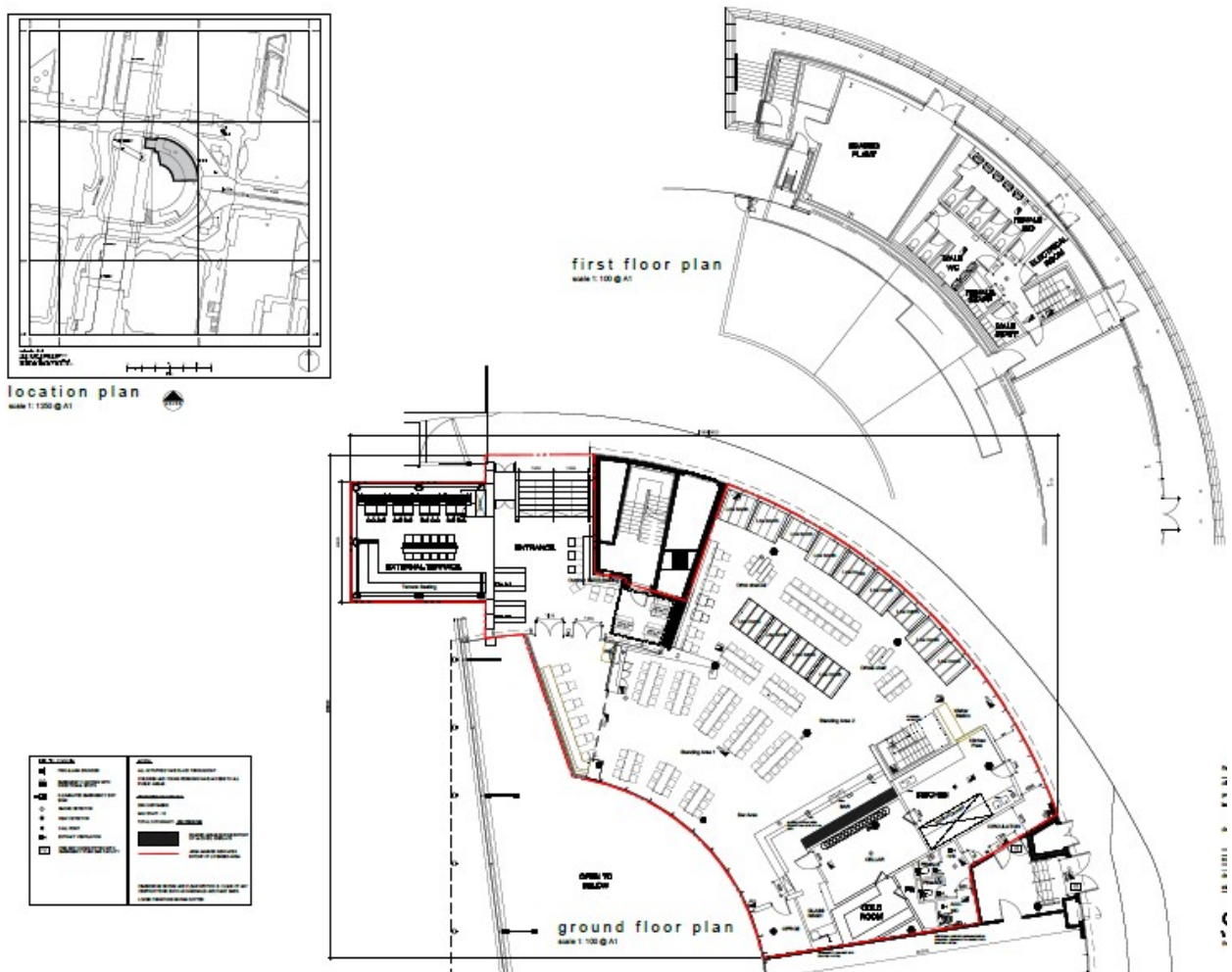
**Annex 3 - Conditions attached after a hearing by the licensing authority**

Not applicable

**Annex 4 - Plans**

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

22<sup>nd</sup> August 2018 – Ground & First Floor Plan



**Part B - Premises licence summary**

**Premises licence number**

26949

**Premises details**

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

Unit B  
Churchill Place Shopping Mall  
Canary Wharf

**Post town**

London

**Post code**

E14 5RB

**Telephone number**

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The sale by retail of alcohol  
The provision of regulated entertainment consisting of films and recorded music  
The provision of late night refreshment



The times the licence authorises the carrying out of licensable activities	<u>Provision of regulated entertainment.</u> Films and recorded music: Monday to Sunday from 09:00hrs to midnight. <u>Late Night Refreshment:</u> Monday to Sunday until 05:00hrs the following day <u>The sale by retail of alcohol:</u> Monday to Sunday from 09:00 hrs to midnight In addition to all of the above: From end of permitted hours on New Years Eve to the start of permitted hours on New Years Day
The opening hours of the premises	Monday to Sunday from 07:00 hrs to 00:30 hrs the following day. From end of permitted hours on New Years Eve to the start of permitted hours on New Years Day
Name, (registered) address of holder of premises licence	BrewDog Retail Ltd Balmacassie Commercial Park Ellon Aberdeenshire AB41 8BY
Where the licence authorises supplies of alcohol whether these are on and / or off supplies	On and off sales
Registered number of holder, for example company number, charity number (where applicable)	Company No: SC389114
Name of designated premises supervisor where the premises licence authorises for the supply of alcohol	Jazmin Juri
State whether access to the premises by children is restricted or prohibited	No restrictions

# Appendix 2

**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** BrewDog Retail Limited

*(Insert name(s) of applicant)*

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

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description BrewDog Unit 17 2 Churchill Place Canary Wharf			
<b>Post town</b>	London	<b>Postcode</b>	E14 5RB

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£180,000

**Part 2 - Applicant details**

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

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i as a limited company/limited liability partnership  please complete section (B)
  - ii as a partnership (other than limited liability)  please complete section (B)
  - iii as an unincorporated association or  please complete section (B)
  - iv other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)

- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

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

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

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

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

**(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 BrewDog Retail Limited
Address BrewDog Balmacassie Commercial Park Ellon Aberdeenshire AB41 8BX
Registered number (where applicable) SC389114
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company

Telephone number (if any)
E-mail address (optional) <div style="background-color: black; width: 100px; height: 15px;"></div>

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
31	08	2023

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

DD	MM	YYYY

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

BrewDog already trade successfully at this site, the purpose of this application is to apply for a new licence to include a new layout incorporating the adjacent unit.

Upon the successful grant of this application and the completion of works, the existing licence will be surrendered.

Please refer to the new operating schedule, policies and plan deposited with the application.

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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



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



**In all cases complete boxes K, L and M**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
Day	Start	Finish			Both <input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Wed			<b><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></b> (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					



**B**

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish			Both	<input type="checkbox"/>
Mon	0900	0000	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue	0900	0000			
Wed	0900	0000	<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
Thur	0900	0000			
Fri	0900	0000	<b><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></b> (please read guidance note 6)  From the end of the permitted hours on New Years Eve to the start of the permitted hours on New Years Day.		
Sat	0900	0000			
Sun	0900	0000			

**C**

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

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
Day	Start	Finish		Both <input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)	
Tue				
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)	
Thur				
Fri			<b><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></b> (please read guidance note 6)	
Sat				
Sun				

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
Wed					
Thur			<b><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></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>																							
				Outdoors	<input type="checkbox"/>																							
<table border="1"> <thead> <tr> <th>Day</th> <th>Start</th> <th>Finish</th> </tr> </thead> <tbody> <tr> <td>Mon</td> <td>0900</td> <td>0000</td> </tr> <tr> <td>Tue</td> <td>0900</td> <td>0000</td> </tr> <tr> <td>Wed</td> <td>0900</td> <td>0000</td> </tr> <tr> <td>Thur</td> <td>0900</td> <td>0000</td> </tr> <tr> <td>Fri</td> <td>0900</td> <td>0000</td> </tr> <tr> <td>Sat</td> <td>0900</td> <td>0000</td> </tr> <tr> <td>Sun</td> <td>0900</td> <td>0000</td> </tr> </tbody> </table>				Day	Start	Finish	Mon	0900	0000	Tue	0900	0000	Wed	0900	0000	Thur	0900	0000	Fri	0900	0000	Sat	0900	0000	Sun	0900	0000	Both
Day	Start	Finish																										
Mon	0900	0000																										
Tue	0900	0000																										
Wed	0900	0000																										
Thur	0900	0000																										
Fri	0900	0000																										
Sat	0900	0000																										
Sun	0900	0000																										
			<b><u>Please give further details here</u></b> (please read guidance note 4)																									
			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)																									
			<b><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></b> (please read guidance note 6)																									
			From the end of the permitted hours on New Years Eve to the start of the permitted hours on New Years Day.																									

# 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"/>
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			<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

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

**I**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon	2300	0000			
Tue	2300	0000			
			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
Wed	2300	0000			
Thur	2300	0000			
			<b><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></b> (please read guidance note 6)		
Fri	2300	0000			
			From the end of the permitted hours on New Years Eve to the start of the permitted hours on New Years Day.		
Sat	2300	0000			
Sun	2300	0000			



**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	0900	0000			
Tue	0900	0000			
Wed	0900	0000			
Thur	0900	0000			
Fri	0900	0000			
Sat	0900	0000			
Sun	0900	0000			

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

<b>Name</b> Jazmin Juri	
<b>Date of birth</b>	
<b>Address</b> [REDACTED]	
<b>Postcode</b>	[REDACTED]
<b>Personal licence number (if known)</b> [REDACTED]	
<b>Issuing licensing authority (if known)</b> [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).  
 NA

**L**

<p><b>Hours premises are open to the public</b>          Standard days and timings (please read guidance note 7)</p>			<p><u>State any seasonal variations</u> (please read guidance note 5)</p>
Day	Start	Finish	<p><b><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></b> (please read guidance note 6)</p> <p>From the end of the permitted hours on New Years Eve to the start of the permitted hours on New Years Day.</p>
Mon	0900	0030	
Tue	0900	0030	
Wed	0900	0030	
Thur	0900	0030	
Fri	0900	0030	
Sat	0900	0030	
Sun	0900	0030	

## M

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

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

As per the attached operating schedule and policies

**b) The prevention of crime and disorder**

As per the attached operating schedule and policies

**c) Public safety**

As per the attached operating schedule and policies

**d) The prevention of public nuisance**

As per the attached operating schedule and policies

**e) The protection of children from harm**

As per the attached operating schedule and policies

**Checklist:**

**Please tick to indicate agreement**

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

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

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

**Part 4 – Signatures** (please read guidance note 11)

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

<b>Declaration</b>	<ul style="list-style-type: none"><li>• [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).</li><li>• 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</li></ul>
--------------------	---

	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	KSL LLP
Date	02.08.2023
Capacity	Solicitors and authorised agents

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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) Felicity Tulloch Kuits Solicitors 3 St Marys Parsonage			
Post town	Manchester	Postcode	M3 2RD
Telephone number (if any) [REDACTED]			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) [REDACTED]			

## Notes for Guidance

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

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

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

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

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

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

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

#### **Documents which demonstrate entitlement to work in the UK**

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

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.

**OPERATING SCHEDULE**  
**BREWDOG CANARY WHARF**

**A) The Prevention of Crime and Disorder**

1. The premises shall operate a CCTV system that complies with the minimum requirements.
2. The premises licence holder must ensure that:
  - (i) Cameras are located within the premises to cover all public areas (not including the toilets) and all entrances and exits;
  - (ii) The system records clear images enabling the identification of individuals;
  - (iii) All recorded footage is securely retained for a minimum period of twenty-eight days;
  - (iv) The CCTV system operates at all times the premises are open for licensable activities;
  - (v) All equipment must have constant and accurate time and date generation;
  - (vi) The CCTV system is fitted with security functions to prevent recordings being tampered with;
  - (vii) There is at least one member of trained staff at the premises during opening hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with all relevant data protection legislation.
3. SIA registered door supervisors shall be employed at the premises in accordance with a risk assessment, to be carried out by the DPS.
4. When employed, all door supervisors on duty at the premises must correctly display their current SIA accreditation and be briefed on their responsibilities and relevant company operating procedures before they commence duty.
5. When employed, all door supervisors shall wear high visibility armbands.
6. When employed, a register of door supervisors shall be maintained at the premises and shall include:
  - (i) The SIA registration number of door staff on duty;
  - (ii) the identity of each member of door staff;
  - (iii) the dates and times the door staff are on duty.
7. The Designated Premises Supervisor must have attended a CT Awareness training session delivered by CTPNW-trained personnel as soon as is reasonably practicable. In all cases, within 28 days of a new Designated Premises Supervisor being named on the licence, they must have registered to attend a course and be able to provide evidence of this if requested by a police officer or authorised officer of Manchester City Council.
8. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area.
9. All staff authorised to sell alcohol shall be trained in:
  - (i) Relevant age restrictions in respect of products
  - (ii) Prevention of underage sales
  - (iii) Prevention of proxy sales
  - (iv) Maintenance of the refusals log
  - (v) Recognising signs of drunkenness and vulnerability
  - (vi) How overservice of alcohol impacts on the four objectives of the Licensing Act 2003
  - (vii) How to refuse service

- (viii) The premises' duty of care policy, understanding and dealing with situations involving vulnerable people, and incidents of harassment; and how to report issues of modern slavery and trafficking
- (ix) Action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services
- (x) The conditions in force under this licence.

This training shall be documented and repeated at 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.

10. A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying within a reasonable time of a request by an officer of a Responsible Authority.

### **B) Public Safety**

1. The premises licence holder shall ensure that at all times when the public is present there is an appropriate number of competent person(s) able to administer first aid, that an adequate and appropriate supply of first aid equipment and materials is available on the premises, and that adequate records are maintained in relation to the supply of any first aid treatment.
2. Regular safety checks shall be carried out by staff.
3. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.
4. Any and all of the following incidents must be noted including pertinent details and, as appropriate, reported promptly so that investigations can be made and action taken:
  - a. alleged crimes reported to the venue or by the venue to the police
  - b. ejections of patrons
  - c. complaints received
  - d. incidents of disorder
  - e. seizures of drugs, offensive weapons, fraudulent ID or other items
  - f. faults in the CCTV system, searching equipment or scanning equipment
  - g. visit by a responsible authority or emergency service
5. Incident logs (which may be kept electronically) must be kept at the premises for at least 6 months and must be made available on request to the police or an authorised officer of the licensing authority.
6. The premises shall maintain public liability insurance.
7. The premises shall have a documented Duty of Care policy for managing intoxicated and vulnerable customers and dealing with incidents of harassment at the premises. The policy shall also include provision for persons refused entry to the premises who are also considered vulnerable by staff.

### **C) The Prevention of Public Nuisance**

1. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.
2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

3. The exterior of the building shall be cleared of litter at regular intervals.
4. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.
5. All external doors and windows must be kept shut at all times when regulated entertainment is being provided, save for normal access and egress.

#### **D) The Protection of Children From Harm**

1. The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority.
2. The premises shall display prominent signage indicating that the Challenge 25 scheme is in operation.
3. The premises shall display prominent signage indicating that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol.
4. Staff training will include the Challenge 25 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training must be given to a new member of staff before they commence employment and all staff must receive refresher training every 6 months.

---

**DISPERSAL POLICY  
BREWDOG CANARY WHARF**

---

The purpose of this Dispersal Policy is to ensure, so far as it is possible, that the minimum disturbance of nuisance is caused to our neighbours and to ensure the operation of the premises makes the minimum impact upon the neighbourhood in relation to potential nuisance and antisocial behaviour. This will be achieved by exercising pro-active measures towards the end of the evening.

By ensuring that this Dispersal Policy document is brought to the attention of Management and Staff we will seek to encourage the efficient, controlled and safe dispersal of our patrons during the closing period.

1. At the end of the evening management and staff will assist with the orderly and gradual dispersal of patrons.
2. Staff Members (including SIA registered door staff, when employed) will advise patrons to leave the premises quickly and quietly out of respect for neighbours.
3. Notices will be displayed requesting our customers to leave quietly and in an orderly manner out of consideration to neighbours and their attention will be drawn to these notices by members of staff.
4. We will actively discourage our customers from assembling outside the premises at the end of the evening.

---

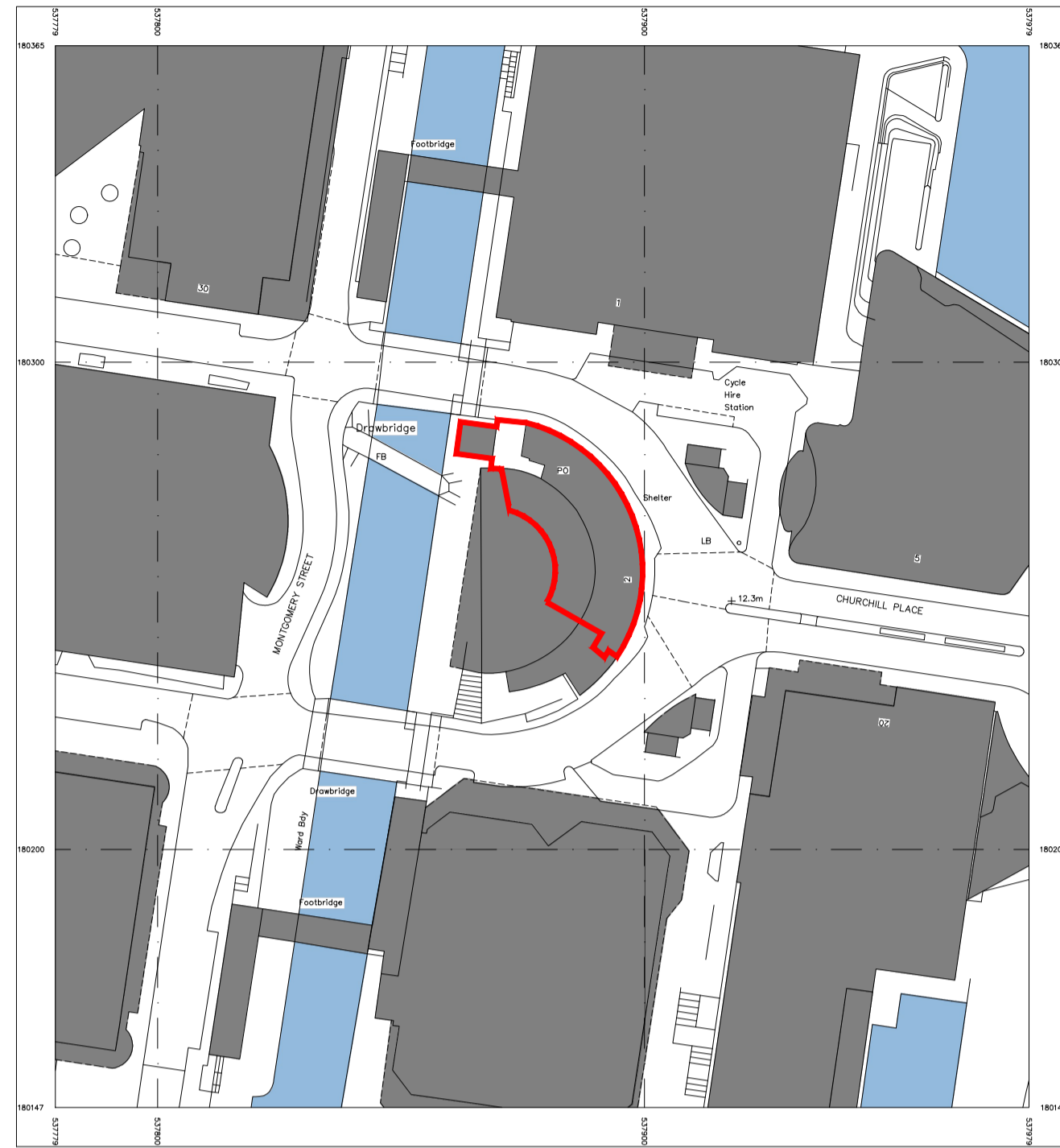
**SMOKING & AL FRESCO DINING POLICY  
BREWD OG CANARY WHARF**

---

1. Any outside area used by customers wishing to dine, drink or smoke shall be clearly delineated and covered by the CCTV system which will be installed at the premises.
2. The outside area shall be monitored by staff or door staff (when employed) regularly when it is in use.
3. The area will be cleaned regularly.
4. Suitable receptacles shall be provided for smokers to dispose of cigarette butts.
5. Signs will be displayed in the area requesting customers keep noise to a minimum.
6. Patrons who disregard signage and verbal instructions regarding noise will be asked to move inside and/or leave the premises.

# Appendix 3



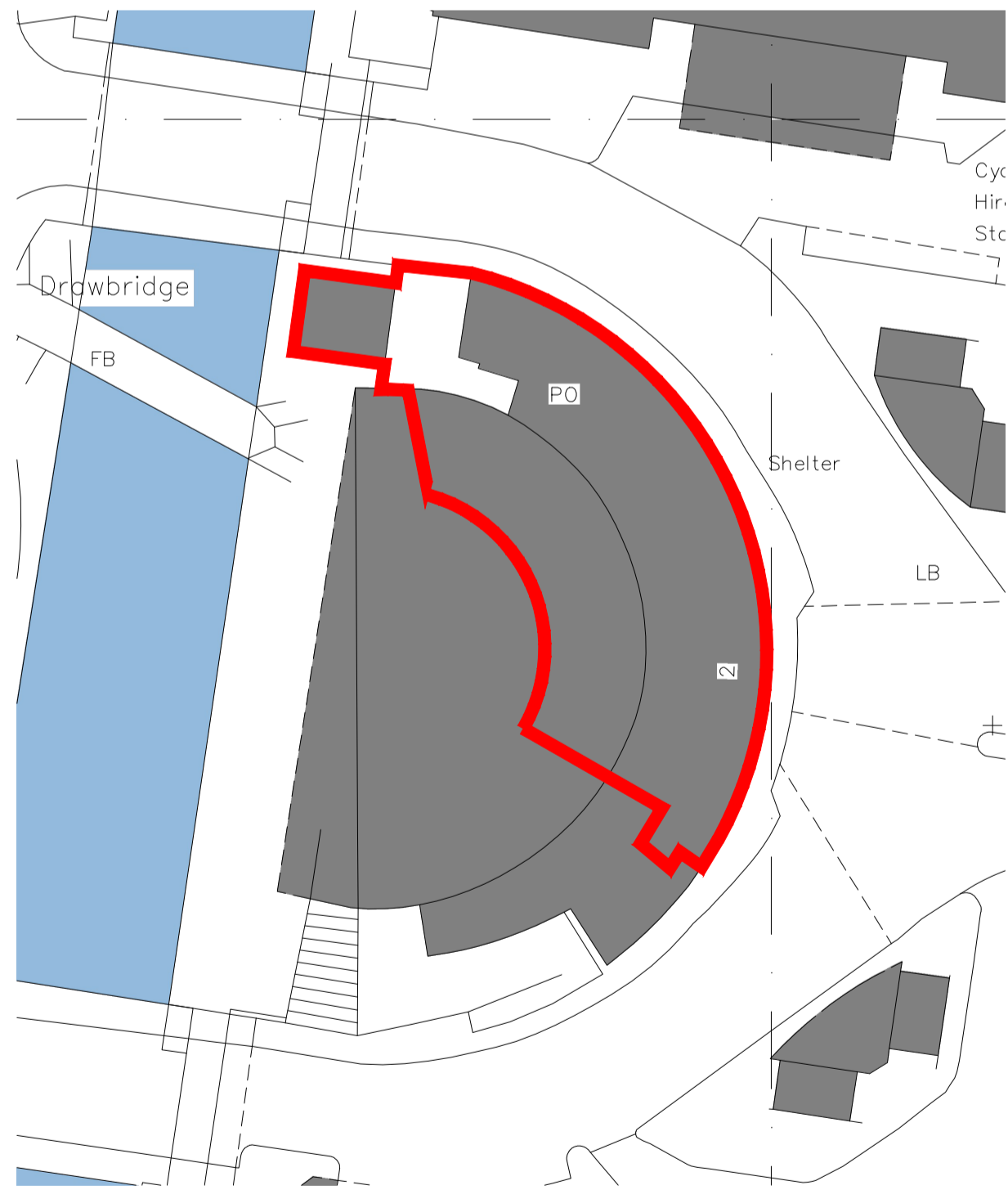


location plan

scale 1:1250 @ A1

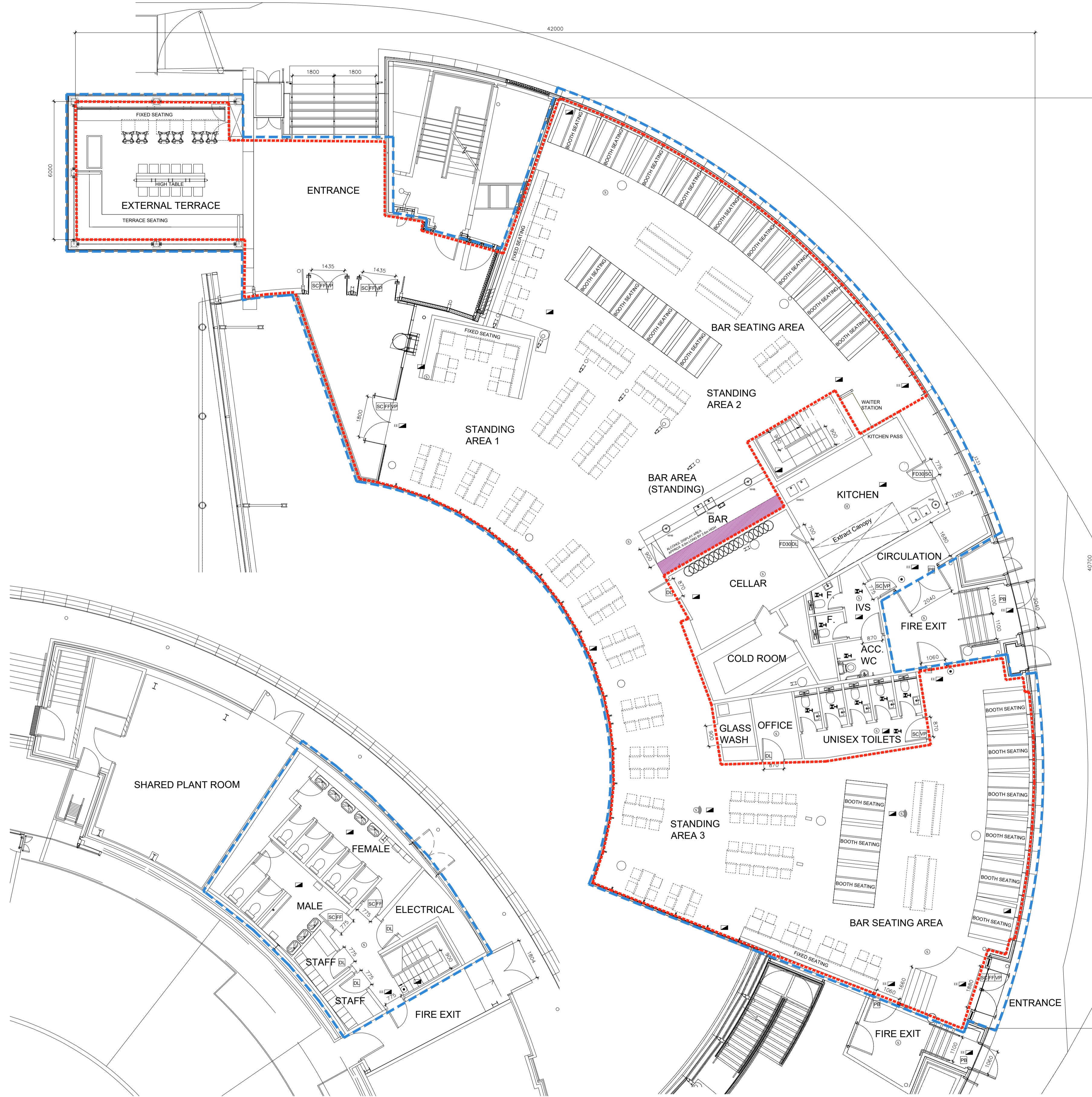


Page 73



site plan

scale 1:500 @ A1

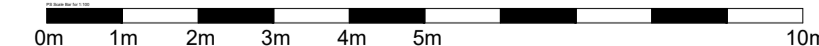


upper floor plan

scale 1: 100 @ A1

ground floor plan

scale 1: 100 @ A1



DO NOT SCALE FROM DRAWINGS. USE GIVEN DIMENSIONS ONLY. ALL DIMENSIONS TO BE VERIFIED AND AGREED WITH ARCHITECT IN ACCORDANCE WITH SITE CONDITIONS PRIOR TO THE COMMENCEMENT OF ANY WORKS.

ALL SURFACE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH MECHANICAL AND ELECTRICAL ENGINEERS AND STRUCTURAL ENGINEERS DRAWINGS, DETAILS AND SPECIFICATIONS WHERE RELEVANT.

ALL WORKS TO BE TO THE RELEVANT BRITISH STANDARD CODE OF PRACTICE AND MANUFACTURERS WRITTEN RECOMMENDATIONS.

ALL WORKS INCLUDING DEMOLITIONS TO BE EXECUTED SO AS NOT TO IMPAIR THE STABILITY OR ENDANGER THE BUILDING, ADJACENT WORKS, PERSONNEL OR THIRD PARTIES. ALL IN ACCORDANCE WITH ALL HSE AND STATUTORY AUTHORITIES RECOMMENDATIONS.

ALL MATERIALS AND COMPONENTS TO BE 'FIT FOR PURPOSE' AND IN FULL COMPLIANCE WITH THE CURRENT TECHNICAL STANDARDS.

**NOTES:**

- ALL ACTIVITIES TAKE PLACE THROUGHOUT
- CHILDREN AND YOUNG PERSONS HAVE ACCESS TO ALL PUBLIC AREAS
- SHADED AREAS SHOWN EXTENT OF ALCOHOL DISPLAYS
- RED OUTLINE DENOTES EXTENT OF LICENSED AREA
- AREA MARKED INDICATES EXTENT OF PROPERTY BOUNDARY
- DIMENSIONS SHOWN ARE CLEAR WIDTHS I.E. CLEAR OF ANY OBSTRUCTIONS SUCH AS HANDRAILS AND PANIC BARS.
- LOOSE FURNITURE SHOWN DOTTED

**KEY TO SYMBOLS**

- SMOKE DETECTOR
- SMOKE DETECTOR + SOUNDER
- SMOKE DETECTOR + SOUNDER + BEACON
- HEAT DETECTOR
- HEAT DETECTOR + SOUNDER
- HEAT DETECTOR + SOUNDER + BEACON
- CALL POINT
- AREA COVERED BY EMERGENCY LIGHTING
- EMERGENCY EXIT LIGHT
- EXISTING DOOR
- SELF-CLOSING
- DOOR LOCKED WHEN NOT IN USE - THUMB TURN TO INSIDE
- SIMPLE LATCH
- FREE FROM LOCKABLE FIXINGS
- PUSH PAD / BAR
- VISION PANEL
- 30min FIRE RESIST DOORSET & SMOKE SEALS
- CO2 EXTINGUISHER
- FOAM EXTINGUISHER
- WATER EXTINGUISHER
- FIRE BLANKET
- EXTRACT VENTILATION

client: BREWD OG  
 project: BrewDog, Canary Wharf  
 location: Unit 17, 2 Churchill Place, Canary Wharf, London, E14 5RB  
 drg title: Licence Plan

scale: Various @ A1 date: May 2023

drg no: 3009 LIC 01

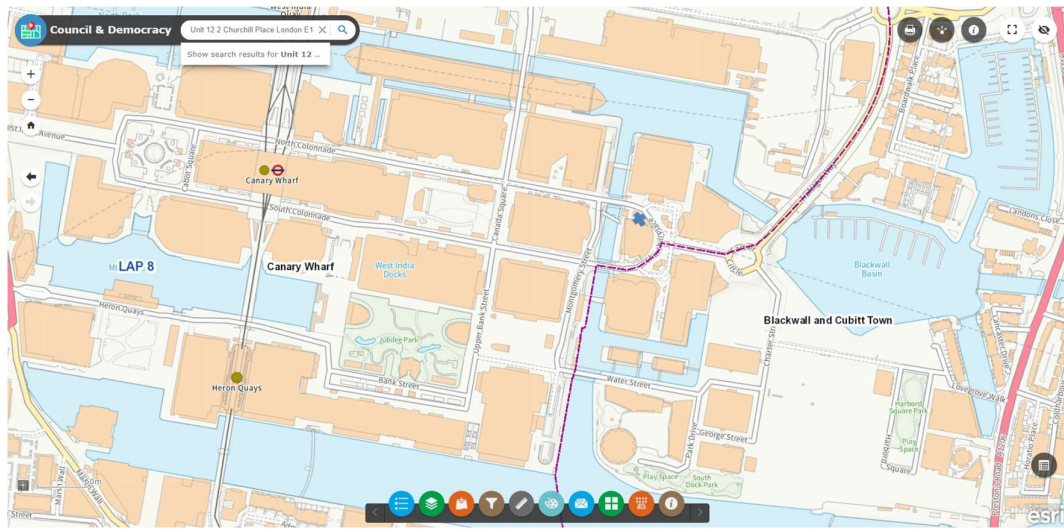
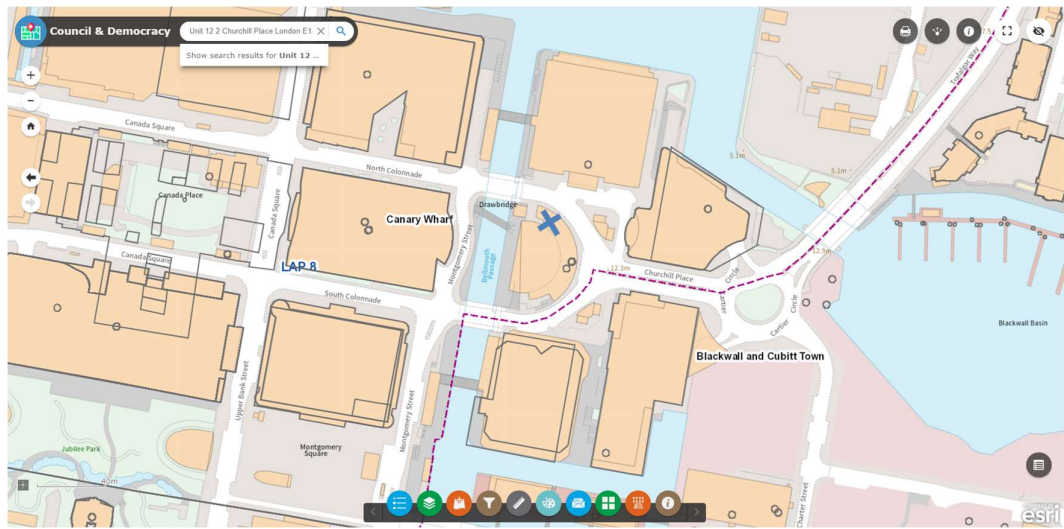
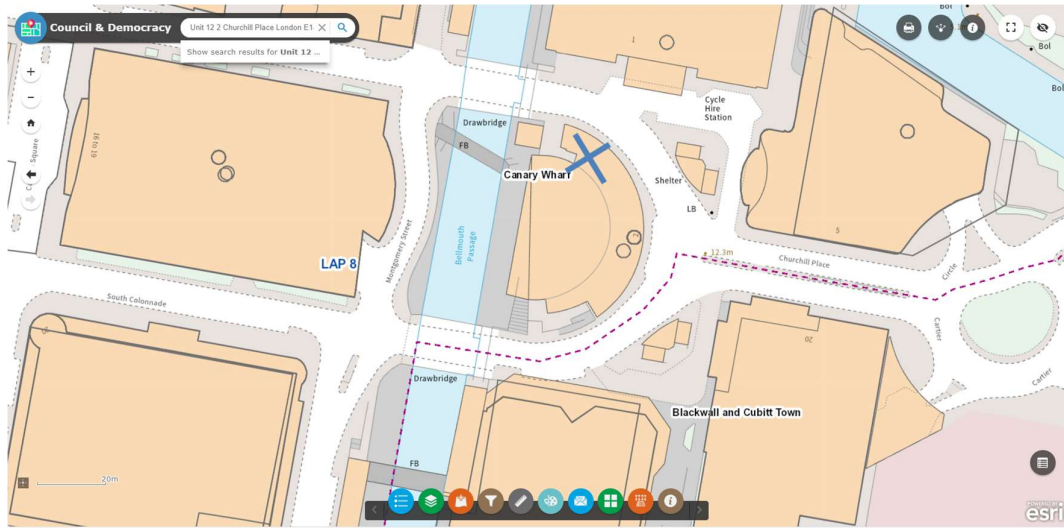
status: LICENCE

surface

Surface - ID Ltd The Mews 12 Fortrose Street GLASGOW G11 5LP  
 tel: 0141 342 5448 fax: 0141 337 2244  
 mail@surface-id.com www.surface-id.com  
 Registered in Scotland No. SC233305

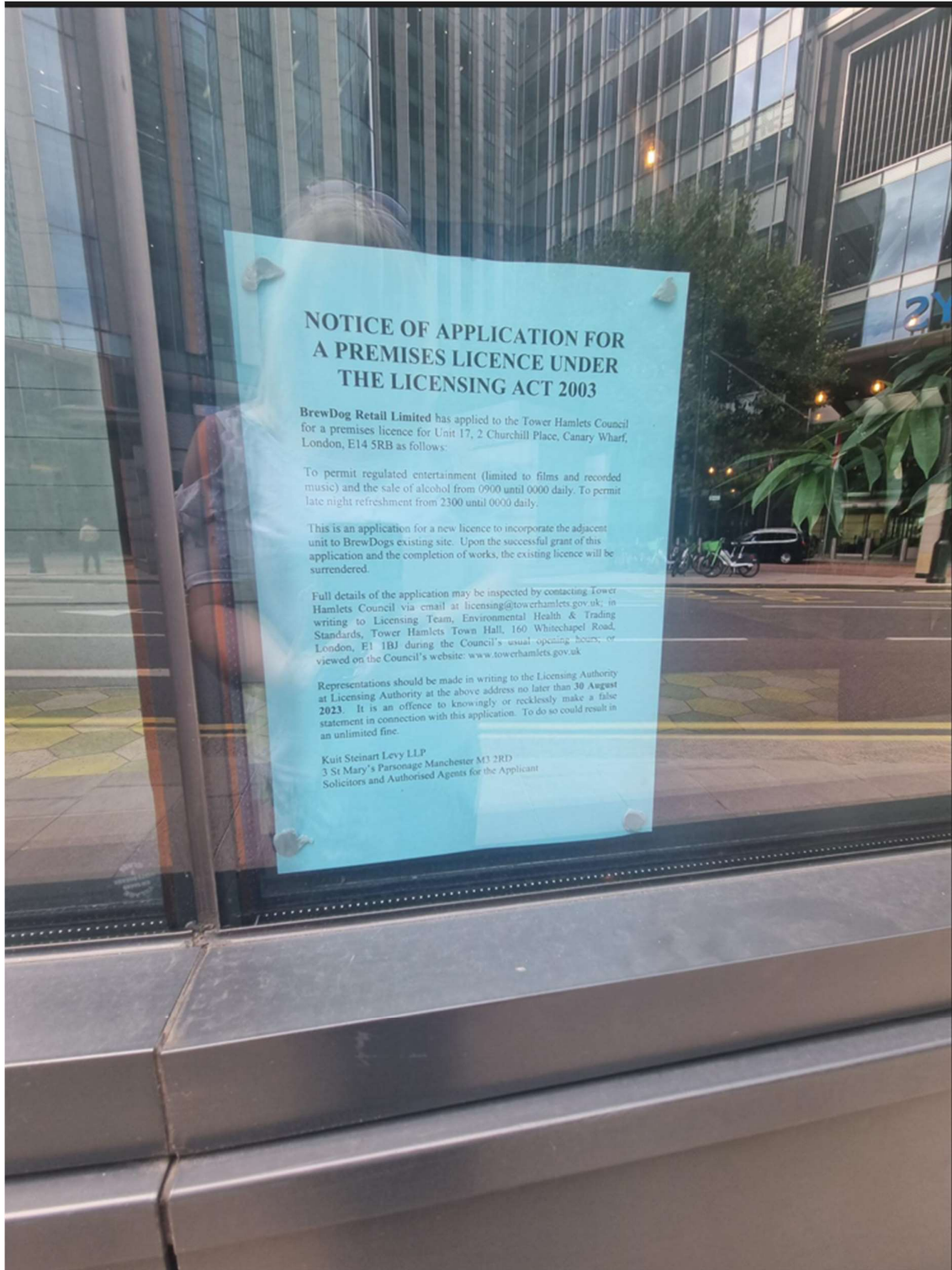
# Appendix 4

## Unit 17, 2 Churchill Place – Maps



# Appendix 5

**Photos – Unit 17, 2 Churchill Place**





# Appendix 6

Premises	Licensable Activities	Opening Hours
<p><b>Go Boat Kiosk</b> 22 Churchill Place</p>	<p><b><u>The sale by retail of alcohol (off sales only)</u></b> Monday- Sunday from 09:00 hours -21:00 hours</p>	<p>Monday- Sunday from 09:00 hours -21:00 hours</p>
<p><b>(Rocket Restaurant)</b> Unit 15 Churchill Place</p>	<p><b><u>The sale by retail of alcohol (on &amp; off sales)</u></b> Monday to Saturday 11:00 hours to 01:00 hours the following day.  Sunday 12:00 hours to 22:00 hours</p> <p><b><u>The provision of late night refreshment</u></b> Monday to Sunday 23:00 hours to 01:00 hours the following day</p> <p><b><u>The provision of regulated entertainment</u></b> Live music Monday to Sunday 18:00 hours to 23:00 hours Recorded music Monday to Saturday 09:00 hours to 01:00 hours the following day.  Sunday 09:00 hours to 22:00 hours.</p>	<p>Monday to Saturday 07:00 hours to 01:00 hours the following day.  Sunday 12:00 hours to 22:00 hours</p>
<p><b>(Barclays Bank Plc)</b> 1 Churchill Place</p>	<p><b><u>The sale by retail of alcohol (on &amp; off sales)</u></b> Monday to Sunday 11:00 hours to 23:00 hours</p> <p><b><u>The provision of regulated entertainment:</u></b></p> <p><u>Recorded Music:</u> Monday to Sunday 12:00 hours to 23:00 hours</p> <p><u>Live Music:</u> Monday to Sunday 12:00 hours to 23:00 hours</p> <p><u>Dancing:</u> Monday to Sunday 12:00 hours to 23:00 hours</p>	<p>Monday to Sunday 24 hours</p>



	<p><u>The provision of late night refreshment:</u> Monday to Sunday 23:00 hours to 00:00 hours</p>	
<p><b>(State Street Bank and Trust Company)</b> 20 Churchill Place</p>	<p><b><u>The sale by retail of alcohol (on &amp; off sales)</u></b></p> <ul style="list-style-type: none"> <li>▪ Monday to Friday, from 08:00 hours to 23:00 hours</li> </ul> <p><b>The provision of regulated entertainment - Indoors</b></p> <p><u>Plays,</u></p> <ul style="list-style-type: none"> <li>▪ Monday to Friday, from 12:00 hours to 21:00 hours</li> </ul> <p><u>Films, Indoor Sporting Events</u></p> <ul style="list-style-type: none"> <li>▪ Monday to Friday, from 08:00 hours to 21:00 hours</li> </ul> <p><u>Live Music, Recorded Music, Performance of Dance and Anything of a Similar Description</u></p> <ul style="list-style-type: none"> <li>▪ Monday to Friday, from 08:00 hours to 23:00 hours</li> </ul> <p><u>Provision of Facilities for Making Music, Provision of Facilities for Dancing</u></p> <ul style="list-style-type: none"> <li>▪ Monday to Friday, from 12:00 hours to 23:00 hours</li> </ul> <p><b>The provision of late night refreshment</b></p> <ul style="list-style-type: none"> <li>▪ Monday to Friday, from 23:00 hours to 24:00 hours</li> </ul>	Monday to Sunday 24 hours
<p><b>Ernst &amp; Young</b> 25 Churchill Place</p>	<p><b><u>The sale of alcohol (on &amp; off sales)</u></b> Monday to Sunday 10:00 – 23:00 hours</p>	Monday to Sunday 24 hours (not open to the public)
<p><b>(Wework)</b> Promenade level to 10<sup>th</sup> floor 30 Churchill Place</p>	<p><b><u>Sale by retail of alcohol (on sales only)</u></b></p> <ul style="list-style-type: none"> <li>• Monday to Sunday, from 12:00 hours to 23:00 hours</li> </ul>	Monday to Sunday, from 12:00 hours to 23:00 hours

# Appendix 7



Tom Lewis  
Head of Licensing  
Tower Hamlets Council

**HT - Tower Hamlets Borough**

Licensing Office  
1<sup>st</sup> Floor Stoke Newington Police Station

Email: [REDACTED]  
[www.met.police.uk](http://www.met.police.uk)

30/08/2023

Dear Sir,

Central East Police Licensing formally object to the application for a Premises License Application for Brew Dog, 2 Churchill Place, Canary Wharf.

Central East Police Licensing do not object to the application in principal but having looked at the license application we feel that with the hours requested and the location we believe the conditions set out below need to be added to the license.

We have agreed all but one of the conditions with the applicant, the condition that the applicant does not wish added to the license is the requirement to have SIA security staff on duty.

We believe that this is an important condition as the premises is operating in an area, Canary Wharf, where there has been a big increase in the number of bars, pubs, and restaurants. As a result Canary Wharf is now one of Tower Hamlets main Night Time Economy hotspots, which will only grow as new developments are completed and new venues move in.

Canary Wharfs night time venues now attract people from all over London but also the surrounding counties like Essex and Kent, due in part to the number of venues but also the transport infrastructure, especially the opening of the Elizabeth Line.

Brew Dog is an alcohol led venue and as the venue gets bigger, and the number of venues in the area increases and the number of visitors builds, we believe the risk of crime and disorder increases. We know that as people consume alcohol their decision making becomes impaired and they are more likely to become involved in alcohol related crime and disorder.

We also know from experience that having SIA security on duty during the busiest nights at the busiest times helps both prevent crime and disorder by acting as a deterrent and being able to stop those who are intoxicated or aggressive from entering the venue. SIA security can also deal with situations quickly, such as ejecting customers who become aggressive or breaking up fights.

Given the size of the venue and its place in Canary Wharf we therefore request that all the conditions below are added to the license.

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

4. 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.
5. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
6. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record must show the outcome of the person who was intoxicated. The record shall be available for inspection at the premises by the police or an authorised officer at all times whilst the premises is open.
7. The premises must have a detailed documented security plan, that must include an ejections policy, search policy, anti-theft policy, and SIA numbers, The security plan will be made available to police upon request.
8. On Friday and Saturday the premises have a minimum of 2 SIA security officers from 20:00 until the premises has closed and all customers have dispersed.
9. A written access and egress policy shall be in place and implemented at the premises.
10. The premises' security, egress, dispersal plans and searching policies and plans shall be written and stored for one year and made available to relevant authorities upon request. All Policies as well as searching effectiveness shall be reviewed yearly and the results made available to the MPS Central East Police Licensing Office upon request.
11. The premises shall have a written welfare policy (reviewable annually) that will show how venue staff will manage customers who become vulnerable through intoxication or drugs. Dedicated clearly identifiable welfare officer(s) will implemented in the policy during peak hours. The policy will be made available to Police upon request.
12. Drinking water to made freely throughout the venue,
13. All front of house staff shall complete welfare and vulnerability awareness training as part of their induction process to work at the premises. This training shall be documented and repeated/refreshed at yearly intervals.

Kind Regards

Mark



PC Mark Perry

Central East Licensing Unit

Metropolitan Police Service (MPS)

Email [REDACTED]

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

# 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

## Crime and Disorder

- 7.1 Licensed premises, especially those offering late night / early morning entertainment, alcohol and refreshment for large numbers of people, can be a source of crime and disorder problems and to store prescribed information.
- 7.2 When addressing crime and disorder the applicant should initially identify any particular issues (having regard to their particular type of premises and / or activities) which are likely to adversely affect the promotion of the crime and disorder licensing objective. Such steps as are required to deal with these identified issues should be included within the applications operating schedule. Where the Metropolitan Police, acting as a responsible authority, makes recommendations in respect of an application relating to the licensing objectives the Licensing Authority would expect the applicant to incorporate these into their operating schedule.
- 7.3 Applicants are recommended to seek advice from Council Officers and the Police as well as taking into account, as appropriate, local planning and transport policies, with tourism, cultural and crime prevention strategies, when preparing their plans and Schedules.
- 7.4 In addition to the requirements for the Licensing Authority to promote the licensing objectives, it also has duties under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the Borough and to share prescribed information.
- 7.5 The Licensing Authority, if its discretion is engaged, will consider attaching Conditions to licences and permissions to deter and prevent crime and disorder both inside and immediately outside the premises and these may include Conditions drawn from the Model Pool of Conditions relating to Crime and Disorder given in the Secretary of State's Guidance.
- 7.6 **CCTV** - The Licensing Authority, if its discretion is engaged, will attach conditions to licences, as appropriate where the conditions reflect local crime prevention strategies, for example the provision of closed circuit television cameras.

7.7 **Touting** – This is soliciting for custom. There has been a historic problem with Touting in the borough, mainly in relation to restaurants, and as such in 2006 the Council introduced a byelaw under Section 235 of the Local Government Act 1972 for the good rule and government of the London Borough of Tower Hamlets and for the prevention and suppression of nuisances.

As a result, in relation to premises where there is intelligence that touting is, or has been carried out, the Licensing Authority, where its discretion is engaged will insert a standard condition that prohibits 'touting' as follows:-

- 1) No person shall be employed to solicit for custom or be permitted to solicit for custom for business for the premises in any public place within a 500 meters radius of the premises as shown edged red on the attached plan.( marked as Appendix -)
- 2) Clear Signage to be placed in the restaurant windows stating that the premises supports the Council's 'No Touting' policy.

7.8 **Responsible Drinking** - The Licensing Authority expects alcohol to be promoted in a responsible way in the Borough. This should incorporate relevant industry standards, such as the Portman Group Code of Practice. Where appropriate and proportionate, if its discretion is engaged, the Licensing Authority will apply conditions to ensure responsible drinking. The Licensing Authority also recognises the positive contribution to best practice that "Pubwatch" and other similar schemes can make in promoting the licensing objectives and is committed to working with them.

Model Pool Conditions can be found in the Secretary of State's Guidance.

7.9 **Criminal Activity** - There is certain criminal activity that may arise in connection with licensed premises which the Licensing Authority will treat particularly seriously. These are the use of the licensed premises:

- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
- for the sale and distribution of illegal firearms;
- for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
- for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
- for prostitution or the sale of unlawful pornography;
- by organised groups of paedophiles to groom children;

- as the base for the organisation of criminal activity, particularly by gangs;
- for the organisation of racist activity or the promotion of racist attacks;
- for employing a person who is disqualified from that work by reason of their immigration status in the UK;
- for unlawful gambling; and
- for the sale or storage of smuggled tobacco and alcohol.

The Secretary State's Guidance states that it is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and this Licensing Authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence, even in the first instance, should be seriously considered.

7.10 In particular the Licensing Authority is mindful of the Secretary of State's Guidance "Reviews arising in connection with crime".

7.11 From 1 April 2017, businesses which sell alcohol (for example, retailers of alcohol and trade buyers) will need to ensure that the UK wholesalers that they buy alcohol from have been approved by HMRC under the Alcohol Wholesaler Registration Scheme (AWRS). They will need to check their wholesalers Unique Registration Number (URN) against the HMRC online database which will be available from April 2017. This is an ongoing obligation and if a business is found to have bought alcohol from an unapproved wholesaler, they may be liable to a penalty or could even face criminal prosecution and their alcohol stock may be seized. Any trader who buys alcohol from a wholesaler for onward sale to the general public (known as a 'trade buyer') does not need to register unless they sell alcohol to other businesses. Examples of trade buyers would be pubs, clubs, restaurants, cafes, retailers and hotels. However, they will need to check that the wholesaler they purchase alcohol from is registered with HMRC. Further information may be found at: <https://www.gov.uk/guidance/the-alcohol-wholesaler-registration-scheme-awrs>.

## **Smuggled goods**

7.12 The Licensing Authority will exercise its discretion to add a standard condition as follows:-

- 1) The premises licence holder and any other persons responsible for the purchase of stock shall not purchase any goods from door-to-door sellers other than from established traders who provide full receipts at the time of delivery to provide traceability.
- 2) The premises licence holder shall ensure that all receipts for goods bought include the following details:
  - i. Seller's name and address
  - ii. Seller's company details, if applicable
  - iii. Seller's VAT details, if applicable
  - iv. Vehicle registration detail, if applicable
- 3) Legible copies of the documents referred to in 2) shall be retained on the premises and made available to officers on request.
- 4) The trader shall obtain and use a UV detection device to verify that duty stamps are valid.
- 5) Where the trader becomes aware that any alcohol may be not duty paid they shall inform the Police of this immediately.

## **Olympic Park – Football Ground**

7.13 Premises where Police intelligence shows that football supporters congregate within the borough should consider in their application form the following conditions:

- 1) On Match Days for premises licensed for the supply of alcohol for consumption on the premises:
  - a) Drinks shall only be supplied in polypropylene or similar plastic and all bottled drinks shall be poured into such drinking vessels before being handed to the customer. These should be made of recyclable materials.
  - b) Registered door staff shall be employed to control the entry and exits to the premises and to manage any licensed outside area(s).

# Appendix 10

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

Updated December 2022

## 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 11

## **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 12

## **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.

This page is intentionally left blank

# Agenda Item 5

Committee: <b>Licensing Sub Committee</b>	Date	Classification <b>Unrestricted</b>	Report No.	Agenda Item No.
--	------	---------------------------------------	------------	-----------------

Report of: <b>David Tolley</b> <b>Head of Environmental Health &amp; Trading Standards</b>  Originating Officer: <b>Corinne Holland</b> <b>Licensing Officer</b>	Title: <b>Licensing Act 2003 Application for a new Premise Licence for Pirate Studios, 13 Rothbury Road, London, E9 5HA</b>  Ward affected: <b>Bow East</b>
--	---

## 1.0 Summary

Applicant:	<b>Pirate Studios Limited</b>
Name and Address of Premises:	<b>Pirate Studios 13 Rothbury Road London E9 5HA</b>
Licence sought:	<b>Licensing Act 2003 Sale by retail of Alcohol (on sales)</b>
Objectors:	<b>Residents</b>

## 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 Pirate Studios, 13 Rothbury Road, London, E9 5HA.
- 3.2 The applicant has described the premises as: *Licensable activities to take place within a recording studio space. Alcohol will be ancillary to persons participating in studio services.*
- 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 10:00 – 23:30 hours

Friday – Saturday 10:00 - 00:00 hours (midnight)

Sunday 10:00 – 22:30 hours

#### **Non-standard hours**

From the end of permitted hours on New Years Eve to the start or permitted hours on New Years Day

#### **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 1<sup>st</sup> 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](http://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 15**

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.

Anna Fumagalli	<b>Appendix 6</b>
Ben Lamy	<b>Appendix 7</b>
Jasmine Wu	<b>Appendix 8</b>
Mohammed Noor	<b>Appendix 9</b>
Rashel Miah	<b>Appendix 10</b>
Sandra Freeman	<b>Appendix 11</b>
Tamryn Stowell	<b>Appendix 12</b>
Mohammed Noor - Petition	<b>Appendix 13</b>

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

## 7.0 Conditions consistent with Operating Schedule

1. A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally.
2. Recorded CCTV images will be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request.
3. CCTV will be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player.
4. Any person left in charge of the premises whilst licensable activities are taking place must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request.
5. SIA registered door staff shall be employed at the premises, in accordance with a risk assessment, to be carried out by the DPS from time to time.
6. When employed, door staff will wear high visibility armbands.
7. When employed, a register of those door staff employed shall be maintained at the premises and shall include:
  - (i) the number of door staff on duty;
  - (ii) the identity of each member of door staff; and
  - (iii) the times the door staff are on duty.
8. There shall be no off-sales of alcohol.
9. The sale and service of alcohol shall be restricted to those persons participating in studio services at the premises.
10. All staff authorised to sell alcohol shall be trained in:
  - (i) Relevant age restrictions in respect of products;
  - (ii) Prevention of underage sales;
  - (iii) Prevention of proxy sales;
  - (iv) Maintenance of the refusals log;
  - (v) Recognising signs of drunkenness and vulnerability;
  - (vi) How overservice of alcohol impacts on the four objectives of the Licensing Act 2003;
  - (vii) How to refuse service;
  - (viii) Understanding and dealing with situations involving vulnerable people, and incidents of harassment; and how to report issues of modern slavery and trafficking;

- (ix) Action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services; and
- (x) The conditions in force under this licence.

This training shall be documented and repeated at 6 monthly intervals. Training records shall be made available for inspection upon request by a Police Officer or an authorised officer of The Licensing Authority.

11. A refusals book will be maintained at the premises and made available to an officer of a responsible authority upon request.
12. Customers shall not be permitted to bring into the premises any alcoholic drinks purchased off the premises.
13. A first aid box will be available at the premises at all times.
14. Regular safety checks shall be carried out by staff.
15. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.
16. The premises shall maintain an Incident Log (which may be kept electronically) and public liability insurance.
17. No noise shall emanate from the premises which gives rise to a nuisance.
18. The exterior of the building shall be cleared of litter at regular intervals.
19. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.
20. Doors and windows at the premises are to remain closed after 11pm, save for access and egress.
21. The emptying of bins into skips, and refuse collections will not take place between 11pm and 8am.
22. A "Challenge 25" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 25. The only acceptable forms of ID are photographic driving licences, passports, HM forces warrant cards, EU/EEA national ID card or similar document or a form of identification with the "PASS" hologram.
23. Staff training will include the Challenge 25 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training must be given to a new member of bar staff before they commence employment and all bar staff must receive refresher training every 6 months.

24. Notices advising what forms of ID are acceptable must be displayed.
25. Notices must be displayed in prominent positions indicating that the Challenge 25 policy is in operation.

## 8.0 Conditions Agreed/Requested by Responsible Authority

Conditions agreed with the Environmental Health – **Appendix 14**

1. *No noise shall emanate from the premises which gives rise to a public nuisance.*
2. *The exterior of the building shall be cleared of litter at regular intervals.*
3. *Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.*
4. *Doors and windows at the premises are to remain closed after 21:00 hours, save for access and egress.*
5. *The emptying of bins into skips and refuse collections will not take place between 10pm and 8am.*
6. *Loudspeakers shall not be located outside the premise building .*

## 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 15 - 22** 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

<b>Appendix 1</b>	A copy of the application
<b>Appendix 2</b>	Site Plan
<b>Appendix 3</b>	Maps of the surrounding area
<b>Appendix 4</b>	Photographs of the premises
<b>Appendix 5</b>	Other licensed venues in the area
<b>Appendix 6-13</b>	Resident representations
<b>Appendix 14</b>	Environmental Health Conditions
<b>Appendix 15</b>	Section 182 Advice by the DCMS- Relevant, vexatious and frivolous representations
<b>Appendix 16</b>	Licensing Officer comments on public nuisance
<b>Appendix 17</b>	S182 advice on public nuisance
<b>Appendix 18</b>	Licensing Officer comments on crime & disorder
<b>Appendix 19</b>	S182 advice on crime & disorder
<b>Appendix 20</b>	ASB leaving the premises
<b>Appendix 21</b>	Licensing Policy relating to hours of trading
<b>Appendix 22</b>	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** Pirate Studios Limited

*(Insert name(s) of applicant)*

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

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description Pirate Studios 13 Rothbury Road			
<b>Post town</b>	London	<b>Postcode</b>	E9 5HA

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£

**Part 2 - Applicant details**

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

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i as a limited company/limited liability partnership  please complete section (B)
  - ii as a partnership (other than limited liability)  please complete section (B)
  - iii as an unincorporated association or  please complete section (B)
  - iv other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)

- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

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

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

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

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

**(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 Pirate Studios Limited
Address 13 Rothbury Road London E9 5HA
Registered number (where applicable) 09669260
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company

Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
0	1	0 9 2 0 2 3

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

DD	MM	YYYY

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

This is an application for licensable activities (limited to the sale of alcohol only) to take place within a recording studio space.

The space will operate as Pirate Studios and more information about the operator can be found here: <https://pirate.com/en>

Licensable activities are sought in accordance with Tower Hamlet’s Council’s Core Hours Policy.

The sale of alcohol will be ancillary to persons participating in studio services.

Please refer to the plans deposited with the application.

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

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

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

- |  |                            |
|--|----------------------------|
| Provision of regulated entertainment (please read guidance note 2)   | Please tick all that apply |
| a) plays (if ticking yes, fill in box A)                             | <input type="checkbox"/>   |
| b) films (if ticking yes, fill in box B)                             | <input type="checkbox"/>   |
| c) indoor sporting events (if ticking yes, fill in box C)            | <input type="checkbox"/>   |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/>   |
| e) live music (if ticking yes, fill in box E)                        | <input type="checkbox"/>   |
| f) recorded music (if ticking yes, fill in box F)                    | <input type="checkbox"/>   |
| g) performances of dance (if ticking yes, fill in box G)             | <input type="checkbox"/>   |

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**

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
Day	Start	Finish		Both <input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)	
Tue			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)	
Wed			<b><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></b> (please read guidance note 6)	
Thur				
Fri				
Sat				
Sun				

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish		
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)	
Tue				
Wed			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)	
Thur				
Fri			<b><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></b> (please read guidance note 6)	
Sat				
Sun				



**C**

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

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish			Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)			
Tue			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)			
Wed			<b><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></b> (please read guidance note 6)			
Thur						
Fri						
Sat						
Sun						

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
Day	Start	Finish		Both <input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)	
Tue				
Wed			<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)	
Thur				
Fri			<b><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></b> (please read guidance note 6)	
Sat				
Sun				

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)					
Mon								
Tue								
Wed						<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Thur								
Fri						<b><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></b> (please read guidance note 6)		
Sat								
Sun								

# 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"/>
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			<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

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

**I**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (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 provision of late night refreshment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	10:00	23:30			
Tue	10:00	23:30			
Wed	10:00	23:30			
Thur	10:00	23:30			
Fri	10:00	00:00			
Sat	10:00	00:00			
Sun	10:00	22:30			

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

<b>Name</b> David Andrew Spence Borrie	
<b>Date of birth</b> [REDACTED]	
<b>Address</b> [REDACTED]	
<b>Postcode</b>	[REDACTED]
<b>Personal licence number (if known)</b> [REDACTED]	
<b>Issuing licensing authority (if known)</b> [REDACTED]	





## M

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

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

As per the attached operating schedule

**b) The prevention of crime and disorder**

As per the attached operating schedule

**c) Public safety**

As per the attached operating schedule

**d) The prevention of public nuisance**

As per the attached operating schedule

**e) The protection of children from harm**

As per the attached operating schedule

**Checklist:**

**Please tick to indicate agreement**

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

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

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

**Part 4 – Signatures** (please read guidance note 11)

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

<b>Declaration</b>	<ul style="list-style-type: none"><li>• [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).</li><li>• 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</li></ul>
--------------------	---

	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	KSL LLP
Date	03.08.2023
Capacity	Solicitors and authorised agents

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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)			
Megan Stevenson Kuit Steinart Levy LLP [REDACTED]			
Post town	Manchester	Postcode	M3 2RD
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[REDACTED]			

## Notes for Guidance

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

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

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

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

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

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

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

#### **Documents which demonstrate entitlement to work in the UK**

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

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

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

#### **Home Office online right to work checking service**

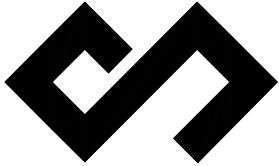
As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

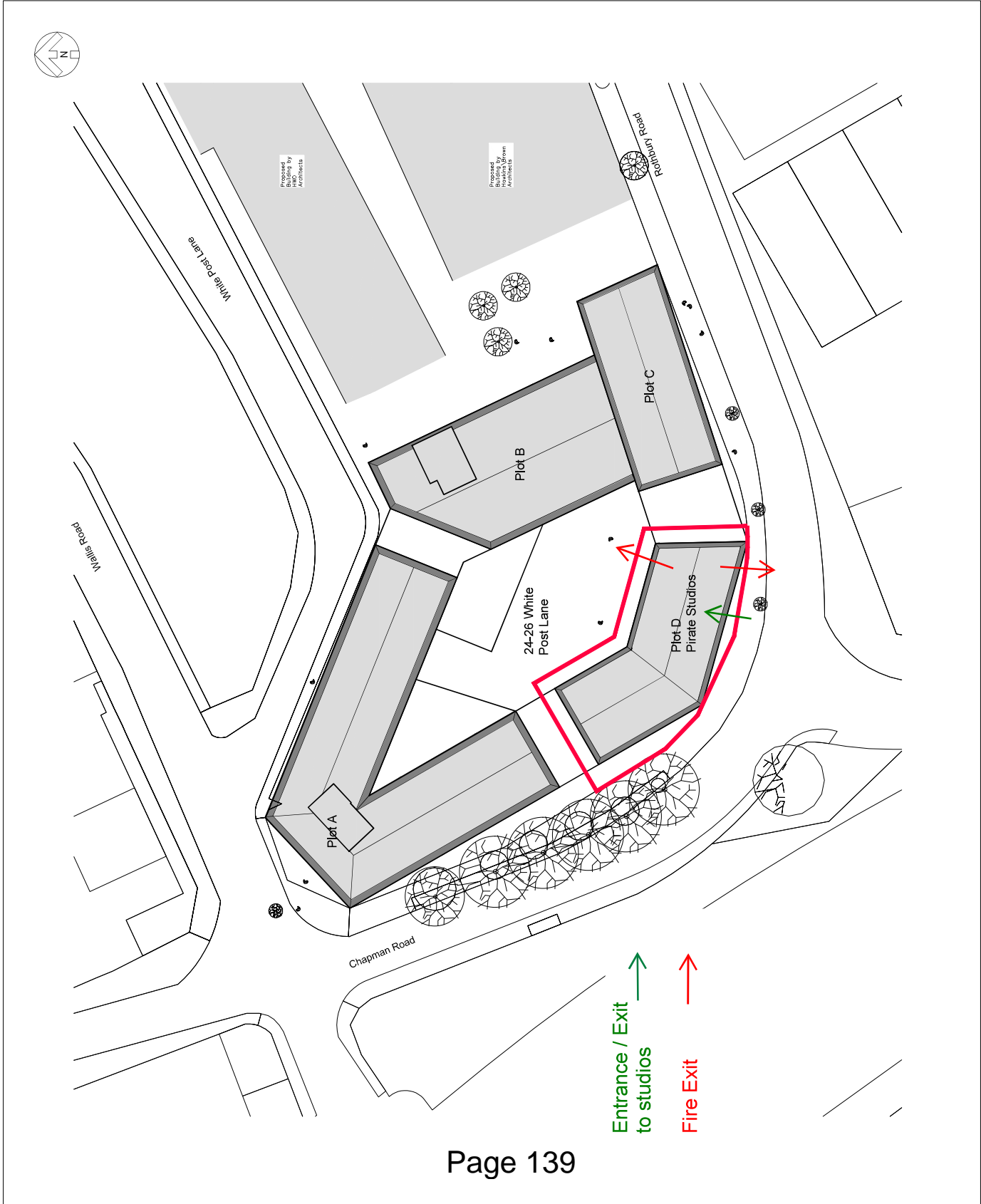
To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth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

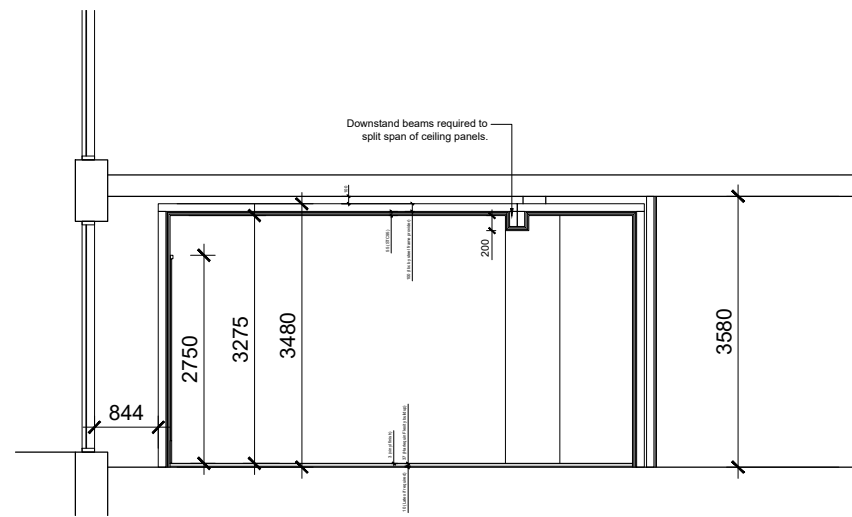
In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

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

# Appendix 2

Project Title:	
PIRATE STUDIOS BAGEL FACTORY, HACKNEY WICK, LONDON	
Drawing Title: SITE PLAN	
Scale:	Date:
1:500 @ A3	11/06/2020
Drawn By:	
RLG	
©Pirate Studios Ltd.	
Drawing Number: UK-HW-DR-PL-11	
REV: P01	
Revised By:	
RLG 11/06/2020	
Revision notes: P01. Initial Issue	
Drawing Notes:	
<b>PLANNING</b>	
	
Pirate Studios Ltd.	

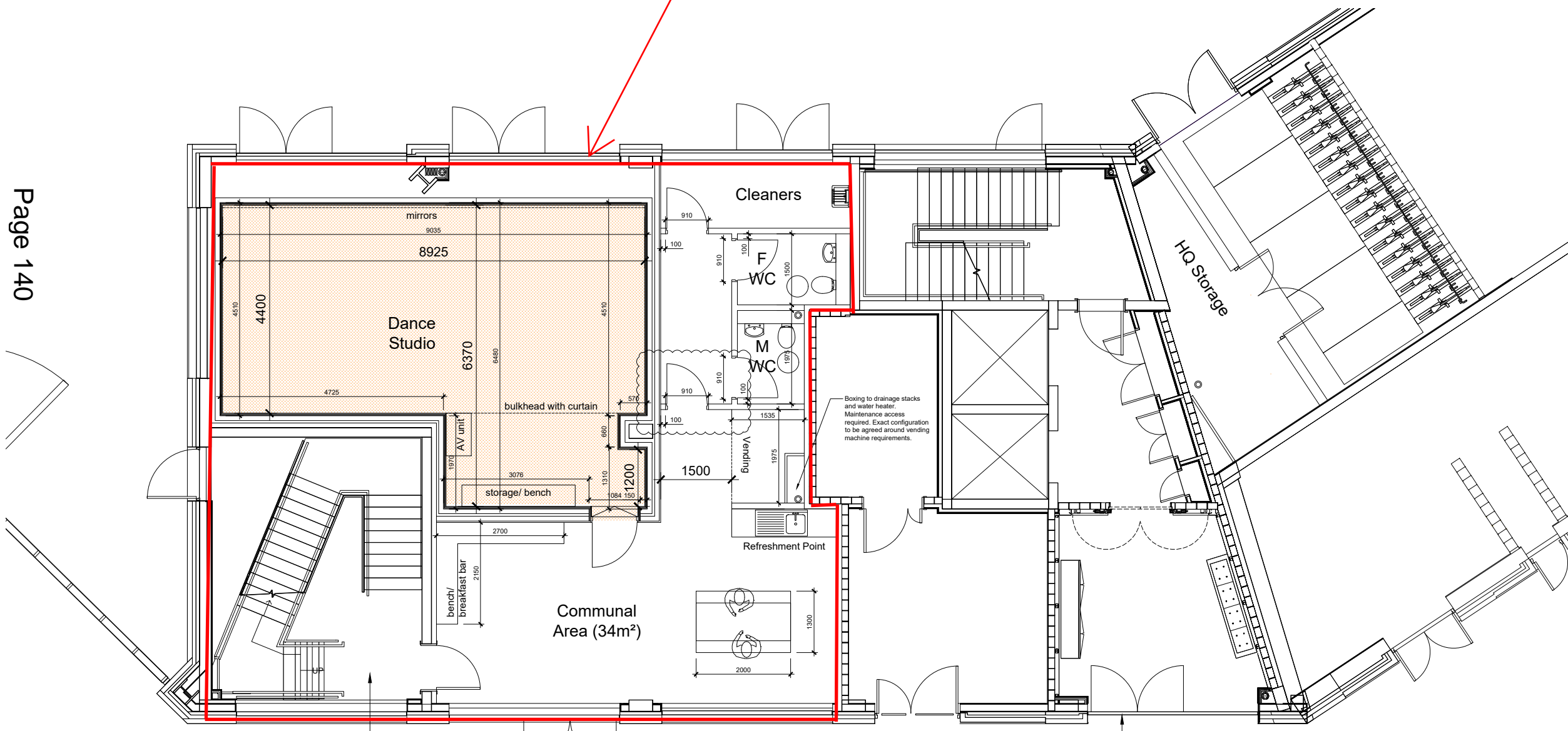




Indicative Dance Studio section  
scale 1:100

Red line indicates where licensable activities are proposed to take place

Page 140



Stairwell to be used for escape only from upper floors to prevent customer access to offices.

Entrance off main street and fire exit

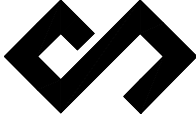
Access control required to offices above. Solution to be agreed with Ops.

Proposed Ground Floor Layout

Project Title: PIRATE STUDIOS UK-BF BAGEL FACTORY HACKNEY WICK,LONDON	
Drawing Title: GROUND FLOOR PROPOSED GA LAYOUT	
Scale: 1: 100 @ A3	Date: 09/01/2020
Drawn By: RLG ©Pirate Studios Ltd.	
Drawing Number: UK-BF-DR-200-01	
Rev: P10	
Revised By: RLG 14/05/2020	
Revision notes: P10. Door added to create toilet lobby. P9. Dance studio tolerances increased by 50mm following site checks.	
Company Name: Pirate Studios Ltd.	
Drawing Notes: Ground Floor area - 273m <sup>2</sup>  Studio Mix: Total 1no. Studios.  1no. Dance Studio  Please note this is smaller than an industry standard dance studio, actual dimensions (width, length & diagonal) as indicated on plan.	
For Construction	

Project Title:	PIRATE STUDIOS
UK-BF	BAGEL FACTORY, LONDON
Drawing Title:	GROUND FLOOR PROPOSED FIRE STRATEGY
Scale:	1:100 @ A2
Date:	01/07/2020
Drawn By:	RLG
Checked By:	RLG
Revision notes:	P2, Updated in line with Fire Engineers report.
Revision notes:	P1, Initial Issue
Company Name:	Pirate Studios Ltd.
Company Name:	Pirate Studios Ltd.
Drawing Notes:	

**CONSTRUCTION**



Pirate Studios Ltd.

**Fire Strategy Key**

The existing fire strategy information indicated on this drawing is based on Building Regulations drawings ref: 16033-04-000 and is subject to confirmation by full site investigation.

- FIRE EXTINGUISHER - WATER
- FIRE EXTINGUISHER - CO2
- CALL POINT
- FIRE ALARM PANEL

- Ex. 240 minute fire rate wall/door
- Ex. 60 minute fire rated wall/door
- Ex. 30 minute fire rated wall/door
- P1 30 minute fire rated wall/door
- 30minutes Fire Door with Smoke Seal, "Fire Door Keep Shut" signage and automatic door closer.
- Room occupancy (max)
- Protected zone
- Fire Escape Signage
- Direction of escape
- Travel Distance
- X Wheelchair Refuge Point

**Notes:**

The design is based upon the guidance in BS9899, Refer to Fire Engineer's report for details.

Studio Pools achieve 30 min fire protection internally.

Full height compartment walls are to be fully fire resisting to BS 476 Part 8.

Ceiling & wall linings to satisfy Building Regulations Class D requirements.

For door & emergency specifications refer to typical door schedule. All existing fire doors to be made good or replaced to meet the required fire resistance standards.

Cavity barriers provided in accordance with Approved Document B, refer to ceiling plans for approximate locations.

Surface spread of flame of ceiling & wall linings:

- circulation - class 0
- rooms - class 1
- rooms - 20sqm class 3, 20sqm class 4.

All locked entrance doors & barrier systems are to fall into one of the categories of fire resisting doors. Fire & fire fighting equipment to be located at major exits, to BS 5306-3:2000.

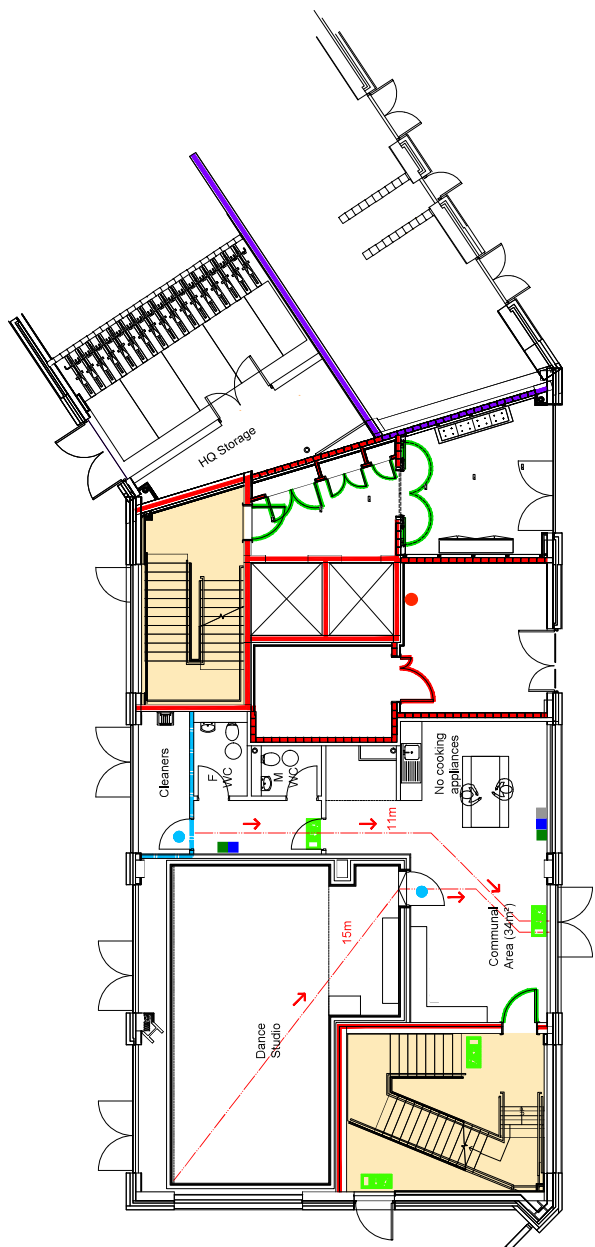
All duct penetrations through fire resisting construction are to satisfy guidance in BS 5568-3. Service penetrations are to be sealed to maintain fire resistance of separating elements.

Existing fire detection to be protected during works and retained / reconfigured to suit new layouts to maintain operation throughout.

Refer to electrical information for all details of fire alarm / emergency lighting systems

Portable extinguishers compliant to BS 5423 to be installed at all escape stairs at all levels, in places of special fire risk and in additional positions (to be agreed with Pirate Studios Ltd) on all floors.

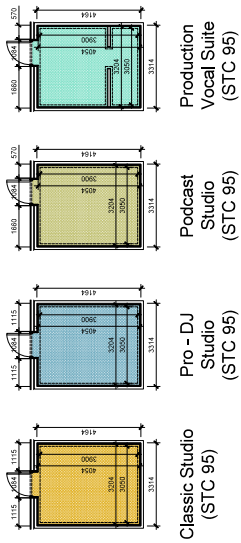
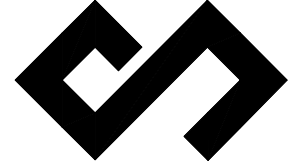
All fire signage to be provided in the direction of escape from all rooms on all floors. Fire safety signs illuminated are to comply with BS 5488: Part 4: 2000.



Proposed Ground Floor Layout

<b>Project Title:</b>	PIRATE STUDIOS UK-BF BAGEL FACTORY HACKNEY WICK, LONDON
<b>Drawing Title:</b>	FIRST FLOOR PROPOSED GA LAYOUT
<b>Scale:</b>	Date:
1: 100 @ A3	09/01/2020
<b>Drawn By:</b>	RLG
<b>Revised By:</b>	©Pirate Studios Ltd.
<b>Revision notes:</b>	<b>Drawing Number:</b>
P8. Security door added within stair core. Stores/ Spare cupboards repositioned. P7. Disabled toilet omitted and Lost Property relocated from ground floor. P6. Dimensions added.	UK-BGL-200-02
<b>Company Name:</b>	Rev: P8
<b>Pirate Studios Ltd.</b>	Revised By:
	RLG 14/05/2020
<b>Drawing Notes:</b>	
First floor area - 235m <sup>2</sup>	
<b>Studio Mix:</b>	
Total 4no. Studios.	
1no. Classic Studio	
1no. Pro-DJ studio	
1no. Production Vocal suite	
1no. Podcast	

For Construction



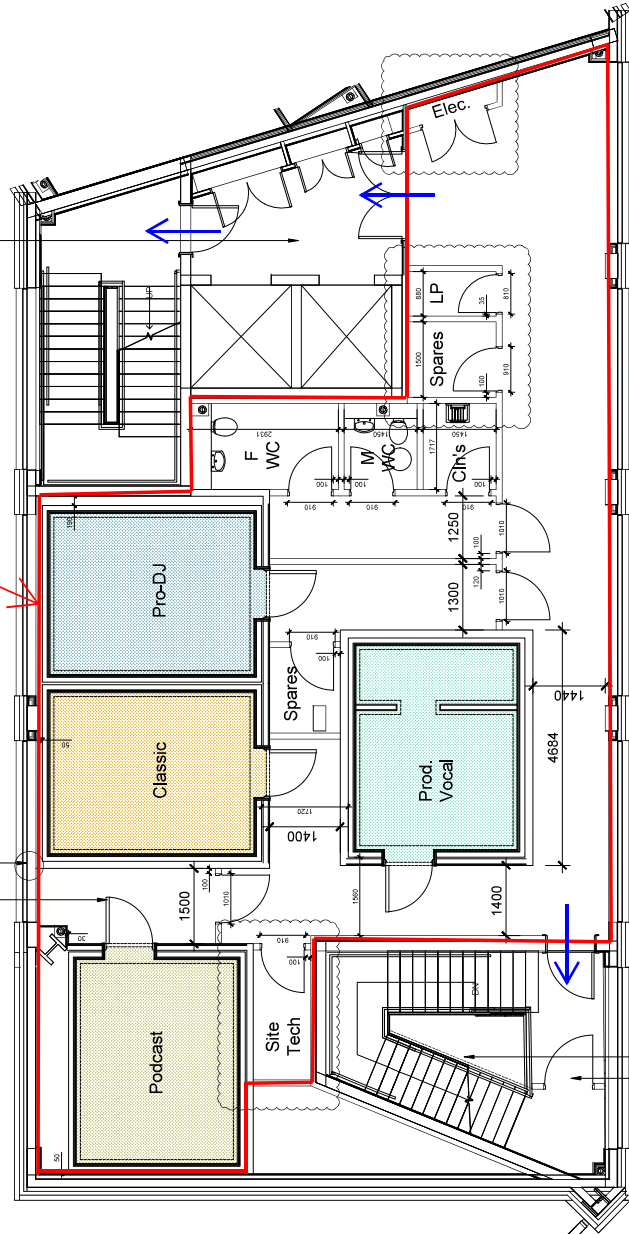
Red line indicates where licensable activities are proposed to take place

**Studio Key**  
scale 1:200

- Podcast lobby floor finish to be carpet/ vinyl.
- Natural daylight to be retained from window if possible.
- Lobby door wall to be acoustic rated (rating tbc). Code lock entry system to be installed on lobby door instead of studio door.

Access to above floors via stair / lift to be controlled. Solution to be agreed with Ops.

Mullion position needs confirming



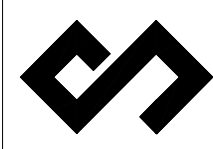
Steel mesh to side of stair flight to prevent access around wall.  
Intermediate door/wall to prevent access to upper levels.

Fire Escape

Proposed First Floor Layout

<b>Project Title:</b>	
PIRATE STUDIOS	
BAGEL FACTORY, LONDON	
<b>Drawing Title:</b>	
PIRATE STUDIOS	
<b>PROPOSED FIRE STRATEGY</b>	
<b>Scale:</b>	<b>Date:</b>
1:100 @ A2	01/07/2020
<b>Drawn By:</b>	
RLG	
<b>Company Name:</b>	
Pirate Studios Ltd.	
<b>Drawing Notes:</b>	

**CONSTRUCTION**



Pirate Studios Ltd.

**Fire Strategy Key**

The existing fire strategy information indicated on this drawing is based on Building Regulations drawings ref: 6033-04-000 and is subject to confirmation by full site investigation.

- FIRE EXTINGUISHER - WATER
- FIRE EXTINGUISHER - CO2
- CALL POINT

- Ex. 240 minute fire rate wall/door
- Ex. 60 minute fire rated wall/door
- Ex. 30 minute fire rated wall/door
- P1 30 minute fire rated wall/door
- 30minutes Fire Door with Smoke Seals, "Fire Door Keep Shut" signage and automatic door closer.
- ↑ X Room occupancy (max)
- Protected zone
- ↑ Fire Escape Signage
- Direction of escape
- X Travel Distance
- Wheelchair Refuge Point

**Notes:**

The design is based upon the guidance in BS9899. Refer to Fire Engineer's report for details.

Studio 'Pod's' achieve 30 min fire protection internally.

Full height compartment walls are to be fully fire protected to BS 5446-1. All fire doors are to be Class 0 requirements.

For door & emergency specifications refer to typical door schedule. All existing fire doors to be made good or replaced to meet the required fire resistance standards.

Cavity barriers provided in accordance with Approved Document B. Refer to ceiling plans for approximate locations.

Surface spread of flame of ceiling & wall linings: circulation-class 0 rooms > 30sqm class 1 rooms > 30sqm class 3.

All locked entrance doors & barrier systems are to fail in the open position in the event of fire. Fire-rated main entrance to be installed to BS 5446-1 Part 4 & fire fighting equipment to be located at major exits to BS 5306-8:2000.

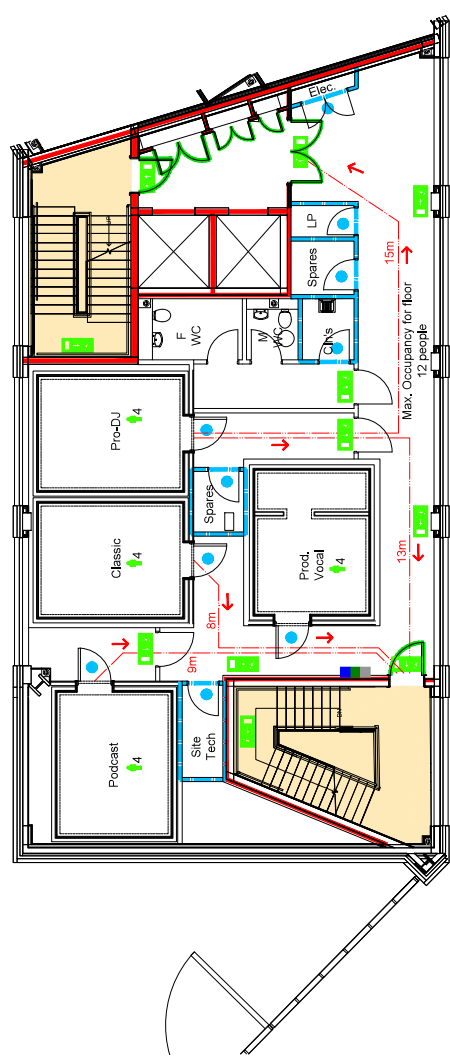
All duct penetrations through fire resisting construction are to satisfy guidance in BS 5568-3. Service penetrations are to be sealed to maintain fire resistance of separating elements.

Existing fire detection to be protected during works and retained / reconfigured to suit new layouts to maintain operation throughout.

Refer to electrical information for all details of fire alarm / emergency lighting systems

Portable extinguishers compliant to BS 5423 to be installed at all escape stairs at all levels. In places of special fire risk and in additional positions (to be agreed with Pirate Studios Ltd) on all floors.

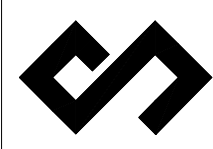
All fire signage to be provided in the direction of escape from all rooms on all floors. Fire safety signs to be provided in the direction of escape from all rooms to comply with BS 5488 Part 4: 2000.



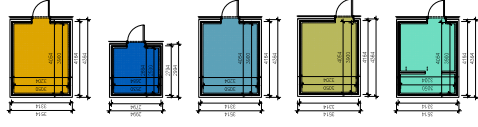
Proposed First Floor Layout

<b>Project Title:</b>	PIRATE STUDIOS
<b>UK-BGL</b>	BAGEL FACTORY, LONDON
<b>Drawing Title:</b>	SECOND FLOOR PROPOSED GALAXY LAYOUT
<b>Scale:</b>	Date: 19/05/2020
<b>Drawn By:</b>	1: 100 @ A2
<b>RLG</b>	
<b>Company Name:</b>	Pirate Studios Ltd.
<b>Drawing Number:</b>	UK-BGL-200-03
<b>Rev. P06</b>	
<b>Revised By:</b>	
<b>RLG 22/09/2020</b>	
<b>Revision notes:</b>	P6, STC ratings stated. Door references added. Partition specs and studio set out updated. see fig. 22.007.1 for set out.
<b>Company Name:</b>	Pirate Studios Ltd.
<b>Drawing Notes:</b>	GIA (excl. 3rd & 4th floors) = Second floor = 375m <sup>2</sup>
<b>Studio Mix:</b>	Total 12no. Studios. 6no. Production/Vocal suites 4no. DJ rooms

**CONSTRUCTION**



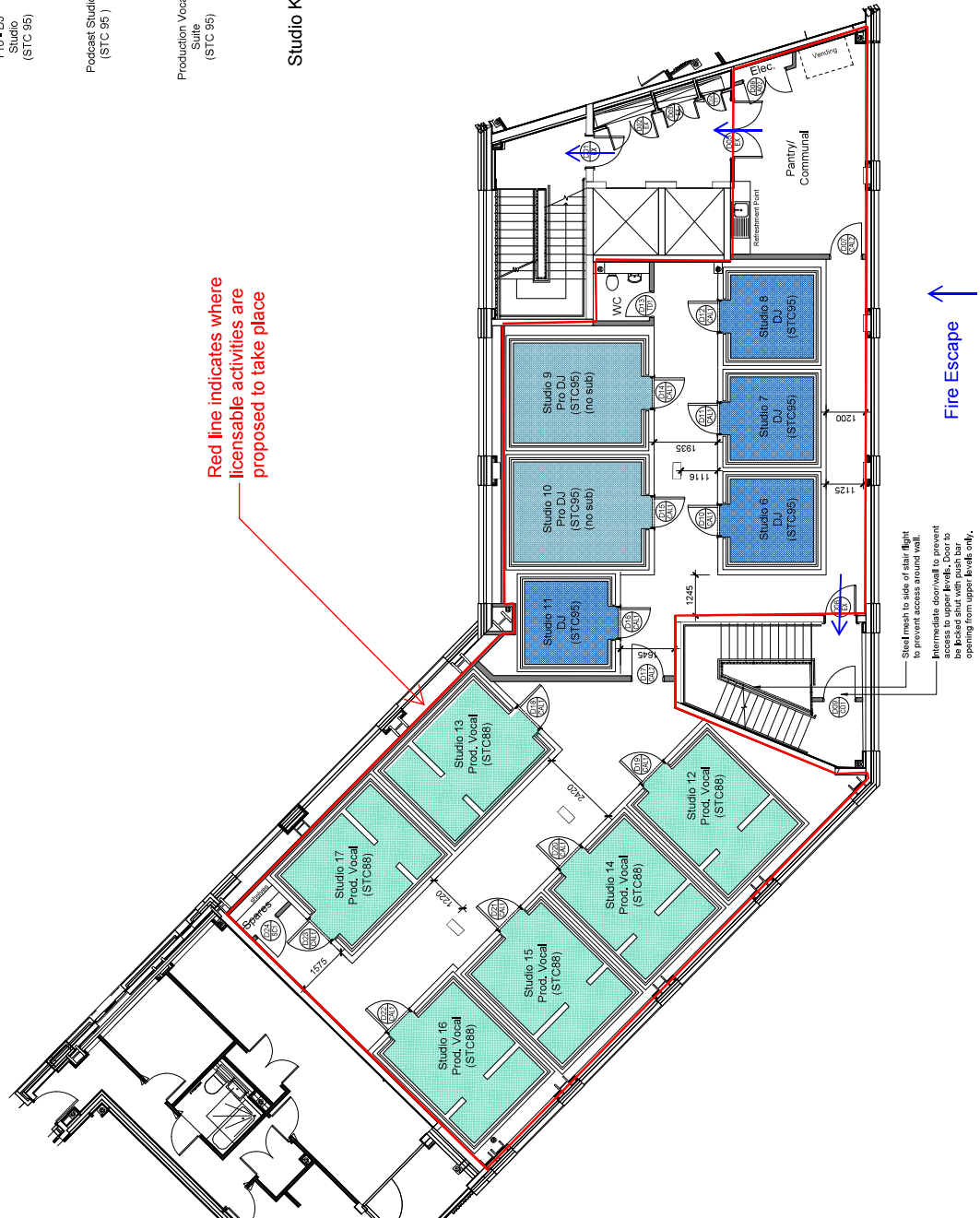
Pirate Studios Ltd.



- Classic Studio (STC 95)
- DJ Room (STC 95)
- Pro - DJ Studio (STC 95)
- Podcast Studio (STC 95 )
- Production Vocal Suite (STC 95)

**Studio Key (nts)**

Red line indicates where licensable activities are proposed to take place

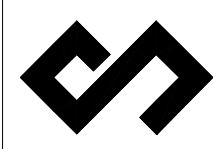


Steel mesh to side of stair flight to prevent access around wall.  
Intermediate door/wall to prevent access to upper levels. Door to be locked shut with push bar opening from upper levels only.



Project Title:	PIRATE STUDIOS
UK-BF	BAGEL FACTORY, LONDON
Drawing Title:	SECOND FLOOR
PROPOSED FIRE STRATEGY	
Scale:	Date: 01/07/2020
1: 100 @ A2	Drawn By: RLG
Revised By:	Company Name: Pirate Studios Ltd.
Drawing Number:	UK-BF-FOR-67/043
Revision notes:	Rev. P02
P2, Updated in line with Fire Engineers report.	P1, Initial Issue
Company Name:	Pirate Studios Ltd.
Drawing Notes:	

**CONSTRUCTION**



Pirate Studios Ltd.

- Fire Strategy Key**
- The existing fire strategy information indicated on this drawing is subject to change. All drawings are subject to confirmation by full site investigation.
- Es. 240 minute fire rate wall door
  - Es. 60 minute fire rated wall/door
  - Es. 30 minute fire rated wall/door
  - P1 30 minute fire rated wall/door
  - P1 60 minute fire rated wall/door
  - 30minutes Fire Door with Smoke Seals, "Fire Door Keep Shut" signage and automatic door opener.
  - 60minutes Fire Door with Smoke Seals, "Fire Door Keep Shut" signage and automatic door opener.
  - Room occupancy (max)
  - Protected zone
  - Fire Escape Signage
  - Direction of escape
  - Travel Distance
  - Wheelchair Refuge Point

**Notes:**

The design is based upon the evidence in BS9969. Refer to Fire Engineer's report for details.

Studio 'Pods' achieve 30 min fire protection internally. Full height compartment walls are to fully fire stopped at top, to under side of structure building. Ceiling & wall linings to satisfy Building Regulations Class 0 requirements.

For door & incoming specifications refer to typical door schedule. All existing fire doors to be made good and tested to meet the required fire resistance standards.

Cavity barriers provided in accordance with Approved Document B. Refer to ceiling plans for appropriate locations.

Surface spread of flame of ceiling & wall linings; rooms > 30sqm class 1; rooms < 30sqm class 3.

All locked entrance doors & barrier systems are to fail safe open in event of fire alarm sounding. Running man signage is to be installed to BS 5489. First aid & fire fighting equipment to be located at major exits, to BS 5306-4:2004.

All duct penetrations through fire resisting construction are to satisfy paragraph 6.2 of BS 5854. Services are to be sealed to maintain fire resistance of separating elements.

Existing fire detectors to be protected during works and replaced / incorporated for post new works to maintain operation throughout.

Refer to electrical information for all details of fire alarm emergency lighting systems

Portable extinguishers compliant to BS 5423 to be provided in accordance with the fire risk assessment. Locations of special fire risk and in additional positions to be agreed with Pirate Studios Ltd on all floors.

All fire signage to be provided in the direction of escape from all rooms on all floors. Fire safety signs including internally illuminated are to comply with BS 5489: Part 4: 2000.

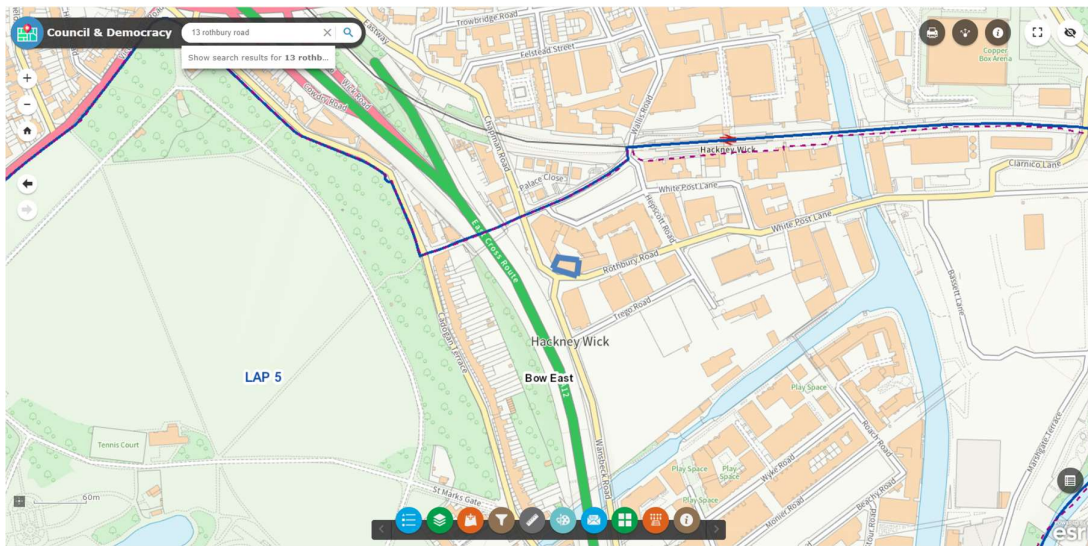
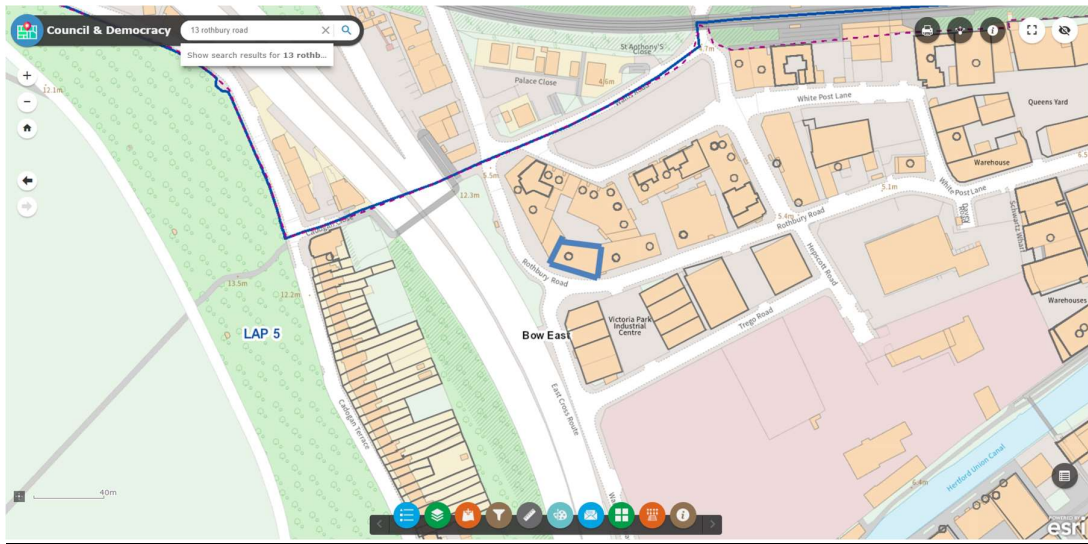
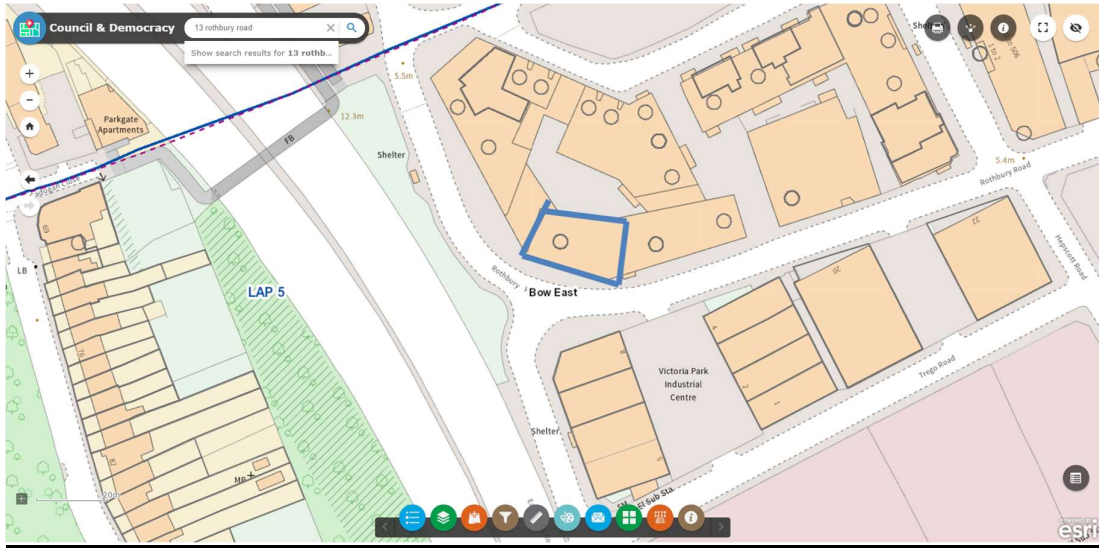
- FIRE EXTINGUISHER - CO2
- FIRE EXTINGUISHER - WATER
- CALL POINT



Proposed Second Floor Layout

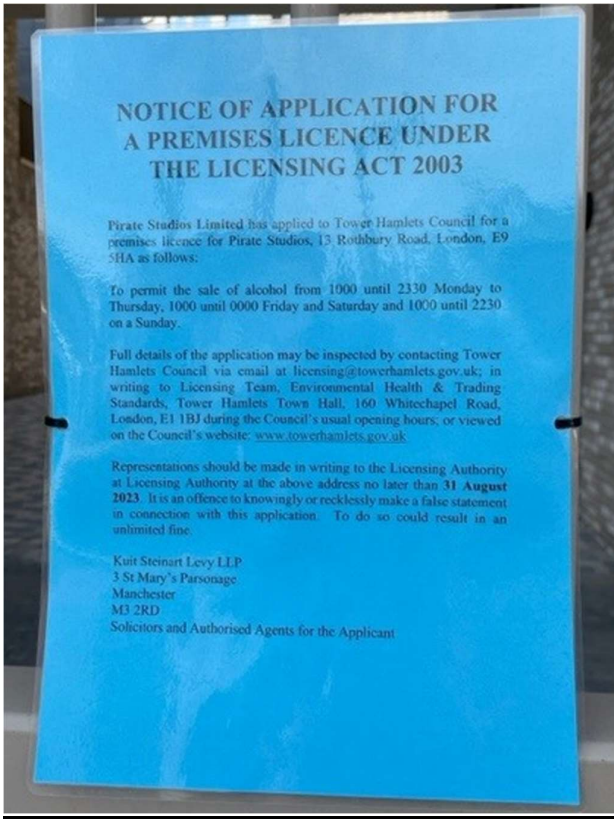
# Appendix 3

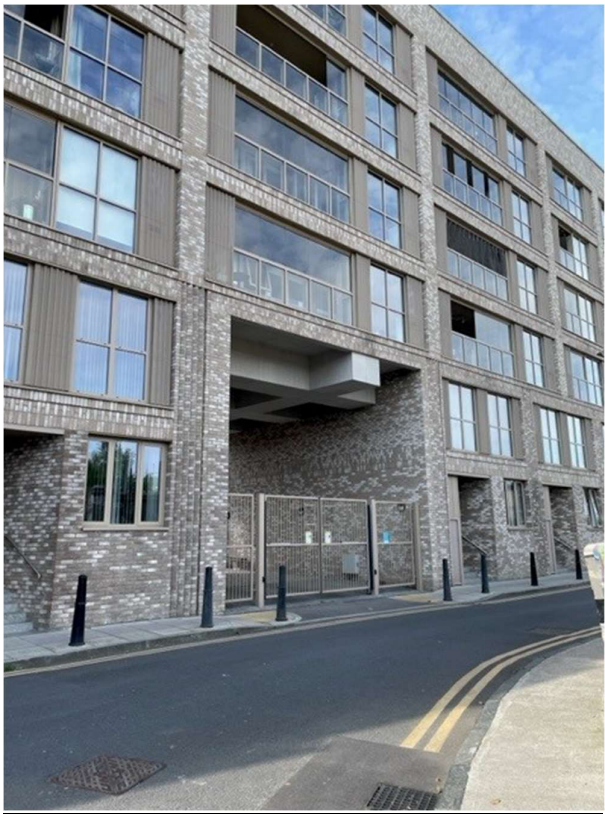
# Maps – 13 Rothbury Road

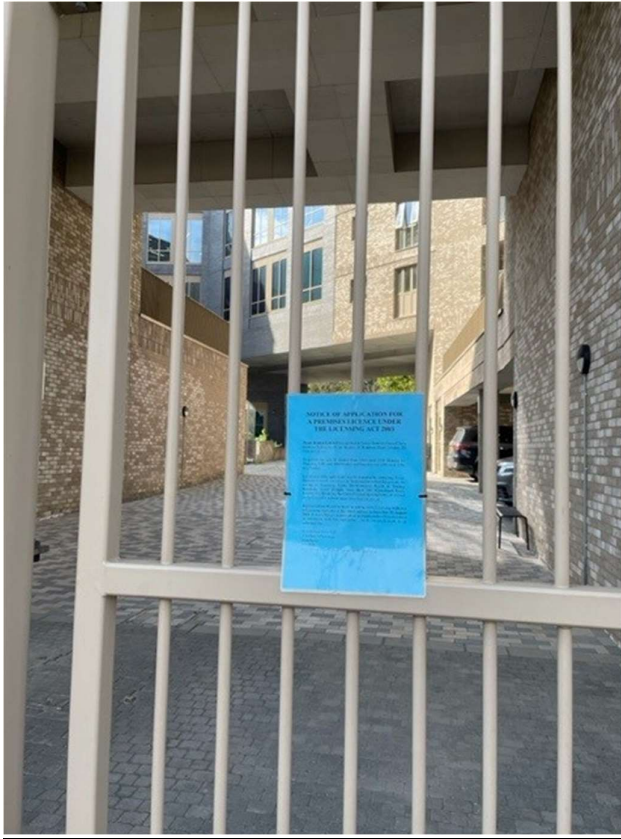


# Appendix 4

**Photos – 13 Rothbury Road**







# Appendix 5



Address	Licensable activities/times	Opening hours
<b>I Am Nut Ok</b> 4, Victoria Park Industrial Centre Rothbury Road	<u><b>Sale of alcohol</b></u> (off sales) Monday – Friday 10:00 hours – 17:00 hours	Not open to the public
<b>(Burnt Umber            Brasserie and            Deli)</b> 2 Hepscott Road	<u><b>The sale by retail of alcohol (on            &amp; off sales)</b></u> <ul style="list-style-type: none"> <li>Monday to Sunday, from              07:00 hrs to 23:00 hrs</li> </ul>	Monday to Sunday, from 07:00 hrs to 23:00 hrs
<b>(Old Street            Brewery)</b> Unit 1, Queens Yard White Post Lane	<p><b>The sale by retail of alcohol – On            and off sales</b>            Monday to Sunday, from 10:00 hrs            to 00:00 hrs (midnight)</p> <p><b>The provision of late night            refreshments – Indoors and            outdoors</b>            Sunday to Wednesday, from 23:00            hrs to 23:30 hrs            Thursday to Saturday, from 23:00            hrs to 00:00 hrs (midnight)</p> <p><b>The provision of regulated            entertainment – Indoors and            outdoors</b>  <u>(Recorded Music only)</u>            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) Thursday to Saturday, from 10:00 hrs to 00:30 hrs the following day
<b>The Yard Theatre)</b> <b>Unit 2a Queens            Yard            White Post Lane</b>	<p><u><b>The supply of alcohol (on sales            only)</b></u>            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> <p><u>The provision of regulated            entertainment in the form of plays</u></p>	Sunday to Wednesday from 12:00hrs (midday) to 00:00hrs (midnight) Thursday from 12:00hrs (midday) to 02:00hrs (the following day) Friday to Saturday from 18:00hrs to 03:00hrs (the following day) <p><u>Non-Standard Times</u></p>

	<p><u>(indoors), films (indoors), performances of dance (indoors)</u> Monday to Sunday from 12:00hrs (midday) to 23:00hrs</p> <p><u>The provision of regulated entertainment in the form of live music (indoors), recorded music (indoors)</u> 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> <p><u>The provision of late night refreshment</u> Sunday to Wednesday from 23:00hrs to 00:00hrs (midnight) Thursday from 23:00hrs to 02:00hrs (the following day) Friday to Saturday from 23:00hrs to 03:00hrs (the following day)</p> <p><u>Non-Standard Times (supply of alcohol, late night refreshment and recorded music only)</u></p> <p>40 nights per year opening times and licensable activities extended until 6am</p>	<p>40 nights per year opening times and licensable activities extended until 6am</p>
<p><b>(Colour Factory)</b> Unit 8a, Queens Yard White Post Lane</p>	<p><b>The sale by retail of alcohol (on &amp; off sales)</b> Monday to Thursday 09:00 hours to 23:00 hours Friday &amp; Saturday 09:00 hours to 03:30 hours the following day Sunday 09:00 hours to 00:00 hours (midnight)</p> <p><b>The provision of late-night refreshment – Indoors and outdoors</b> Friday and Saturday, from 23:00 hours to 02:00 hours the following day</p>	<p>Monday to Thursday 09:00 hours to 23:30 hours Friday &amp; Saturday 09:00 hours to 04:00 hours (the following day) 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</p>

	<p><b>The provision of regulated entertainment</b>  <u>(Plays, Performances of Dance) – indoors</u>  Monday to Thursday 09:00 hours to 23:30 hours  Friday &amp; Saturday 09:00 hours to 04:00 hours (the following day)  Sunday, from 09:00 hours to 00:00 hours (midnight)</p> <p><u>(Films) - indoors</u>  Monday to Thursday 09:00 hours to 23:30 hours  Friday &amp; Saturday, from 09:00 hours to 04:00 hours the following day  Sunday 09:00 hours to 00:00 hours (midnight)</p> <p><u>(Indoor Sporting Event)</u>  Monday to Thursday, from 09:00 hours to 23:30 hours  Friday &amp; Saturday 09:00 hours to 04:00 hours (the following day)  Sunday, from 09:00 hours to 00:00 hours (midnight)</p> <p><u>Live Music &amp; Recorded Music (indoors &amp; outdoors) – Live music cease 23:00 hours outside)</u>  Monday to Thursday 09:00 hours to 23:30 hours  Friday &amp; Saturday 09:00 hours to 04:00 hours (the following day)  Sunday 09:00 hours to 00:00 hours (midnight)</p> <p><u>Anything of a similar description to Live Music, Recorded Music or Performance of Dance – indoors and outdoors</u>  Monday to Thursday 09:00 hours to 23:30 hours  Friday &amp; Saturday 09:00 hours to 04:00 hours (the following day)  Sunday, from 09:00 hours to 00:00 hours (midnight)</p>	<p>03:00 am, including the New Year's Eve closing at 04:00 am that the Police and Environmental Health are informed of each of these events at least 10 working days before they occur, so that they may consider each event, and if there is any reason to believe that the Licensing Objectives will not be met, have the right to refuse an event.</p>
--	--	---

	<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><b>Howling Hops Unit 9 Queens Yard White Post Lane</b></p>	<p><u>The Supply of Alcohol (both on and off premises)</u> Sunday to Thursday from 12:00hrs (midday) to 23:00hrs Friday to Saturday from 12:00hrs Midday) to 01:30hrs</p> <p><u>Provision of Regulated Entertainment:</u> <u>Plays, Films, Indoor Sporting Events, Live Music (indoors), Recorded Music (indoors), Performance of Dance, Anything of a similar Description</u> Sunday to Thursday from 12:00hrs (midday) to 23:00hrs Friday and Saturday from 12:00hrs (midday) to 01:30hrs</p> <p><u>The Provision of Late Night Refreshments</u> Friday and Saturday 23:00hrs – 0200hrs</p>	<p>Sunday to Thursday from 12:00hrs to 23:30hrs Friday to Saturday from 12:00hrs to 02:00hrs (the following day)</p>
<p><b>Getir UK Ltd Unit 4a, Queens Yard 43 White Post Lane</b></p>	<p>The sale by retail of alcohol (off sales)Monday to Sunday from 08:00 hours to 00:00 hours</p>	<p>Monday to Sunday from 08:00 hours to 00:00 hours</p>

<p><b>(Crate Bar &amp; Pizzeria)</b> White Building Unit ,7 Queens Yard White Post Lane</p>	<p><b>Sale by retail of alcohol (on and off sales)</b> 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> <p><b>The provision of late night refreshment – Indoors</b> 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> <p><b>The provision of regulated entertainment – Indoors and outdoors</b> <b>Plays, Films,</b> 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> <p><b>Live Music, recorded music (outside only until 21:00 hours)</b> 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> <p><b>Performance of dance</b> 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>	<p>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>
<p><b>(Hurk Limited)</b> Unit 8 29 White Post Lane</p>	<p><b><u>Supply of alcohol (on &amp; off sales)</u></b> Monday to Thursday from 11:30 hours to 23:30 hours Friday to Saturday from 11:30 hours to 00:00 hours Sunday from 11:30 hours to 22:30 hours</p>	<p><b><u>Hours premises are open to the public</u></b> Monday to Thursday from 11:30 hours to 23:00 hours Friday to Saturday from 11:30 to 23:30 hours</p>

	<p><b><u>Non-standard timings</u></b> Until 01:30 on the evening preceding a Bank Holiday. Until 4am on New Years Eve, until 01:30 on New Year's Day.</p> <p><b><u>Regulated Entertainment Plays &amp; Recorded Music (Indoors &amp; Outdoors)</u></b> Monday to Thursday from 11:30 hours to 23:30 hours Friday to Saturday from 11:30 hours to 00:00 hours Sunday from 11:30 hours to 22:30 hours</p> <p><b><u>Non-standard timings</u></b> Until 01:30 on the evening preceding a Bank Holiday. Until 4am on New Years Eve, until 01:30 on New Year's Day.</p>	<p>Sunday from 11:30 to 22:00 hours</p> <p><b><u>Non-standard timings</u></b> Until 01:30 on the evening preceding a Bank Holiday. Until 4am on New Year's Eve, until 01:30 on New Year's Day.</p>
<p><b>The Lot Yard</b> 31-33 White Post Lane</p>	<p><b><u>Supply of Alcohol on and off sales</u></b> Monday to Sunday from 11:00 hours to 22:00 hours</p>	<p>Monday to Sunday from 09:00 hours to 22:30 hours</p>
<p><b>(Whitepost Cafe)</b> Schwartz Wharf 92 White Post Lane</p>	<p><b><u>The sale by retail of alcohol - on sales</u></b> Monday to Thursday from 11:00hrs to 23:00hrs Friday from 11:00hrs to 00:00hrs (midnight) Saturday from 11:00hrs to 01:00hrs (the following day) Sunday from 11:00hrs to 22:00hrs</p> <p><b><u>The sale by retail of alcohol - off sales</u></b> Monday to Sunday from 11:00hrs to 21:00hrs</p> <p><b><u>The Provision of Late Night Refreshment (indoors):</u></b> Friday from 23:00hrs to 00:00hrs (midnight) Saturday from 23:00hrs to 00:00hrs (midnight)</p>	<p>Monday to Thursday from 11:00hrs to 23:30hrs Friday from 11:00hrs to 00:30hrs (the following day) Saturday from 11:00hrs to 01:30hrs (the following day) Sunday from 11:00hrs to 22:30hrs</p> <p><b><u>Non-standard times:</u></b> Sundays before Bank Holidays 11:00hrs to 01:00hrs (the following day) New Year's Eve 11:00hrs to 09:00hrs (the following day) Morning British Standard Time commences to allow</p>

	<p><b>The Provision of Regulated Entertainment in the form of Recorded Music indoors):</b>  Monday to Thursday from 11:00hrs to 23:00hrs  Friday from 11:00hrs to 00:00hrs (midnight)  Saturday from 11:00hrs to 01:00hrs (the following day)  Sunday from 11:00hrs to 22:00hrs</p> <p><b>Non-standard times:</b>  Sundays before Bank Holidays 11:00hrs to 01:00hrs (the following day)  New Year's Eve 11:00hrs to 09:00hrs (the following day)  Morning British Standard Time commences to allow clock going back on hour</p>	<p>clock going back on hour</p>
--	--	---------------------------------

# Appendix 6



## Corinne Holland

---

**From:** Anna Fumagalli <[REDACTED]>  
**Sent:** 23 August 2023 18:57  
**To:** Licensing  
**Cc:** Moraschi & Fumagalli Household  
**Subject:** CLC/EHTS/LIC/161824 - Concerns for waste, safety and pest

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

To whom it may concern,

We are residents of Bagel Factory West adjoining the Pirate Studio. My balcony faces the shared courtyard, our buildings are connected and we share the immediate surroundings and communal services. Their application to sell alcohol and food late at night raised a concern.

Since the start of Pirate Studio, we have heard and noticed a lot more anti-social behaviour spreading to our block. Noise levels are already at all time high, and we are already witnessing antisocial behaviour such as people urinating on our walls in broad daylight during weekends. There are children living in the block and we should provide a healthy and safe environment. Just to clarify, we were reassured at time of purchase that the commercial units at the Bagel Factory were designated as office space.

We understand Hackney Wick has a lively nightlife in some parts of it. We are not expecting total silence. But to bring alcohol and food into one of the buildings sharing communal resources and immediately at our homes is likely to threaten the health and safety and the cost of maintenance we share with them.

Our bin rooms in the building are shared with commercial units. Right now they are already overflowing because the rooms aren't big enough to fit more bins. In addition, we are seeing increasing pest control issues. If food sales are introduced in space joining our building, we can anticipate it to get worse.

The late night alcohol consumption is likely to also fuel more anti-social behaviour spreading towards the residential blocks. We have seen businesses and gym windows being smashed, which we have to pay for, and security in the building also reported more incidents in our immediate surroundings. This could worsen the safety concerns to our home.

We urge the licensing committee to consider the impact on the many residents who bought and moved into this shared building, particularly with the likely increase of anti-social behaviours often brought on by nightclub types of businesses, pest control issues and general safety of our homes.

Thank you,

Anna Fumagalli

# Appendix 7

## Corinne Holland

---

**From:** Ben Lamy <[REDACTED]>  
**Sent:** 30 August 2023 19:21  
**To:** Licensing  
**Subject:** Re: Re Premises Licence at Pirate Studios, 13 Rothbury Road - M161824

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Corinne,

Thank you, I write as a director of [REDACTED] - we manage our building through Right To Manage.

I've received further representations from residents, which split into two camps:

The first group would like a full rejection of the application citing the reasons I mentioned in my previous email.

The second group (albeit smaller) are open in principle to Pirate Studios having a licence to sell alcohol, but have concerns regarding anti-social behaviour, large intoxicated groups hanging around outside the building, and noise when leaving the premises together at the close of licensed hours, as well as the length of the licence hours (e.g. commencing at 10am every day and finishing at midnight or 11.30pm) which appear excessive.

Everyone in the building who responded is concerned about the groups who currently gather outside Pirate Studios drinking and smoking (all kinds of things) and are concerned about this situation getting worse. We are also concerned - as mentioned above - about the noise and disruption once the licence period ends each day.

As noted below, the company's website states that alcohol is not permitted at a number of their sites, and no reason is provided as to why they should permit alcohol to be sold here. Ultimately it is a place of artistic creation and not a club or pub.

We are happy to listen to any representations Pirate Studio might like to offer, e.g. if they would like to pay for ongoing security to ensure that no anti-social behaviour or disruption takes place around the development, and shorten the hours, say, from 12-6pm.

I will take any such representations back to residents.

Best wishes,

Ben

On Tue, 29 Aug 2023, 08:21 Licensing, <[Licensing@towerhamlets.gov.uk](mailto:Licensing@towerhamlets.gov.uk)> wrote:

Dear Ben

In order for your representation to be valid you are required to provide your name and full address.

**E1 1BJ**

**Hearings will also be held here.**

---

**From:** Ben Lamy <[REDACTED]>  
**Sent:** Monday, August 28, 2023 3:24 PM  
**To:** Licensing <[Licensing@towerhamlets.gov.uk](mailto:Licensing@towerhamlets.gov.uk)>  
**Subject:** Re Premises Licence at Pirate Studios, 13 Rothbury Road

Dear Sir/Madam,

I write with respect to the application for a premises licence at Pirate Studios, 13 Rothbury Road E9 5HA.

Whilst in general I am not opposed to premises having a commercial licence to sell alcohol, given the nature of the commercial activity, and its proximity to numerous blocks of residential spaces, I am concerned about the risk of frequent noise disturbances and anti-social behaviour.

I note that on the company's own website, alcohol is banned in most - if not all - of their premises, and I don't believe that alcohol should be permitted to be sold in this case, particularly from 10am.

I am also concerned that weekday and weekend evenings will turn into club nights by proxy and that we will experience large gatherings of intoxicated people hanging around the residential blocks at night.

Therefore, I respectfully ask for the premises licence to be rejected.

With best wishes,

Ben

# Appendix 8

## Corinne Holland

---

**From:** Jasmine Wu [REDACTED] >  
**Sent:** 23 August 2023 18:23  
**To:** Licensing  
**Subject:** CLC/EHTS/LIC/161824 - Concerns for waste, safety and pest

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

To whom it may concern,

I'm a resident of Bagel Factory West adjoining the Pirate Studio. Our buildings are connected and we share the immediate surroundings and communal services. Their application to sell alcohol and food late at night raised a concern.

Since the start of Pirate Studio, we have heard and noticed a lot more anti-social behaviour spreading to our block. The screaming and partying of crowds leaving there late at night. Though it was a part of the Hackney Wick vibe, so far there was no alcohol and food fueling the crowd into drunken behaviours on this side of the Wick. The sale of alcohol and food would change that undoubtedly. It will turn a residential area into a club.

Our bin rooms in the building are shared with commercial units. Right now they are already overflowing because the rooms aren't big enough to fit more bins. In addition, we are seeing increasing pest control issues. If food sales are introduced in space joining our building, we can anticipate it to get worse.

The late night alcohol consumption is likely to also fuel more anti-social behaviour spreading towards the residential blocks. We have seen businesses and gym windows being smashed, which we have to pay for, and security in the building also reported more incidents in our immediate surroundings. This could worsen the safety concerns to our home.

We understand Hackney Wick has a lively nightlife in some parts of it. We are not expecting total silence. But to bring alcohol and food into one of the buildings sharing communal resources and immediately at our homes is likely to threaten the health and safety and the cost of maintenance we share with them.

We urge the licensing committee to consider the impact on the many residents who bought and moved into this shared building, particularly with the likely increase of anti-social behaviours often brought on by nightclub types of businesses, pest control issues and general safety of our homes.

Thank you.

Jasmine

# Appendix 9

## Corinne Holland

---

**From:** Rooni Afatsum <[REDACTED]>  
**Sent:** 31 August 2023 14:58  
**To:** Licensing; THH ASB; Mayor  
**Subject:** Reference CLC/EHTS/LIC/161824  
**Attachments:** 161824 1.jpg; 161824 2.jpg

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

I am Mohammed Noor, of [REDACTED]. I am making a representation against an application made by Pirate Studios Limited, 13 Rothbury Road, London, E9 5HA. Reference **CLC/EHTS/LIC/161824**.

Granting this licence will increase **the current levels of crime, disorder, public nuisance** at the same time the public and resident families who live and work in the vicinity will face an higher levels of fear and harm.

- Currently users of the pirate studio come out and party next to their parked cars which are opposite 15 Rothbury road, they play loud music while doing drugs and partying, they also drink and leave broken bottles and empty Nitrous oxide tanks all across the road and pavement. Driving off while doing balloons (laughing gas, nitrous oxide) is also something that is done here. This level of crime and disorder will increase if the licence is granted as the users will have access to more alcohol, and any other sale of goods would facilitate them in staying longer in larger groups.
- Currently the noise of screaming, shouting and loud music through speakers is a public nuisance that will only increase with the granting of this licence
- The public and residents living nearby cant sleep which effects their health and wellbeing, with large groups of 15-25 people on average people partying, high on drugs and drunk off alcohol is an important matter of public safety. People not being able to sleep properly is proven to have adverse negative effects on a persons physical and mental wellbeing. **That current matter itself should be dealt with by the council**, the granting of this licence is bound to make this worse based on facts, figures and reports.
- There are already children who cant sleep due to the noise or are being woken up by the loud music when they start partying. As these residential buildings are increasing in families and children it will effect more and more people, taking away the rights of having a safe home. If this Licence is granted, these ongoing issues caused by the users of pirate studio will magnify significantly.

We residents were not given sufficient time and notice to deal with this matter correctly. The letter some of us received was dated 18<sup>th</sup> of august 2023 and received by 22<sup>nd</sup> of august 2023, while the deadline for the consultation to end was for 31<sup>st</sup> august 2023. This goes well below the 28 days time we as residents expected to receive from our council.

Given this extremely short window we were not able to follow all the correct procedures for a petition. However all the signatories in the attached document agree with the issues raised and are against the granting of this application. Because of the short window many residents were unaware and many are still unaware of this licence application. For this reason many decided to put their name and contact down as time wouldn't allow them to make a representation before the deadline and have allowed me to do so on their behalf.

Yours sincerely,

Mohammed Noor



# Appendix 10

## Corinne Holland

---

**From:** Mohammed Rashel Miah <[REDACTED]>  
**Sent:** 27 August 2023 10:08  
**To:** Licensing  
**Subject:** Pirate studios licensing - 13 Rothbury Road

Hello,

Reference: CLC/EHTS/LIC/161824

Hello,

My name is Rashel Miah and I reside at [REDACTED]

### REPRESENTATION

To whom this may concern,

I am sending this letter in regard to the premises license by Pirate Studios ( 13 Rothbury Road E9 5HA).

Firstly I would like to thank you for sending us this letter and giving us the chance to have our say. Below is the licensing objectives and reasons for representation as stated by the council.

The council clearly states for reason (s) to reject a premises license:

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

I can confirm every Friday to Sunday night we have young individuals from pirate studios and also other parts of clubs nearby drinking publicly and on private property.

We have young individuals coming out of pirate studios to sit on our building porch to smoke cannabis and adhere to taking from what I believe to be called "laughing gas" this clearly shows signs of all above as stated by the council as to why the premises license should not be permitted to pirate studios.

From 9pm up until the next day around 3AM every Friday to Sunday me and all other residents across Rothbury road and white post lane are disturbed with loud music, arguments, aggressive behaviour, smell of cannabis and vomit over our building doors. Our private homes have become accessible to the public. We can also support this with picture videos of this happening every night.

I understand they are a business and would like to expand however it is affecting our daily lives and we all have families and young children. We have also seen our front building doors broken and windows smashed occasionally due to those taking cannabis and drinking. Our home does not feel safe on the weekends the days we would like to spend some family time together.

On many occasions we have had to politely from upstairs ask for them to move off our property and not smoke, drink and take laughing gas on it.

I write this letter with the support of all other residents that Pirate studios to not be granted the license because of this. I strongly have faith in the council decisions when it comes to housing, public safety and crime and I hope to this letter is taken into consideration sincerely.

Please feel free to contact me at anytime on my email and number.

Email: [REDACTED]

Phone: [REDACTED]

Kindest Regards

Rashel Miah

# Appendix 11

## Corinne Holland

---

**From:** Sandra Freeman [REDACTED] >  
**Sent:** 31 August 2023 18:34  
**To:** Licensing  
**Cc:** Nathan Freeman  
**Subject:** CLC/EHTS/LIC/161824 - Strong opposition to the granting of alcohol and food licenses to Pirate Studio.

Dear Licensing Committee,

I am writing to you today as a resident of Bagel Factory West, which is connected to the Pirate Studio. **I am very concerned about the proposed sale of alcohol and food at the Pirate Studio. I am strongly opposed to their request to obtain a license for selling food and alcohol.** My objections are based on several critical factors that I believe must be taken into consideration:

- 1. Community Disruption:** Our building is a close-knit family estate that has fostered a sense of community since its inception in 2019. Introducing a venue that sells alcohol late into the night would attract a different crowd, potentially leading to disturbances, and noise, and compromising the safe and peaceful environment we have established. In our estate, there are two nurseries. We are a family-friendly, kids-oriented real estate.
- 2. Safety and Security:** Allowing the sale of alcohol could lead to situations involving intoxicated individuals, jeopardizing the safety of residents. The potential for altercations and accidents could significantly impact our quality of life and sense of security. Since the Pirate Studio opened, we have seen an increase in anti-social behaviour in our building. I believe that the sale of alcohol and food will only make this problem worse.
- 3. Property Value:** The introduction of a business selling alcohol could negatively affect property values in the building. Prospective buyers and tenants may be deterred by such a presence, reducing demand and subsequently impacting my investment. When I purchased my flat, the premium I paid for it was with the understanding that the basement commercial units would be exclusively used for office spaces. This was a fundamental aspect of my decision to invest in this property, as I believed it would provide a quiet and peaceful environment in the midst of the bustling Hackney Wick area. It is disheartening to think that the character of our community could be altered without us, leaseholders, being respected and protected.
- 4. Legal and Liability Implications:** Granting a license for alcohol sales exposes the building to legal and liability risks, including issues related to underage drinking and over-serving. We should not bear the burden of potential legal consequences.
- 5. Pest control:** Our building shares bin rooms with the Pirate Studio. These bin rooms are already overflowing and presenting potential pest problems, and I am concerned that the sale of food will only make this worse.
- 6. Traffic and Parking Concerns:** An establishment selling alcohol is likely to attract larger crowds, causing increased traffic and parking congestion in the area. This would inconvenience residents and visitors alike, impeding access to our homes. The Bagel Factory is built around a quiet yard. There is no doubt that people will gather in the yard when leaving Pirate Studio, affecting brutally the lives of all the residents. Sadly, the yard reverberates sound, amplifying any noise nuisance (not to mention the littering that will undoubtedly occur).
- 7. Quality of Life:** The peace and tranquillity that our community currently enjoys (and that all leaseholders bought when investing in Bagel Factory in 2019) could be severely undermined by the noise, traffic, and potential disturbances associated with a venue selling alcohol.
- 8. Precedent and Zoning:** Granting this request could set an undesirable precedent for future businesses seeking similar licenses in the building. We must adhere to zoning regulations and maintain the original intent of the commercial units.

I urge you to carefully consider the negative implications of allowing the recording studio to sell food and alcohol. The harmonious and family-oriented atmosphere we have cultivated is worth preserving, and I believe that granting this request would be detrimental to the well-being of all residents.

Thank you for your attention to this matter. I hope you will take into account the concerns raised by the residents when making a decision.

Sincerely,  
Sandra Freeman

A large black rectangular redaction box covering the signature area.

# Appendix 12

## Corinne Holland

---

**From:** Tamryn Stowell <[REDACTED]>  
**Sent:** 23 August 2023 19:04  
**To:** Licensing  
**Subject:** Opposition to Pirate Studios Ltd Application

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Good afternoon,  
I live at [REDACTED] and am writing to oppose the application for Pirate Studios Limited's application to sell alcohol.

Ref: CLC/EHTS/LIC/161824

I live in the same block as Pirate Studios and see no benefit, only stress and inconvenience in Pirate Studios being able to sell alcohol. This is a residential block in an area already filled with bars, pubs, and restaurants.

Some units in the Bagel Factory Development are commercial and these tend to operate in normal working hours (8am-6pm) meaning that residents in the buildings can then expect some level of calm and quiet during the evenings.

The sale of alcohol at Pirate Studios is not central to their business nor a necessity.

However, it has the potential to create a huge disturbance for the private residents of the building who already have to content with a bustling nightlife and heavy drinking culture in the Hackney Wick area.

Our homes and the buildings we live in should be a place to escape.

Please do not allow commercial late night drinking to be a licensed in the same building as our homes.

Thank you for your consideration

Best  
Tamryn Stowell

--

--

Tamryn Stowell  
[REDACTED]



# Appendix 13

Application ref: CLC/EHTS/LIC/161824

15, 19, 21 and 23 Rothbury Road are residential buildings with many families as well as babies and children. For the past year, we have, almost every weekend, been suffering from antisocial behaviour and sound pollution in the early hours of the morning. Users of the Pirate Studio park outside the gates of the Victoria park industrial estate and along Rothbury road, playing loud music from their modified speakers in their cars, drinking and having laughing gas (nitrous oxide), screaming, shouting and partying while we residents are being woken up from our sleep. Children and adults both have their lives and sleep significantly affected.

This is taking a toll on many residents on their health and well-being. Trying to maintain a work-life is also proving difficult with this constant disturbance. We have reported to the police on numerous occasions and also have recordings of the disturbances. Residents are uncomfortable and feel unsafe in their own homes as the groups are usually large with many cars coming together. Pirate Studio has now applied for an alcohol licence and a licence for hot food to be served at night. This will only make our situation worse as more people will have a reason to attend the parties and stay later increasing the level of noise pollution and unsafety amongst the residents. We residents who live in and around 15, 19, 21 and 23 Rothbury road are petitioning against their application to sell alcohol and hot food. It is impossible to live a healthy life with this happening underneath our homes and the situation seemingly only getting worse.

The signatories on this petition are all firmly against Pirate Studios' applications for licences and we also want the council to take action against the noise and antisocial behaviour that we have to deal with every weekend.

Name	Address/Contact	Signature
Mohammed Ibrahim	[Redacted]	[Redacted]
Mohammed Shabir Khan Mahmud		
MATHANMUD ZAFIRIYA		
md shabirwar Mahmud		
mdheer Hasan		
Kazi Abdur Rehman		
Nouida Seelovait		
Janura Madni		
Zaki Hydar	[Redacted]	[Redacted]
MOHAMMED NOOK		

FLA 307, 15 Northwidge Road, London, BA5 8JA

ABDUL-OMAIRS	[REDACTED]
ORKAN	[REDACTED]
Panama	[REDACTED]
Fareida Chowdhury	[REDACTED]
Saheda Khanam	[REDACTED]
Fateher	[REDACTED]
ROBERT	[REDACTED]
MOHAMMED	[REDACTED]
Abul Kalam	[REDACTED]
Kamal Hussein	[REDACTED]
Shahid Muhammad	[REDACTED]
ABDUL WADUD	[REDACTED]
AHMED	[REDACTED]
PHOEBE ROBERTSON	[REDACTED]
LOUIS Nowillz	[REDACTED]
Jack Stovel	[REDACTED]
Chris Billington	[REDACTED]
Olid Hussain	[REDACTED]
Buni Begum	[REDACTED]
Rina Begum	[REDACTED]
MARK LINCOLN	[REDACTED]
Chloe Lincoln	[REDACTED]
GARY FOSTER	[REDACTED]
Alice Boulanger	[REDACTED]
Chris Stewart	[REDACTED]
Rupa Begum	[REDACTED]
ANWAR Hussain	[REDACTED]
	[REDACTED]
	[REDACTED]

# Appendix 14

## Corinne Holland

---

**From:** Megan Stevenson <[REDACTED]>  
**Sent:** 04 September 2023 16:28  
**To:** Corinne Holland; Licensing  
**Cc:** Nicola Cadzow; Felicity Tulloch  
**Subject:** RE: 161824 New Premises license for Pirate Studios, 13 Rothbury Road (PIR9/4)

Hi Corrine,

I have highlighted it in yellow in the below email, but it's as follows:

Agreeing the changes in wording to conditions C1 and C3, removing proposed addition at C6 and amending the wording of proposed C7 to read as follows: 'Loudspeakers shall not be located outside the premises building.'

Kind regards

Meg

### Megan Stevenson

Paralegal | Licensing

For and on behalf of Kuit Steinart Levy LLP

---

**From:** Corinne Holland <[REDACTED]>  
**Sent:** Monday, September 4, 2023 4:23 PM  
**To:** Megan Stevenson <[REDACTED]>; Licensing <Licensing@towerhamlets.gov.uk>  
**Cc:** Nicola Cadzow <[REDACTED]> Felicity Tulloch <[REDACTED]>  
**Subject:** RE: 161824 New Premises license for Pirate Studios, 13 Rothbury Road (PIR9/4)

Dear Nicola

Can you clarify the conditions you have agreed please?.

You state you are 'willing to withdraw 6 & 7, with amendments in red as per attached'.

The attached in section C has 7 conditions with red being in 1,3,4,6,&7.

Is 6 & 7 completely removed? With the other 5 conditions being agreed with the amendments in red being in 1, 3 & 4?.

Just confirming I understand it correctly.

### C) The Prevention of Public Nuisance

1. No noise shall emanate from the premises which gives rise to a **public** nuisance.
2. The exterior of the building shall be cleared of litter at regular intervals.

3. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner. **To be amended to read: Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.**
4. Doors and windows at the premises are to remain closed after **21:00 hours**, save for access and egress.
5. The emptying of bins into skips, and refuse collections will not take place between 10pm and 8am.
6. **Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 5 persons at any one time.**
7. **Loudspeakers shall not be located in the entrance lobby, or outside the premise building nor on ceilings. And anti-vibration mounts used is speakers attached to the walls**

Kind regards

**Corinne Holland**

Licensing Officer  
Environmental Health and Trading Standards  
Licensing & Safety Team  
4<sup>th</sup> Floor Tower Hamlets Town Hall  
160 Whitechapel Road  
London  
E1 1BJ

  
[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)

Follow us on:



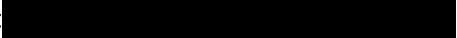

[Facebook](#) | [Twitter](#) | [LinkedIn](#) | [Instagram](#)

**Please Note : We have moved offices. We are now at:**

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

**Hearings will also be held here.**

---

**From:** Megan Stevenson < >  
**Sent:** Monday, September 4, 2023 4:05 PM  
**To:** Licensing <Licensing@towerhamlets.gov.uk>; Corinne Holland < >  
**Cc:** Nicola Cadzow < >; Felicity Tulloch < >  
**Subject:** FW: 161824 New Premises license for Pirate Studios, 13 Rothbury Road (PIR9/4)

Good afternoon,

Please see below the agreement made with Nicola Cadzow meaning that her objection can be withdrawn.

Kind regards

Meg

**Megan Stevenson**

Paralegal | Licensing

For and on behalf of Kuit Steinart Levy LLP

---

**From:** Nicola Cadzow <[REDACTED]>  
**Sent:** Wednesday, August 30, 2023 3:30 PM  
**To:** Billy Liggins <[REDACTED]> Megan Stevenson <[REDACTED]>  
**Cc:** [REDACTED] Rebecca Lowe <[REDACTED]>  
**Subject:** 161824 New Premises license for Pirate Studios, 13 Rothbury Road (PIR9/4)

Good afternoon Billy, Megan

I have considered the comment in your email, and am willing to withdraw 6 & 7, with amendments in red as per attached.

Licensing, please take this as no objection to the new premises license for Pirate Studios, 13 Rothbury Road (PIR9/4) with amendments as per attached

Kind regards

Nicola Cadzow  
Environmental Protection Officer  
Communities Directorate

---

**From:** Billy Liggins <[REDACTED]>  
**Sent:** Wednesday, August 30, 2023 12:50 PM  
**To:** Nicola Cadzow <[REDACTED]>; Megan Stevenson <[REDACTED]>  
**Cc:** [REDACTED]; Rebecca Lowe <[REDACTED]>  
**Subject:** RE: 161824 New Premises license for Pirate Studios, 13 Rothbury Road (PIR9/4)

Good Afternoon Nicola

I hope you are well.

We have discussed your proposed amended conditions with our client who is happy to agree to the amendments save for those additional conditions proposed at C6 and C7.

Condition C6, which relates to patrons temporarily leaving and re-entering the premises, would not work from an operational perspective for the venue. The premises is not solely (or indeed mainly) used for licensable activities. It also operates as a recording studio and dance studio space which may have at any one time groups of bands or dancers which may well comprise over 5 people. Many of these users may have to leave the premises at the same time to either collect equipment from their cars and/or to take a break outside and/or get refreshments such as coffee from an external provider following a recording/dance session. It would therefore be operationally difficult to impose a 5 person limit only on customers who were partaking in licensable activities at the premises, and indeed would be difficult for the authorities to know if and when this condition were being breached simply from looking at

numbers outside. My client would therefore not be able to agree to this. However, I would flag that the premises has been operating in this way for a number of years with more than 5 persons able to be outside at any one time, and this has not caused any issues. The addition of some licensable activities at the site will not fundamentally change its nature or use. As such, hopefully you will agree that this isn't a necessary restriction.

In respect of condition C7, we cannot agree this exact wording but can assure you that the premises is more than sufficient in terms of soundproofing. As a result of the premises business type, being a recording studio, the site is very well soundproofed, and will therefore ensure that no noise escapes such as to cause a nuisance. Loudspeakers are connected to the 'ceiling' of the studio rooms, but the rooms have purpose built isolation modules, with a void before the ceiling of the actual property. As such, there are speakers which are mounted on what appears to be the 'ceiling' of each room, but, as I say, these should not cause any issue in terms of noise escape. Furthermore, as a result of the isolation module sound proofing properties of each recording studio, there are no anti-vibration mounts, but the isolation module is more effective than such mounts would be. As such, we would not be able to agree that no speakers be located on ceilings, nor that all speakers have anti-vibration mounts, as this isn't technically the case. However, we would submit that this simply isn't necessary in the circumstances. Speakers may be located in the entrance lobby of the premises from time-to-time, however, these will play background music only and therefore we would not expect this to cause a nuisance to neighbouring properties, given the extensive soundproofing of the building itself. We can confirm though that no speakers will be located outside the premises.

I would be grateful if you could confirm whether you're happy to agree your representation on this basis – i.e. agreeing the changes in wording to conditions C1 and C3, removing your proposed addition at c6 and amending the wording of your proposed C7 to read as follows: 'Loudspeakers shall not be located outside the premises building.' If you'd prefer to discuss this on a call, please let me know your availability.

I look forward to hearing from you.

Kind regards,  
Billy

**Billy Liggins**

Trainee Solicitor | Licensing

For and on behalf of Kuit Steinart Levy LLP

---

**From:** Nicola Cadzow <[REDACTED]>  
**Sent:** Wednesday, August 30, 2023 10:21 AM  
**To:** Billy Liggins <[REDACTED]>; Megan Stevenson <[REDACTED]>  
**Cc:** [REDACTED]  
**Subject:** RE: 161824 New Premises license for Pirate Studios, 13 Rothbury Road (PIR9/4)

Thank you Billy

Wait to hear from you

Kind regards

Nicola Cadzow  
Environmental Protection Officer  
Communities Directorate



Nicola Cadzow  
Environmental Protection Officer  
Communities Directorate

---

**From:** Nicola Cadzow  
**Sent:** Thursday, August 24, 2023 10:56 AM  
**To:** Megan Stevenson <[REDACTED]>  
**Cc:** Billy Liggins <[REDACTED]>  
**Subject:** 161824 New Premises license for Pirate Studios, 13 Rothbury Road

Good morning Meg,

I am reviewing your new Premises license for Pirate Studios, 13 Rothbury Road with particular attention to the licensing objective for the prevention of public nuisance. I have reviewed the conditions proposed in the operating schedule for the prevention of public nuisance, and have made some amendments/additions in red as per attached.

Await your response.

Kind regards

Nicola Cadzow  
Environmental Protection Officer  
Communities Directorate

---

**From:** Megan Stevenson <[REDACTED]>  
**Sent:** Thursday, August 3, 2023 3:22 PM  
**To:** Licensing <[Licensing@towerhamlets.gov.uk](mailto:Licensing@towerhamlets.gov.uk)>  
**Cc:** Billy Liggins <[REDACTED]>  
**Subject:** Pirate Studios, Rothbury Road

Good afternoon,

Further to the application lodged for the above premises, please find attached the supporting documents.

I would be grateful if you could confirm receipt.

Kind regards

Meg

---

**From:** [GOV.UK](https://www.gov.uk) Licensing <[REDACTED]>  
**Sent:** Thursday, August 3, 2023 3:13 PM  
**To:** Megan Stevenson <[REDACTED]>  
**Subject:** Application confirmation for Premises licence

This email originated from outside of Kuits. Please use caution before clicking on any link or following instructions within. Also DO NOT SIG

# Appendix 15

## **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 16

## 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 17

# 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 18

## 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 19

# 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 20

## **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 204**

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 21

## **Licensing Policy Relating to Hours of Trading**

All applications have to be considered on their own merits.

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

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

(see 14.8 of the Licensing Policy)

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

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

(See 14.9 of the licensing policy)

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

- Theatres
- Cinemas
- Premises with club premises certificates

# Appendix 22



## **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.

This page is intentionally left blank

# Agenda Item 6

Committee : <b>Licensing Sub-Committee</b>	Date	Classification <b>Unclassified</b>	Report No.	Agenda Item No.
---	------	---------------------------------------	------------	-----------------

Report of: <b>David Tolley</b> <b>Head of Environmental Health &amp; Trading Standards</b>  Originating Officer: <b>Mohshin Ali</b> <b>Senior Licensing Officer</b>	Title: <b>Licensing Act 2003</b> <b>Application for a Premises Licence for (Baran Off Licence) 18 Wentworth Street, London E1 7TF</b>  Ward affected: <b>Spitalfields and Banglatown</b>
--	--

## 1.0 Summary

Applicant: **Kalender Surensay**

Name and **Baran Off Licence**

Address of Premises: **18 Wentworth Street**  
**London**  
**E1 7TF**

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

- **The sale by retail of alcohol (Off sales only)**

Representations: **Licensing Authority (RA)**  
**Environmental Protection**  
**Resident**  
**Resident's Association**

## 2.0 Recommendations

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

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

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

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

Mohshin Ali  
020 7364 5498

### 3.0 **Background**

3.1 This is an application for a premises licence for (Baran Off Licence) 18 Wentworth Street, London E1 7TF.

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

***The sale of by retail of alcohol (off sales only)***

- *Monday to Sunday, from 07:00 hrs to 23:00 hrs*

***The opening hours of the premises***

- *Monday to Sunday, from 07:00 hrs to 23:00 hrs*

### 4.0 **Location and Nature of the premises**

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

4.2 Maps and photos 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 1<sup>st</sup> 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](http://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:
- Licensing Authority (RA) (**See Appendix 6**)
  - Environmental Protection (**See Appendix 7**)
  - Resident (**See Appendix 8**)
  - Resident’s Association (**See Appendix 9**)
- 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
  - Environmental Protection (Noise)
  - Trading Standards
  - Child Protection
  - Public Health
  - Home Secretary (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 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

- 6.11 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 and the prevention of public nuisance.
- 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 consistent with Operating Schedule (offered by the applicant)**

- 7.1 *Prominent, clear and legible notices shall be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises quietly*
- 7.2 *Clear and conspicuous notices warning of potential criminal, such as theft, that may target customers shall be displayed at the premises*
- 7.3 *Custom shall not be sought by means of personal solicitation outside or in the vicinity of the premises.*
- 7.4 *Customers shall not be admitted to the premises beyond the licensed times and the hours premises are open to the public.*

**LICENSING OFFICER COMMENTS**

- 7.5 The remaining of the conditions offered by the applicant have been enhanced in agreement with the Police as follows.

**8.0 Conditions in consultation with the Responsible Authorities**

**Conditions agreed in consultation with Police Licensing Team (Appendix 10):**

- 8.1 *The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date*

*and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.*

- 8.2 *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.*
- 8.3 *When the designated premise supervisor is not on the premises any or all persons authorised to sell alcohol will be authorised by the designated premises supervisor in writing. This shall be available on request by the Police or any authorised officer.*
- 8.4 *An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following:*
- a) all crimes reported to the venue;*
  - b) all ejections of patrons;*
  - c) any complaints received concerning crime and disorder*
  - d) any incidents of disorder;*
  - e) all seizures of drugs or offensive weapons;*
  - f) any faults in the CCTV system, searching equipment or scanning equipment;*
  - g) any refusal of the sale of alcohol;*
  - h) any visit by a relevant authority or emergency service.*
- 8.5 *In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:*
- 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.*

#### *Public Nuisance*

- 8.6 *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.*

- 8.7 *No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (01.00) hours and (06.00) hours on the same day.*
- 8.8 *No collections of waste or recycling materials (including bottles) from the premises shall take place between (01:00) hours and (06:00) hours on the following day.*

*Protection of Children from Harm*

- 8.9 *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.*
- 8.10 *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.*

*Online delivery*

- 8.11 *A standard age verification check shall be undertaken on entering the website. A signature at the point of delivery must be obtained. No delivery shall be left without a signature. Every third party courier delivery box shall be labelled with the words "Age Restricted Product".*
- 8.12 *Alcohol shall only be delivered to a residential or business address and not to a public place.*

*General*

- 8.13 *All staff whose responsibilities include the retail sale of alcohol shall receive training about the prevention of underage sales on induction and then every 12 months thereafter/01 times a year. This training shall be recorded and the records to be available on request to the Police or any authorised officer. The training to include:*
- a) the operation of the challenge 25 scheme;*
  - b) types of acceptable ID;*
  - c) the method of recording challenges;*
  - d) the likely consequences of making an underage sale;*
  - e) refusing sales to persons who appear to be drunk;*
  - f) proxy sales.*
- 8.14 *No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.*



8.15 *No more than (25%) of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.*

8.16 *No single cans or bottles of beer or cider or spirit mixtures shall be sold at the premises.*

## 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 31<sup>st</sup> March 2025 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 11 - 17** Members are given general advice, and also have explanations of the Council’s Licensing Policy, Government advice and other legislation relating to the matters previously identified.

#### **10.0 Legal Comments**

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

#### **11.0 Finance Comments**

- 11.1 There are no financial implications in this report.

## 12.0 Appendices

<b>Appendix 1</b>	A copy of the application
<b>Appendix 2</b>	Site Plan
<b>Appendix 3</b>	Maps of the surrounding area
<b>Appendix 4</b>	Other licensed venues in the area
<b>Appendix 5</b>	Home Office concerning relevant, vexatious and frivolous representations
<b>Appendix 6</b>	Representation of Licensing Authority (RA)
<b>Appendix 7</b>	Representation of Environmental Protection
<b>Appendix 8</b>	Representation of Resident
<b>Appendix 9</b>	Representation of Resident's Association
<b>Appendix 10</b>	Conditions agreed with Police
<b>Appendix 11</b>	Licensing Officer comments on noise while the premise is in use
<b>Appendix 12</b>	Licensing Officer comments on access/egress Problems
<b>Appendix 13</b>	Licensing Officer comments on crime and disorder on the premises
<b>Appendix 14</b>	Licensing Officer comments on crime and disorder from patrons leaving the premises
<b>Appendix 15</b>	Planning
<b>Appendix 16</b>	Licensing Policy relating to hours of trading
<b>Appendix 17</b>	Tower Hamlets Cumulative Impact Zone

# 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 KALENDER SURENSOY

*(Insert name(s) of applicant)*

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

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description <b>18 WENTWORTH STREET</b>			
<b>Post town</b>	LONDON	<b>Postcode</b>	<b>E1 7TF</b>
Telephone number at premises (if any)			
Non-domestic rateable value of premises		<b>£22500.00</b>	

**Part 2 - Applicant details**

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

- |  |                          |                             |
|--|--------------------------|-----------------------------|
| a) an individual or individuals *                    | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual *               |                          |                             |
| i as a limited company/limited liability partnership | <input type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability)   | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or              | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation)       | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club                                 | <input type="checkbox"/> | please complete section (B) |
| d) a charity   | <input type="checkbox"/> | please complete section (B) |

- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

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

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

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

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b> ██████████			<b>First names</b> ██████████		
<b>Date of birth :</b> ██████████		I am 18 years old or over <input checked="" type="checkbox"/>		Please tick yes	
<b>Nationality:</b> ██████████					
Current residential address if different from premises address		██████████			
Post town	██████████	Postcode	██████████		
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**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)	
<b>Surname</b>			<b>First names</b>		

<b>Date of birth</b>		I am 18 years old or over <input type="checkbox"/> Please tick yes	
<b>Nationality</b>			
Current residential address if different from premises address			
Post town		Postcode	
<b>Daytime contact telephone number</b>			
<b>E-mail address (optional)</b>			

**(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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
1	7	07 2023



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

DD	MM	YYYY

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

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)			
			Indoors	<input type="checkbox"/>		
			Outdoors	<input type="checkbox"/>		
			Both	<input type="checkbox"/>		
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)			
Mon						
Tue						
Wed					<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)	
Thur						
Fri						
Sat					<b><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></b> (please read guidance note 6)	
Sun						

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)					
Mon								
Tue								
Wed						<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
Thur								
Fri						<b><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></b> (please read guidance note 6)		
Sat								
Sun								

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Tue			
Wed			
Thur			<b><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></b> (please read guidance note 6)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Wed					
Thur			<b><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></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)		
Mon					
Tue			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)		
Wed					
Thur			<b>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</b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun			<b><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></b> (please read guidance note 6)		



# G

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)			
Mon						
Tue						
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)			
Thur						
Fri			<b><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></b> (please read guidance note 6)			
Sat						
Sun						

# H

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

**I**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
Wed					
Thur			<b><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></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	07:00	23:00			
Tue	07:00	23:00			
Wed	07:00	23:00			
Thur	07:00	23:00			
Fri	07:00	23:00			
Sat	07:00	23:00			
Sun	07:00	23:00			
			<b>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</b> (please read guidance note 6)		

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

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

□□□□

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

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon	07:00	23:00	
Tue	07:00	23:00	
Wed	07:00	23:00	
Thur	07:00	23:00	
Fri	07:00	23:00	
Sat	07:00	23:00	
Sun	07:00	23:00	
			<b>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</b> (please read guidance note 6)

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

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

Strong management controls and effective training of all staff so that they are aware of the premises licence and the requirements to meet the four licensing objectives with particular attention to.

- No selling alcohol to underage people
- No drunk and disorderly behaviour on the premises
- Vigilance in preventing the use and sale of illegal drugs at the retail area.
- No violent and anti-social behaviour
- No harm to children

- Operating schedule providing the hours of operating and licensable activities during those hours

- Designated Premises Supervisor confirms and obligated to be in day-to-day control of the premises, to provide good training for staff on the Licensing Act (Training Record\_ to make or authorize each sale.

- Clear “Challenge 25” Information to prevent the supply of alcohol to under-age drinkers

- CCTV system installed with recording

- Roller metal exterior window shutter will be fixed to ensure that shop front is always safe and secure.

As a licensed premise we know that is necessary to carry out our functions or operate the business with purpose of promoting these objectives. We promise to support these objectives through operating, schedule and other measures including staff training and qualifications, policies, and strategic partnership with other agencies.

No binge drink promotions will take place.

Any person who appeared to be drunk and disorderly will not be permitted to premises.

Notices will be placed in prominent positions to ask patrons to leave quietly.

Suitable evacuation plan in case of any emergency

**b) The prevention of crime and disorder**

CCTV System installed to monitor entrances, exits, and other parts of the premises in order to address the prevention of crime objective.

A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.

Clear and conspicuous notices warning of potential criminal activity, such as theft, that may target customers will be displayed.

Not selling of alcohol to drunk or intoxicated customers.

Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises.

Prevention and vigilance in illegal drug use at the retail unit area.  
Staff will be well trained in asking customers to use premises in an orderly and respectful manner and prevent drinking alcohol at the retail unit (ex. canned or bottled beer).

**c) Public safety**

Internal and external lighting fixed to promote the public safety objective.  
Well trained staff adherence to environmental health requirements.  
Training and implementation of underage ID checks.  
A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The logbook shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.

All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air condition, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition

**d) The prevention of public nuisance**

Noise reduction measures to address the public nuisance objective.  
Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.  
Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.  
The Licensee will ensure that staff who arrive early morning or depart late at night (ex. for unpacking, pricing newly delivered goods) when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents.  
Customers will be asked not to stand around loudly talking in the street outside the premises.  
Customers will not be admitted to premises above opening hours.  
The movement of bins and rubbish outside the premises will be kept to a minimum after 03.00am This will help to reduce the levels of noise produced by the premises.  
Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents.  
Adequate waste receptacles for use by customers will be provided in the local vicinity.

**e) The protection of children from harm**

Challenge 25" sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol. Well trained staff about requirement for persons' identification, age establishment etc.  
All the details provided in Training Record Book available the retail unit.  
Logbook will be kept upon the premises all the time.  
Nothing belong existing Health & Safety requirements.

**Checklist:**

**Please tick to indicate agreement**

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

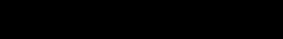
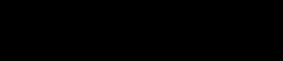
**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

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

**Part 4 – Signatures** (please read guidance note 11)

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



<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [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).</li> <li>• 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)</li> </ul>
Signature	
Date	
Capacity	

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

### Notes for Guidance

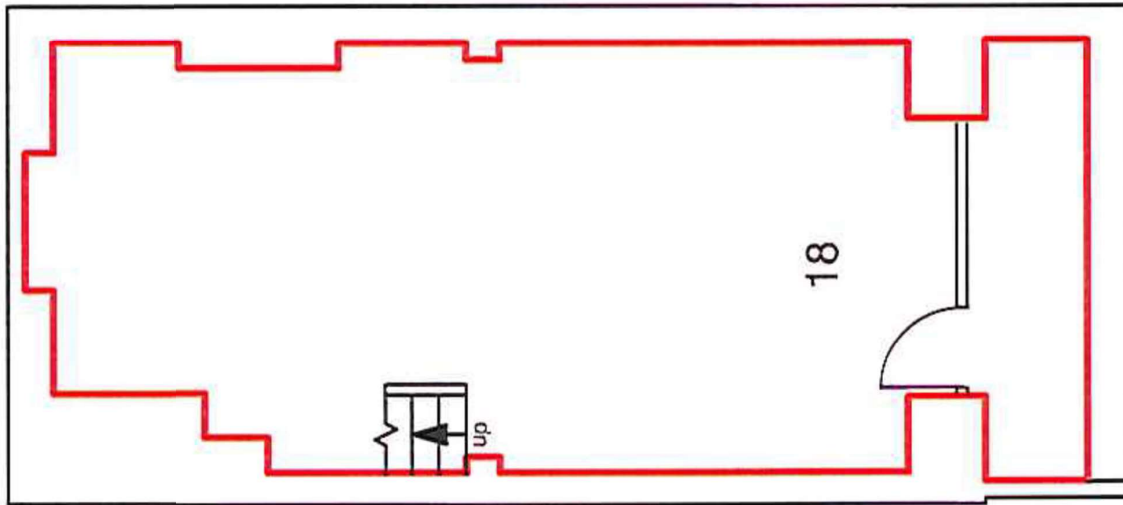
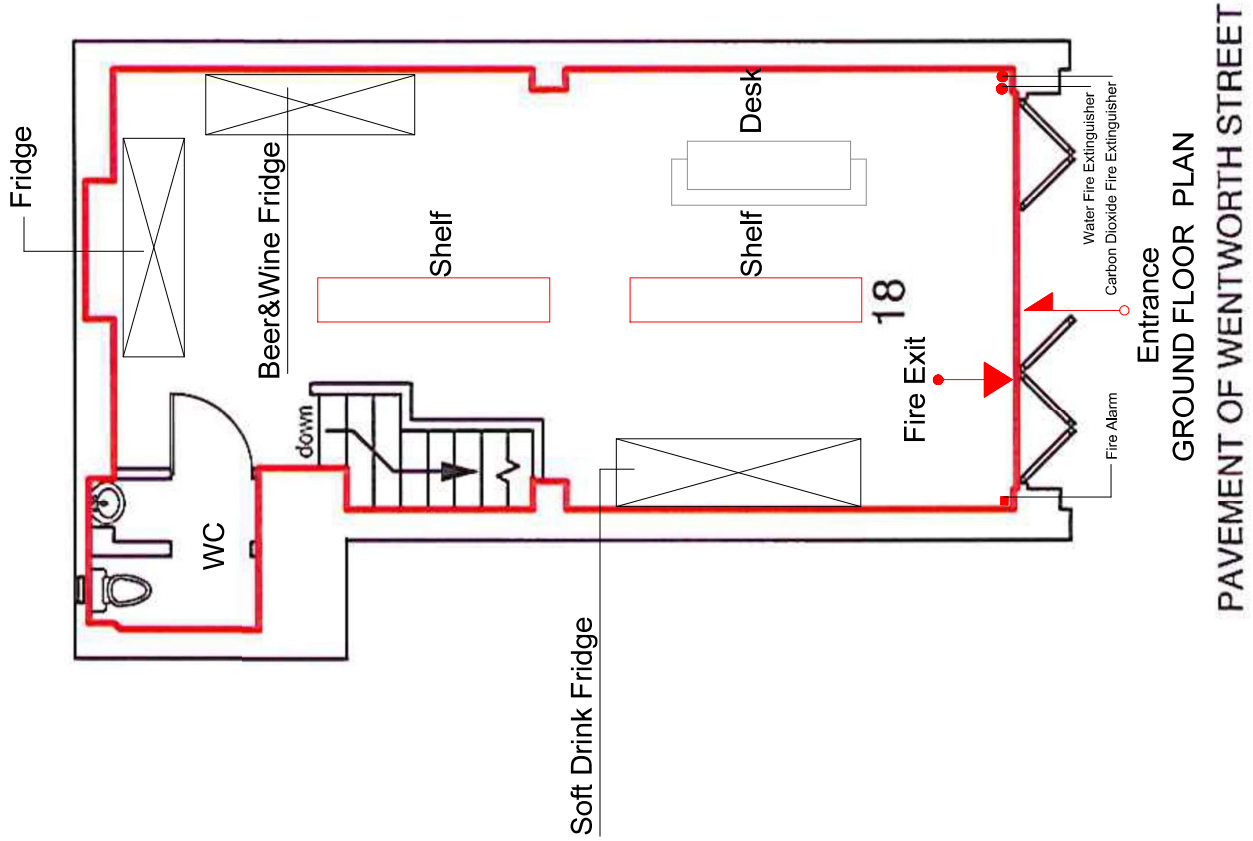
1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:

# Appendix 2

**Legend**

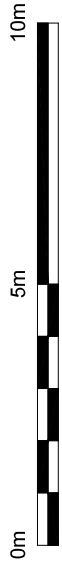
- Boundary
- Fridge
- ▨ Alcohol Area
- Fire Extinguisher
- Fire Alarm
- Fire Blanket

Rev.	Description	Date
<p><b>AVARCH LTD.</b>                  117, South Street                  Cambridge CB1 2TY                  Email: <a href="mailto:info@avarch.co.uk">info@avarch.co.uk</a></p>		
<p>Project Client: <b>Baran Office</b></p>		
Drawing Title:	Floor Plan	
Drawn by: Sachin Ayar	Date: 07/02/23	Rev. -
Project Ref/Drawing No.:		

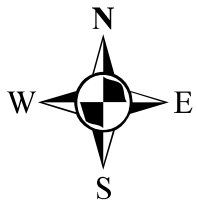


**BASEMENT FLOOR PLAN**

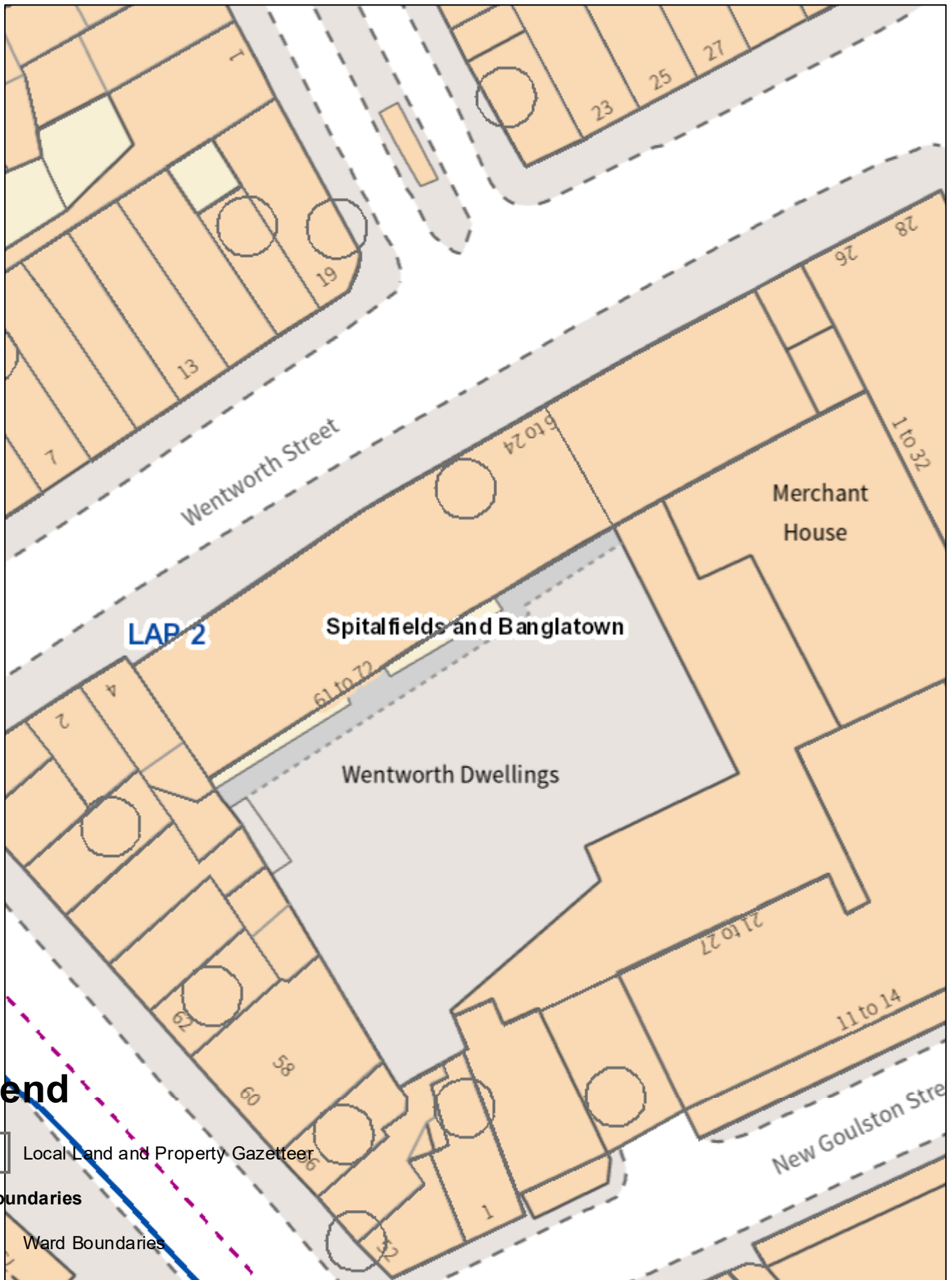
Scale: 1:100



# Appendix 3



# 18 Wentworth Street







# 18 Wentworth Street



## Legend

 Local Land and Property Gazetteer

### Ward Boundaries

 Ward Boundaries

### LAP Boundaries

 LAP Boundaries

# Appendix 4

Name and address	Licensable activities and hours	Opening hours
(The Hungry Tummy) 24a Wentworth Street London E1 7TF	<b>The sale by retail of alcohol - On and off sales</b> <ul style="list-style-type: none"> <li>Monday to Thursday, from 10:00 hours to 20:00 hours</li> <li>Friday and Saturday from 10:00 hours to 21:00 hours</li> </ul>	Monday to Saturday, from 10:00 hours to 22:00 hour
(Xian Biang Biang) 62 Wentworth Street London E1 7AL	The sale by retail of alcohol (On sales only) <ul style="list-style-type: none"> <li>Monday to Sunday from 11:00 hours to 22:30 hours</li> </ul>	Monday to Sunday from 11:00 hours to 23:00 hours
YeYe London 58 Wentworth Street London E1 7AL	The sale by retail of alcohol (On sales only) <ul style="list-style-type: none"> <li>Monday to Sunday from 12:00 hours to 23:00 hours</li> </ul>	Monday to Sunday from 12:00 hours to 23:00 hours
(Dauns) 77 Wentworth Street London E1 7TD	<b><u>Sale of Alcohol (on sales)</u></b> <ul style="list-style-type: none"> <li>Sunday – Thursday 12:00 hours – 21:00 hours</li> <li>Friday – Saturday 12:00 hours – 22:00 hours</li> </ul>	Sunday – Thursday 10:00 hours – 21:30 hours Friday – Saturday 10:00 hours – 22:30 hours
(Travel Goods) 79 Wentworth Street London E1 7TD	<b><u>Sale of Alcohol (on sales)</u></b> Monday – Thursday 10:00 hours – 23:30 hours Friday & Saturday 10:00 hours – 00:00 hours (midnight) Sunday 10:00 hours – 22:30 hours  <b><u>The provision of late-night refreshments (indoors)</u></b> Monday – Thursday 23:00 hours – 23:30 hours Friday & Saturday 23:00 hours – 00:00 hours (midnight)	Monday – Thursday 09:00 hours – 00:00 hours (midnight)  Friday & Saturday 09:00 hours – 00:30 hours  Sunday 09:00 hours – 23:00 hours
(Unity Diner) 60 Wentworth Street London E1 7AL	<b>The sale by retail of alcohol (On sales only)</b> <ul style="list-style-type: none"> <li>Monday to Friday from 12:00 hours to 23:00 hours</li> <li>Saturday, from 12:00 hours to 23:30 hours (midnight)</li> <li>Sunday, from 12:00 hours to 21:30 hours</li> </ul>	Monday to Friday from 12:00 hours to 23:30 hours  Saturday, from 12:00 hours to 00:00 hours  Sunday, from 12:00 hours to 22:00 hours



<p><b>(Hungry Donkey)</b> <b>56 Wentworth Street</b> <b>London</b> <b>E1 7AL</b></p>	<p><b>Sale by retail of alcohol (On sale)</b></p> <ul style="list-style-type: none"><li>Monday to Thursday from 11:00hrs to 23:00hrs</li><li>Friday and Saturday from 11:00hrs to 23:30hrs</li><li>Sunday from 11:00hrs to 22:00hrs</li></ul> <p><b>sale by retail of alcohol (Off sale)</b></p> <ul style="list-style-type: none"><li>Monday to Saturday from 11:00hrs to 23:00hrs</li><li>Sunday from 11:00hrs to 22:00hrs</li></ul> <p><b>The provision of regulated entertainment</b> <u>Recorded Music</u></p> <ul style="list-style-type: none"><li>Monday to Thursday from 11:00hrs to 23:00hrs</li><li>Friday and Saturday from 11:00hrs to 23:30hrs</li><li>Sunday from 11:00hrs to 22:00hrs</li></ul> <p><b>Provision of late night refreshment</b></p> <ul style="list-style-type: none"><li>Monday to Thursday from 23:00hrs to 23:30hrs</li><li>Friday and Saturday from 23:00hrs to 00:00hrs (midnight)</li></ul>	<p>Monday to Thursday from 07:30hrs to 23.30hrs</p> <p>Friday and Saturday from 07.30hrs to 00:00hrs (midnight)</p> <p>Sunday, from 07:30hrs to 22:30hrs</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:** Ibrahim Hussain  
**Sent:** 26 July 2023 18:20  
**To:** Licensing; Mohshin Ali  
**Cc:** Nicola Cadzow; h.berk; inar [REDACTED]; MARK.J.Perry [REDACTED]; Kieran Wells; Police General email  
**Subject:** LA Rep: (Baran Off Licence), 18 Wentworth Street, London, E1 7TF - M/160671  
**Attachments:** WentworthSt18\_LARep\_IH.pdf

Dear Licensing Authority,

### Licensing Act 2003

New premises licence application: (Baran Off Licence), 18 Wentworth Street, London, E1 7TF - M/160671

Please see the attached.

Kind regards

**Ibrahim Hussain**  
Licensing Officer  
Licensing and Safety Team  
Environmental Health and Trading Standards  
4<sup>th</sup> Floor Tower Hamlets Town Hall  
160 Whitechapel Road  
London E1 1BJ

[REDACTED]

Licensing Hotline 020 7364 5008  
Licensing General Email: [licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)  
Please visit our web page for application forms and guidance at [www.towerhamlets.gov.uk/licensing](http://www.towerhamlets.gov.uk/licensing)  
[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)  
Follow us on:  
[Facebook](#) | [Twitter](#) | [LinkedIn](#) | [Instagram](#)



**By Email:**  
Licensing Authority:  
[licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)

**CC: Applicant:**  
[REDACTED]

26<sup>th</sup> May 2023

Your reference  
My reference: LIC/160671/IH

Dear Licensing Authority,

**Place Directorate  
Public Realm**

**Head of Environmental Health and Trading  
Standards: David Tolley**

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

Tel: **020 7364** [REDACTED]  
Enquiries to: **Ibrahim Hussain**  
Email: [REDACTED]

[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)

### **Licensing Act 2003**

New premises licence application: (Baran Off Licence), 18 Wentworth Street, London, E1 7TF

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

#### **Special Cumulative Impact Policy for the Bethnal Green area**

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

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

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

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

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

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

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

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

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

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

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

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

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

#### The Home Office guidance

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

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

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



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

*(2) “(2) The information contained in the plan must be clear and legible in all material respects.”.*

*(3) The plan shall show -*

*(a) the extent of the boundary of the building, if relevant, and any external and internal walls of the building and, if different, the perimeter of the premises;*

*(b) the location of points of access to and egress from the premises;*

*(c) if different from sub-paragraph (3)(b), the location of escape routes from the premises;*

*(d) in a case where the premises is to be used for more than one licensable activity, the area within the premises used for each activity;*

*(e) fixed structures (including furniture) or similar objects temporarily in a fixed location (but not furniture) which may impact on the ability of individuals on the premises to use exits or escape routes without impediment;*

*(f) in a case where the premises includes a stage or raised area, the location and height of each stage or area relative to the floor;*

*(g) in a case where the premises includes any steps, stairs, elevators or lifts, the location of the steps, stairs, elevators or lifts;*

*(h) in the case where the premises includes any room or rooms containing public conveniences, the location of the room or rooms;*

*(i) the location and type of any fire safety and any other safety equipment including, if applicable, marine safety equipment; and*

*(j) the location of a kitchen, if any, on the premises.*

*(4) The plan may include a legend through which the matters mentioned or referred to in paragraph (3) are sufficiently illustrated by the use of symbols on the plan.*

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

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

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

1. *The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team.*
  - (a) *All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.*
  - (b) *The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises.*
  - (c) *All recordings shall be stored for a minimum period of 31 days with date and time stamping.*
  - (d) *Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.*
2. *A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.*
3. *An incident log shall be kept at the premises and record all incidents of crime and disorder associated with the premises. The incident log shall be made available on request to an authorised officer of the Council or the Police.*
4. *Signs shall be prominently displayed both inside and outside the premises asking customers to respect local residents and be quiet when leaving the premises.*
5. *When the designated premise supervisor is not on the premises any or all persons authorised to sell alcohol will be authorised by the designated premises supervisor in writing. This shall be available on request by the Police or any authorised officer.*

Yours faithfully,



Ibrahim Hussain  
**Licensing Officer (Acting as a Responsible Authority)**

# Appendix 7

## Mohshin Ali

---

**From:** Licensing  
**Sent:** 19 July 2023 17:39  
**To:** Mohshin Ali  
**Subject:** FW: 160671 MAU REPRESENTATION Baran Off Licence 18 Wentworth Street, London

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

---

**From:** Nicola Cadzow <[REDACTED]>  
**Sent:** Wednesday, July 19, 2023 3:54 PM  
**To:** Licensing <Licensing@towerhamlets.gov.uk>  
**Cc:** 'MARK.J.Perry [REDACTED]' <MARK.J.Perry [REDACTED]>; Kieran.Wells2 [REDACTED]  
**Subject:** 160671 MAU REPRESENTATION Baran Off Licence 18 Wentworth Street, London

Dear Licensing,

I have considered the premises license application for Baran Off Licence 18 Wentworth Street, London and 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, especially given the fact that the premises is within Brick Cumulative Impact Zone.

Whilst the application is for lesser hours than the Council's framework hours there is insufficient information in the operating schedule in the licence application to show how the applicant will promote the four licensing objectives.

The condition for the prevention of public nuisance "*Noise reduction measures to address public nuisance objectives*" is a very general condition and does provide specific details of noise mitigation measures. There is no consideration of the impact on public nuisance from people access and egressing the premises and people loitering outside whilst the premises is in operation, particularly when considering that the premises is in Brick Lane Cumulative Impact Zone.

**Noise Sensitive premises:** residential premises in close proximity to 18 Wentworth Street, London

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 application for Baran Off Licence 18 Wentworth Street, London for the following reasons:

- (1) The applicant have not provided sufficient information to show how they will promote the licensing objective for the prevention of public nuisance
- (2) The premises is in Brick Lane Cumulative Impact Zone.

Kind regards

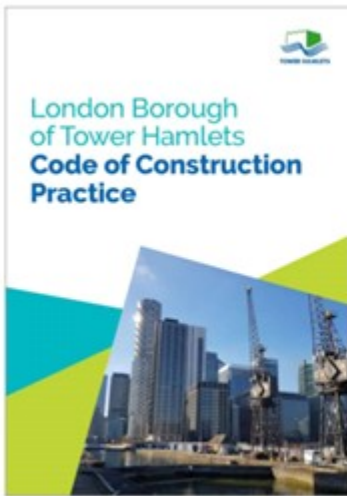
Nicola Cadzow  
Environmental Protection Officer  
Environmental Health and Trading Standards  
4th Floor, Tower Hamlets Town Hall  
160 Whitechapel Road  
London, E1 1BJ



[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)

Follow us on:

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



### 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 26<sup>th</sup> April 2023** and subject to Plan 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 26<sup>th</sup> 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

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

# Appendix 8

## Mohshin Ali

---

**From:** Licensing  
**Sent:** 12 July 2023 12:47  
**To:** Mohshin Ali  
**Subject:** FW: Representation: CLC/EHTS/LIC/160671

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

---

**From:** Sehriban Moufid [REDACTED]  
**Sent:** Tuesday, July 11, 2023 9:05 PM  
**To:** Licensing <Licensing@towerhamlets.gov.uk>  
**Subject:** Representation: CLC/EHTS/LIC/160671

REFERENCE: TSS/LIC/089939

### PREMISES:

Baran Off Licence, 18 Wentworth Street, London E1 7TF

I write with reference to your letter dated 28th June 2023, notifying that an application has been made for a premises license for the above property.

As a neighbouring business to this property I would like to express that I strongly oppose the application.

My specific objections to the planning permission are as follows :

1. As well as businesses, Wentworth Street is a residential area tucked away from the busy main roads and this is an important factor when considering an overnight license to a property in this area. Policing small areas as these is virtually impossible and therefore it would be a breeding ground for criminals and drunks. All too often we see the drunk and dishevelled spill out onto the streets and get arrested for drunken, violent or sexual crimes during a night out drinking. In a town centre a license of this type would be acceptable as both the council and the police work together to manage and control these situations but in a small street like Wentworth Street this kind of license is not appropriate and problems of this sort would not be managed well by Tower Hamlets.

2. The granting of the license would have an adverse impact on the amenity of the area, that already has a number of alcoholics, homeless and unemployed people loitering in the area. A premises selling alcohol and providing late night refreshments and entertainment will only increase existing problems of nuisance, disorder and anti-social behaviour outside and at a distance from this property. These problems will occur as a result of a large number of drunks being concentrated in a small, closed area or when queuing at the food outlet which will be the only business in the area open between 11pm and 5am.

3. It would have a negative impact on an area that is deprived and in desperate need of positive regeneration when compared to its close surroundings. For a Central London location the area has no reflection of the pleasant and agreeable surroundings that is the rest of the city. Granting permission to a premises to serve alcohol and offer late night entertainment until 5am will simply bring the area more down and encourage drunken and disorderly behaviour and cause chaos in the streets.

4. This kind of licence will encourage people to park illegally in an area controlled by parking restrictions and in turn cause noise pollution and disturbance to the residential neighbours. Overnight licenses also cause noise pollution and disturbance created by music and people fuelled by large amounts of alcohol.

Over the past years Tower Hamlets Council have hammered commercial tenants and market stall holders regarding the time allowed to start trading. Various restrictions have been put in place by the council preventing business owners, market traders and suppliers from operating between the hours of 7am to 7pm in order to protect the interests of it's residential tenants. In my case on a number of occasions the Council have made a point to write and reminded me of these rules as residents have been disturbed for example by the odd delivery van who turned up before 7am. I am very surprised that the Council are now in the process of considering a license to operate between the hours of 11pm and 5am. I feel that there is a serious issue of hypocrisy. One rule for one and another rule for another. How is it that the Principal Environmental Health Officers, the Pollution Team, the Environmental Health Office and the Environmental Protection Officers are all concerned about noise pollution and upsetting residents living in and around Wentworth Street however the Planning Office are considering an application to allow a business to serve alcohol, refreshments and offer entertainment and the supply of hot food after 11pm?

Yours sincerely,  
**Ms SEHRIBAN MOUFID**

[Redacted signature block]

Sent from [Mail](#) for Windows



# Appendix 9

19<sup>th</sup> July 2023

London Borough of Tower Hamlets  
Licensing Team  
Environmental Health & Trading Standards  
[licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)

Sent via E-Mail

**Re: Formal Objection to Proposed Application for the Sale of Alcohol by Baran Off Licence, 18 Wentworth, Street, London, E1 7TF**

Dear Licensing Team

I am writing on behalf 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 licenses 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 licenses to ensure they do not contravene applicable law, guidelines, and/or other acceptable practices for alcohol licenses 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 to sell alcohol between the hours of 07:00 and 23:00 seven days a week by Baran Off Licence, 18 Wentworth Street, London, E1 7TF ("the Premise").

The Premise is in one of the Ward's most prolific hotspots for antisocial behaviour and is an area of great concern. The Premise is located within the CIA for Brick Lane where new and varied premise licenses 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. In particular, the Ward already suffers from open drinking and ASB related behaviour on its streets (this includes but is not limited to drunken behaviour, noise, public urination, and defecation, etc.) and the thought of a further supplier in an already predisposed and vulnerable part of the Ward is unimaginable and unacceptable.

The Premise is also only streets away from two of the Ward's three primary care hostels, The Dellow Centre and Founders House. These hostels help many vulnerable people with substance abuse, including but not limited to alcohol. The presence of a further off-license selling take away alcohol is not only a direct risk for already vulnerable people (in reasonable concentration in the immediate area), but it also acts as a gateway for other substance dependent interest and behaviour. SPIRE has consistently experienced how off-licenses in the Ward attract (and worse sometimes engage in) trade involving other forms of illegal and addictive substances. In short, alcohol and other forms of addictive substances and behaviours go hand in hand.

While SPIRE objects fully to the granting of a license for off-license sales of alcohol in the Ward and more specifically within the Brick Lane CIA, it is especially concerning why any alcohol should be sold during the proposed hours of the application. For example, what is the need for sale of alcohol at 07:00 am? Furthermore, selling alcohol as late as 23:00 when many bars are preparing to close and people in essence 'move the party into the street' is exactly the type of ASB we are both concerned with and work to reduce in the Ward.

SPIRE has recently and successfully addressed its concern with an alcohol license for a 100-person cover restaurant only streets away from Wentworth Street due to overall concerns in this area of the Ward. SPIRE's concerns were upheld by LBTH Licensing Sub-Committee. It was accepted that this area of the Ward is particularly vulnerable and efforts by many including the Safer Neighbourhood Team (MET), Ward Panel for Spitalfields and Banglatown, local residents, and the local hostels are working hard to help 'clean-up' this part of the Ward. Any approval of an off license in this area works directly against the efforts of many to improve ASB in this area.

While it is recognised that the applicant has made attestations of how they intend to support licensing objectives directly as part of their operations and premise, the main issues is that alcohol is taken away and consumed off the applicant's premise. Worse, it is often consumed openly on streets giving way to all the concerns which are supposed to be protected by the borough's licensing objectives. This includes but is not limited to increased public nuisance and potential crime, disorder, health and safety of residents and visitors, noise, and antisocial behaviour. These are all the things which are meant to be safeguarded by the implementation and effective monitoring and maintenance of the CIA for Brick Lane.

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

Randall Thiel  
Chairman, SPIRE

Contactable at 

# Appendix 10

## Mohshin Ali

---

**From:** Licensing  
**Sent:** 12 July 2023 12:41  
**To:** Mohshin Ali  
**Subject:** FW: License Application for 18 Wentworth Street E1 7TF  
**Attachments:** Baran Offlicence-Revised Plan.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

---

**From:** Kieran.Wells [REDACTED] <[REDACTED]>  
**Sent:** Wednesday, July 12, 2023 8:47 AM  
**To:** Licensing <Licensing@towerhamlets.gov.uk>  
**Cc:** h.berkpinar [REDACTED]; MARK.J.Perry [REDACTED]  
**Subject:** FW: License Application for 18 Wentworth Street E1 7TF

Hello,

Based on the new conditions and revised plan as per the below emails we have no objections to the off license application for 18 Wentworth St E1.

Kind Regards,

Kieran.



PC Kieran Wells  
P244838  
CE Licensing Team: Tower Hamlets  
Central East BCU (*Hackney & Tower Hamlets*)  
Metropolitan Police Service  
a: Stoke Newington Police Station, N16 8DS  
w: [www.met.police.uk](http://www.met.police.uk) [REDACTED]



**Unless otherwise stated this email is  
GSC Code – Official**

**MORE TRUST | LESS CRIME | HIGH STANDARDS**

**ASK FOR ANGELA**

---

**From:** Hayirola Berkpinar <[h.berkpinar](mailto:h.berkpinar)> [REDACTED]  
**Sent:** 11 July 2023 21:37  
**To:** Wells Kieran - CE-CU [REDACTED]  
**Subject:** RE: License Application for 18 Wentworth Street E1 7TF



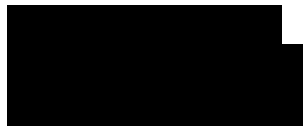
Dear Kieran, please find attached revised plan, I have consulted my client Mr Kalender Surensay with the conditions you have stated in your email, I have advised him accept the conditions you stated in your email which he has accepted all the conditions. Please feel free to contact me if you require further information.

Kind regards,

Hayirola Berkpinar ACIEH

**One2One Consultancy**  
**36 Queensway**  
**London**

**EN3 4SA**



Training, Inspection, Planning & Licensing  
Consultancy, Project Management  
[www.one2oneconsultancy.co.uk](http://www.one2oneconsultancy.co.uk)



---

**From:** [Kieran.Wells](mailto:Kieran.Wells) [REDACTED]  
**Sent:** Monday, July 10, 2023 1:30 PM  
**To:** Hayirola Berkpinar [REDACTED]  
**Cc:** [licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)  
**Subject:** License Application for 18 Wentworth Street E1 7TF

Hello Hayirola,

Further to our conversation around the license conditions, having reviewed your client's license conditions in your application in keeping with the Licensing Act 2003 and Tower Hamlets Licensing Policy 2018-2023 we feel that the following conditions would be a minimum in order to achieve the four licensing objectives:

Section 18/M condition changes:

#### Crime and Disorder

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. When the designated premise supervisor is not on the premises any or all persons authorised to sell alcohol will be authorised by the designated premises supervisor in writing. This shall be available on request by the Police or any authorised officer.
4. An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following:
  - a) all crimes reported to the venue;
  - b) all ejections of patrons;
  - c) any complaints received concerning crime and disorder
  - d) any incidents of disorder;
  - e) all seizures of drugs or offensive weapons;
  - f) any faults in the CCTV system, searching equipment or scanning equipment;
  - g) any refusal of the sale of alcohol;
  - h) any visit by a relevant authority or emergency service.
5. 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.

#### Public Nuisance

6. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
7. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (01.00) hours and (06.00) hours on the same day.
8. No collections of waste or recycling materials (including bottles) from the premises shall take place between (01:00) hours and (06:00) hours on the following day.

#### Protection of Children from Harm

9. 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.
10. 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.

#### Online delivery

11. A standard age verification check shall be undertaken on entering the website. A signature at the point of delivery must be obtained. No delivery shall be left without a signature. Every third party courier delivery box shall be labelled with the words "Age Restricted Product".
12. Alcohol shall only be delivered to a residential or business address and not to a public place.

#### General

13. All staff whose responsibilities include the retail sale of alcohol shall receive training about the prevention of underage sales on induction and then every 12 months thereafter/01 times a year. This training shall be recorded and the records to be available on request to the Police or any authorised officer. The training to include:
  - a) the operation of the challenge 25 scheme;
  - b) types of acceptable ID;
  - c) the method of recording challenges;
  - d) the likely consequences of making an underage sale;
  - e) refusing sales to persons who appear to be drunk;
  - f) proxy sales.
14. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.
15. No more than (25%) of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
16. No single cans or bottles of beer or cider or spirit mixtures shall be sold at the premises.



Please can you also update your premises plan to include the layout of the shop and submit this with the reply to this email. Please inform your client of the correspondence between us and the intended changes to the condition.

If you have any questions or issues please email me or ask me to call you and we can discuss it. If you have no objections to the changes let me know via email.

Please can you also specify the intended type of premises your client intends to open, it appears that he intends to open an off license/shop however if you could state his intended business type in clear writing for clarity, it doesn't have to be lengthy as the initial application was mostly blank.

Please reply before Thursday the 13<sup>th</sup> of July 2023.

Kind Regards,

Kieran.



PC Kieran Wells  
P244838  
CE Licensing Team: Tower Hamlets  
Central East BCU (*Hackney & Tower Hamlets*)  
Metropolitan Police Service  
a: Stoke Newington Police Station, N16 8DS  
w: [www.met.police.uk](http://www.met.police.uk) e: [REDACTED]



**Unless otherwise stated this email is  
GSC Code – Official**

**MORE TRUST | LESS CRIME | HIGH STANDARDS**



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

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

# Appendix 11

## 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 12

## Access and Egress Problems

Such as:

Disturbance from patrons arriving/leaving the premises on foot

Disturbance from patrons arriving/leaving the premises by car

Lack of adequate car parking facilities

Close proximity to residential properties

### Comment

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

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

### General Advice

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

The hours of operation also need to be considered.

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

### Licensing Policy

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

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

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

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

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

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

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

#### Guidance Issued under Section 182 of the Licensing Act 2003

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

Licence conditions should not duplicate other legislation (1.16).

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

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

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

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

# Appendix 13



## 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 14

## **Anti-Social Behaviour from Patrons Leaving the Premises**

### General Advice

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

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

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

### Licensing Policy

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

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

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

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

## Cumulative Impact

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

## Police Powers

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

## Guidance Issued under Section 182 of the Licensing Act 2003

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

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

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

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

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

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

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

## Other Legislation

### Crime and Disorder Act 1998

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

### **Page 285**

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

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

# Appendix 15

## **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 16

## **Licensing Policy Relating to Hours of Trading**

All applications have to be considered on their own merits.

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

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

(see 14.8 of the Licensing Policy)

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

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

(See 14.9 of the licensing policy)

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

- Theatres
- Cinemas
- Premises with club premises certificates

# Appendix 17

### 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:

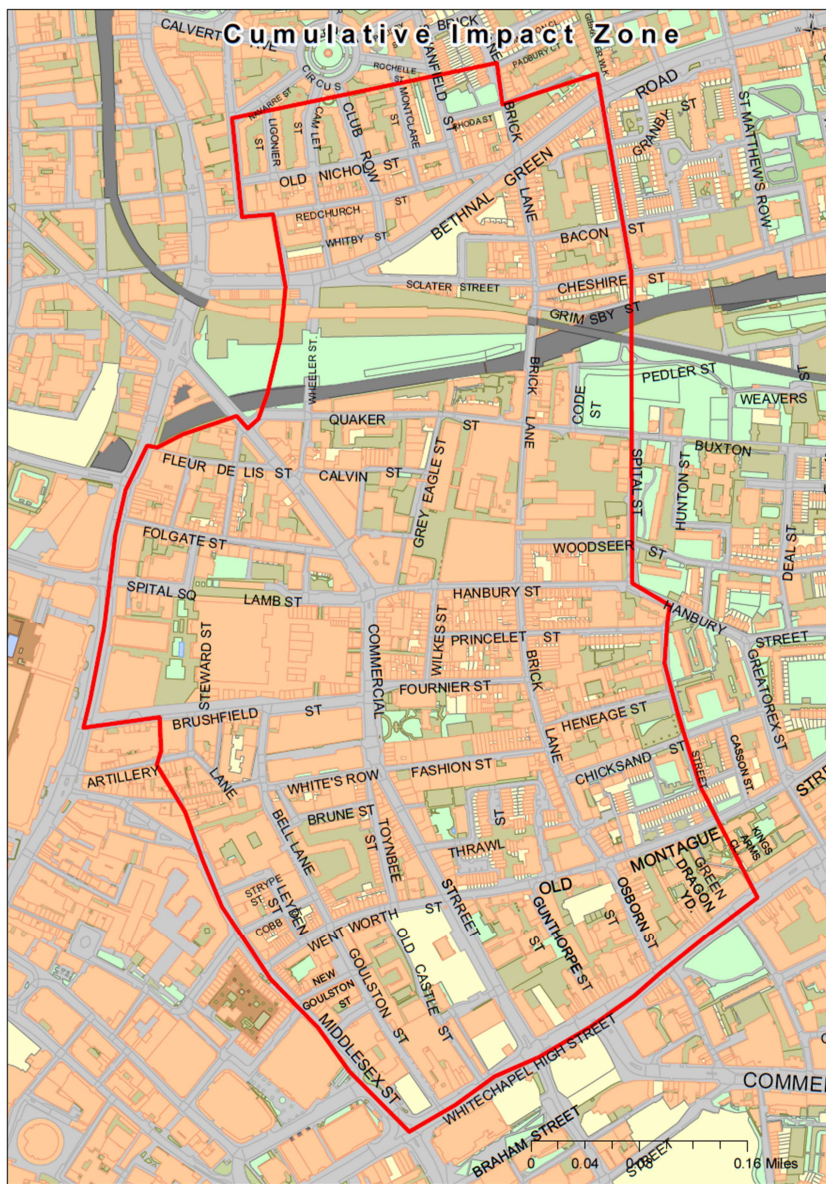


Figure Two:

# Bethnal Green Area

