



Licensing Sub Committee

Agenda

**Tuesday, 24 October 2023 at 6.30 p.m.
Council Chamber - Town Hall, Whitechapel**

Contact for further enquiries:

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



Public Information

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

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

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A Guide to Licensing Sub Committee

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

Public Engagement

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

London Borough of Tower Hamlets

Licensing Sub Committee

Tuesday, 24 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

3.1 Application for a Premises Licence for (Lock Studios) Oval Studios, 29 - 32 The Oval, London E2 9DT (Pages 19 - 98)

Licensing Objectives:

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

Representations:

- Licensing Authority



- Environmental Protection (Health and Safety)

Ward: Bethnal Green West

3.2 Application for a new Premise Licence for YUN, 204 Brick Lane, London, E1 6SA (Pages 99 - 192)

Licensing Objectives:

- Public Nuisance
- Crime and Disorder

Representations:

- Local Authority
- Resident

Ward: Weavers

4. EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003

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

Next Meeting of the Licensing Sub Committee

Tuesday, 7 November 2023 at 6.30 p.m. to be held in Council Chamber - Town Hall, Whitechapel



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Agenda Item 1

DECLARATIONS OF INTERESTS AT MEETINGS– NOTE FROM THE MONITORING OFFICER

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

(i) Disclosable Pecuniary Interests (DPI)

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

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

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

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

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

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

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

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

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

Guidance on Predetermination and Bias

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

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

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

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

APPENDIX A: Definition of a Disclosable Pecuniary Interest

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

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

TOWER HAMLETS



LICENSING COMMITTEE

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

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

1. Interpretation

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

2. Composition of Sub-Committee

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

3. Procedure

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

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

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

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

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

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

4. Exclusions

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

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

Guidance for Licensing Sub-Committee Meetings.

(1) Attendance at Meetings.

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

(2) Licensing Sub-Committee Role and Membership.

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

Licensing Sub-Committee Webpages

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

The pages include:

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

(3) Access to Committee Papers.

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

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

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

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

(5) What can be circulated?

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

(6) How will the applications be considered?

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

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

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

(8) Queries on reports.

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

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

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

LICENSING SUB COMMITTEE HEARING PROCEDURE

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

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

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

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

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Agenda Item 3.1

Committee : Licensing Sub-Committee	Date	Classification Unclassified	Report No.	Agenda Item No.
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Report of: David Tolley Head of Environmental Health & Trading Standards Originating Officer: Mohshin Ali Senior Licensing Officer	Title: Licensing Act 2003 Application for a Premises Licence for (Lock Studios) Oval Studios, 29 – 32 The Oval, London E2 9DT Ward affected: Bethnal Green West
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1.0 Summary

Applicant: **Lock Studios Ltd**

Name and Address of Premises: **Lock Studios**
Oval Studios
29 – 32 The Oval
London
E2 9DT

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

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

Representations: **Licensing Authority (RA)**
Health & Safety

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 (Lock Studios) Oval Studios, 29 – 32 The Oval, London E2 9DT.

3.2 The applicant has described the premises as:

“Photography studio, and occasional private event space. The licensable activities authorised by the licence will be ancillary to the main function of the premises as a photography studio”.

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

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

- *Monday to Wednesday, from 10:00 hrs to 23:30 hrs*
- *Thursday to Saturday, from 10:00 hrs to 01:00 hrs the following day*
- *Sunday, from 10:00 hrs to 22:30 hrs*

The provision of late night refreshment – Indoors

- *Monday to Wednesday, from 23:00 hrs to 23:30 hrs*
- *Thursday to Saturday, from 23:00 hrs to 01:00 hrs the following day*
- *(Sunday, no provision of late night refreshment)*

The provision of regulated entertainment - Indoors

Plays and Films. Live music, recorded music and performance of dance

- *Monday to Wednesday, from 10:00 hrs to 23:30 hrs*
- *Thursday to Saturday, from 10:00 hrs to 01:00 hrs the following day*
- *Sunday, from 10:00 hrs to 22:30 hrs*

Non-standard timings

- *New Year’s Eve: licensable activities from 07:00 hrs to 03:30 hrs the following day*

The opening hours of the premises

- *Monday to Wednesday, from 06:00 hrs to 00:00 hrs (midnight)*
- *Thursday to Saturday, from 06:00 hrs to 01:30 hrs the following day*
- *Sunday, from 10:00 hrs to 23:00 hrs*

Non-standard timings

- *New Year’s Eve: opening hours from 07:00 hrs to 03:30 hrs the following day*

4.0 Location and Nature of the premises

4.1 The 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 will come into effect on the 1st November 2023.

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

5.3 The Home Secretary has issued Guidance under Section 182 of the Licensing Act 2003. This is available on the Government's website, www.homeoffice.gov.uk. It was last revised in August 2023.

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

6.0 **Representations**

6.1 This hearing is required by the Licensing Act 2003, because relevant representations have been made by the following:

- Licensing Authority (RA) (See **Appendix 5**).
- Health & Safety (See **Appendix 6**).

6.2 At the request of the applicant, the Licensing Authority forwarded the application to the residents that made a representation against the previous application by a different operator. In response to this, one resident showed support for the application and one resident was concerned about the lack of detail in the application form. However, the Licensing Authority did not receive any formal representation from any of the residents that were consulted.

6.3 The applicant has also been liaising with the Licensing Authority about conditions but at the time of writing this report an agreement was not reached between them.

6.4 The applicant has also been communicating with some of the residents and it is not clear if there have been any further conditions agreed between them.

6.5 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)
- 6.6 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
- 6.7 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.
- 6.8 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.
- 6.9 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 Proposed Conditions
1. *The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as a photography studio. For the purposes of these conditions, references to an “event” mean an occasion when the premises are used for a private function not connected to its day-to-day operation as a photography studio. No publicly ticketed music events shall take place at the premises. Where any event has music regulated entertainment, such music shall be ancillary to the main event such as a DJ set during and after an awards ceremony or a party with music after a product launch event.*

2. A Risk Assessment shall be carried out for each event at the premises to identify any risks (this could be but not limited to: contacting previous venues; checking social media channels and any other relevant intelligence in relation to previous events; and supplier due diligence) relating to the licensable activities taking place in respect of each event and the measures that will be put in place to mitigate such risks which shall be documented in such Risk Assessment.

3. Risk Assessment shall be carried out for each event to identify any risks relating to the licensable activities taking place in respect of each event and the measures that will be put in place to mitigate such risks which shall be documented in such Risk Assessment including medical and welfare provision; search policy; ingress policy and ID scanners where required by the Risk Assessment; and the appropriate number of SIA registered security staff (including the ratio between male and female SIA based on the anticipated makeup of the audience as identified in such Risk Assessment) and stewards and role types to ensure a safe environment as per the event Security Management Plan. The Risk Assessment shall be made available to the Metropolitan Police and the Licensing Authority upon request.

4. A digital CCTV system shall be installed and maintained at the premises on an ongoing basis as per the minimum requirements of the Metropolitan Police. When installed, the CCTV system is to be maintained and shall continually record whilst the premises are operational and open to the public, with footage stored for a minimum of 31 days with date and time stamping. CCTV footage shall be made available to the Metropolitan Police and the Licensing Authority upon request.

5. Staff working at the premises shall be trained in the use of the CCTV equipment and a log will be kept verifying this. At least one member of staff, so trained, shall be present at the premises at all times when it is open for licensable activities. Such member of staff shall be capable of providing the Metropolitan Police and the Licensing Authority with CCTV footage upon request.

6. Where the Designated Premises Supervisor is not on the premises, then any or all persons authorised by the Designated Premises Supervisor to sell alcohol shall be made in writing, such written authorisation to be made available to the Metropolitan Police and the Licensing Authority upon request.

7. An Incident Report Register shall be maintained and completed within 24 hours of any incident which shall detail the date, time, and location of any incidents at the premises including accidents; anti-social behaviour; incidents of disorder ejections from the premises; all crimes; any complaints concerning crime and disorder; all seizures of drugs and/or offensive weapons and any visit a relevant authority or emergency service for the purposes of preventing crime and disorder.

This shall be made available for inspection upon request from the Metropolitan Police and/or the Licensing Authority.

8. *Should CCTV become non-functional this shall be logged and repaired as soon as possible.*

9. *A log shall be kept at each bar of all instances where the sale and/or supply of alcohol has been refused, which shall detail the date and time of the refused sale; the staff member who refused the sale, the reason for the refusal and how the refusal was resolved. This log shall be made available for inspection by the Metropolitan Police and/or the Licensing Authority at all times when licensable activities are taking place.*

10. *In the event of a serious assault (actual or alleged) at the premises and the London Ambulance Service is called to attend the incident, the Premises Licence Holder shall:*

- (a) immediately notify the Metropolitan Police;*
- (b) have taken all measures that are reasonably practicable and safe to do so to apprehend any suspects pending arrival of the Metropolitan Police;*
- (c) where reasonably practicable, preserve the area of the assault/alleged assault; and*
- (d) take such other measures to protect the safety of all other persons at the premises.*

11. *A Challenge 25 Policy on the sale of alcohol and other age restricted products and proxy sales shall be in operation. Anyone who appears to be under the age of 25 shall be asked to produce appropriate photo identification before being served alcohol (i.e., driving licence, passport, HM Forces Warrant Card, PASS accredited proof of age card).*

12. *SIA registered security staff shall be positioned at all entry and exit points in operation during events to control entry and carry out searches if risk assessed as necessary for the event in the Security Management Plan, and to ensure an orderly dispersal from the event. Additional security may be deployed to other points as determined by the Security Management Plan. The Security Management Plan shall include an ejections policy, search policy and anti-theft policy in respect of customer belongings.*

13. *A Venue Operating Plan shall be in place which shall detail the general operating principles and procedures for the premises, including for events at the premises, and which shall be supplemented by event specific Event Safety Management Plans. Each event shall have a specific Event Safety Management Plan tailored for each event and*

proportionate to the scope of the event. This shall include where applicable:

- (a) Site Plan*
- (b) Event Overview*
- (c) Organisational Structure including Roles and Responsibilities*
- (d) Fire Risk Assessment*
- (e) Noise Management Plan*
- (f) Crowd Management Plan*
- (g) Drugs Policy*
- (h) Alcohol Management Plan*
- (i) Medical and Welfare Plan*
- (j) Accessibility Policy*
- (k) Safeguarding Children and Vulnerable Persons Policy*
- (l) CCTV Policy and Plan*
- (m) Major Incident and Emergency Evacuation Plan*
- (n) Ingress/Egress Dispersal Policy and Plan*
- (o) Waste Management Plan*
- (p) Traffic and Transport Management Plan*
- (q) Security Management Plan*
- (r) Risk Assessment*
- (s) Community Engagement and Liaison Plan*
- (t) Counter Terrorism and Risk Management Plan*

All policies and plans set out above shall be in writing, reviewed by the Premises Licence Holder on an annual basis and made available to the Metropolitan Police and the Licensing Authority or Environmental Protection upon request.

14. A suitable number of security staff shall remain on duty following the end of each event to ensure the orderly dispersal of customers from the immediate vicinity of the premises. Such egress shall not hinder any access to public roads unless otherwise agreed with the Licensing Authority in advance and set out in the Security Management Plan.

15. For events that have been risk assessed as requiring searches to be carried out which shall be undertaken by SIA registered security staff while monitored by the CCTV system, anyone refusing to be searched shall be denied entry to the premises. The Risk Assessment shall determine the level of search to be undertaken according to the search policy as agreed with the Metropolitan Police Service. The conditions of entry shall be made available on tickets and/or prominently displayed at the entrances to the premises.

16. Where necessary as per the Risk Assessment, any queues that form outside the premises during an event shall be managed to ensure that there is no unauthorised obstruction of the public highway and to minimise public nuisance. This shall be managed by stewards or SIA security staff.

17. *During events, external areas shall have a suitable number of security and stewarding staff to prevent nuisance behaviour as identified in the event Risk Assessment.*

18. *The Premises Licence Holder shall, where required by the Risk Assessment, ensure that a suitable Traffic and Transport Management Plan shall be in place and adhered to for all events to ensure that: (i) the transport facilities are available to transport persons to and from events and that the transport systems are not overloaded; and (ii) members of the public attending each event will be kept safe whilst travelling between the transport hub and the premises during ingress and egress.*

19. *The Premises Licence Holder shall ensure that an Ingress/Egress Dispersal Policy and Plan that covers all events is in place. This should detail how the Premises Licence Holder shall ensure that members of the public attending each event will be kept safe whilst travelling between the transport hub and the premises during ingress and egress.*

20. *The Premises Licence Holder shall have a Drugs Policy in place as agreed with the Metropolitan Police Service.*

21. *Where required for an event by the Risk Assessment and as set out in the Security Management Plan, there shall be regular security checks in the public toilets at the premises for the purposes of deterring and identifying any suspicious activities in relation to drug use by customers.*

22. *No alcohol shall be supplied to any person under 18 years of age. In accordance with current legislation drinking water shall be available to customers free of charge.*

23. *A Safeguarding Children and Vulnerable Persons Policy shall be in place for all events detailing how staff are to manage customers who are vulnerable due to intoxication from drugs and/or alcohol and where required by the Risk Assessment, use of identifiable dedicated welfare staff at peak times to monitor the welfare of customers including to spot customers who are at risk of becoming overly intoxicated and/or vulnerable and to liaise with management of the Premises Licence Holder as to assisting those customers where necessary. All such welfare interventions and outcomes shall be logged. The Premises Licence Holder shall operate in line with the Woman's Night Safety Charter and where risk assessed shall ensure that a vulnerability lead member of staff supervises adherence to the Safeguarding Children and Vulnerable Persons Policy. The Premises Licence Holder shall ensure that its staff are trained in Welfare and Vulnerability Engagement (WAVE) or other industry standard and given refresher courses on a regular basis.*

24. *In accordance with current legislation, smoking shall be prohibited except in designated areas. No smoking signs shall be clearly displayed within the premises.*

25. *The Premises Licence Holder shall notify the Licensing Authority and Metropolitan Police by email on a monthly basis of all events programmed for the upcoming month that are attended by the public to include the name of the event, nature of the event, capacity, start and finish times and the SIA security and stewarding provision for the event, with any subsequent material changes notified as soon as Premises Licence Holder is aware of such change.*

26. *All events shall have a Venue Duty Manager appointed by the Premises Licence Holder who shall be the designated point of contact for the Licensing Authority and Responsible Authorities throughout each event.*

27. *The Event Safety Management Plan and Venue Operating Plan shall form the framework within which all events are managed and operated. The conditions and procedures contained in the final version of the Event Safety Management Plan shall be followed and implemented.*

28. *Each event shall have a specific Event Safety Management Plan which shall set out in detail how the premises shall be kept secure and prevent unauthorised access.*

29. *The capacity for the premises shall be monitored during events to ensure that the capacity is not exceeded. A record of the capacity shall be maintained and made available to the Licensing Authority upon request.*

30. *A register shall be maintained by the security supplier of all security and stewarding staff employed at the premises containing their full names, date of birth, home address and where appropriate their SIA Licence details. This information shall be made available to the Metropolitan Police and the Licensing Authority upon request.*

31. *A traffic management company shall be employed at events, where required by the Risk Assessment, as per the Traffic and Transport Management Plan to implement road closures or pedestrian crossings in accordance with any Traffic Regulation Orders in place. Details of available public transport links and local taxi services shall be made available to customers.*

32. *The Premises Licence Holder shall comply with all licence obligations including nuisance from sound generated by the venue. Where regulated entertainment takes place at the premises, a sound monitoring system will be in place and managed by a sound engineer*

to minimise noise nuisance. This monitoring will be controlled by the Premises Licence Holder's staff.

33. The Premises Licence Holder shall produce a Noise Management Plan.

34. There shall be a dedicated phone number for residents and businesses in the local area to contact the premises in the case of any concern during business hours and during an event.

35. Noise from amplified music shall not be such as to cause a noise nuisance (as evidenced) to occupants of nearby premises.

36. The external area shall not be used by patrons after 21:30 except for patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, which shall be limited to 40 persons at any one time.

37. Loudspeakers shall not be located in the entrance lobby or outside the premises building.

38. Except for ingress and egress of customers, all windows and external doors shall be kept closed when regulated entertainment is taking place inside the premises.

39. An Ingress/Egress Dispersal Policy and Plan shall be implemented for each event. Notices shall be displayed at exits of the premises requesting that customers leave the area quietly as directed by security and stewarding staff.

40. Cameras on entry and (non-emergency) exit points for the premises must capture full frame shots of the heads and shoulders of all people entering and leaving the premises, i.e., capable of identification and of evidential quality in any light conditions.

41. Signage shall be displayed in customer areas to advise that CCTV is in operation.

42. The Premises Licence Holder shall exercise due diligence across all event organisers and suppliers to ensure, as far as reasonably practicable, that each event organiser and suppliers are competent to operate a safe event.

43. An Alcohol Management Plan shall be in place at the premises. All staff involved in any managerial, supervisory or security roles for the sale of alcohol, during an event at the premises shall be trained in relation to the Alcohol Management Plan. Training records shall be kept and be accessible at the premises and made available to the Licensing Authority and/or the Metropolitan Police upon request.

44. *All staff engaged in the sale and/or supply of alcohol shall receive training in the following areas on an annual basis:*

- (a) product age restrictions, proxy sales and offences under the Licensing Act 2003;*
- (b) challenge 25, and acceptable forms of ID;*
- (c) recognising signs of intoxication and how to refuse service; and*
- (d) emergency procedures and reporting;*
- (e) the bars shall be supervised by a Personal Licence holder.*

45. *A Risk Assessment for each event shall determine whether it is appropriate to serve drinks in glasses, bottles, or cans, or whether all alcohol shall be decanted into containers made from polycarbonate plastic or paper.*

46. *Notices shall be displayed at all bars indicating it is unlawful for a person under the age of 18 to purchase alcohol or for another person to purchase alcohol on behalf of such person.*

47. *A Fire Risk Assessment shall be carried out for the premises generally and reviewed on an annual basis.*

48. *As Risk Assessment shall determine the level of First Aid cover and facilities to be provided appropriate to each event.*

49. *The Premises Licence Holder shall ensure that any child performer is licensed with the local council's licensing unit and accompanied by a registered chaperone.*

50. *Where children are allowed on the premises, information shall be displayed at the premises as to what to do if there is a cause for concern regarding a child's welfare.*

51. *An Alcohol Management Plan shall be in place at the premises. All staff involved in any managerial, supervisory or security roles for the sale of alcohol, during an event at the premises shall be trained in relation to the Alcohol Management Plan. Training records shall be kept and be accessible at the premises and made available to the Licensing Authority and/or the Metropolitan Police upon request.*

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

53. *A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an acoustic consultant who is a member of the Institute of Acoustics so as to ensure that no noise nuisance is caused to local residents or businesses. The operation panel of the noise limiter shall then be*

secured by a key or password to the satisfaction of the acoustic consultant and access shall only be by persons authorised by the Premises Licence Holder. No alteration or modification to any existing sound system(s) should be affected without prior agreement with an acoustic consultant. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

54. *The number of persons permitted on the premises at any one time (excluding staff) shall not exceed [750] (internally) and [150] (externally) subject to the final capacity of the premises being agreed with the Tower Hamlets Environmental Health Service and the Licensing Authority replacing this condition on the licence with a condition detailing the capacity so determined.*

8.0 Conditions in consultation with the Responsible Authorities

8.1 The above conditions have been agreed with Environmental Protection and Police.

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 31st 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 7 – 13** Members are given general advice, and also have explanations of the Council’s Licensing Policy, Government advice and other legislation relating to the matters previously identified.
- 10.0 Legal Comments**
- 10.1 The Council’s legal officer will give advice at the hearing.

11.0 Finance Comments

11.1 There are no financial implications in this report.

12.0 Appendices

Appendix 1	A copy of the new application
Appendix 2	Site Plan
Appendix 3	Maps and photos of the surrounding area
Appendix 4	Other licensed venues in the area
Appendix 5	Representation of Licensing Authority
Appendix 6	Representation of Health & Safety
Appendix 7	Licensing Officer comments on noise while the premise is in use
Appendix 8	Licensing Officer comments on access/egress Problems
Appendix 9	Licensing Officer comments on crime and disorder on the premises
Appendix 10	Licensing Officer comments on crime and disorder from patrons leaving the premises
Appendix 11	Public safety
Appendix 12	Planning
Appendix 13	Licensing Policy relating to hours of trading

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Appendix 1



* required information

Section 1 of 21

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

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

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

Are you an agent acting on behalf of the applicant?

- Yes
- No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Is the applicant:

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

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

Applicant Business

Is the applicant's business registered in the UK with Companies House? Yes No

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

Registration number

Business name

VAT number

Legal status

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

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

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

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

Agent Business

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

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

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

Premises Address

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

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 21

NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

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

Continued from previous page...

private limited company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth
dd mm yyyy

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

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

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

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

Provide a general description of the premises

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

Photography studio, and occasional private event space. The licensable activities authorised by the licence will be ancillary to the main function of the premises as a photography studio.

Continued from previous page...

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

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of a play take place indoors or outdoors or both?

- Indoors Outdoors Both

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

Continued from previous page...

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

State any seasonal variations for performing plays

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

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

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

New Year's Eve: licensable activities from 07:00 until 03:30

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Continued from previous page...

THURSDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="22:30"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the exhibition of films take place indoors or outdoors or both?

- Indoors Outdoors Both

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

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

State any seasonal variations for the exhibition of film

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

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

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

New Year's Eve: licensable activities from 07:00 until 03:30

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Continued from previous page...

Will you be providing indoor sporting events?

- Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

- Indoors
- Outdoors
- Both

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

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

State any seasonal variations for the performance of live music

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

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

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

New Year's Eve: licensable activities from 07:00 until 03:30

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes
- No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="22:30"/>
Start	<input type="text"/>	End	<input type="text"/>

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

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

- Indoors Outdoors Both

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

State any seasonal variations for playing recorded music

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

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

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

New Year's Eve: licensable activities from 07:00 until 03:30

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of dance take place indoors or outdoors or both?

- Indoors Outdoors Both

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

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

Continued from previous page...

State any seasonal variations for the performance of dance

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

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

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

New Year's Eve: licensable activities from 07:00 until 03:30

Section 13 of 21

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

[See guidance on regulated entertainment](#)

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

Yes No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Continued from previous page...

THURSDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

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

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

- Indoors Outdoors Both

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

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

State any seasonal variations

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

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

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

New Year's Eve: licensable activities from 07:00 until 03:30

Continued from previous page...

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

On the premises Off the premises Both

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

State any seasonal variations

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

Continued from previous page...

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

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

New Year's Eve: licensable activities from 07:00 until 03:30

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

Name

First name

Family name

Date of birth

Enter the contact's address

Building number or name

District

City or town

County or administrative area

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

Continued from previous page...

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

Section 16 of 21

ADULT ENTERTAINMENT

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

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

N/A

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

State any seasonal variations

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

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

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

New Year's Eve: opening hours from 06:00 until 04:00 the following day

Section 18 of 21

LICENSING OBJECTIVES

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

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

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

Please refer to the attached schedule of conditions for the promotion of all four licensing objectives.

b) The prevention of crime and disorder

Please refer to a) above

c) Public safety

Please refer to a) above

d) The prevention of public nuisance

Please refer to a) above

Continued from previous page...

e) The protection of children from harm

Please refer to a) above

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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

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

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

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

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

Documents which demonstrate entitlement to work in the UK

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

Continued from previous page...

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

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

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

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

Continued from previous page...

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

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

Home Office online right to work checking service

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

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

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

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

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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

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

Continued from previous page...

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

Section 21 of 21

PAYMENT DETAILS

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

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

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

Band A - No RV to £4,300 = £100.00

Band B - £4,301 to £33,000 = £190.00

Band C - £33,001 to £8700 = 315.00

Band D - £87001 to £12500 = £450.00*

Band E - £125001 and over = 635.00*

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

Band D - £7001 to £12500 = £900.00

Band E - £125001 and over £1,905.00

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

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

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

Capacity 5000-9999 = £1,000.00

Capacity 10000 -14999 = £2,000.00

Capacity 15000-19999 = £4,000.00

Capacity 20000-29999 = £8,000.00

Capacity 30000-39000 = £16,000.00

Capacity 40000-49999 = £24,000.00

Capacity 50000-59999 = £32,000.00

Capacity 60000-69999 = £40,000.00

Capacity 70000-79999 = £48,000.00

Capacity 80000-89999 = £56,000.00

Capacity 90000 and over = £64,000.00

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

Continued from previous page...

* Fee amount (£)

450.00

DECLARATION

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

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

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

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

* Full name

Thomas & Thomas Partners

* Capacity

Solicitors for the applicant

* Date

26 / 07 / 2023
dd mm yyyy

Add another signatory

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

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

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

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

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

OFFICE USE ONLY

Applicant reference number	<input type="text" value="JS/AC/LOC.2.2"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) [Next >](#)

Application for a Premises Licence

**Oval Studios
29 – 32 The Oval
London E2 9DT**

Proposed Conditions

1. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as a photography studio. For the purposes of these conditions, references to an “event” mean an occasion when the premises are used for a private function not connected to its day-to-day operation as a photography studio. No publicly ticketed music events shall take place at the premises. Where any event has music regulated entertainment, such music shall be ancillary to the main event such as a DJ set during and after an awards ceremony or a party with music after a product launch event.
2. A Risk Assessment shall be carried out for each event at the premises to identify any risks (this could be but not limited to: contacting previous venues; checking social media channels and any other relevant intelligence in relation to previous events; and supplier due diligence) relating to the licensable activities taking place in respect of each event and the measures that will be put in place to mitigate such risks which shall be documented in such Risk Assessment.
3. Risk Assessment shall be carried out for each event to identify any risks relating to the licensable activities taking place in respect of each event and the measures that will be put in place to mitigate such risks which shall be documented in such Risk Assessment including medical and welfare provision; search policy; ingress policy and ID scanners where required by the Risk Assessment; and the appropriate number of SIA registered security staff (including the ratio between male and female SIA based on the anticipated makeup of the audience as identified in such Risk Assessment) and stewards and role types to ensure a safe environment as per the event Security Management Plan. The Risk Assessment shall be made available to the Metropolitan Police and the Licensing Authority upon request.
4. A digital CCTV system shall be installed and maintained at the premises on an ongoing basis as per the minimum requirements of the Metropolitan Police. When installed, the CCTV system is to be maintained and shall continually record whilst the premises are operational and open to the public, with footage stored for a minimum of 31 days with date and time stamping. CCTV footage shall be made available to the Metropolitan Police and the Licensing Authority upon request.
5. Staff working at the premises shall be trained in the use of the CCTV equipment and a log will be kept verifying this. At least one member of staff, so trained, shall be present at the premises at all times when it is open for licensable activities. Such member of

staff shall be capable of providing the Metropolitan Police and the Licensing Authority with CCTV footage upon request.

6. Where the Designated Premises Supervisor is not on the premises, then any or all persons authorised by the Designated Premises Supervisor to sell alcohol shall be made in writing, such written authorisation to be made available to the Metropolitan Police and the Licensing Authority upon request.
7. An Incident Report Register shall be maintained and completed within 24 hours of any incident which shall detail the date, time, and location of any incidents at the premises including accidents; anti-social behaviour; incidents of disorder ejections from the premises; all crimes; any complaints concerning crime and disorder; all seizures of drugs and/or offensive weapons and any visit a relevant authority or emergency service for the purposes of preventing crime and disorder. This shall be made available for inspection upon request from the Metropolitan Police and/or the Licensing Authority.
8. Should CCTV become non-functional this shall be logged and repaired as soon as possible.
9. A log shall be kept at each bar of all instances where the sale and/or supply of alcohol has been refused, which shall detail the date and time of the refused sale; the staff member who refused the sale, the reason for the refusal and how the refusal was resolved. This log shall be made available for inspection by the Metropolitan Police and/or the Licensing Authority at all times when licensable activities are taking place.
10. In the event of a serious assault (actual or alleged) at the premises and the London Ambulance Service is called to attend the incident, the Premises Licence Holder shall:
 - (a) immediately notify the Metropolitan Police;
 - (b) have taken all measures that are reasonably practicable and safe to do so to apprehend any suspects pending arrival of the Metropolitan Police;
 - (c) where reasonably practicable, preserve the area of the assault/alleged assault; and
 - (d) take such other measures to protect the safety of all other persons at the premises.
11. A Challenge 25 Policy on the sale of alcohol and other age restricted products and proxy sales shall be in operation. Anyone who appears to be under the age of 25 shall be asked to produce appropriate photo identification before being served alcohol (i.e., driving licence, passport, HM Forces Warrant Card, PASS accredited proof of age card).
12. SIA registered security staff shall be positioned at all entry and exit points in operation during events to control entry and carry out searches if risk assessed as necessary for the event in the Security Management Plan, and to ensure an orderly dispersal from the event. Additional security may be deployed to other points as determined by the

Security Management Plan. The Security Management Plan shall include an ejections policy, search policy and anti-theft policy in respect of customer belongings.

13. A Venue Operating Plan shall be in place which shall detail the general operating principles and procedures for the premises, including for events at the premises, and which shall be supplemented by event specific Event Safety Management Plans. Each event shall have a specific Event Safety Management Plan tailored for each event and proportionate to the scope of the event. This shall include where applicable:
 - (a) Site Plan
 - (b) Event Overview
 - (c) Organisational Structure including Roles and Responsibilities
 - (d) Fire Risk Assessment
 - (e) Noise Management Plan
 - (f) Crowd Management Plan
 - (g) Drugs Policy
 - (h) Alcohol Management Plan
 - (i) Medical and Welfare Plan
 - (j) Accessibility Policy
 - (k) Safeguarding Children and Vulnerable Persons Policy
 - (l) CCTV Policy and Plan
 - (m) Major Incident and Emergency Evacuation Plan
 - (n) Ingress/Egress Dispersal Policy and Plan
 - (o) Waste Management Plan
 - (p) Traffic and Transport Management Plan
 - (q) Security Management Plan
 - (r) Risk Assessment
 - (s) Community Engagement and Liaison Plan
 - (t) Counter Terrorism and Risk Management Plan

All policies and plans set out above shall be in writing, reviewed by the Premises Licence Holder on an annual basis and made available to the Metropolitan Police and the Licensing Authority or **Environmental Protection Noise Team** upon request.

14. A suitable number of security staff shall remain on duty following the end of each event to ensure the orderly dispersal of customers from the immediate vicinity of the premises. Such egress shall not hinder any access to public roads unless otherwise agreed with the Licensing Authority in advance and set out in the Security Management Plan.
15. For events that have been risk assessed as requiring searches to be carried out which shall be undertaken by SIA registered security staff while monitored by the CCTV system, anyone refusing to be searched shall be denied entry to the premises. The Risk Assessment shall determine the level of search to be undertaken according to the search policy as agreed with the Metropolitan Police Service. The conditions of entry shall be made available on tickets and/or prominently displayed at the entrances to the premises.

16. Where necessary as per the Risk Assessment, any queues that form outside the premises during an event shall be managed to ensure that there is no unauthorised obstruction of the public highway and to minimise public nuisance. This shall be managed by stewards or SIA security staff.
17. During events, external areas shall have a suitable number of security and stewarding staff to prevent nuisance behaviour as identified in the event Risk Assessment.
18. The Premises Licence Holder shall, where required by the Risk Assessment, ensure that a suitable Traffic and Transport Management Plan shall be in place and adhered to for all events to ensure that: (i) the transport facilities are available to transport persons to and from events and that the transport systems are not overloaded; and (ii) members of the public attending each event will be kept safe whilst travelling between the transport hub and the premises during ingress and egress.
19. The Premises Licence Holder shall ensure that an Ingress/Egress Dispersal Policy and Plan that covers all events is in place. This should detail how the Premises Licence Holder shall ensure that members of the public attending each event will be kept safe whilst travelling between the transport hub and the premises during ingress and egress.
20. The Premises Licence Holder shall have a Drugs Policy in place as agreed with the Metropolitan Police Service.
21. Where required for an event by the Risk Assessment and as set out in the Security Management Plan, there shall be regular security checks in the public toilets at the premises for the purposes of deterring and identifying any suspicious activities in relation to drug use by customers.
22. No alcohol shall be supplied to any person under 18 years of age. In accordance with current legislation drinking water shall be available to customers free of charge.
23. A Safeguarding Children and Vulnerable Persons Policy shall be in place for all events detailing how staff are to manage customers who are vulnerable due to intoxication from drugs and/or alcohol and where required by the Risk Assessment, use of identifiable dedicated welfare staff at peak times to monitor the welfare of customers including to spot customers who are at risk of becoming overly intoxicated and/or vulnerable and to liaise with management of the Premises Licence Holder as to assisting those customers where necessary. All such welfare interventions and outcomes shall be logged. The Premises Licence Holder shall operate in line with the Woman's Night Safety Charter and where risk assessed shall ensure that a vulnerability lead member of staff supervises adherence to the Safeguarding Children and Vulnerable Persons Policy. The Premises Licence Holder shall ensure that its staff are trained in Welfare and Vulnerability Engagement (WAVE) or other industry standard and given refresher courses on a regular basis.

24. In accordance with current legislation, smoking shall be prohibited except in designated areas. No smoking sign shall be clearly displayed within the premises.
25. The Premises Licence Holder shall notify the Licensing Authority and Metropolitan Police by email on a monthly basis of all events programmed for the upcoming month that are attended by the public to include the name of the event, nature of the event, capacity, start and finish times and the SIA security and stewarding provision for the event, with any subsequent material changes notified as soon as Premises Licence Holder is aware of such change.
26. All events shall have a Venue Duty Manager appointed by the Premises Licence Holder who shall be the designated point of contact for the Licensing Authority and Responsible Authorities throughout each event.
27. The Event Safety Management Plan and Venue Operating Plan shall form the framework within which all events are managed and operated. The conditions and procedures contained in the final version of the Event Safety Management Plan shall be followed and implemented.
28. Each event shall have a specific Event Safety Management Plan which shall set out in detail how the premises shall be kept secure and prevent unauthorised access.
29. The capacity for the premises shall be monitored during events to ensure that the capacity is not exceeded. A record of the capacity shall be maintained and made available to the Licensing Authority upon request.
30. A register shall be maintained by the security supplier of all security and stewarding staff employed at the premises containing their full names, date of birth, home address and where appropriate their SIA Licence details. This information shall be made available to the Metropolitan Police and the Licensing Authority upon request.
31. A traffic management company shall be employed at events, where required by the Risk Assessment, as per the Traffic and Transport Management Plan to implement road closures or pedestrian crossings in accordance with any Traffic Regulation Orders in place. Details of available public transport links and local taxi services shall be made available to customers.
32. The Premises Licence Holder shall comply with all licence obligations including nuisance from sound generated by the venue. Where regulated entertainment takes place at the premises, a sound monitoring system will be in place and managed by a sound engineer to minimise noise nuisance. This monitoring will be controlled by the Premises Licence Holder's staff.
33. The Premises Licence Holder shall produce a Noise Management Plan.

34. There shall be a dedicated phone number for residents and businesses in the local area to contact the premises in the case of any concern during business hours and during an event.
35. Noise from amplified music shall not be such as to cause a noise nuisance (as evidenced) to occupants of nearby premises.
36. The external area shall not be used by patrons after 21:30 except for patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, which shall be limited to 40 persons at any one time.
37. Loudspeakers shall not be located in the entrance lobby or outside the premises building.

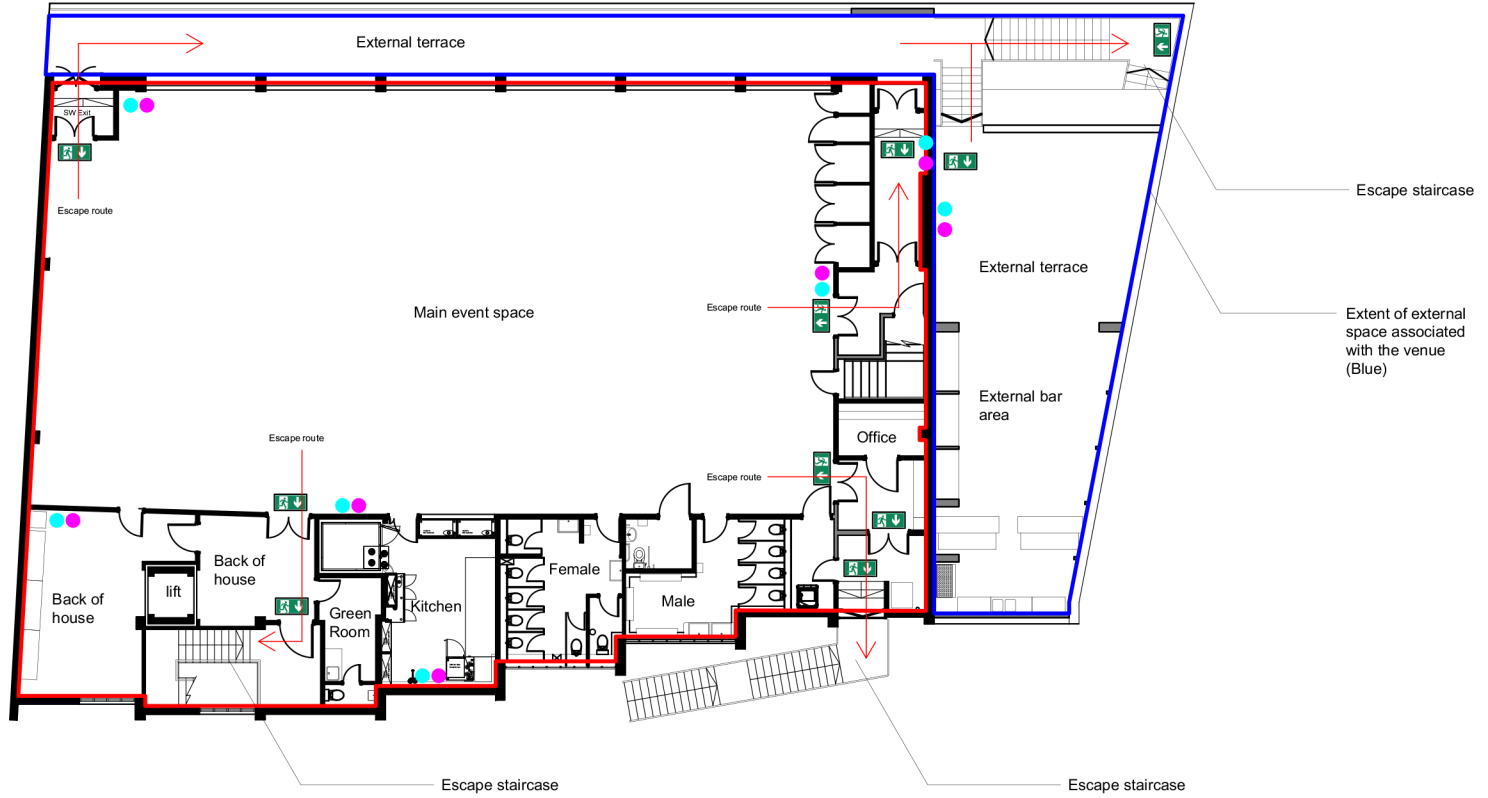
Except for ingress and egress of customers, all windows and external doors shall be kept closed when regulated entertainment is taking place inside the premises.

(condition 37 should be two separate conditions)

38. An Ingress/Egress Dispersal Policy and Plan shall be implemented for each event. Notices shall be displayed at exits of the premises requesting that customers leave the area quietly as directed by security and stewarding staff.
39. Cameras on entry and (non-emergency) exit points for the premises must capture full frame shots of the heads and shoulders of all people entering and leaving the premises, i.e., capable of identification and of evidential quality in any light conditions.
40. Signage shall be displayed in customer areas to advise that CCTV is in operation.
41. The Premises Licence Holder shall exercise due diligence across all event organisers and suppliers to ensure, as far as reasonably practicable, that each event organiser and suppliers are competent to operate a safe event.
42. An Alcohol Management Plan shall be in place at the premises. All staff involved in any managerial, supervisory or security roles for the sale of alcohol, during an event at the premises shall be trained in relation to the Alcohol Management Plan. Training records shall be kept and be accessible at the premises and made available to the Licensing Authority and/or the Metropolitan Police upon request.
43. All staff engaged in the sale and/or supply of alcohol shall receive training in the following areas on an annual basis:
 - (a) product age restrictions, proxy sales and offences under the Licensing Act 2003;
 - (b) challenge 25, and acceptable forms of ID;
 - (c) recognising signs of intoxication and how to refuse service; and
 - (d) emergency procedures and reporting;

- (e) the bars shall be supervised by a Personal Licence holder.
44. A Risk Assessment for each event shall determine whether it is appropriate to serve drinks in glasses, bottles, or cans, or whether all alcohol shall be decanted into containers made from polycarbonate plastic or paper.
 45. Notices shall be displayed at all bars indicating it is unlawful for a person under the age of 18 to purchase alcohol or for another person to purchase alcohol on behalf of such person.
 46. A Fire Risk Assessment shall be carried out for the premises generally and reviewed on an annual basis.
 47. As Risk Assessment shall determine the level of First Aid cover and facilities to be provided appropriate to each event.
 48. The Premises Licence Holder shall ensure that any child performer is licensed with the local council's licensing unit and accompanied by a registered chaperone.
 49. Where children are allowed on the premises, information shall be displayed at the premises as to what to do if there is a cause for concern regarding a child's welfare.
 50. An Alcohol Management Plan shall be in place at the premises. All staff involved in any managerial, supervisory or security roles for the sale of alcohol, during an event at the premises shall be trained in relation to the Alcohol Management Plan. Training records shall be kept and be accessible at the premises and made available to the Licensing Authority and/or the Metropolitan Police upon request.
 51. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
 52. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an acoustic consultant who is a member of the Institute of Acoustics so as to ensure that no noise nuisance is caused to local residents or businesses. The operation panel of the noise limiter shall then be secured by a key or password to the satisfaction of the acoustic consultant and access shall only be by persons authorised by the Premises Licence Holder. No alteration or modification to any existing sound system(s) should be affected without prior agreement with an acoustic consultant. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
 53. The number of persons permitted on the premises at any one time (excluding staff) shall not exceed [750] (internally) and [150] (externally) subject to the final capacity of the premises being agreed with the Tower Hamlets Environmental Health Service and the Licensing Authority replacing this condition on the licence with a condition detailing the capacity so determined.

Appendix 2

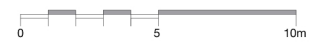


REVISION	DATE	DESCRIPTION
-	14.12.22	SUBMITTED FOR LICENSE APPLICATION
A	02.02.23	ANNOTATION ADDED

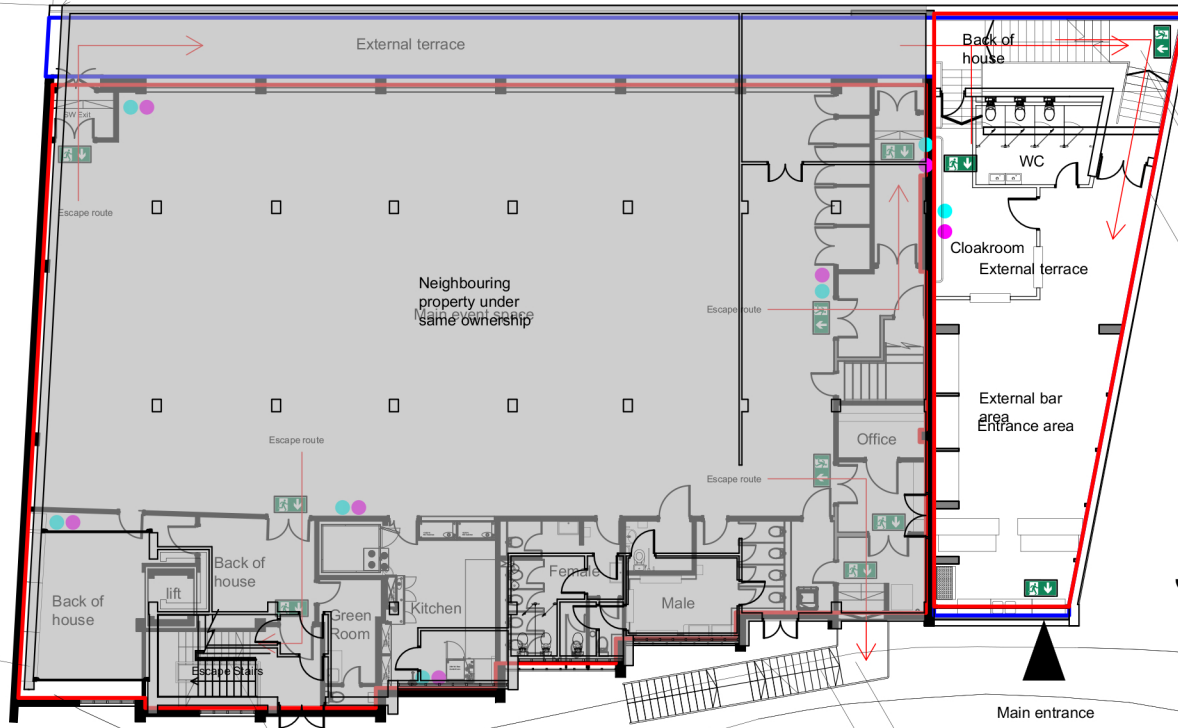
NOTES

1. All dimensions in mm.
2. This drawing to be read in conjunction with all relevant contract documents.
3. This drawing to be read in conjunction with all Engineer's and Main contractor/Sub-Contractor drawings and documentation.
4. Report any errors, contradictions, and omissions to the architect as soon as possible.

- EXTENT OF APPLICATION DEMISE (INTERNAL)
- EXTENT OF APPLICATION DEMISE (EXTERNAL)
- WATER EXTINGUISHER EQUIPMENT LOCATION
- CO2 EXTINGUISHER EQUIPMENT LOCATION



29 to 31



Escape staircase from staircase level

Extent of external space associated with the venue (Blue)

Main entrance

Escape staircase from first floor

33

35

37

The Oval

Page 71

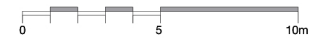
to 27

15 to

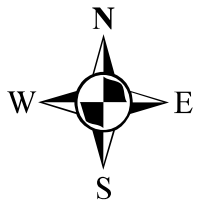
REVISION	DATE	DESCRIPTION
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- EXTENT OF APPLICATION DEMISE (INTERNAL)
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- WATER EXTINGUISHER EQUIPMENT LOCATION
- CO2 EXTINGUISHER EQUIPMENT LOCATION



Appendix 3



Map1

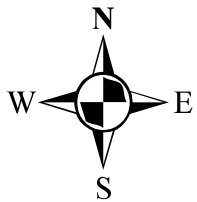


Legend

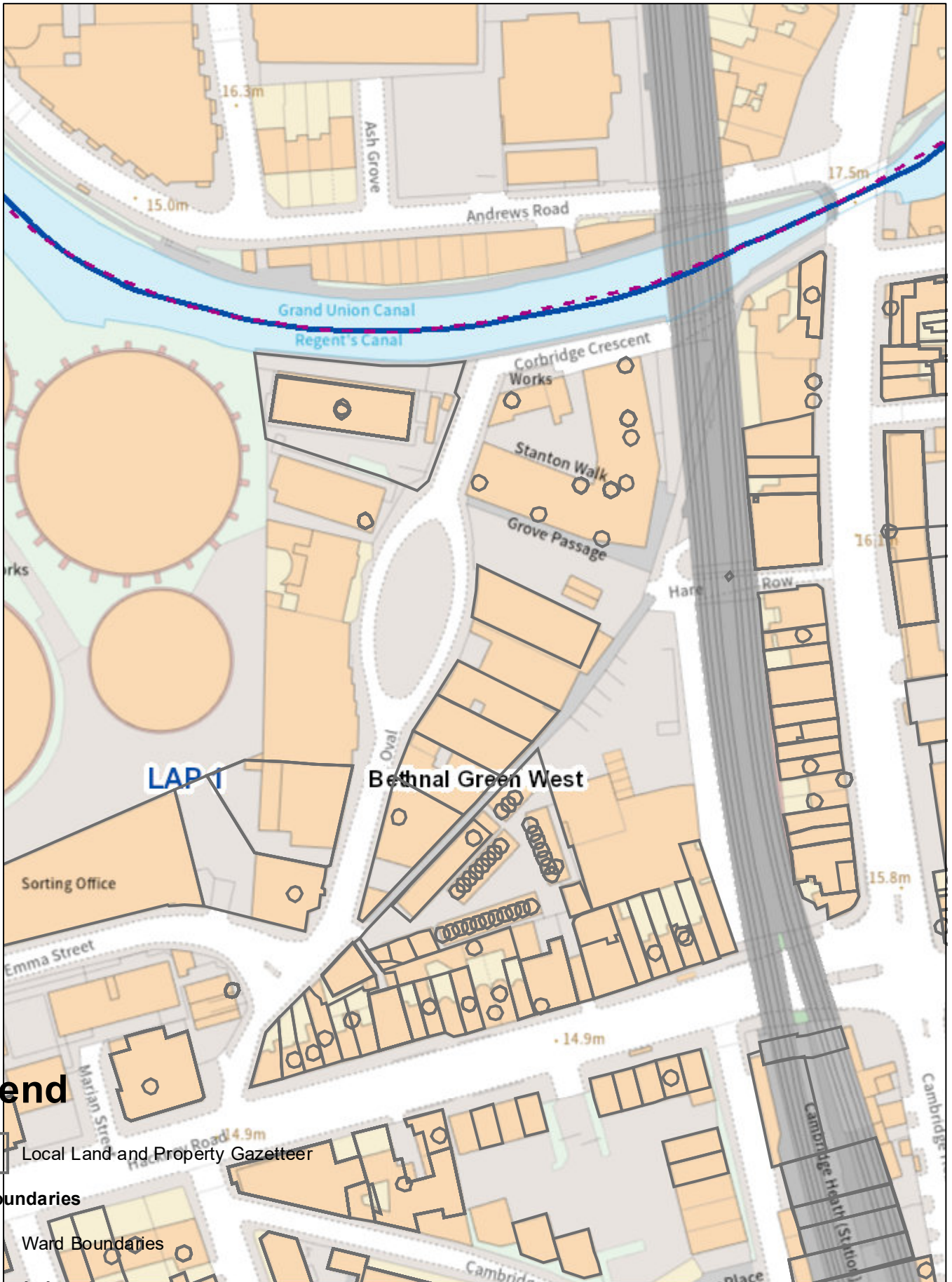
Local Land and Property Gazetteer

Ward Boundaries
 Ward Boundaries


LAP Boundaries
 LAP Boundaries



Map 1



Legend

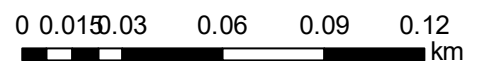
 Local Land and Property Gazetteer

Ward Boundaries

 Ward Boundaries

LAP Boundaries

 LAP Boundaries



Premises Pictures – (Broadwick Venues) Oval Studios, 29 – 32 The Oval, London E2 9DT



Premises Pictures – (Broadwick Venues) Oval Studios, 29 – 32 The Oval, London E2 9DT



Appendix 4

Name and address	Licensable activities and hours	Opening hours
<p>(Oval Cafe) 11-12 The Oval London E2 9DU</p>	<p>The sale by retail of alcohol (on sales only)</p> <ul style="list-style-type: none"> • Monday to Thursday from 12:00 hours to 23:30 hours • Friday and Saturday from 12:00 hours to 00:00 hours (midnight) • Sunday from 12:00 hours to 22:30 hours <p>The provision of late night refreshment - Indoors</p> <ul style="list-style-type: none"> • Monday to Thursday from 23:00 hours to 23:30 hours • Friday and Saturday from 23:00 hours to 00:00 hours (midnight) <p>The Provision of regulated entertainment – indoors <u>(Recorded Music)</u></p> <ul style="list-style-type: none"> • Thursday from 23:00 hours to 23:30 hours • Friday and Saturday from 23:00 hours to 00:00 hours (midnight) • Sunday from 23:00 hours to 22:30 hours <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> • New Year’s Eve, above licensable activities from 08:00 hours to 03:00 hours to 03:00 hours on New Year’s Day. 	<p>Monday to Thursday from 00:00 hours to 00:00 hours (midnight)</p> <p>Friday and Saturday from 08:00 hours to 00:30 hours (the following day)</p> <p>Sunday from 08:00 hours to 23:00 hours</p> <p><u>Non-standard timings</u> New Year’s Eve, above licensable activities from 08:00 hours to 03:00 hours to 03:00 hours on New Year’s Day.</p>
<p>(Pickle Factory) 14 The Oval London E2 9DT</p>	<p>The sale by retail of alcohol (On sales only)</p> <ul style="list-style-type: none"> • Monday to Wednesday, from 12:00 hours to 23:00 hours • Thursday, from 12:00 hours to 03:30 hours • Friday, from 12:00 hours to 05:00 hours • Saturday, from 08:00 hours to 05:00 hours • Sunday, from 08:00 hours to 02:00 hours <p>The provision of late night refreshment</p> <ul style="list-style-type: none"> • Thursday from 23:00 hours to 02:00 hours • Friday, from 23:00 hours to 03:00 hours • Saturday, from 23:00 hours to 03:00 hours <p>The provision of regulated entertainment - Indoors <u>(Films)</u></p> <ul style="list-style-type: none"> • Monday to Wednesday, from 12:00 hours to 23:00 hours • Thursday and Friday, from 12:00 hours to midnight 	<p>Monday to Wednesday, from 12:00 hours to 00:00 hours (midnight)</p> <p>Thursday, from 12:00 hours to 04:00 hours the following day</p> <p>Friday, from 12:00 hours to 06:00 hours the following day</p> <p>Saturday, from 08:00 hours to 06:00 hours the following day</p> <p>Sunday, from 08:00 hours to 02:00 hours the following day</p> <p><u>Non-standard timings</u> New Year’s Eve & New Year’s Day 08:00 to 03:00 hours the following day</p>

Nearest licences: (Broadwick Venues) Oval Studios, 29 – 32 The Oval, London E2 9DT

	<ul style="list-style-type: none"> • Saturday and Sunday, from 08:00 hours to midnight <p><u>(Live Music)</u></p> <ul style="list-style-type: none"> • Monday to Wednesday, from 12:00 hours to 23:00 hours • Tuesday and Wednesday, from 12:00 hours to 23:00 hours • Thursday, from 12:00 hours to 02:00 hours • Friday, from 12:00 hours to 06:00 hours • Saturday, from 08:00 hours to 06:00 hours <p><u>(Recorded Music)</u></p> <ul style="list-style-type: none"> • Monday to Wednesday, from 12:00 hours to 23:00 hours • Thursday, from 12:00 hours to 03:30 hours the following day • Friday, from 12:00 hours to 06:00 hours the following day • Saturday, from 08:00 hours to 06:00 hours the following day • Sunday, from 00:00 hours to 02:00 hours the following day <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> • New Year's Eve & New Year's Day until 02:30 • Bank Holidays Mondays, weekend Service 08:00 hours to 00:00 hours 	Bank Holidays Mondays, weekend Service 08:00 hours to 00:30 hours
(LG Geo Ltd) Pod 9 7-8 The Oval London E2 9DT	The sale by retail of alcohol (Off sales only) <ul style="list-style-type: none"> • Monday to Sunday from 12:00 hours to 23:00 hours 	The premises are closed to the public
(Uncharted Wines) Studio 56, Containerville Studios 40 The Oval London E2 9DT	<u>Sale of alcohol (off sales)</u> Monday – Friday 10:00 hours – 17:00 hours	Monday – Friday 10:00 hours – 17:00 hours
Five Guys Pods 12&13 Jacuna Kitchens 7-8 The Oval London E2 9DT	Sale of alcohol (off sales) <ul style="list-style-type: none"> • Monday to Sunday from 12:00 hours to 01:00 hours <p>Late Night refreshment (outdoors)</p> <ul style="list-style-type: none"> • Monday to Sunday from 23:00 hours to 01:00 hours 	Monday to Sunday from 08:00 hours to 01:00 hours

Appendix 5

Mohshin Ali

From: Corinne Holland
Sent: 23 August 2023 16:10
To: Amy Catlin; Licensing
Cc: Jack Spiegler; Mohshin Ali
Subject: LA Representation - Lock Studios Ltd, 29-32 The Oval - REF M/161531

Dear Amy/Jack

I am the Licensing Officer acting as the responsible authority on behalf of the Licensing Authority for the application submitted for Lock Studios, 29-32 The Oval, London, E2 9DT and make the following representation.

As you will be aware there is recent history to this premises, with the licence being summary reviewed by the police, as a result of serious crime and disorder taking place at the venue.

The Premise Licence was revoked on 27th September 2022. An appeal against this decision was later withdrawn.

The Licensing Authority had received numerous complaints from the residents due to the public nuisance they caused on a regular occurrence with noise nuisance in the form of music/vibrations (many state the premises is not soundproofed), unlawful road closures, drug dealing, nitrous oxide balloons being used, anti-social behaviour outside on arrival/egress.

A further application was submitted to the Licensing Authority on the 14th December 2022 for a multi-purpose event space with a capacity of 900 persons. This application attracted representations from responsible authorities and residents. This application was heard by the Licensing Sub Committee on 14th February 2023 and was refused. The subsequent appeal application was also withdrawn.

I note that the proposed conditions for this application are very similar to a set of conditions which were being agreed between parties at the appeal stage of the last application before it was withdrawn.

There are some differences which I highlight below:

1. The Condition of *'no customers will be permitted to leave the premises with alcohol or open vessels'* appears to not be in your proposed conditions list. I note you have applied for 'off sale' so the 'permitted to leave with alcohol' will conflict with this but feel it is necessary to include *'no open vessels of alcohol can be removed from the premises'*. This will prevent anyone standing out on the street drinking causing disturbance to residents. Large crowd previously accrued outside and around the venue, prior to and after events had taken place. These customers left rubbish and debris behind and caused anti-social behaviour and attracted illegal food vendors to set up in The Oval to trade to the large crowds. Genuine 'off sales' can still take place with preventing any form of outside drinking.
2. The condition stating *'there shall be a personal licence holder present on the premises all times when alcohol is being sold'* has been omitted. This condition ensures that if the DPS is not present there is someone else fully trained to uphold the licensing objectives. With a large capacity venue, with the history this premises has, the Licensing Authority feel this is essential to have someone qualified in place on the premises at all times alcohol is being sold.
3. The end of your condition 13 states (including EH amendment) *'All policies and plans set out above shall be in writing, reviewed by the Premises Licence Holder, on an annual basis and made available to the Metropolitan Police and the Licensing Authority or Environmental Protection Noise Team upon request.'* I feel the word *'at least'* should be added before 'on an annual basis' in case they are reviewed mid-year. It is also important that the Licensing Authority have sight of these policies prior to operating the Premise Licence.

4. The capacity was agreed previous between all parties as a maximum of 499 persons. *You state 750 (internally) 150 (externally)*. The Licensing Authority request the number is reduced to a maximum total of 499 as agreed in the previous application negotiations . Of these 499 only 150 will be allowed on the terrace at any one time. This reduction will reduce the impact of a large number of people arriving /departing the area at any one time, therefore reducing any public nuisance caused.
5. Condition 36 states *the external area will not be used after 21:30 except patrons temporarily permitted to leave eg. to smoke. Limited to 40* at a time. In order to stop patrons lingering on the terrace late at night drinking, talking, shouting and therefore causing a disturbance to resident the Licensing Authority ask that there is a condition to prevent alcoholic drinks to be taken into the terrace after 21:30 hrs.

Although I understand your client has no connections to the previous operator, due to the serious issues previously encountered we need to ensure that any new business operator does not cause similar problems to the community. Therefore the Licensing Authority request the following conditions:

Conditions:

1. Alcohol in open vessels shall not be removed from the premises.
2. There shall be a Premise Licence Holder present on the premises at all times when alcohol is being sold.
3. No alcoholic drinks to be taken onto the terrace after 21:30 hours.
4. Condition 13 (end paragraph) to be altered to 'All policies and plans set out above shall be in writing, reviewed by the Premises Licence Holder on *at least* an annual basis and made available to the Metropolitan Police, Licensing Authority and Environmental Protection Noise Team upon request.
5. The number of persons permitted on the premises at any one time (excluding staff) shall not exceed a total of 499. The maximum number of persons allowed on the external terrace at any time is 150.
6. Prior to the operation of the Premise Licence the Licensing Authority shall be provided the Venue Operating Plan.

If your client is happy to accept these conditions the Licensing Authority is prepared to withdraw their representation.

Kind regards

Corinne Holland

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


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Appendix 6

Mohshin Ali

From: Geraldine O'Grady
Sent: 23 August 2023 15:45
To: Licensing
Subject: 16153 - Loc Studio Ltd, 29-32 The Oval, London, E2 9DT

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir/Madam,

This Enforcing Authority acting as a Responsible Authority wishes to make a representation in relation to the above application on the grounds of public safety.

My concern relates to the means of escape in the case of an emergency, given the proposed capacity at the venue. We would like to see the capacity calculations for the premises and evacuation plan.

We reserve the right to withdraw this representation subject to applicants engagement and addition of relevant enforceable conditions .

Kind regards

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

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Appendix 7

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 8

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 9

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 10

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.

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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 11

Safety Problems

General Advice

Members need to bear in mind the substantial amount of primary legislation in this area, and to only impose conditions where they are both proportionate to identified problems and not adequately covered by primary legislation.

The larger and more complex a premises before Members, the more likely it is that specific conditions will be proportionate and necessary.

Licensing Policy

Premises should be constructed so as to minimise public safety risks. (See 7.1).

The Licensing Authority expects applicants to seek advice from both the relevant Health and Safety body and also the Fire and Emergency Planning Authority. (See 7.2). The applicant should identify where existing legislation is not adequate. (See 7.3).

The Licensing Authority will consider attaching conditions to ensure public safety and these may include Conditions drawn from the Model Pool of Conditions relating to public safety. (See Appendix 2 Annex E, F and J of the Licensing Policy). In particular Members may wish to consider the following headings: (this list is not exhaustive):

Annex E

- Adequate arrangements for people with disabilities, inc. their awareness of them.
- Escape routes
- Safety checks
- Curtains, hangings, decorations, upholstery etc.
- Accommodation limits
- Fire action notices
- Emergency procedures
- Water
- Emergency vehicle access
- First aid
- Lighting
- Temporary electrical installations
- Alterations to the premises
- Special effects

Annex F

This concerns Theatres and Cinemas

Annex J

The safe clubbing checklist

Guidance Issued under Section 182 of the Licensing Act 2003

The public safety objective “Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using a relevant premises rather than public health, which is addressed in other legislation” (2.6). For example, conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.

2.7, A number of matters should be considered in relation to public safety.

These may include:

- Fire safety;
- Ensuring appropriate access for emergency services such as ambulances;
- Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4 above);
- Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;
- Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);
- Ensuring appropriate and frequent waste disposal, particularly of glass bottles;
- Ensuring appropriate limits on the maximum capacity of the premises (see paragraphs 2.11-2.12, and Chapter 10; and
- Considering the use of CCTV in and around the premises (as noted in paragraph 2.3 above, this may also assist with promoting the crime and disorder objective).

Safe capacities “should only be imposed where necessary for the promotion of public safety or the prevention of disorder.” (2.11). Therefore, conditions of a fire certificate must not be reproduced.

Other Legislation

- The Health and Safety at Work Act 1974, and various Regs.
- The Regulatory Reform Order (Fire Safety) 2005.

Other Guidance

- Model National and Standard Conditions for Places of Public Entertainment and Assoc. Guidance
- The Event Safety Guide
- Managing Crowds Safely
- 5 Steps to Risk Assessment
- Safer Clubbing
- Safety Guidance for Street Art etc.
- Various BS and ISO standards

Appendix 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 or more of the Licensing Objectives. Members cannot refuse just because there is no planning permission. Where a Premises Licence is granted and which exceeds what is allowed by the Planning Permission and that Premises then operates in breach of planning then the operator would be liable to enforcement by Planning.

Appendix 13

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

Agenda Item 3.2

Committee: Licensing Sub Committee	Date	Classification Unrestricted	Report No.	Agenda Item No.
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Report of: David Tolley Head of Environmental Health & Trading Standards Originating Officer: Corinne Holland Licensing Officer	Title: Licensing Act 2003 Application for a new Premise Licence for YUN, 204 Brick Lane, London, E1 6SA Ward affected: Weavers
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1.0 Summary

Applicant: **Yaam Partners Limited (Ziyun Zhang)**

Name and Address of Premises: **YUN
204 Brick Lane
London
E1 6SA**

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

Objectors: **Licensing Authority
Resident**

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 YUN, 204 Brick Lane, London, E1 6SA. This premises falls within the Brick Lane Cumulative Impact Area.

3.2 The applicant has described the premises as: *A restaurant*.

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

3.4 The hours applied for are as follows:

Sale of Alcohol (on & off sales)

Monday – Sunday 11:30 hours – 21:30 hours (a reduction in 30 minutes from 22:00 hours as agreed with the police to allow for drinking up time)

Provision of regulated music was withdrawn from the application as it was not advertised correctly and was for background music only which is not licensable.

Opening times

Monday – Sunday 11:30 hours – 22:00 hours

4.0 **Location and Nature of the premises**

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

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

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

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

5.0 **Licensing Policy and Government Advice**

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

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

5.3 The Home Secretary has issued Guidance under Section 182 of the Licensing Act 2003. This is available on the Government's website, www.homeoffice.gov.uk. It was last revised in 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 9**
- 6.7 All the representations in this report have been considered by the relevant officer (Team Leader Licensing & Safety) and determined to have met the requirements of the Licensing Act 2003.
- 6.8 This hearing is required by the Licensing Act 2003, because relevant representations have been made by the following.

Licensing Authority	Appendix 6
Reyaaz Mahtey	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 & Disorder
 - Public nuisance
 - CIA
- 6.12 Essentially, the relevant parties oppose the application because the applicant has not explained how within the context of the application they will meet licensing objective of the prevention of public nuisance and the prevention of crime and disorder.
- 6.13 There are strict time limits to any representations. The time limits are contained in The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005.
- 6.14 The applicant has offered measures in the operating schedule of the application that address the promotion of the Licensing Objectives. If there were no representations, the Licensing Authority would grant the licence, with conditions consistent with the operating schedule, which are relevant, proportionate and enforceable. Members are asked to consider the schedule and incorporate any conditions as necessary to address the licensing objectives.

7.0 Conditions consistent with Operating Schedule

1. *A suitable and sufficient CCTV system with recording facilities will be in place at the premises and will operate at all times the premises is open for licensable activities. Images will be available upon reasonable request by the police or other relevant officers of a responsible authority.*
2. *Staff will be trained with regards to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken. Training records will be available for inspection upon reasonable request by the police or other relevant officer of a responsible authority.*

3. *A refusal book will be operated and maintained and will be produced to a relevant officer of the police or other relevant officer of a responsible authority.*
4. *An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following:*
 - *all crimes reported to the venue;*
 - *all ejections of patrons;*
 - *any complaints received concerning crime and disorder*
 - *any incidents of disorder;*
 - *all seizures of drugs or offensive weapons;*
 - *any faults in the CCTV system, searching equipment or scanning equipment;*
 - *any refusal of the sale of alcohol;*
 - *any visit by a relevant authority or emergency service.*
5. *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. *All staff engaged in the sale of alcohol will be trained in responsible alcohol retailing to a minimum standard of BIIAB level 1 or any other training recognised and agreed with tower hamlets Council within one month of the date of this condition appears on the licence (existing staff shall complete it within 3 months of the licence being granted).*
7. *Noise or vibration shall not emanate from the premises so as to cause a nuisance.*
8. *All doors and windows shall be kept closed after 22:00 hours except during immediate access and egress.*
9. *Any speaker within the premises shall be directed away from any residential property.*
10. *Any musical amplification system/equipment located in the premises shall be turned off after 22:00 hours.*
11. *Children under 16 years must be supervised by an adult at all times.*

8.0 Conditions Agreed/Requested by Responsible Authority

Conditions agreed with the police – **Appendix 8** (including reduction in hours)

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.*
6. *All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.*
 7. *Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.*
 8. *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.*
 9. *The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.*
 10. *All deliveries to the premises will take place during standard business hours. All waste will be correctly presented for collection on stipulated collection days in designated areas*
 11. *Prominent signage will inform patrons of the following: Usage of CCTV
Hours of operation*
 12. *Recorded music played will be done so at a sociable volume so as to provide ambience to the venue. Music will only be played inside and during the specified hours.*
 13. *The premises license holder shall ensure that a monthly risk assessment will take place with regards to the need for security at the premises. This will be available upon request to Police or authorised officers to view.*
 14. *Health and Safety requirements will be adhered to along with fire safety requirements. Staff will be regularly trained on these procedures.*
 15. *A fire risk assessment will be carried out to ensure that there are safe means of escape and this will be done in accordance with the fire safety regulations.*
 16. *Noise or vibration shall not emanate from the premises so as to cause a nuisance & any speaker within the premises shall be directed away from any residential property.*

17. *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.*

18. *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.*

19. *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.*
- g) Welfare and Vulnerability Engagement (WAVE training)*
- h) Ask Angela scheme*

20. *The outdoor area shall not be used by patrons after 22:00 hours.*

21. *Online Delivery - 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".*

22. *Alcohol shall only be delivered to a residential or business address and not to a public place.*

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 9 - 16** Members are given general advice, and also have explanations of the Council’s Licensing Policy, Government advice and other legislation relating to the matters previously identified.

10.0 Legal Comments

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

11.0 Finance Comments

11.1 There are no financial implications in this report.

12.0 Appendices

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

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Appendix 1



* required information

Section 1 of 21

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

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

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

Are you an agent acting on behalf of the applicant?

Yes No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Are you:

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

Applying as an individual

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

Applicant Business

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

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

Registration number

Business name

VAT number

Legal status

If your business is registered, use its registered name.
 Put "none" if you are not registered for VAT.

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

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

Premises Address

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

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 21

NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

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

Continued from previous page...

Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

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

Section 5 of 21

OPERATING SCHEDULE

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

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

Provide a general description of the premises

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

Restaurant with alcohol selling and amplified recorded music.

Continued from previous page...

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

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

- Indoors Outdoors Both

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

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

Mainly amplified using PA system. The Music would be mainly for enhancing the dining experiences. We would always ensure that the volume is as undistruptive as reasonably possible to local residents.

State any seasonal variations for playing recorded music

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

Continued from previous page...

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

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

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Yes No

Section 13 of 21

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

[See guidance on regulated entertainment](#)

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

Yes No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

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

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="11:30"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="11:30"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="11:30"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="11:30"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="11:30"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

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

State any seasonal variations

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

Selling alcohol drinks during daily opening time

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

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

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

Continued from previous page...

Name

First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

Section 16 of 21

ADULT ENTERTAINMENT

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

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

Continued from previous page...

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

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

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

Continued from previous page...

Section 18 of 21

LICENSING OBJECTIVES

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

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

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

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images can be made available upon reasonable request by the Police or other relevant officers of a responsible authority.

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken. Training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

A refusals book will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon request.

A Challenge 25 policy will be operated at the premise, acceptable forms of identification are a passport, photocard driving licence and PASS accredited identification card.

Spirits will be located behind the counter.

b) The prevention of crime and disorder

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images can be made available upon reasonable request by the Police or other relevant officers of a responsible authority.

An incident log must be kept at the premises, and made immediately available on request to an 'authorised person' or Police, which must record the following:

- a. all crimes reported to vanue
- b. all ejection of patrons
- c. any complaints received
- d. any incidents of disorder
- e. any refusal of the sale of alcohol
- f. any visit by a relevant authority or emergency service

All restaurant staff engaged in the sale of alcohol to be trained in Responsible alcohol retailing to minimum standard of BIIAB level 1 or any other training recognised and agreed with Tower Hemlets Council Trading Standards within one month of the date that this condition appears on this licence. (Where there are existing staff this training shall be completed within 3 months of the date that this condition first appears on the licence). Training records shall be kept on the premises.

c) Public safety

A fire risk assessment will be conducted and implemented in the premises.

d) The prevention of public nuisance

Noise or vibration shall not emanate from the premises so as to cause a nuisance.

Continued from previous page...

All Doors and windows at the premises shall be kept closed after 22:00 except during immediate access and egress.

Any speaker within the premises shall be directed away from any residential property.

Any musical amplification system/equipment located in the premises shall be turned off after 22:00.

e) The protection of children from harm

While in the restaurant all children under ages of 16 must be supervised by an adult at all times. When serving alcohol anyone who looks under the age of 18 will be asked for proof of age.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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

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

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

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

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

Documents which demonstrate entitlement to work in the UK

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

Continued from previous page...

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

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

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

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

Continued from previous page...

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

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

Home Office online right to work checking service

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

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

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

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

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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

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

Continued from previous page...

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

Section 21 of 21

PAYMENT DETAILS

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

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

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

Band A - No RV to £4,300 = £100.00

Band B - £4,301 to £33,000 = £190.00

Band C - £33,001 to £8700 = 315.00

Band D - £87001 to £12500 = £450.00*

Band E - £125001 and over = 635.00*

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

Band D - £7001 to £12500 = £900.00

Band E - £125001 and over £1,905.00

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

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

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

Capacity 5000-9999 = £1,000.00

Capacity 10000 -14999 = £2,000.00

Capacity 15000-19999 = £4,000.00

Capacity 20000-29999 = £8,000.00

Capacity 30000-39000 = £16,000.00

Capacity 40000-49999 = £24,000.00

Capacity 50000-59999 = £32,000.00

Capacity 60000-69999 = £40,000.00

Capacity 70000-79999 = £48,000.00

Capacity 80000-89999 = £56,000.00

Capacity 90000 and over = £64,000.00

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

Continued from previous page...

* Fee amount (£)

315.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

DECLARATION

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

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

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

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

* Full name

* Capacity

Date (dd/mm/yyyy)

Add another signatory

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

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

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

Continued from previous page...

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

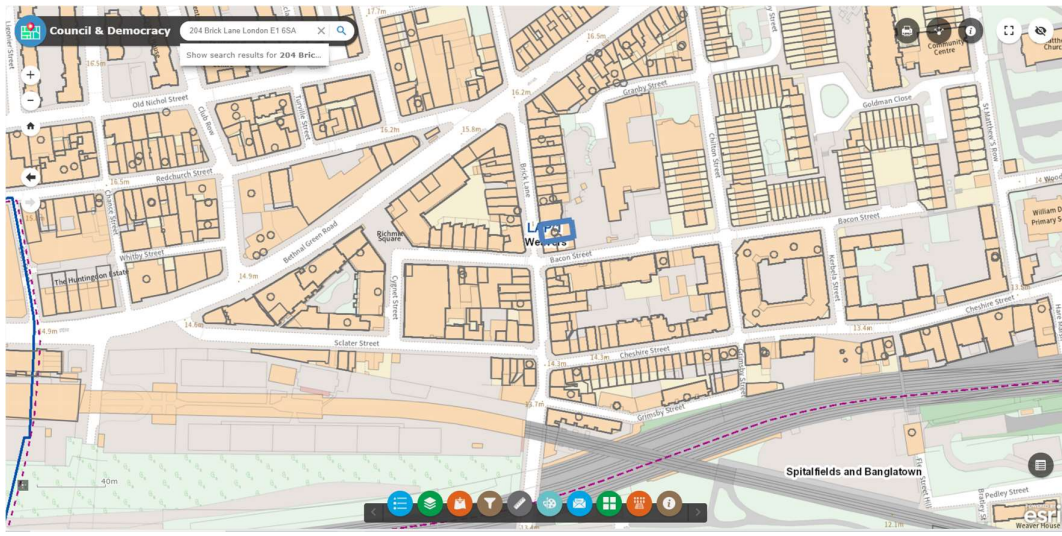
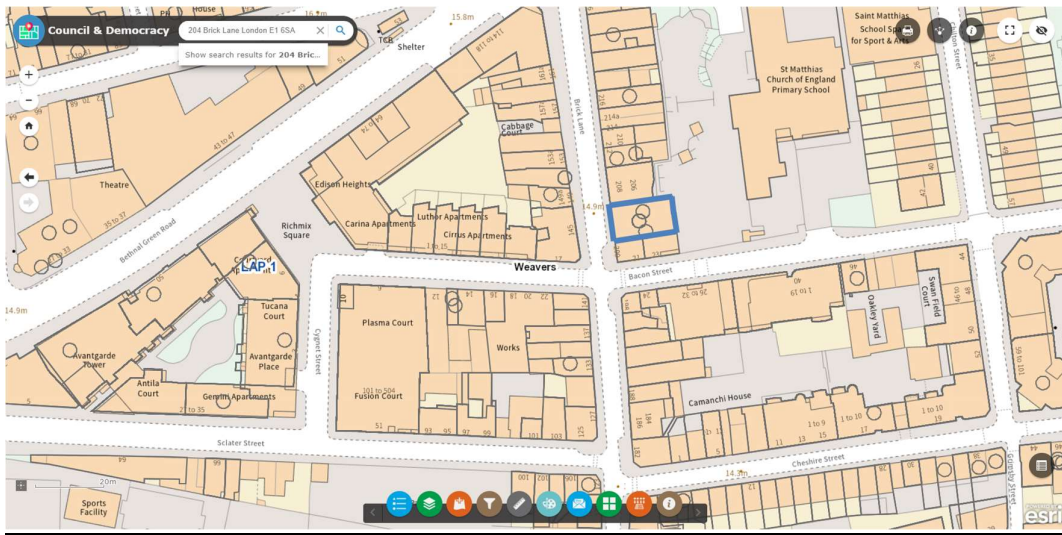
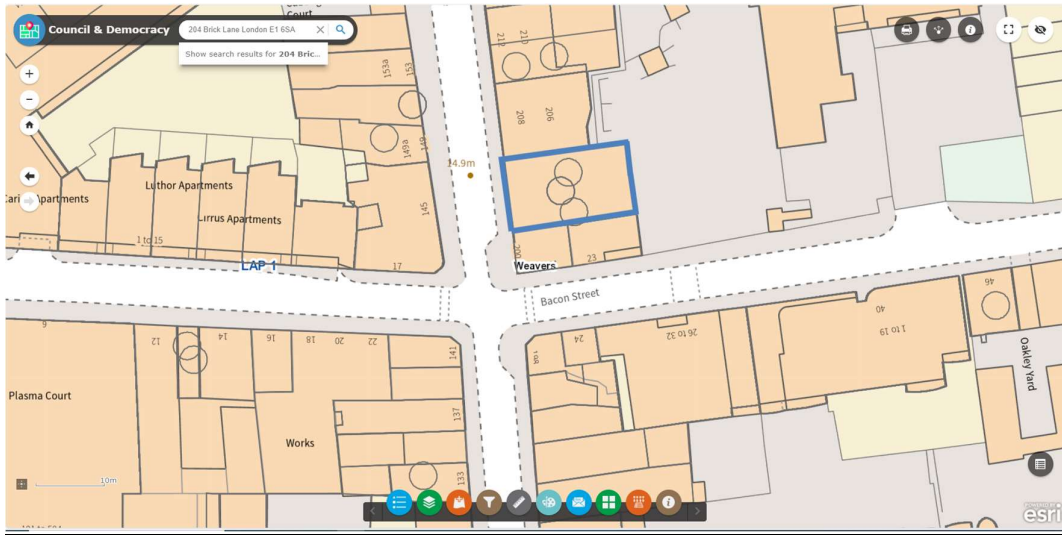
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT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

Appendix 2



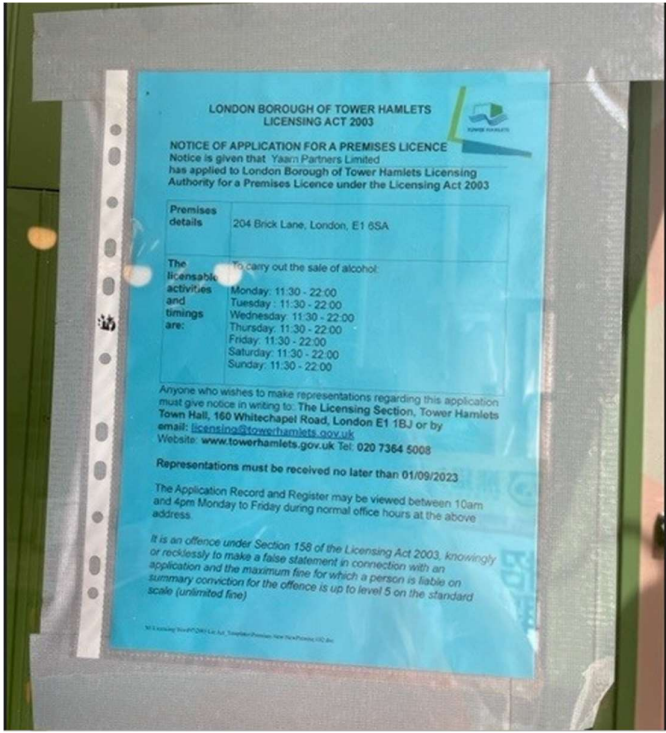
Appendix 3

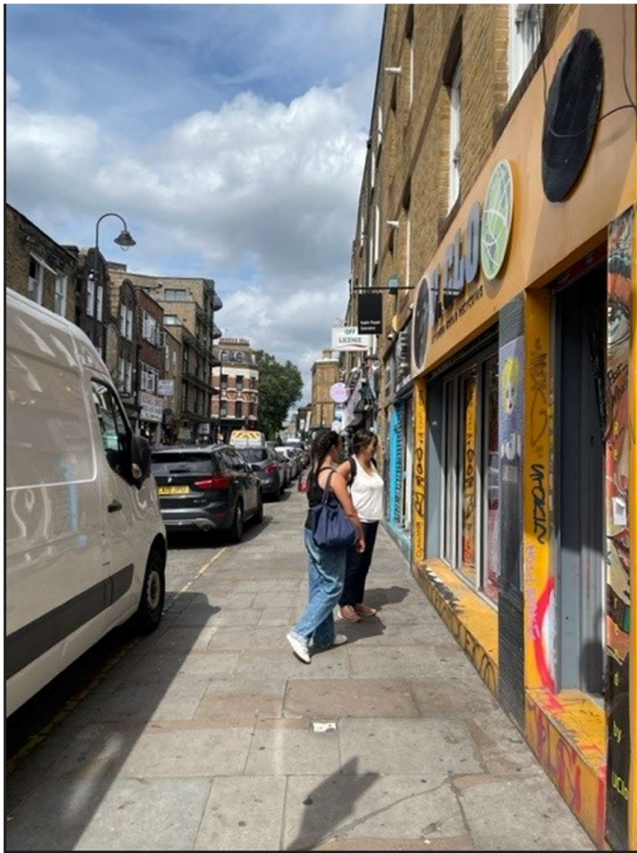
Maps – 204 Brick Lane



Appendix 4

Photos – 204 Brick Lane







Appendix 5

Address	Licensable activities/times	Opening hours
<p>(3AKE) 204 Brick Lane</p> <p>Licence currently held at the premises</p>	<p><u>Sale of Alcohol (Off Sales only)</u> Monday to Saturday from 10:00 hours to 23:00 hours Sunday 12:00 hours to 22:30 hours</p> <p><u>Sale of Alcohol (On Sales only)</u></p> <ol style="list-style-type: none"> (1) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 10am to midnight. (2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12 noon to 11:30pm (3) On Christmas Day: 12 noon to 11:30pm; (4) On New Year's Eve, except on a Sunday, 11 a.m. to midnight; (5) On New Year's Eve on a Sunday, 12 noon to 11.30 p.m. (6) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December). 	<p>No restrictions</p>
<p>(Simmons Bar) 202 Brick Lane</p>	<p><u>The sale of alcohol (on & off sales)</u></p> <ul style="list-style-type: none"> ▪ Sunday to Thursday, from 11:00 hours to 23:00 hrs ▪ Friday and Saturday, from 11:00 hours to 00:30 hrs <p><u>Provision of late night refreshment:</u></p> <ul style="list-style-type: none"> ▪ Sunday to Thursday, from 23:00 hours to 23:30 hrs ▪ Friday and Saturday, from 23:00 hours to 01:00 hrs 	<ul style="list-style-type: none"> ▪ Sunday to Thursday, from 10:00 hours to 23:30 hrs ▪ Friday and Saturday, from 10:00 hours to 01:00 hrs
<p>(AM 2 PM Convenience Store) 210 Brick Lane</p>	<p><u>Alcohol (off sales)</u></p> <ul style="list-style-type: none"> • Monday to Thursday, from 06:00 hours to 01:30 hours • Friday and Saturday, from 06:00 hours to 02:00 hours 	<p>Monday to Sunday, from 00:00 hours to 23:59 hours (24 hours)</p>

	<ul style="list-style-type: none"> • Sunday, from 06:00 hours to 01:00 hours 	
(Hoko) 224 Brick Lane	<p><u>Alcohol (on & off sales)</u></p> <ul style="list-style-type: none"> • Sunday to Thursday, from 12:00 hours to 23:00 • Friday and Saturday, from 12:00 hours to 12midnight <p><u>Late Night Refreshment</u></p> <ul style="list-style-type: none"> • Sunday to Thursday, from 23:00 hours to 12midnight • Friday and Saturday, from 23:00 hours to 01:00 hours the following day 	<ul style="list-style-type: none"> • Sunday to Thursday, from 09:00 hours to 12midnight • Friday and Saturday, from 09:00 hours to 01:00 hours the following day
(Beigal Bake) 159 Brick Lane	<p><u>The provision of late night refreshment</u></p> Monday – Sunday 23:00 – 05:00 hours	No restrictions
Montys 149 Brick Lane	<p><u>Supply of Alcohol (on sales)</u></p> Sunday to Thursday 11:00 to 23:30 hrs Friday and Saturday 11:00 to 02:00 hrs	Sunday to Thursday 11:00 to Midnight Friday and Saturday 11:00 to 02:30
Katsute 147 Brick Lane	<p><u>Sale of alcohol (On and Off Sales)</u></p> Monday to Sunday from 11:00 hours to 22:30 hours	Monday to Sunday from 08:00 hours to 23:00 hours
(Yumcha) 137 Brick Lane	<p><u>Sale by retail of alcohol (on sales only)</u></p> <ul style="list-style-type: none"> • Monday to Sunday from 12:00 hrs to 23:30 hrs <p><u>Provision of late night refreshment</u></p> <ul style="list-style-type: none"> • Monday to Sunday from 23:00 hrs to 23:30 hrs 	<ul style="list-style-type: none"> • Monday to Sunday from 08:00 hrs to 00:00 hrs (midnight)
(Kahaila) 135 Brick Lane	<p><u>The sale by retail of alcohol (on sales only)</u></p> <ul style="list-style-type: none"> • Monday to Sunday from 09:00 hours to 18:30 hours 	<ul style="list-style-type: none"> • Monday to Sunday from 09:00 hours to 19:00 hours
(Hookah Lounge) 133 Brick Lane	<p><u>Alcohol (on sales)</u></p> <ul style="list-style-type: none"> • Monday to Thursday, 11:00 hrs to 12 midnight 	<ul style="list-style-type: none"> • Monday to Thursday, 11:00

	<ul style="list-style-type: none"> • Friday and Saturday, 11:00 hrs to 01:40 hrs • Sunday, 11:00 hrs to midnight <p><u>Late Night Refreshment</u></p> <ul style="list-style-type: none"> • Monday to Thursday, 23:00 hrs to 12 midnight • Friday and Saturday, 23:00 hrs to 01:40 hrs • Sunday, 23:00 hrs to midnight 	<p>hrs to 12 midnight</p> <ul style="list-style-type: none"> • Friday and Saturday, 11:00 hrs to 02:00 hrs • Sunday, 11:00 hrs to midnight
<p>(Glass House) Unit A 114-118 Bethnal Green Road</p>	<p><u>Sale of Alcohol (on sales)</u> Monday – Sunday 11:00 hours – 01:00 hours</p> <p><u>Provision of Late-Night Refreshments (indoors)</u> Monday – Sunday 23:00 hours – 01:00 hours</p> <p><u>Provision of Regulated Entertainment (indoors)</u> Live and recorded music, performance of dance Monday – Sunday 11:00 – 01:00 hours</p>	<p>Monday – Sunday 11:00 hours – 01:30 hours</p>
<p>(Casa Blue) 120 Bethnal Green Road</p>	<p><u>The sale by retail of alcohol:</u></p> <ul style="list-style-type: none"> ▪ Sunday, Monday, Tuesday, Wednesday and Thursday from 13:00 hours to 00:30 hours the following day ▪ Friday and Saturday from 13:00 hours to 02:30 hours the following day. <p><u>Late night refreshment</u></p> <ul style="list-style-type: none"> ▪ Sunday, Monday, Tuesday, Wednesday and Thursday until 00:30 hours the following day ▪ Friday and Saturday until 02:30 hours the following day. 	<ul style="list-style-type: none"> ▪ Sunday, Monday, Tuesday, Wednesday and Thursday from 11:00 hours to 01:00 hours the following day ▪ Friday and Saturday from 11:00 hours to 03:00 hours the following day.

	<p><u>Regulated entertainment (recorded music – unamplified ambient background music):</u></p> <ul style="list-style-type: none">▪ Sunday, Monday, Tuesday, Wednesday and Thursday from 11:00 hours to 00:30 hours the following day ▪ Friday and Saturday from 11:00 hours to 02:30 hours the following day.	
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Appendix 6

By Email:
Licensing Authority:
Licensing@towerhamlets.gov.uk

CC: Ziyun Zhang
[REDACTED]

1st September 2023

Your reference
Our reference LIC/161861/IH

Licensing Act 2003

New premises licence application: (Yun), 204 Brick Lane, London, E1 6SA

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;*

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 following issues also need addressing:

1. *There are no arrangements to prevent vertical drinking, for example fully seated venues.*
2. *Do not support the consumption of alcohol off the premises.*
3. *Existing premises licence held by individual that may have been transferred instead of a new premises licence.*

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

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

1. *The 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.*
6. *Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.*
7. *The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.*
8. *There shall be no “vertical drinking” of alcohol at the premises.*

Yours faithfully



Ibrahim Hussain
Licensing Officer

Appendix 7

Please recognise this document as a formal representation regarding Yaam Partners Limited application to London Borough of Tower Hamlets Licensing Authority for a premises licence under the Licensing Act 2003.

Licence Application 161861, for the restaurant Yun at 204 Brick Lane, London, E1 6SA.

1 – Summary

Yun have applied for a premises licence under the company Yaam Partners Ltd.

Company No: 14811453

Directors: Lin Zhang and Ziyun Zhang

Registered office address: 204 Brick Lane, London, E1 6SA

Incorporated on: 18th April 2023

Manager: Maay You

There have already been several complaints regarding noise and smell of fried/cooked food emanating from Yun's establishment - specifically from Yun's rooftop fan units, located at the rear of the business premises and which directly face several occupied flats at 202-204 Brick Lane and 206 Brick Lane.

There is an ongoing investigation by Tower Hamlets Council's Environmental Protection department – Case reference 357016.

The fan units can be independently viewed from the corner of Bacon Street and Brick Lane, or accessed via Brick Lane School, Bacon Street, London, E2 6DY.

2 – Comments re Yun's premises licence application 161861

The following sections are quoted from the formal application for a premises licence, ref 161861, (located in the Appendix in this document):

Section 11 (Provision of recorded music)

Yun states: "*We would always ensure that the volume if [sic] as undisruptive as reasonably possible to local residents.*"

Section 11 refers to the effects of music from the establishment, however, Yun's statement indicates that they will be considerate towards their neighbours. Unfortunately, this is not the lived experience of residents, which is described further, below.

Section 17 (Hours premises are open to the public)

Opening times are stated as 11:30 – 22:00, seven days a week.

This correlates with the noise pollution from Yun's external fans, which are turned on at approximately 10:30 and cease just after 22:00 – every day of the week.

Section 18b (Licensing Objectives - the prevention of crime & disorder)

Yun state: "*An incident log must be kept at the premises", and that it will include, "any complaints received".*

There have already been several complaints made to Yun, due to the repeated and daily noise pollution and smell from their external fans. If Yun's incident log is kept up to date, it will include these complaints.

Section 18d (Licensing Objectives - the prevention of crime & disorder)

Yun explicitly states: "*Noise or vibration shall not emanate from the premises so as to cause a nuisance*".

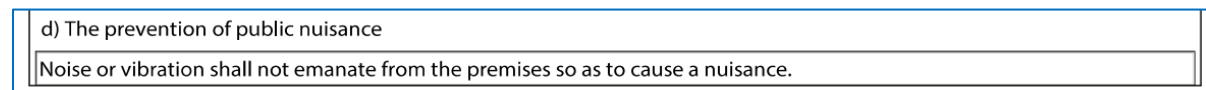


Figure 1 - Extract from Section 18d (Licensing Objectives - the prevention of crime & disorder) of premises licence application 161861

This is completely contrary to the lived experience of residents.

In Section 18d, Yun also state: "*Any speaker within the premises shall be directed away from any residential property*".

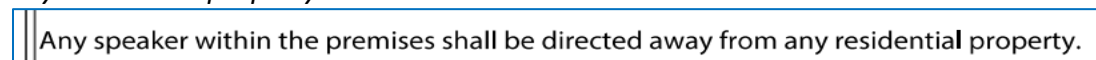


Figure 2 - Extract from Section 18d (Licensing Objectives - the prevention of crime & disorder) of premises licence application 161861

This same principle and consideration towards residential properties can easily be applied to Yun's external fan units.

Regrettably, whenever noise complaints have been passed to Yun, they have been ignored and/or dismissed. (Only on 22.08.23 was a message received from Yun, stating that Yun, "*...will do our best to work on this*". However, nothing is seen to be done, and the noise from their fans, and the smell of frying food, persists all day for residents.)

On 03.06.23, a representative of Yun was aggressive in his behaviour and initially dismissive of the noise complaints, although he did acknowledge the existence of the noise impact. Whenever Yun have been phoned to request that the fans are turned down, the phone has been disconnected each time, so that no dialogue can take place – this shows a lack of cooperation by Yun in dealing with the impact of noise from its business.

Unfortunately, Yun's actions demonstrate a lack of consideration for residents and is dismissive of our valid concerns.

3 – Precedent

A working solution for all concerned parties has been proposed to Yun, which has so far been ignored.

Simmons Bar is at 202 Brick Lane and is next door to Yun at 204 Brick Lane, E1 6SA.



Figure 3 - Image showing Yun and Simmons Bar on Brick Lane, E1 6SA

The same issue of noise pollution impacting residents was exhibited by Simmons Bar's external fans when they moved into the establishment in July 2021.

Simmons Bar took a responsible and considerate approach towards complaints from residents and immediately relocated their fans to the outside wall, rather than leaving them on the rooftop facing several occupied flats.

Yun are fully aware that a similar course of action by their establishment would minimise the noise impact on residents, but have so far chosen to ignore this route, despite having several complaints directed towards them.



Figure 4 - Image showing initial location of Simmons Bar's fans, facing occupied flats.



Figure 5 - Image showing new location of Simmons Bar's fans, to help with reduction of noise impacting residents.

4 – Texts (in *italic*) and other contact between residents and Yun

Date	To Yun	From Yun
03/06/2023, 17:00	Face-to-face discussion with Yun staff, asking for reduction in noise levels from restaurant. Staff also shown fans on rooftop behind premises and solution proposed.	Verbally acknowledged
03/06/2023, 18:16	<i>I've just had a chat with your chef and have shown him the extractor fans at the back of the building. He has agreed to keep the fans on a low setting.</i>	Ignored by Yun
04/08/2023, 15:08	<i>Your fan is vibrating and noisy again. Started at 15:05. Please turn it down.</i>	Ignored by Yun
04/08/2023, 15:36	Attempt to phone Yun.	Yun immediately disconnects phone
04/08/2023, 16:59	<i>Your chef has turned the fan up since 15:05. He has left it running at a high setting since that time. Please ask him to turn it down. It's noisy for all nearby residents. (Video also shared showing noise.)</i>	Ignored by Yun
06/08/2023, 11:58	<i>Ask your chef to turn down the fan please.</i>	Ignored by Yun
06/08/2023, 11:59	Attempt to phone Yun.	Yun immediately disconnects phone
16/08/2023, 10:41	<i>Turn your fan down please. It's vibrating and making noise for all nearby residents. Started at 10:37 today, as usual. (Video also shared showing noise.)</i>	Ignored by Yun
16/08/2023, 10:48	Attempt to phone Yun.	Yun immediately disconnects phone
17/08/2023, 10:41	<i>Turn it down please. Do u not have any consideration for your neighbours? Started from 10:35 today. (Video also shared showing noise.)</i>	Ignored by Yun
17/08/2023, 10:50	Attempt to phone Yun.	Yun immediately disconnects phone
17/08/2023, 10:56	Attempt to phone Yun.	Yun immediately disconnects phone
20/08/2023, 18:35	<i>Turn the fan down please. Do your staff not have any consideration for your neighbours? It happens every single day. (Video also shared showing noise.)</i>	Maay You texts RM: <i>Hi there, thank you for your message, the fan is already at the lowest level of 3 which is the legal requirement for the safety purpose.</i>

Date	To Yun	From Yun
20/08/2023, 19:33	<p><i>Thanks for finally responding.</i></p> <p><i>There are also legal requirements regarding excessive noise from business premises, including that of unreasonable noise from air handling or refrigeration units, which can be regarded as a statutory noise nuisance.</i></p> <p><i>It was suggested to you and your staff on 03.06.23, that your neighbours, Simmons Bar, relocated their external fans from the rooftop to the outside wall facing the school playground, so that the noise impacting local residents was reduced.</i></p> <p><i>A similar course of action by your establishment would reduce the noise from your business, impacting local residents.</i></p> <p><i>If the fan is on setting 3, but still affects local residents, the fan is not fit for purpose and should be replaced.</i></p> <p><i>Unfortunately, noise from your business affects local residents on a daily basis, as it continues to do right now.</i></p> <p><i>If your fans are moved as described above, this would help.</i></p> <p><i>Please also find the photo below, showing Simmons Bar's fan which was moved to the external wall, compared to Yun's, which currently remains on the rooftop and which is directly opposite several flats.</i></p> <p><i>Thanks.</i></p> <p><i>(Photo also shared, showing location of Simmons Bar fans and Yun's fans.)</i></p>	<p>Maay You texts RM two days later on 22.08.23 at 09:55:</p> <p><i>Good morning, thank you for your information, we will do our best to work on this.</i></p> <p>However, nothing is seen to be done, and the noise and smell of frying food persists all day.</p>
23/08/2023, 10:45	<p><i>Starting your fans earlier and louder, doesn't help.</i></p> <p><i>It started at 10:36 today.</i></p> <p><i>Please turn it down immediately. We have to put up with the noise, the vibrations and the smell all day.</i></p> <p><i>Please confirm when will u b moving your fans.</i></p> <p><i>(Video also shared showing noise.)</i></p>	Ignored by Yun
23/08/2023, 10:58	Attempt to phone Yun.	Yun immediately disconnects phone
24/08/2023, 11:15	<p><i>And today started from 10:50 on a loud setting.</i></p> <p><i>Please turn it down.</i></p> <p><i>(Video also shared showing noise.)</i></p>	Ignored by Yun
28/08/2023, 10:31	<p><i>Started at 1021 today.</i></p> <p><i>Please turn it down immediately.</i></p> <p><i>(Video also shared showing noise.)</i></p>	Ignored by Yun
29/08/2023, 11:36	<p><i>No consideration continues to be shown for your neighbours, despite stating on 22.08.23, "we will do our best to work on this".</i></p> <p><i>Turn your fans down please.</i></p> <p><i>Started at 1052 today. (Video also shared showing noise.)</i></p>	Ignored by Yun

5 – Proposal

It would be welcome if Tower Hamlets Council considered that a licence may be granted, only once certain conditions are met.

I.e., The external fan units are:

- Properly serviced and maintained.
- Relocated from the rooftop to the east-facing wall, (similar to those for Simmons Bar).
- Kept to an already agreed setting, that minimises any noise nuisance for residents.

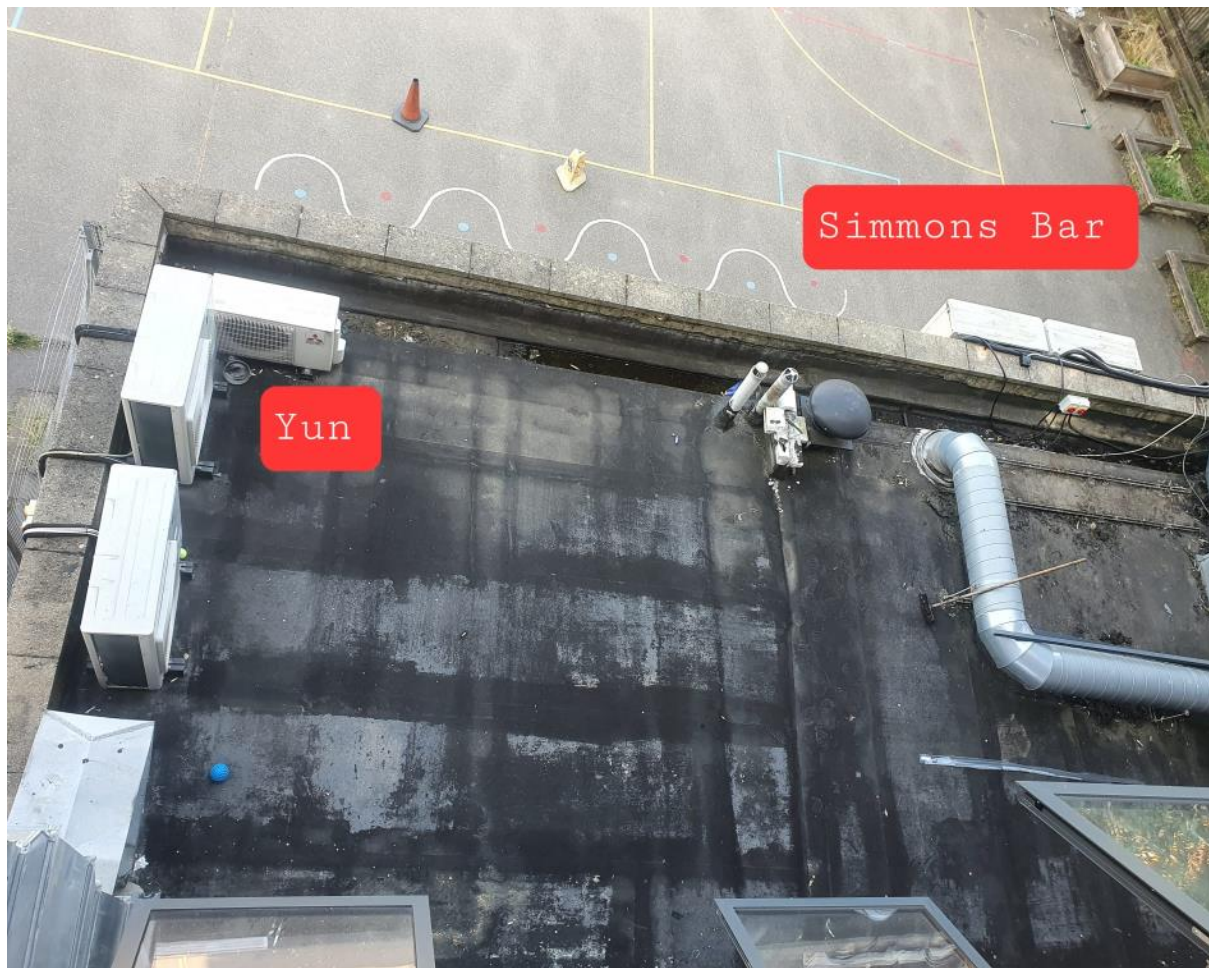


Figure 6 - Image showing current location of Yun's fans compared with Simmons Bar's fans.

The proposal was shared with Yun on 03.06.23 and 20.08.23, yet has so far been ignored by the business.

It would allow Yun to continue their business operations, and for residents to live without the daily negative noise and smell impact from the establishment.

Kind regards,
R Mahtey (resident)

[REDACTED]
[REDACTED]

Corinne Holland

From: Reyaaz . <[REDACTED]>
Sent: 01 September 2023 19:18
To: Corinne Holland
Subject: Re: URGENT: 161861 - Representations regarding Yaam Partners Ltd premises licence application - 204 Brick Lane, E1 6SA

Hello, Corinne (if I may).

The ongoing noise and smell issues from the business, which are detailed in the representations submitted yesterday, would reasonably be categorised as undermining the prevention of public nuisance licensing objective.

The granting of a premises licence by our local council, prior to the business acting upon the current public nuisance issues, would only serve to consolidate Yun's position in continuing to negatively impact neighbouring residents.

The representations that have been submitted yesterday go into further detail regarding the above.

Kind regards,
R. Mahtey

From: Corinne Holland <[REDACTED]>
Sent: Friday, September 1, 2023 5:18:28 pm
To: 'Reyaaz .' <[REDACTED]>
Subject: RE: URGENT: 161861 - Representation regarding Yaam Partners Ltd premises licence application - 204 Brick Lane, E1 6SA

Dear Sir/Madam

I note that you have ongoing noise/smell issues with this premises but can you show how the granting of this licence will further impact on you and how it will undermine one of the four licensing objectives listed below:

1. Preventions of Crime & Disorder
2. Prevention of public nuisance
3. Public Safety
4. Protection of children from harm

The last date for representations is midnight today.

Kind regards

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

[REDACTED]
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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: Reyaaz . <[REDACTED]>
Sent: Thursday, August 31, 2023 9:58 AM
To: Licensing <[REDACTED]>
Subject: URGENT: 161861 - Representation regarding Yaam Partners Ltd premises licence application - 204 Brick Lane, E1 6SA
Importance: High

Hello.

Please find the attached document as a formal representation regarding Yaam Partners Limited application to London Borough of Tower Hamlets Licensing Authority for a premises licence under the Licensing Act 2003.

Licence Application 161861, for the restaurant Yun at 204 Brick Lane, London, E1 6SA.

Please acknowledge receipt of this email.
Please only respond by return email to [REDACTED] to ensure its prompt delivery.

Kind regards,
R Mahtey (resident)

[REDACTED]
[REDACTED]
[REDACTED]

Appendix 8

From: Kieran.Wells2 [REDACTED]
CEMailbox-[REDACTED]
Sent: 10 August 2023 09:47
To: [REDACTED]
Cc: Licensing
Subject: FW: New Premises Licence - Yaam Partners Limited - 204 Brick Lane London E1 6AS M/A 161268
Attachments: BrickLane204-Consent form.pdf; BrickLane204.Plan.png; Front view.JPG; Left side of the premises.JPG; Opposite the Premises.JPG; Right side of the premises-1.JPG; Blue Notice-1.JPG; BrickLane204-application.pdf
Follow Up Flag: Follow up
Flag Status: Completed

Hello,

Following on from a previous conversation this morning, having studied your license application, we feel that the following license conditions as a minimum standard in keeping with the Tower Hamlets Licensing Policy 2018 – 2023 and the Licensing Act 2003 will be needed in order to achieve the four licensing objectives:

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. *All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.*
7. *Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.*
8. *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.*
9. *The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.*
10. *All deliveries to the premises will take place during standard business hours. All waste will be correctly presented for collection on stipulated collection days in designated areas*
11. *SIGNAGE; Prominent signage will inform patrons of the following: Usage of CCTV Hours of operation*
12. *Recorded music played will be done so at a sociable volume so as to provide ambience to the venue. Music will only be played inside and during the specified hours.*
13. *The premises license holder shall ensure that a monthly risk assessment will take place with regards to the need for security at the premises. This will be available upon request to Police or authorised officers to view.*
14. *Health and Safety requirements will be adhered to along with fire safety requirements. Staff will be regularly trained on these procedures.*
15. *A fire risk assessment will be carried out to ensure that there are safe means of escape and this will be done in accordance with the fire safety regulations.*
16. *Noise or vibration shall not emanate from the premises so as to cause a nuisance & any speaker within the premises shall be directed away from any residential property.*

Protection of Children from Harm

17. *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.*

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

General

19. 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.
- g) Welfare and Vulnerability Engagement (WAVE training)
- h) Ask Angela scheme

20. The outdoor area shall not be used by patrons after 22:00 hours

Online delivery

21. 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".

22. Alcohol shall only be delivered to a residential or business address and not to a public place.

Adding to this we also would request that your last sale of alcohol is at 21:30 hours every day where your closing time is 22:00 in order to allow 30 minutes for drinking up/last orders, in order to facilitate the safe travel of patrons home and to prevent anti-social behaviour outside of the premises after closing.

If you have no objections to these changes then please email back stating that otherwise please email me if you wish to discuss any of the conditions or times.

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 e: [REDACTED]



Unless otherwise stated this email is

MORE TRUST | LESS CRIME | HIGH STANDARDS

ASK FOR ANGELA

From: Maay You <[REDACTED]>

Sent: 04 August 2023 13:32

To: licensing@[REDACTED]

Cc: Lavine Miller-Johnson <[REDACTED]>

Subject: New Premises Licence - Yaam Partners Limited - 204 Brick Lane London E1 6AS M/A 161268

Dear Officers,

Please find the new application and required photos below.

Let me know if any further actions I should take.

Thank you so much.

Best regards,

Z. Zhang



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.

Corinne Holland

From: Maay You <[REDACTED]>
Sent: 11 October 2023 12:04
To: Corinne Holland
Subject: RE: FW: New Premises Licence - Yaam Partners Limited - 204 Brick Lane London E1 6AS M/A 161268

Morning Corinne,

I agree the police reduction in hours to 21:30 hours for the sale of alcohol.

Many thanks.

Best regards,

Z. Zhang



On 10 Oct 2023 at 17:22 +0100, Corinne Holland <[REDACTED]>, wrote:

Dear Kieran / Ziyun

I am just writing the committee Report for this application.

In the police initial email a reduction in hours was requested by 30 minute to allow for drinking up time therefore reducing the sale of alcohol to 9.30pm with closing at 10:00pm.

Ziyun, I have just noticed that an amended application was attached to your response to the police increasing the hours for the sale of alcohol. Unfortunately this cannot be done mid application and as well your public notices/newspaper advertise the lesser hours.

Ziyun are you agreeable to the police reduction in hours to 21:30 hours for the sale of alcohol. If not I will have to show the police email as a representation as an agreement hasn't been reached.

Please advise as soon as possible as this report needs to be submitted tomorrow.

Kind regards

Corinne Holland

Licensing Officer

Environmental Health and Trading Standards

Licensing & Safety Team

4th Floor Tower Hamlets Town Hall

Appendix 9

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 10

Prevention of Public Nuisance

- 9.1 Licensed premises, especially those operating late at night and in the early hours of the morning, can cause a range of nuisances impacting on people living, working or sleeping in the vicinity of the premises.
- 9.2 The concerns mainly relate to noise nuisance both from the premises and customer egress, light pollution, noxious smells and disruption from parked vehicles and due regard will be taken of the impact these may have in considering a licence. The Licensing Authority will expect Operating Schedules to satisfactorily address these issues. Applicants are advised to seek advice from the Council's Environmental Health Officers before preparing their plans and Schedules.
- 9.3 The Licensing Authority, where its discretion is engaged, will consider, where appropriate, attaching conditions to licences and permissions to prevent the problems identified in Section 18 of this Policy (Special Cumulative Impact Policy for the Brick Lane and Bethnal Green Area), and these may include conditions drawn from the Model Pool of Conditions found in the Secretary of States Guidance.
- 9.4 **Street Furniture** – placing of street furniture, which includes advertising boards, on the highway can cause a public nuisance by way of obstruction, or encourage consumption of alcohol on an unlicensed area. The Licensing Authority expects applicants to have ensured that they fully comply with the Council's rules relating to authorisation of obstructions on the highway, and that the required authorisations are obtained prior to submitting a licence application. Where proportionate and appropriate, and its discretion is engaged, the Licensing Authority will impose conditions in relation to street furniture, including on private land.
- 9.5 **Fly Posting** – The Council has experienced problems with "fly posting" in relation to venues that offer entertainment. Fly posting is the unauthorised posting of posters / advertisements etc. Where it considers it proportionate and appropriate, and its discretion is engaged, the Licensing Authority will attach conditions relating to the control of fly posting to ensure that venues clearly prohibit all fly posting in their contract terms with others and they effectively enforce this control.

Appendix 11

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

Updated December 2022

Public nuisance

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

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

Appendix 12

Crime and Disorder

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

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

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

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

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

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

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

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

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

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

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

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

Smuggled goods

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

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

Olympic Park – Football Ground

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

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

Appendix 13

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

Updated December 2022

Crime and disorder

- 2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).
- 2.2 In the exercise of their functions, licensing authorities should seek to 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 14

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

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

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

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

Review of Cumulative Impact Assessment - Supporting Evidence

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

This evidence is published on our website:

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

Cumulative Impact Assessments (Brick Lane and Bethnal Green)

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

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

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

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

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

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

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

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

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

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

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

Figure One

Brick Lane area:

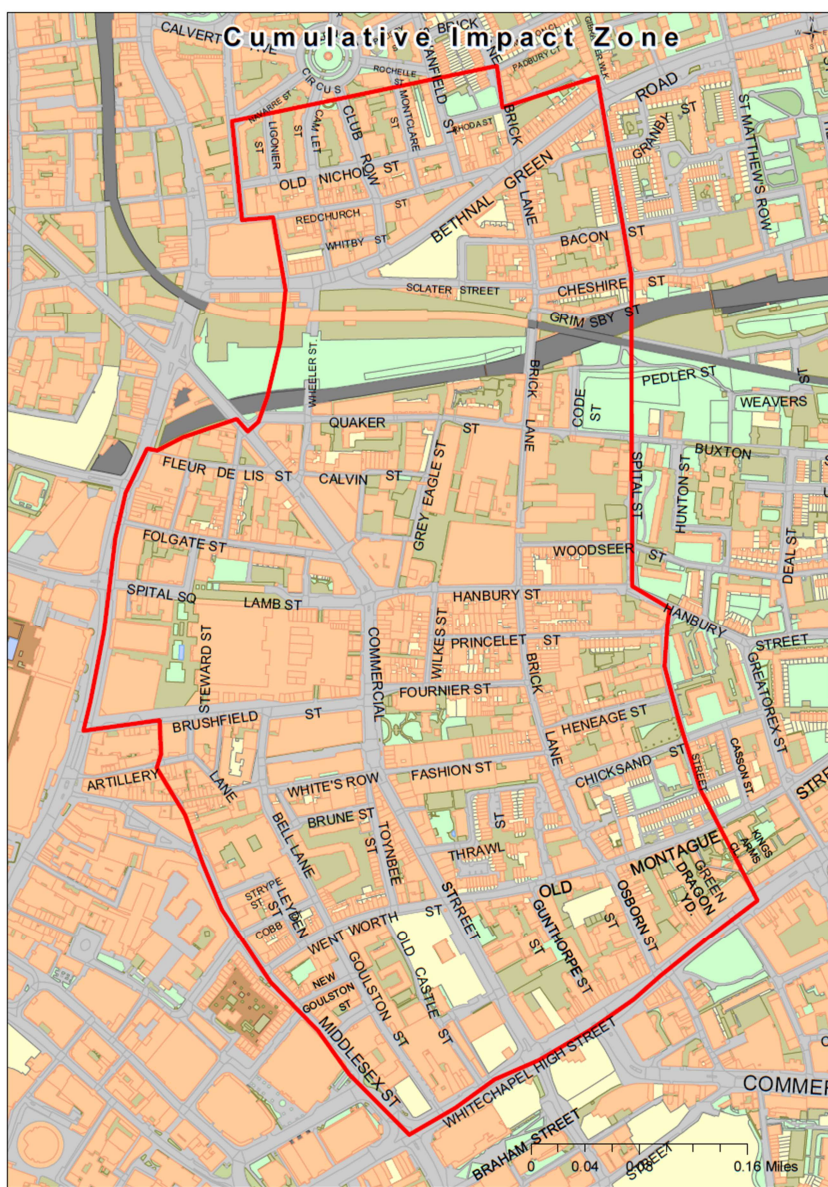
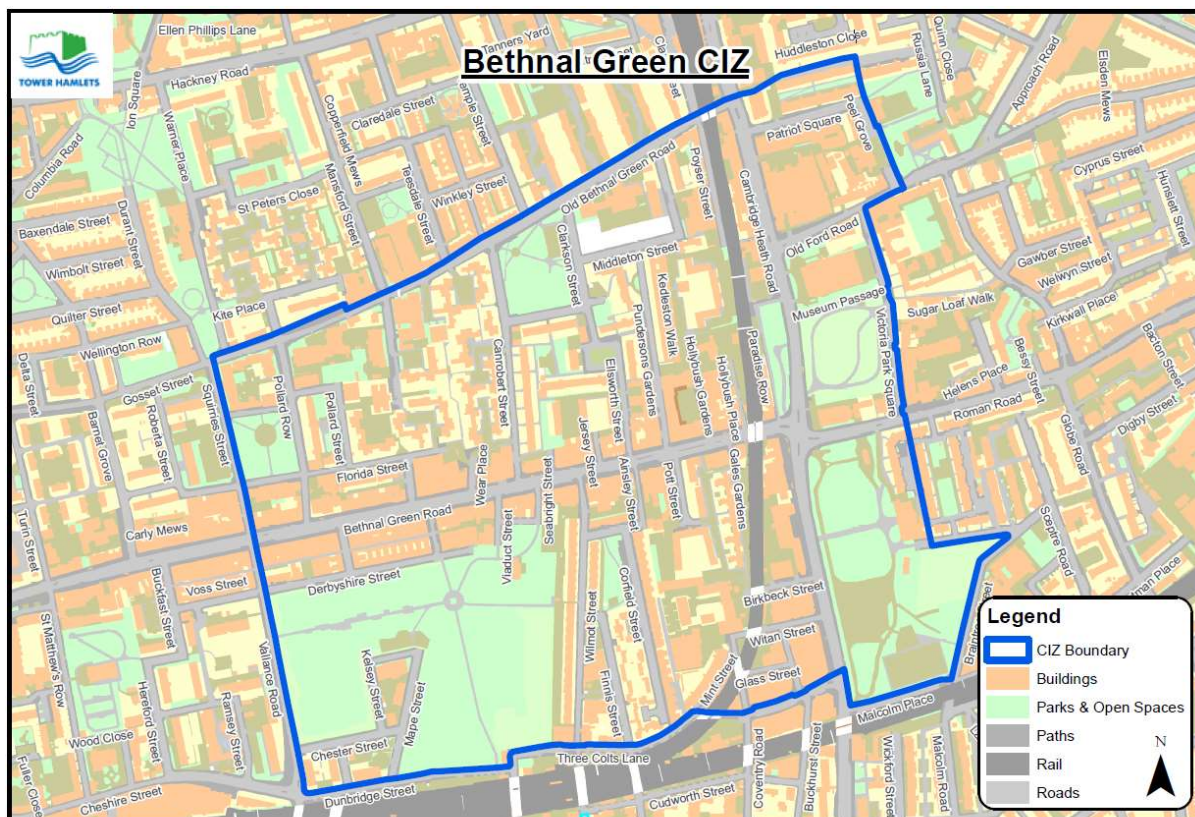


Figure Two:

Bethnal Green Area



Appendix 15

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 16

Planning

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

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