



# Licensing Sub Committee

## Agenda

**Thursday, 25 January 2024 at 6.30 p.m.  
Council Chamber - Town Hall, Whitechapel**

### Contact for further enquiries:

Farzana Chowdhury, Democratic Services Officer,

farzana.chowdhury@towerhamlets.gov.uk

020 7364 3037

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

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



## Public Information

### Viewing or Participating in Committee Meetings

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

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

### Meeting Webcast

The meeting is being webcast for viewing through the Council's webcast system.  
<http://towerhamlets.public-i.tv/core/portal/home>

### Electronic agendas reports and minutes.

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

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

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



Scan this QR code to view the electronic agenda



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

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

### **Public Engagement**

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

# London Borough of Tower Hamlets

## Licensing Sub Committee

Thursday, 25 January 2024

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. MINUTES OF THE PREVIOUS MEETING(S)**

To confirm as a correct record the minutes of the Licensing Sub-Committee held on 31<sup>st</sup> August 12<sup>th</sup> September 26<sup>th</sup> September, 10<sup>th</sup> October, 7<sup>th</sup> November, 21<sup>st</sup> November, 4<sup>th</sup> December, and 19<sup>th</sup> December. – **TO FOLLOW**

### **4. ITEMS FOR CONSIDERATION**

#### **4.1 Application for a Premises Licence for (Carwash), 1 Quaker Street, London E1 6SZ (Pages 19 - 124)**

Licensing Objectives:

- The prevention of public nuisance





- The prevention of crime and disorder

Representations:

- Environmental Protection
- Licensing Authority
- Metropolitan Police
- Residents

**Ward: Weavers**

#### **4.2 Application for a new Premise Licence for Bar Ceylon, Basement & Ground Floor 57 Commercial Street London E1 6BD (Pages 125 - 222)**

Licensing Objectives:

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

Representations:

- Environmental Protection
- Licensing Authority
- Metropolitan Police
- Resident

**Ward: Spitalfields & Banglatown**

#### **5. Application for a new Premise Licence for Princelyn Grocery & Restaurant 477 Bethnal Green London E2 9QH (PAGES 223 - 304)**

Licensing Objectives:

- The prevention of public nuisance

Representations:

- Environmental Protection
- Licensing Authority

**Ward: Bethnal Green West**

#### **6. 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, 13 February 2024 at 6.30 p.m. to be held in Council Chamber - Town Hall, Whitechapel



# Agenda Item 1

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **APPENDIX A: Definition of a Disclosable Pecuniary Interest**

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

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

## TOWER HAMLETS



### LICENSING COMMITTEE

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

<b>Date Last Reviewed:</b>	14 <sup>th</sup> June 2016
<b>Reviewed By:</b>	Senior Corporate and Governance Legal Officer
<b>Approved By:</b>	Licensing Committee
<b>Date Approved:</b>	14 <sup>th</sup> June 2016
<b>Version No.</b>	1
<b>Document Owner:</b>	Paul Greeno
<b>Post Holder:</b>	Senior Corporate and Governance Legal Officer
<b>Date of Next Scheduled Review:</b>	31 <sup>st</sup> 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](http://www.towerhamlets.gov.uk/committee) - 'agenda, reports, decisions and minutes', then click on 'Licensing Sub-Committee'.

The pages include:

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

### (3) Access to Committee Papers.

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

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

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

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

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

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

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

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

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

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

**(8) Queries on reports.**

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

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

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

## **LICENSING SUB COMMITTEE HEARING PROCEDURE**

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

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

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

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

This page is intentionally left blank

# Agenda Item 4.1

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

Report of: <b>David Tolley</b> <b>Head of Environmental Health &amp; Trading Standards</b>  Originating Officer: <b>Mohshin Ali</b> <b>Senior Licensing Officer</b>	Title: <b>Licensing Act 2003</b> <b>Application for a Premises Licence for (Carwash), 1 Quaker Street, London E1 6SZ</b>  Ward affected: <b>Weavers</b>
--	---

## 1.0 Summary

Applicant: **Damon Borley**

Name and Address of Premises: **(Carwash)**  
**1 Quaker Street**  
**London**  
**E1 6SZ**

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

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

Representations: **Environmental Protection Licensing Authority**  
**Other persons (residents)**

## 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 (Carwash), 1 Quaker Street, London E1 6SZ.

3.2 The applicant has described the premises as:  
*“The venue will be mostly used for promotional activities, community, and arts events...”*

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

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

- *Monday to Sunday, from 11:00 hrs to 23:00 hrs*

***Hours premises are open to the public***

- *Monday to Sunday, from 11:00 hrs to 23:00 hrs*

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

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

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

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

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

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

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

### 6.0 **Representations**

6.1 All representations have to meet basic legal and administrative requirements. If they fail to do so they cannot be accepted. When



rejected the person sending in the representation must be written to, and an explanation for rejection given in writing

- 6.2 A responsible authority or other person can make a representation. There are two tests for other persons and only one for a responsible authority. The two tests are contained in Section 18 of the Act.
- 6.3 All representations must be “about the likely effect of the grant of the premises licence on the promotion of the licensing objectives.” Likely means something that will probably happen, i.e. on balance more likely than not.
- 6.4 Representations by responsible authorities do not have to meet the second test of not being vexatious and frivolous. Other persons have to meet this test.
- 6.5 The Home Office recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation.
- 6.6 Section 182 Advice by the Home Office concerning relevant, vexatious and frivolous representations is attached as **Appendix 5**.
- 6.7 All the representations in this report have been considered by the relevant officer (Team Leader Licensing & Safety) and determined to have met the requirements of the Licensing Act 2003.
- 6.8 This hearing is required by the Licensing Act 2003, because relevant representations (objectors) have been made by the following resident and responsible authorities:

Environmental Protection	<b>Appendix 6</b>
Licensing Authority (RA)	<b>Appendix 7</b>
Alan Williams	<b>Appendix 8</b>
Christopher Lloyd	<b>Appendix 9</b>
Christine Whaite	<b>Appendix 10</b>
Peter Bellerby	<b>Appendix 11</b>
Randall Thiel (SPIRE)	<b>Appendix 12</b>
Susan Kay	<b>Appendix 13</b>

- 6.9 All of the responsible authorities have been consulted about this application. They are as follows:
  - The Licensing Authority
  - The Metropolitan Police
  - The LFEPA (the London Fire and Emergency Planning Authority).
  - Planning
  - Health and Safety
  - Environmental Protection (Noise)
  - Trading Standards
  - Child Protection
  - Public Health

- Home Secretary (Home Office Immigration Enforcement)
- 6.10 In addition the application was required to be advertised in a local newspaper and by a blue poster. Only representations that relate to the following licensing objectives are relevant:
- the prevention of crime and disorder
  - public safety
  - the prevention of public nuisance
  - the protection of children from harm
- 6.11 Essentially, the relevant parties oppose the application because in their opinion, the applicant has not explained how within the context of the application they will meet the licensing objective of the prevention of crime and disorder and the prevention of public nuisance.
- 6.12 There are strict time limits to any representations. The time limits are contained in The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005.
- 6.13 The applicant has offered measures in the operating schedule of the application that address the promotion of the Licensing Objectives. If there were no representations, the Licensing Authority would grant the licence, with conditions consistent with the operating schedule, which are relevant, proportionate and enforceable. Members are asked to consider the schedule and incorporate any conditions as necessary to address the licensing objectives.

**7.0 Conditions consistent with Operating Schedule (offered by the applicant)**

- 7.1 *All employees will complete a training module prior to being given permission to sell alcohol, which will include essential training in licensing law, details of the mandatory and specific conditions of this Premises Licence, and the premises age verification policy.*
- 7.2 *Following the training module, and permission given to sell alcohol, employees will sign that they have received and understood the training, with records kept for at least one year, and their knowledge and understanding will be refreshed on an annual basis.*
- 7.3 *An incident log shall be kept at the premises, and made available on request to a police officer, police licensing officer or Council authorised licensing officer. It must be completed within 24 hours of any incident and will record the following:*
- 7.4 *Any complaints received concerning public nuisance, crime or disorder*
- a) *Any incidents of disorder*
  - b) *Any faults in the CCTV system*
  - c) *Any refusal of the sale of alcohol*
  - d) *Any visit by a relevant authority or emergency service*
  - e) *Any crimes reported to the venue*

- 7.5 *The incident log will be kept on a rolling 12 month basis and made available upon reasonable request by an officer of a relevant authority.*
- 7.6 *A properly specified and fully operational CCTV recording system shall be installed, operated and maintained.*
- 7.7 *The system shall incorporate a camera covering each of the entrance doors and be capable of providing an image which is regarded as 'identification standard' of all persons entering and/or leaving the premises.*
- 7.8 *The CCTV system shall be in operation at the premises at all times when the premises are used for the provision of licensable activity.*
- 7.9 *All CCTV recordings shall be securely stored for a minimum of one calendar month.*
- 7.10 *A staff member from the premises who can operate the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.*
- 7.11 *Signage indicating that a CCTV recording system is in operation shall be displayed prominently in the premises.*
- 7.12 *A premises daily register shall be kept at the premises. This register shall be maintained and kept for a rolling period of 12 months. The register shall record all incidents which may have occurred which are relevant to the supply of alcohol and the promotion of the licensing objectives. Such incidents shall include, but not be limited to, complaints made to the premises alleging nuisance or anti-social behaviour by persons attending or leaving the premises and all refusals to sell alcohol. The register shall be readily available for inspection by an authorised person upon reasonable request.*
- 7.13 *Super-strength lagers, beers and/or ciders, i.e. those with an ABV of 6.5% or higher, shall not be sold at the premises.*
- 7.14 *The premises licence holder shall uphold a zero-tolerance policy in relation to illegal drugs.*
- 7.15 *Any person entering the premises who appears to be under the influence of alcohol or illegal drugs shall, in the interests of other members of the public using the premises, be requested to leave the premises.*
- 7.16 *Alcohol will only be sold for consumption off the premises in sealed containers.*
- 7.17 *The provision of door supervisors on the premises shall be risk assessed. A copy of the risk assessment shall be kept on the premises*

*and made available for inspection by the Police and authorised officers of other responsible authorities on request.*

- 7.18 *The risk assessment shall be reviewed and updated at least once every 12 months.*
- 7.19 *Where door supervisors are employed on the premises the following conditions will apply:*
- a) *The licensed door supervisors shall be employed solely for vetting, regulating, controlling and supervising patrons whilst entering and whilst on the premises and to ensure the maintenance of good order, public safety and internal security.*
  - b) *A register shall be kept at the premises to record the details of the door supervisors, the number of persons on the premises and any incidents. The register shall be produced to authorised officers of the Council and Police upon request.*
  - c) *The register shall contain the following details:*
    - 7.19.c.1. *Full SIA registration number*
    - 7.19.c.2. *Date and time that the Door Supervisor commenced duty, countersigned by the Designated Premises Supervisor or Duty Manager.*
    - 7.19.c.3. *Date and time that the Door Supervisor finished work, countersigned by the Designated Premises Supervisor or Duty Manager.*
    - 7.19.c.4. *Any occurrence or incident of interest involving crime and disorder or public safety must be recorded giving names of the Door Supervisor involved.*
- 7.20 *All exit routes and public areas shall be kept unobstructed, shall have non-slippery and even surfaces, shall be free of trip hazards and shall be clearly signed.*
- 7.21 *The premises licence holder shall ensure that a suitable fire risk assessment and emergency plan is in place at all times.*
- 7.22 *Regular checks and maintenance shall be carried out on all equipment, electrical installations, emergency lighting and fire alarms and equipment to ensure their continued safe operation. A written record of these checks shall be kept and made available to an authorised officer of the licensing authority.*
- 7.23 *An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.*
- 7.24 *Regular checks and maintenance shall be carried out on all equipment, electrical installations, emergency lighting and fire alarms and equipment to ensure their continued safe operation. A written record of these*

*checks shall be kept and made available to an authorised officer of the licensing authority.*

- 7.25 *The premises licence holder shall ensure that an electrical compliance check is made at least once a year.*
- 7.26 *Drinks shall be served in containers made from toughened glass/polycarbonate.*
- 7.27 *Arrangements shall be put in place to ensure that waste collection contractors do not collect refuse between 19:00 and 07:00.*
- 7.28 *Patrons smoking outside the premises shall be monitored regularly to ensure the potential for noise nuisance is controlled.*
- 7.29 *The premises' frontage shall be regularly monitored to keep it clean and clear of litter.*
- 7.30 *Signage requesting customers to be respectful of others when entering or leaving the premises shall be installed in a prominent position by the premises' exit.*
- 7.31 *No person shall be allowed to leave the premises whilst in the possession of any open drinking vessel or open glass bottle, whether empty or containing any beverage.*
- 7.32 *Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are the following recognised photographic identification cards:*
- a) a driving licence,*
  - b) a passport,*
  - c) a military identification card or a Proof of Age card carrying a 'PASS' logo.*
- 7.33 *Notices advertising that the premises operates a "Challenge 25" scheme shall be displayed in a clear and prominent position at the premises entrance.*
- 7.34 *All occasions when persons have been refused service shall be recorded in the premises daily register.*
- 7.35 *There shall be no children unaccompanied by a responsible adult on the premises at any time.*
- 7.36 *The premise licence holder or Designated Premises Supervisor to ensure that all management and staff who are not personal licence holders are fully trained and briefed on the four licensing objectives and Challenge 25 and they are adhered to.*

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

## 8.1 Conditions agreed with Met Police Licensing (**Appendix 14**)

1. *The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.*
2. *A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.*
3. *An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following:*
  - a) *all crimes reported to the venue;*
  - b) *all ejections of patrons;*
  - c) *any complaints received concerning crime and disorder*
  - d) *any incidents of disorder;*
  - e) *all seizures of drugs or offensive weapons;*
  - f) *any faults in the CCTV system, searching equipment or scanning equipment;*
  - g) *any refusal of the sale of alcohol;*
  - h) *any visit by a relevant authority or emergency service.*
4. *In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:*
  - a) *the police (and, where appropriate, the London Ambulance Service) are called without delay;*
  - b) *all measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;*
  - c) *the crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and*
  - d) *such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.*
5. *A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.*

6. *A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record must show the outcome of the person who was intoxicated. The record shall be available for inspection at the premises by the police or an authorised officer at all times whilst the premises is open.*
7. *A written dispersal policy shall be in place and implemented at the premises to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours.*
8. *The premises shall risk assess all events taking place at the venue. The assessment shall look at all potential risks including but not limited to violence, intoxication, underage drinking and drug use. This assessment shall be written down and stored for 1 year and made available to Police upon request.*
9. *The premises must have a detailed documented security plan, that must include an ejections policy, search policy, anti-theft policy, and SIA numbers, The security plan will be made available to police upon request.*

## **9.0 Licensing Officer Comments**

- 9.1 The Business & Planning Act 2020 came into force on Wednesday 22nd July 2020 and provides a temporary permission for businesses that have a premises licence that permits them to sell alcohol in regards to the ability to sell alcohol as an off sale, i.e. for consumption off the premises. The permission will end on 31<sup>st</sup> March 2025 unless the legislation is changed by the Secretary of State.

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

- had a premises licence application where permission for off sales was refused;
- had a variation of a premises licence seeking permission for off sales refused
- had a variation seeking to exclude off sales permission granted
- had a premises licence varied or modified by a review hearing to exclude off sales.

- 9.2 The new off-sales permission will permit off-sales to be made at a time when the licensed premises are open for the purposes of selling alcohol for consumption on the premises, subject to a cut off time of 11pm or the cut off time of the current licensed hours stated on the licence, whichever is earlier. Measures also temporarily suspend existing licence conditions in so far as they are inconsistent with the new off-sales permission. Further Guidance on this can be found at

<https://www.gov.uk/government/publications/guidance-for-temporary-alcohol-licensing-provisions-in-the-business-and-planning-bill>

- 9.3 The Live Music Act removed licensing requirements for the following:
- amplified live music and recorded music between 8am and 11pm before audiences of no more than 500 people on premises authorised to sell alcohol for consumption on the premises;
  - unamplified live music between 8am and 11pm in all venues.
  - Further exemptions apply see Section 16.5-16.6 of Section 182 Guidance.
- 9.4 The following is intended simply to advise Members of the relevant aspects of the Boroughs Licensing Policy, guidance from the Secretary of State, legislation and good practice. Members may depart from the Council's Licensing Policy and/or Government advice, provide they consider it appropriate to do so, and have clear reasons for their decision.
- 9.5 Guidance issued under section 182 of the Licensing Act 2003
- ❖ As stated in the guidance it is “provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act.” It is a key medium for promoting best practice, ensuring consistent application and promoting fairness equal treatment and proportionality (1.7).
  - ❖ Also “as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons. Departure from this Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.” Therefore licensing authorities will need to give full reasons for their actions (1.9).
  - ❖ Also Members should note “A Licensing Authority may depart from its own policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the licensing objectives.” (1.12)



- ❖ Also, “The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives.” Therefore, conditions may not be imposed for the purpose other than promoting the licensing objectives and in some cases no additional conditions will be appropriate. (10.8)
  - ❖ Necessary conditions should emerge from a risk assessment by the applicant, which should then be reflected in the operating schedule (10.4).
  - ❖ The Guidance states: “Where there are objections to an application to extend the hours during which licensable activities are to be carried on and the licensing authority determines that this would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.” (10.14)
  - ❖ Mandatory conditions must be imposed (10.25) and censorship avoided (10.17).
  - ❖ The Guidance states: “It is still permitted to sell alcohol using promotions (as long as they are compatible with any other licensing condition that may be in force), and the relevant person should ensure that the price of the alcohol is not less than the permitted price. Detailed guidance on the use of promotions is given in the guidance document available on the Gov.uk website.” (10.58) Also, “Licensing authorities should not attach standardised blanket conditions promoting fixed prices for alcoholic drinks to premises licences or club licences or club premises certificates in an area.” (10.21)
- 9.6 The Licensing Act 2003 permits children of any age to be on the premises which primarily sells alcohol providing they are accompanied by an adult. It is not necessary to make this a condition.
- 9.7 In all cases the Members should make their decision on the civil burden of proof, that is “the balance of probability.”
- 9.8 In all cases Members should consider whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.
- 9.9 The Government has advised that conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. Conditions cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff and standardised conditions should be avoided where they cannot be shown to be appropriate. (1.16/1.17)

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

9.11 In **Appendices 15 – 20** Members are given general advice, and also have explanations of the Council's Licensing Policy, Government advice and other legislation relating to the matters previously identified.

#### 10.0 **Legal Comments**

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

#### 11.0 **Finance Comments**

11.1 There are no financial implications in this report.

## 12.0 Appendices

<b>Appendix 1</b>	A copy of the application
<b>Appendix 2</b>	Site Plan
<b>Appendix 3</b>	Maps of the surrounding area
<b>Appendix 4</b>	Other licensed venues in the area
<b>Appendix 5</b>	Home Office concerning relevant, vexatious and frivolous representations
<b>Appendix 6</b>	Representation of Environmental Protection
<b>Appendix 7</b>	Representation of Licensing Authority (RA)
<b>Appendices 8 - 13</b> Representations other persons	
<b>Appendix 14</b>	Representation of Metropolitan Police Licensing
<b>Appendix 15</b>	Licensing Officer comments on noise while the premise is in use
<b>Appendix 16</b>	Licensing Officer comments on access/egress Problems
<b>Appendix 17</b>	Licensing Officer comments on crime and disorder on the premises
<b>Appendix 18</b>	Licensing Officer comments on crime and disorder from patrons leaving the premises
<b>Appendix 19</b>	Planning
<b>Appendix 20</b>	Licensing Policy relating to hours of trading
<b>Appendix 21</b>	Tower Hamlets Cumulative Impact Zone

This page is intentionally left blank

# Appendix 1

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

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

I/We Damon Borley

*(Insert name(s) of applicant)*

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

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description			
Carwash 1 Quaker Street			
<b>Post town</b>	London	<b>Postcode</b>	E1 6SZ

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£4,450

**Part 2 - Applicant details**

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

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



**SECOND INDIVIDUAL APPLICANT** (if applicable)

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

**(B) OTHER APPLICANTS**

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

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)



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

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
A	S	A P

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

DD	MM	YYYY

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

The venue will be mostly used for promotional activities, community, and arts events. Despite the application being made for Monday to Sunday the premises licence is to cover us serving alcohol should the event require it is not the primary aim of the business to serve alcohol, it is more of an add on. Some events will not require the premises licence at all, for example if we are running an arts workshop or hosting a community project. We have hosted a dancer from Sadlers Wells where we gave the guests drinks under a temporary event notice. We have also hosted a fashion show for degree students where we gave the guests drinks again, with a temporary event notice. If we are working with a drinks brand, guests will be able to sample the product and remain in the premises for more experiential marketing purposes.

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

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

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

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

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

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

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

**A**

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

## B

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

**C**

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

**D**

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

**E**

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

**F**

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



# G

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

# H

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

**I**

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

**J**

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

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

<b>Name</b> Damon Borley	
<b>Date of birth</b> [REDACTED]	
<b>Address</b> [REDACTED]	
<b>Postcode</b>	[REDACTED]
<b>Personal licence number (if known)</b> Currently being processed	
<b>Issuing licensing authority (if known)</b> [REDACTED]	

**K**

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

**L**

<p><b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)</p>			<p><u>State any seasonal variations</u> (please read guidance note 5)</p>
Day	Start	Finish	
Mon	11:00		
		23:30	
Tue	11:00		
		23:30	
Wed	11:00		
		23:30	
Thur	11:00		
		23:30	
Fri	11:00		
		23:30	
Sat	11:00		
		23:30	
Sun	11:00		
		23:30	
<p><b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 6)</p>			

## M

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

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

All employees will complete a training module prior to being given permission to sell alcohol, which will include essential training in licensing law, details of the mandatory and specific conditions of this Premises Licence, and the premises age verification policy.

Following the training module, and permission given to sell alcohol, employees will sign that they have received and understood the training, with records kept for at least one year, and their knowledge and understanding will be refreshed on an annual basis.

An incident log shall be kept at the premises, and made available on request to a police officer, police licensing officer or Council authorised licensing officer. It must be completed within 24 hours of any incident and will record the following:

1. Any complaints received concerning public nuisance, crime or disorder
2. Any incidents of disorder
3. Any faults in the CCTV system
4. Any refusal of the sale of alcohol
5. Any visit by a relevant authority or emergency service
6. Any crimes reported to the venue

The incident log will be kept on a rolling 12 month basis and made available upon reasonable request by an officer of a relevant authority.

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

A properly specified and fully operational CCTV recording system shall be installed, operated and maintained.

The system shall incorporate a camera covering each of the entrance doors and be capable of providing an image which is regarded as ‘identification standard’ of all persons entering and/or leaving the premises.

The CCTV system shall be in operation at the premises at all times when the premises are used for the provision of licensable activity.

All CCTV recordings shall be securely stored for a minimum of one calendar month.

A staff member from the premises who can operate the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.

Signage indicating that a CCTV recording system is in operation shall be displayed prominently in the premises.

A premises daily register shall be kept at the premises. This register shall be maintained and kept for a rolling period of 12 months. The register shall record all incidents which may have occurred which are relevant to the supply of alcohol and the promotion of the licensing objectives. Such incidents shall include, but not be limited to, complaints made to the premises alleging nuisance or anti-social behaviour by persons attending or leaving the premises and all refusals to sell alcohol. The register shall be readily available for inspection by an authorised person upon reasonable request.

Super-strength lagers, beers and/or ciders, i.e. those with an ABV of 6.5% or higher, shall not be sold at the premises.

The premises licence holder shall uphold a zero-tolerance policy in relation to illegal drugs.

Any person entering the premises who appears to be under the influence of alcohol or illegal drugs shall, in the interests of other members of the public using the premises, be requested to leave the premises.

Alcohol will only be sold for consumption off the premises in sealed containers.

The provision of door supervisors on the premises shall be risk assessed. A copy of the risk assessment shall be kept on the premises and made available for inspection by the Police and authorised officers of other responsible authorities on request.

The risk assessment shall be reviewed and updated at least once every 12 months.

Where door supervisors are employed on the premises the following conditions will apply:

- a) The licensed door supervisors shall be employed solely for vetting, regulating, controlling and supervising patrons whilst entering and whilst on the premises and to ensure the maintenance of good order, public safety and internal security.
- b) A register shall be kept at the premises to record the details of the door supervisors, the number of persons on the premises and any incidents. The register shall be produced to authorised officers of the Council and Police upon request.
- c) The register shall contain the following details:
  - Full SIA registration number
  - Date and time that the Door Supervisor commenced duty, countersigned by the Designated Premises Supervisor or Duty Manager.
  - Date and time that the Door Supervisor finished work, countersigned by the Designated Premises Supervisor or Duty Manager.
  - Any occurrence or incident of interest involving crime and disorder or public safety must be recorded giving names of the Door Supervisor involved.

### **c) Public safety**

All exit routes and public areas shall be kept unobstructed, shall have non-slippery and even surfaces, shall be free of trip hazards and shall be clearly signed.

The premises licence holder shall ensure that a suitable fire risk assessment and emergency plan is in place at all times.

Regular checks and maintenance shall be carried out on all equipment, electrical installations, emergency lighting and fire alarms and equipment to ensure their continued safe operation. A written record of these checks shall be kept and made available to an authorised officer of the licensing authority.

An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.

Regular checks and maintenance shall be carried out on all equipment, electrical installations, emergency lighting and fire alarms and equipment to ensure their continued safe operation. A written record of these checks shall be kept and made available to an authorised officer of the licensing authority.

The premises licence holder shall ensure that an electrical compliance check is made at least once a year.

Drinks shall be served in containers made from toughened glass/polycarbonate.

**d) The prevention of public nuisance**

Arrangements shall be put in place to ensure that waste collection contractors do not collect refuse between 19:00 and 07:00.

Patrons smoking outside the premises shall be monitored regularly to ensure the potential for noise nuisance is controlled.

The premises' frontage shall be regularly monitored to keep it clean and clear of litter.

Signage requesting customers to be respectful of others when entering or leaving the premises shall be installed in a prominent position by the premises' exit.

No person shall be allowed to leave the premises whilst in the possession of any open drinking vessel or open glass bottle, whether empty or containing any beverage.

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

A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are the following recognised photographic identification cards:

- a driving licence,
- a passport,
- a military identification card or a Proof of Age card carrying a 'PASS' logo.

Notices advertising that the premises operates a "Challenge 25" scheme shall be displayed in a clear and prominent position at the premises entrance.

All occasions when persons have been refused service shall be recorded in the premises daily register.

There shall be no children unaccompanied by a responsible adult on the premises at any time.

The premise licence holder or Designated Premises Supervisor to ensure that all management and staff who are not personal licence holders are fully trained and briefed on the four licensing objectives and Challenge 25 and they are adhered to.

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.




- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

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

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

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

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

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)</li> </ul>
Signature	
Date	07/11/2023
Capacity	Duly Authorised Agent

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)	
Innpacked Ltd Suite F8 10 Whittle Road Ferndown Industrial Estate	
Post town	<b>Wimborne</b> Postcode <b>BH21 7RU</b>
Telephone number (if any) [REDACTED]	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) [REDACTED]	

**Notes for Guidance**

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the

audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.

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

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

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

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

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

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

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be

certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

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

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

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

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

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

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

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

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

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

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

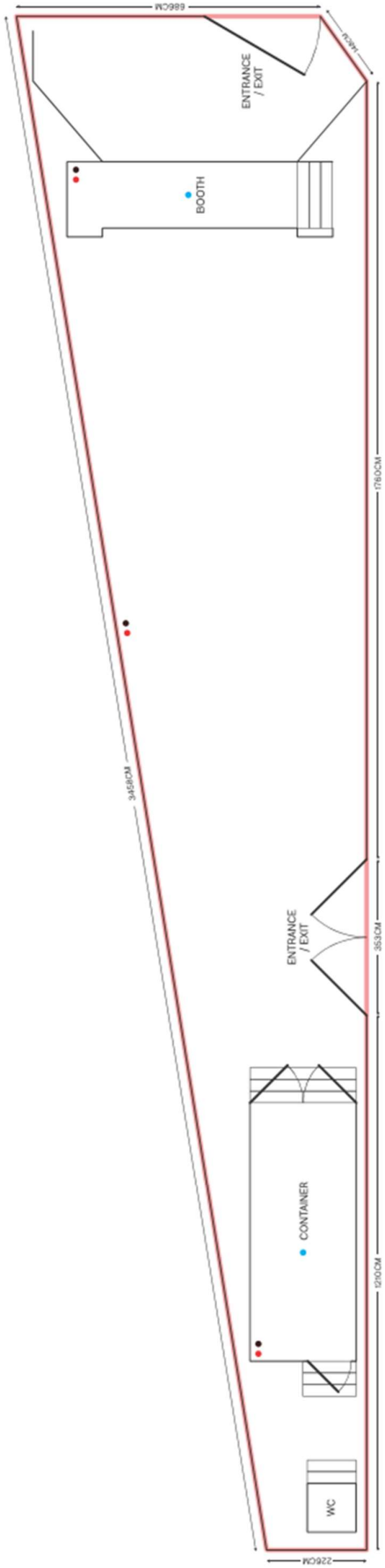
To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth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



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

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

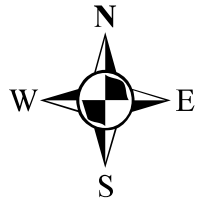
# Appendix 2



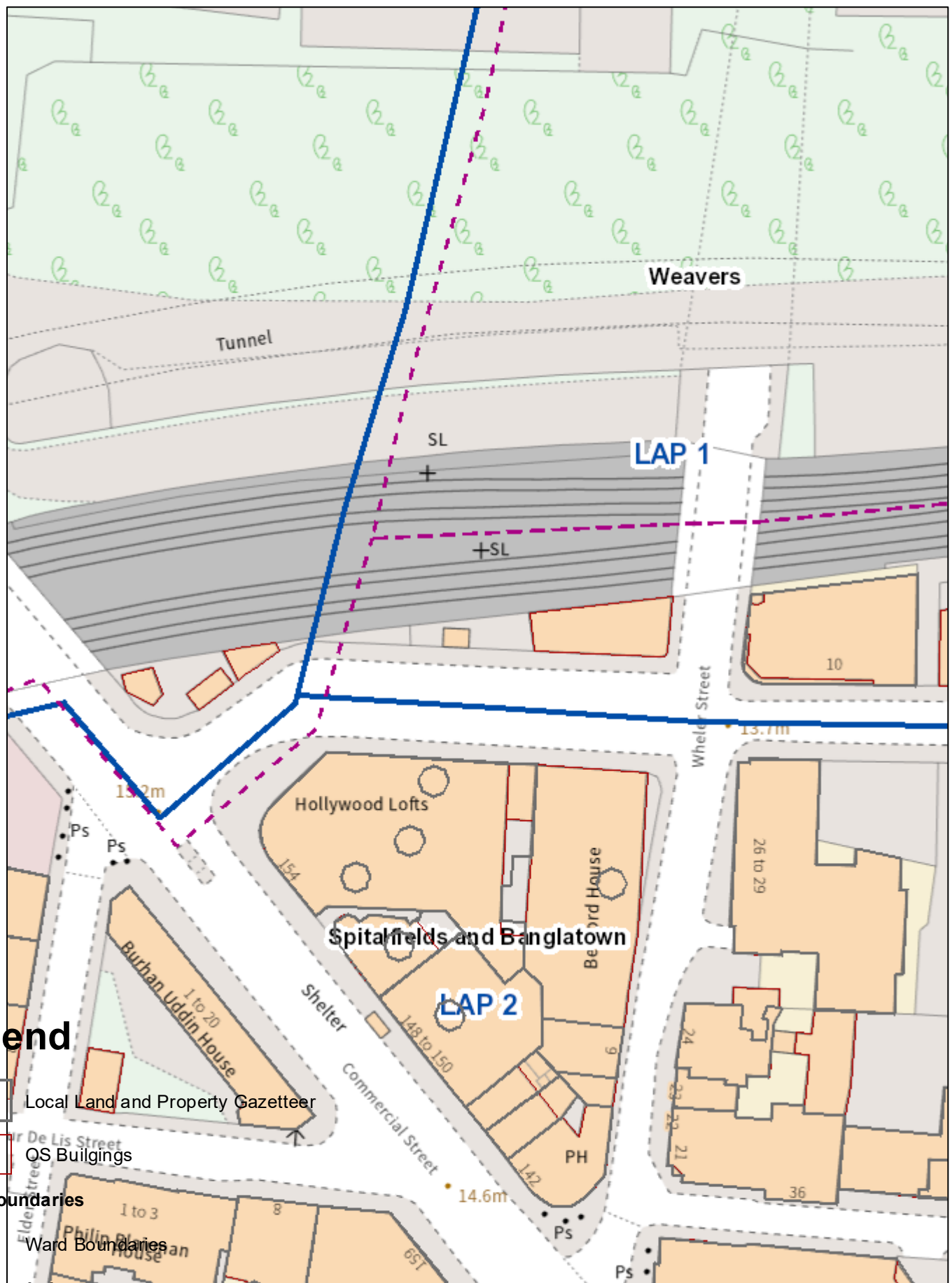


-  **CCTV Camera**
-  WATER EXTINGUISHER
-  FOAM EXTINGUISHER
-  SMOKE ALARM
-  Licensable Area

# Appendix 3

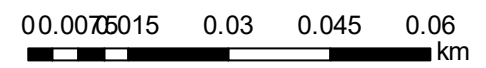


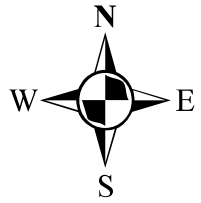
# Map1



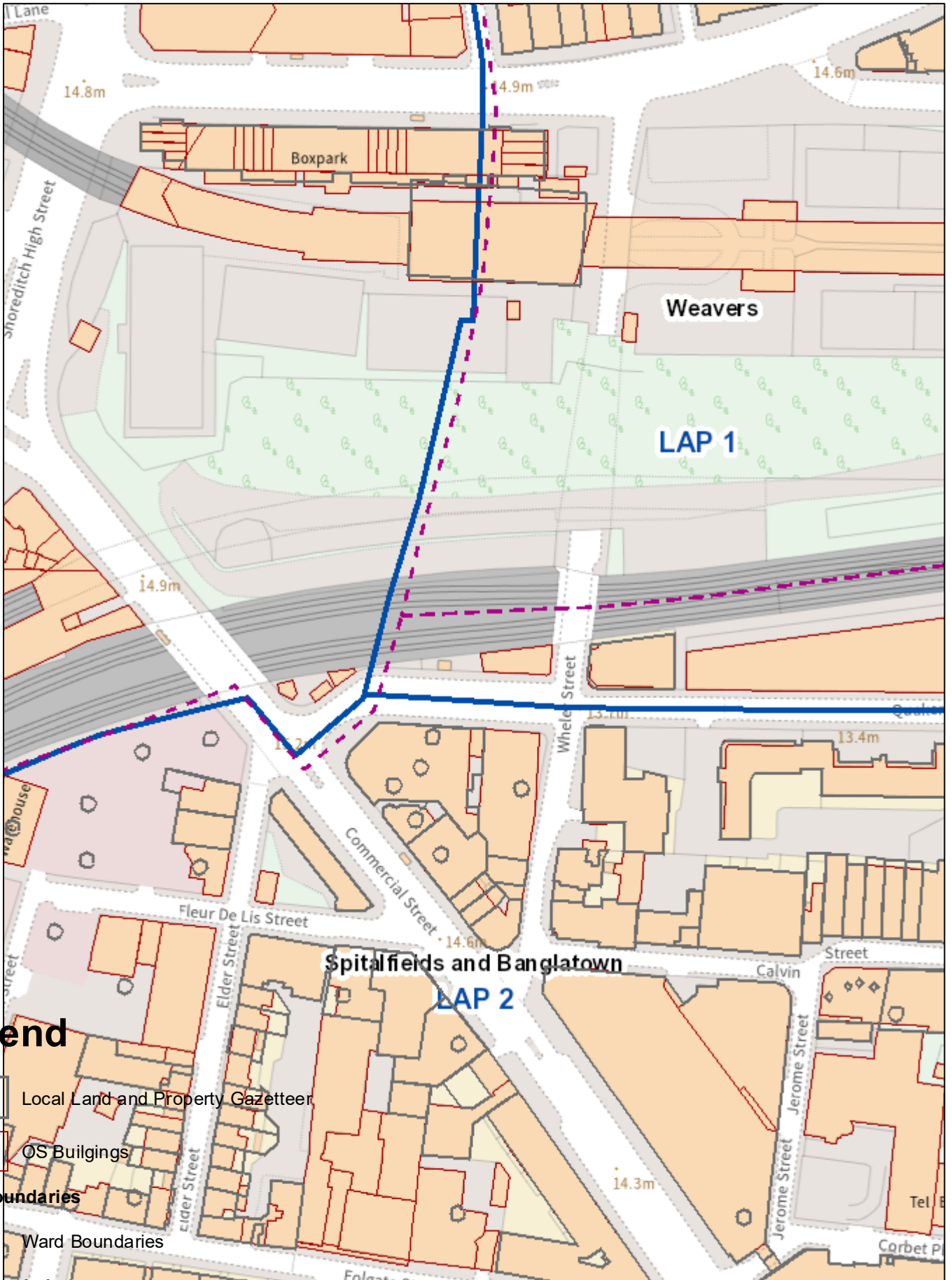
## Legend

- Local Land and Property Gazetteer
- OS Buildings
- Ward Boundaries**
  - Ward Boundaries
- LAP Boundaries**
  - LAP Boundaries



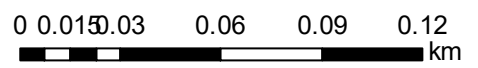


# Map1



## Legend

- Local Land and Property Gazetteer
- OS Buildings
- Ward Boundaries
- LAP Boundaries



# Appendix 4

**Nearest licences: (Carwash), 1 Quaker Street, London E1 6SZ**

Name and address	Licensable activities and hours	Opening hours
<p><b>(City Supermarket)</b>  <b>10 Quaker Street</b>  <b>London E1 6SZ</b></p>	<p><u>The sale by retail of alcohol (Off sales only)</u></p> <ul style="list-style-type: none"> <li>• Sunday to Thursday, from 07:30 hours to Midnight</li> <li>• Friday and Saturday, from 07:30 hours to 01:00 hours the following day</li> </ul>	<ul style="list-style-type: none"> <li>• Sunday to Thursday, from 07:30 hours to Midnight</li> <li>• Friday and Saturday, from 07:30 hours to 01:00 hours the following day</li> </ul>
<p><b>(Hub by Premier Inn)</b>  <b>Silvex House</b>  <b>Quaker Street</b>  <b>London E1 6SN</b></p>	<p><b>The sale by retail of alcohol (On and off sales)</b></p> <ul style="list-style-type: none"> <li>• Monday to Sunday, from 10:00 hours to 23:00 hours</li> </ul> <p><b>The provision of regulated entertainment – Indoors (Films only)</b></p> <ul style="list-style-type: none"> <li>• Monday to Sunday, from 10:00 hours to 23:00 hours</li> </ul> <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> <li>• On New Year’s Eve, permitted hours from 10:00 hours to 23:00 hours on New Year’s Day</li> <li>• The premises shall remain open to permit <u>the sale of alcohol</u>, <u>provision of late night refreshment</u> and <u>the provision of films</u> to hotel residents 24 hours a day.</li> </ul> <p><u>Note:</u> the off sale of alcohol is limited to the resident’s bedrooms only</p>	<ul style="list-style-type: none"> <li>• Monday to Sunday, from 06:00 hours to 23:30 hours</li> </ul> <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> <li>• On New Year’s Eve, permitted hours from 10:00 hours to 23:30 hours on New Year’s Day</li> <li>• The premises shall remain open 24 hours a day for hotel residents</li> </ul>
<p><b>(Sake Collective)</b>  <b>144-146 Commercial Street</b>  <b>London E1 6NU</b></p>	<p><b>The sale of alcohol (on and off sales)</b></p> <ul style="list-style-type: none"> <li>• Monday to Sunday, from 12:00 hrs to 23:00 hrs</li> </ul>	<p>Monday to Sunday, 08:00 hrs to 23:30 hrs</p>
<p><b>(Commercial Tavern)</b>  <b>142 Commercial Street</b>  <b>London E1 6NU</b></p>	<p>Alcohol shall not be sold or supplied except during permitted hours.(On and off sales)</p> <ol style="list-style-type: none"> <li>On weekdays, other than Christmas Day, Good Friday or New Year’s Eve, 11 a.m. to 11 p.m.</li> <li>On Sundays, other than Christmas Day or New Year’s Eve, 12 noon to 10.30 p.m.</li> <li>On Good Friday, 12 noon to 10.30 p.m.</li> <li>On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.</li> </ol>	<p>There are no restrictions on the hours during which this premises is open to the public</p>

**Nearest licences: (Carwash), 1 Quaker Street, London E1 6SZ**

	<p>e. On New Year's Eve, except on a Sunday, 11 a.m. to 11 p.m.</p> <p>f. On New Year's Eve on a Sunday, 12 noon to 10.30 p.m.</p> <p>g. On New Year's Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).</p> <p>For conditions re. "drinking up time" see Annex 1 Mandatory Conditions</p> <p>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.</p>	
--	---	--

# Appendix 5



## **Section 182 Advice by the Home Office Updated on August 2023**

### Relevant, vexatious and frivolous representations

- 9.4 A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.
- 9.5 It is for the licensing authority to determine whether a representation (other than a representation from responsible authority) is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. A representation may be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification. Vexatious circumstances may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Licensing authorities can consider the main effect of the representation, and whether any inconvenience or expense caused by it could reasonably be considered to be proportionate.
- 9.6 Frivolous representations would be essentially categorised by a lack of seriousness. Frivolous representations would concern issues which, at most, are minor and in relation to which no remedial steps would be warranted or proportionate.
- 9.7 Any person who is aggrieved by a rejection of their representations on either of these grounds may lodge a complaint through the local authority’s corporate complaints procedure. A person may also challenge the authority’s decision by way of judicial review.
- 9.8 Licensing authorities should not take decisions about whether representations are frivolous, vexatious or relevant to the licensing objectives on the basis of any political judgement. This may be difficult for councillors who receive complaints from residents within their own wards.

If consideration is not to be delegated, contrary to the recommendation in this Guidance, an assessment should be prepared by officials for consideration by the sub-committee before any decision is taken that necessitates a hearing. Any councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.

- 9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.
- 9.10 Licensing authorities should consider providing advice on their websites about how any person can make representations to them.

# Appendix 6

## Mohshin Ali

---

**From:** Nicola Cadzow  
**Sent:** 05 December 2023 14:26  
**To:** Lavine Miller-Johnson, Mohshin Ali  
**Cc:** 'MARK.J.Perr [REDACTED]'; premiseslicence [REDACTED]  
edith [REDACTED]  
**Subject:** 164563 - Carwash 1 Quaker Street London E1 6SZ  
**Attachments:** 164563 1QuakerStreet Images.pdf

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

Good afternoon Licensing,

I have considered the new premise licence application for Carwash 1 Quaker Street London E1 6SZ which, and the potential impact of public nuisance and measures to prevent noise generated from the premises which is an outdoor event space. This outdoor event space is likely to cause disturbance to people in the vicinity. Also consideration has to be given to the fact that the venue is within Brick Lane Cummulative Impact Zone.

Whilst the applicant has provided some noise conditions in the operating schedule of their application for the prevention of public nuisance, I am not satisfied that the applicant will promote the licensing objective for the prevention of public nuisance. Whilst the applicant has not applied for regulated entertainment, if the license if granted the Live Music Act 2012 would mean that regulated entertainment: music could be played until 23:00 hours 7 days a week.

The location of the venue, directly opposite residential buildings (*see image attached*), including Holywood Lofts and Bedford House, and there are other surrounding residential buildings in close proximity.

**Noise Sensitive premises:** residential premises in close proximity to Carwash 1 Quaker Street London E1 6SZ

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

- Noise breakout from the venue affecting neighbouring residents, being that the venue is an outdoor event space
- Access & egress to and from the venue, of patrons, especially due to patrons likely to be in high spirits

### CONCLUSION


Environmental Protection **does not** support the application for Carwash 1 Quaker Street London E1 6SZ for the following reasons:

1. Due to consideration of the Live Music Act 2012, should the license be granted.
2. Premises is in Brick Lane Cummulative Impact Zone
3. The likelihood of public nuisance for the venue, being an outdoor event space.

Kind regards

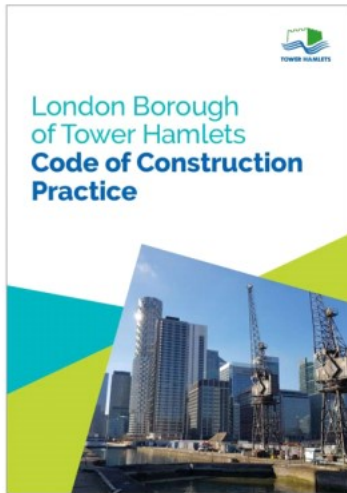
Nicola Cadzow  
Environmental Protection Officer  
Communities Directorate  
Environmental Health and Trading Standards

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

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

Follow us on:

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



### Construction Code of Practice 2023

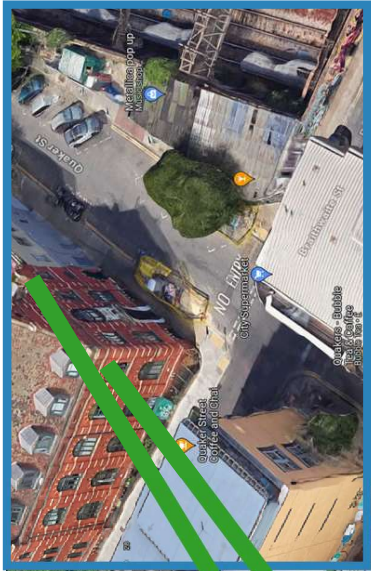
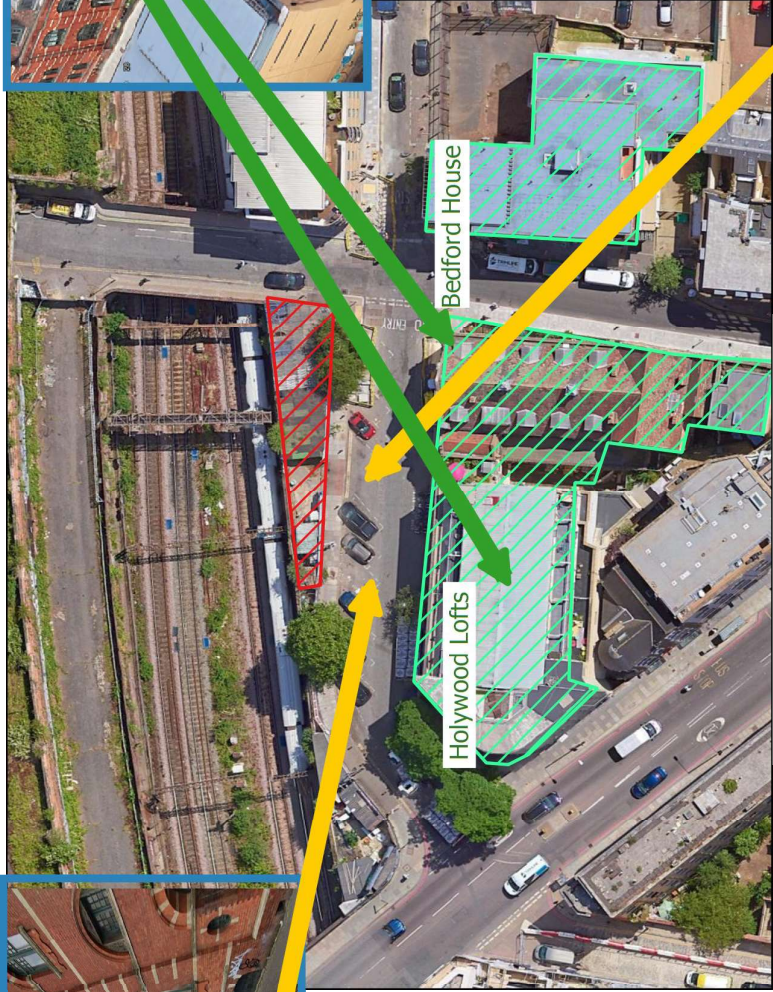
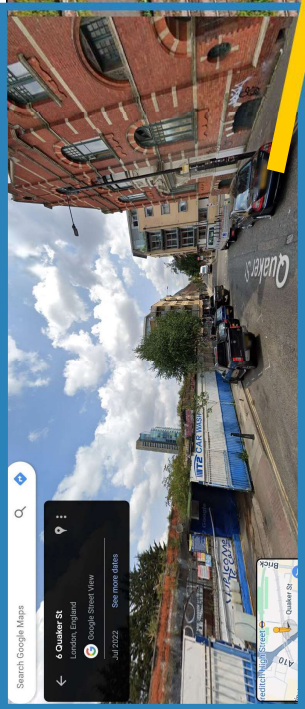
- Development with Planning Permission granted and subject to Planning Conditions is adoption of the new Code will continue to operate under the conditions for working hours of **Code of Construction Practice 2006**.

Permitted to work Saturdays without s61 Agreement (8am to 1pm only)

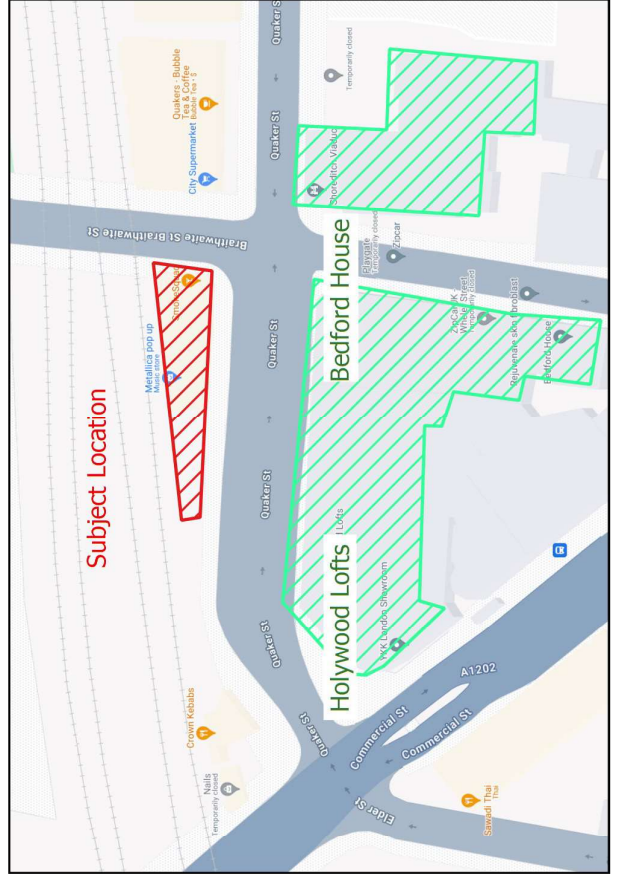
- Development granted Planning Approval **after the 26<sup>th</sup> April 2023** and subject to Plan required to adhere to working hours as set out above and in the **Code of Construction Practice 2023**. s61 Agreement required for works on Saturdays, Sundays, Bank Holidays, or Public Holidays
- Developments seeking amendments to Planning Approvals issued prior to 26<sup>th</sup> April 2023 Working Hours imposed if relevant to the details being amended.
- For more information, please click on the cover page of the Code of Construction Practice 2023

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





Opposite Residential Properties at Holywood Lofts and Bedford House



Main entrance to 1 Quaker Street

# Appendix 7

Sent to:

Licensing Authority: [REDACTED]  
Applicant Agent: [REDACTED]

Communities Directorate  
Public Realm

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

Email: [licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)

1<sup>st</sup> December 2023

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

My reference: P/EHTS/LIC/164563/LMI

Dear Licensing Authority,

**Licensing Act 2003**  
**New premise licence Shop 1 Quaker Steet E1 6SZ**

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

**Special Cumulative Impact Policy for the Brick Lane**

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

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

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

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



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

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

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

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

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

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

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

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

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

#### *Licensable activities and times*

*The Licensing Authority has had regard to the Guidance to the Act when determining this policy. The end times set out in the policy are not (and should not be regarded as) the 'usual' or 'normal' terminal hour for licensable activities in the Borough. Instead the 'framework hours' serve to identify cases where the Licensing Authority will pay particular regard to the likely effect on the local neighbourhood*

*of carrying out the proposed licensable activities during the hours applied for. Applications for hours up to the end of the Framework Hours will not automatically be granted. This policy will be applied only where relevant representations are made. Each case will be considered on its merits.*

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

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

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

### The Home Office guidance

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

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

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

**Application:**

The applicant has described the application as a venue for the use of promotional activities, community, and art events.

The applicant has applied for:

- **Sales of Alcohol** (off and on sales)  
Monday to Sunday 11:00 hours to 23:00 hours
- **Opening hours**  
Monday to Sunday 11:00 hours to 23:30 hrs

Although licensable activities are within framework hours and they have offered substantial conditions, the applicant has not acknowledged that the premises falls within a CIA. There is insufficient information on how they intend to uphold the licensing objectives in regard to public nuisance within the CIA. The applicant has not demonstrated how the premises will not have a negative effect on the already saturated area.

This premises licence is for an outdoor event space. This area has a large number of private dwellings, that are already subjected to noise nuisance and ASB from other nearby premises. Although the applicant has not applied for regulated entertainment, they will under the Live Music Act 2012, be permitted to play music with a premises licence for the sales of alcohol up to 23:00. The applicant has also not provided a capacity for the premise. With the off sales element of the application, there will be no control over where customers will consume the alcohol, and this may encourage them to street drink in Brick Lane.

On a balance of probability, this Authority is concerned by the addition of this premises selling alcohol within the CIA in an outdoor space, potentially adding to the existing anti-social issues in the area.

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.

Yours faithfully

[Redacted signature]

**Lavine Miller-Johnson**  
**Licensing Officer**

[Redacted contact information]

# Appendix 8

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

3rd December, 2023

Sent via EMail

**Re: Objection to the proposed licensing application for The Carwash, 1 Quaker Street, London E1 6SN**

Dear Licensing Team.

I write to object to the application by The Carwash, 1 Quaker Street London E1 6SN for an alcohol licence.

The Carwash premises are situated in a residential area which already has many “pop up” events, some of which are, I am told, unlicensed. Many of these take place under the Brick Lane/Shoreditch High Street railway bridge, on the corner of Brick Lane and Quaker Street. The Tower Hamlets police are often called out to the events.

I think that allowing an events venue with an on- and off-sales licence to operate in this area would risk an unacceptable increase of the anti-social behaviour and noise with which local residents already have to put up.

The venue is a tiny space, previously operating as a car wash so small that it could only accommodate a couple of cars. The applicant describes itself as an “events venue”. How would it be possible to hold an event *inside*, given how small the space is? People would inevitably spill out into the open, immediately opposite residential buildings, mixing with crowds of people going to and from Shoreditch High Street station.

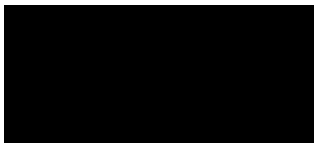
Those of us living in, opposite, or near Brick Lane, for instance in Wilkes Street, Lamb Street and Elder Street, already have to deal with people using the streets as lavatories; and this proposed venue, with no proper toilets, would increase this problem.

The holder of an off-sales licence has no control over how alcohol is consumed, and we can only fear the consequences. Any alcohol licence on these premises would unfortunately lead to an increase of public nuisance, noise and drunk and disorderly behaviour.

Please will the licensing committee reject the application on the above grounds. Thank you. Would you also please redact my details from an electronic reproduction of this letter.

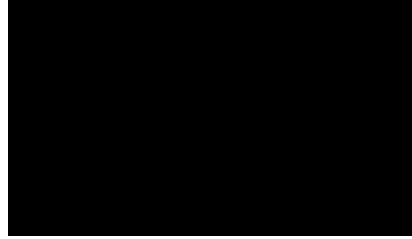
Yours sincerely

Alan Williams



# Appendix 9

Christopher Lloyd



1st December 2022

London Borough of Tower Hamlets  
Licensing Team  
Environmental Health & Trading Standards  
160 Whitechapel Road  
London  
E1 1BJ  
[licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)

Sent via EMail

**Re: Formal objection to the proposed licencing application for The Carwash, 1 Quaker Street, London E1 6SN**

Dear Licensing Team.

I would like to formally object to the proposed alcohol licence application for The Carwash, 1 Quaker Street London E1 6SN

The premises is located within a highly residential area which already suffers from “pop up” events which frequently take place on the corner of Quaker Street and Brick Lane under the Brick Lane / Shoreditch High Street railway bridge. These events are frequently attended by Tower Hamlets police and the introducing an events venue with an on and off-sales licence to this very location would inevitably add to the levels of anti-social behaviour and noise currently endured by local residents.

The venue itself is described as an “events venue” but the reality is it's a tiny space, previously used a car wash that was only able to hold 2 cars and I question the viability of holding any events that wouldn't immediately spill out onto the streets directly opposite residents apartments, ultimately having a detrimental effect on local residents who already deal with large numbers of people going to and from Shoreditch High Street station.

Local residents living directly opposite on Brick Lane, Buxton Street, Quaker Street and Elder Street already have to deal with people toileting in the streets and this venue with no proper toilets would only add to this ongoing problem.

By nature an off-sales licence means there is no control over how alcohol is consumed, as previously mentioned this area suffers from unauthorised "pop up" events and an off-sales licence in this location would make such events more attractive and then by their nature directly impact on the living environment of local residents.

I therefore urge the licensing committee to reject the application on the grounds that any alcohol licence on these premises would inevitably lead to an increase of public nuisance, noise and drunk and disorderly behaviour.

Kind regards

Christopher Lloyd



# Appendix 10

## Mohshin Ali

---

**From:** Licensing  
**Sent:** 04 December 2023 11:14  
**To:** Mohshin Ali  
**Subject:** FW: Objection: proposed licensing application for The Carwash, 1 Quaker St, E1 6SN

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

---

**From:** Christine Whaite [REDACTED]  
**Sent:** Monday, December 4, 2023 10:57 AM  
**To:** Licensing <Licensing@towerhamlets.gov.uk>  
**Subject:** Objection: proposed licensing application for The Carwash, 1 Quaker St, E1 6SN

Dear Sirs

I object to the proposed alcohol licence application for The Carwash, 1 Quaker Street London E1 6SN

The Car Wash is located within a concentrated residential area which already suffers considerable nuisance from nearby outdoor events at the corner of Quaker Street and Braithwaite Street, under the bridge near Shoreditch High Street station. Police have often had to be called upon to control these events.

Introducing yet another venue with an on and off-sales licence to this location would inevitably increase anti-social behaviour and noise nuisance to local residents.

The venue, which is described as an "events venue", is a small space, and thus people would immediately spill out onto the residential streets nearby, making a lot of noise and urinating in the streets since there are few toilets, thus having a seriously detrimental effect on local residents.

Please reject this application on the grounds that any alcohol licence on these premises would inevitably lead to an increase of public nuisance, noise and drunk and disorderly behaviour. Thank you.

All best wishes  
Christine Whaite  
[REDACTED]

# Appendix 11

London Borough of Tower Hamlets  
Licensing Team  
Environmental Health & Trading Standards  
160 Whitechapel Road  
London  
E1 1BJ  
[licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)

Sent via EMail

**Re: Formal objection to the proposed licencing application for The Carwash, 1 Quaker Street, London E1 6SN**

Dear Licensing Team.

I would like to formally object to the proposed alcohol licence application for The Carwash, 1 Quaker Street London E1 6SN.

The 'premises', I add inverted commas, as this is a parking lot with a (recently added) tented roof, as far as I am aware has no facilities, maybe they have installed festival style toilets. As far as I am aware providing toilets is a legal requirement for any venue serving alcohol. Transportable toilets I don't think should be an option on any permanent structure, but any sort of normal legal toilet facilities would take up half the space? Given its an old parking lot where is the sewerage going to extract to? I am very doubtful that any sort of money has been spent on this 'venue' which would require thousands of pounds to install toilets.

The premises is in a residential area with a lot of foot traffic already, and also is the location for pop up events (I have no idea if these are licensed) beneath the rail-track on Braithwaite street. These events are very loud, totally block the roadway and lead to drug taking and other anti social behaviour, and are already a drain on the stretched local policing resources.

An event space with an off license immediately next door would lead to this entire crowd adding alcohol to the mix. These events are attended by hundreds of people, with almost zero control, just DJ's playing their music. I have no idea if or how they pass off peacefully given this is a dark street and these events have no staff (its a street, you cant' exactly tell people how to behave on a street). The addition of alcohol quite frankly is terrifying.

The space was previously used as a car wash and is not as far as I am aware remotely suitable for any sort of event. I imagine the plan is to serve alcohol to all the passing trade. I question whether they have access to (paid) water- how would they receive any bills? Its a parking lot! Do they have

any sort of security? I imagine they have no washing facilities, so all their alcohol will be in bottles/ take away vessels which will lead to street littering.

I therefore urge the licensing committee to reject the application on the grounds that any alcohol licence on and or off these premises would inevitably lead to an increase of public nuisance, noise and drunk and disorderly behaviour.

Kind regards



# Appendix 12

**Spitalfields Residents Against Anti-Social Behaviour (SPIRE)**

**Spitalfields and Banglatown Ward Panel**

**4<sup>th</sup> December 2023**

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

Sent via E-Mail

**Re: Formal Objection to Proposed Application for the Sale of Alcohol by The Carwash, 1 Quaker Street, E1 6SN**

Dear Licensing Team

I am writing on behalf of Spitalfields Residents Against Anti-Social Behaviour (“SPIRE”), a community group established in 2012, which represents individuals and, at least, six of the largest resident associations including, Exchange Building Residents Association, St George's Residents Association, Spitalfields Community Group (SCG), Spitalfields Market Residents Association (SMRA), Norton Folgate Community Group (NFCG), and Spitalfields Society, in Spitalfields and Banglatown (“the Ward”).

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

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

SPIRE is a ‘pro-commerce’ community group and supports the careful balance of a vibrant, diverse, and commercial ward with the needs of residents and visitors to appreciate a safe, clean, and liveable neighbourhood free from anti-social behaviour and related issues.

Consequently, when a formal objection is raised by SPIRE, such as the case detailed below, it has been carefully considered and represents a substantial number of constituents in the Ward.

I am also writing on behalf of the Spitalfields and Ward Panel (“the Ward Panel”), which works directly with the Metropolitan Police Service (MET) via the Safer Neighbourhood Team (SNT) for the

ward and the London Borough of Tower Hamlets Safer Neighbourhood team in prioritising and addressing issues related to the vulnerable, crime, and anti-social behaviour in the ward.

### **Formal Objection**

SPIRE and the Ward Panel raises formal objection to the proposed application for licence to sell alcohol between the hours of 11:00 and 23:00 seven days a week by The Carwash, 1 Quaker Street, London, E1 6SN ("the Premise").

The Premise is located on the boarder of Tower Hamlets and Hackney borough and is a highly sensitive area for antisocial behaviour. Specifically, the exact location of the Premise is where two distinct nighttime economies collide being that of Shoreditch and Spitalfields and Banglatown. The proximity to the Shoreditch High Street overground station and the TFL arches surrounding the approach to the Premise is an extremely challenged area for open drug trade, pop-up raves, NOX sales and use, open drinking, urination, noise, and excessive ASB.

Equally, the premise is already surrounded by extremely popular bars and private clubs which contribute to noise, public urination, drunken behaviour, and associated violence, ASB, and drug sales/use. These bars and clubs include, but not limited to, the Commercial Tavern (Commercial Street), The Owl and the Pussycat (Redchurch Street), BoxPark (Bethnal Green Road), and Shoreditch House (Ebor Street). Local authorities, who are already short staffed and challenged, have difficulties dealing with the output from this specific location.

The Premise is in the heart of the CIA for Brick Lane where new and varied premise licenses are meant to be limited, if not prohibited, based on the over saturation of businesses involved with the sale of alcohol and entertainment, attributable to the Ward's current issues with antisocial behaviour. In particular, the Ward already suffers from open drinking and ASB related behaviour on its streets (this includes but is not limited to drunken behaviour, noise, public urination, and defecation, etc.) and the thought of a further supplier in an already predisposed and vulnerable part of the Ward is unimaginable and unacceptable.

It appears the applicant for the Carwash wishes to obtain a full alcohol license for the Premise without giving precise details for how it will be used. The applicant references special events whereby alcohol may be served. However, the application gives no mention of late-night refreshment, no entertainment, etc. It only states it wishes to sell alcohol seven days a week from 11:00 – 23:00.

No recognition, whatsoever, is made in the application to the fact the Premise is located in the Brick Lane CIA and/or what the applicant will do to ensure there is no further impact on an already saturated area of the ward with significant and existing challenges with ASB and crime.

While SPIRE and the Ward Panel object fully to the granting of this license in the ward and more specifically within the Brick Lane CIA, it is especially concerning why any alcohol should be sold during the proposed hours of the application. For example, what is the need for sale of alcohol at 11:00 am? Furthermore, selling alcohol as late as 23:00 when many bars are preparing to close and people in essence 'move the party into the street' is exactly the type of ASB we are both concerned with and work to reduce at this time in the ward.

Any approval of what appears to be vertical drinking, at best, works directly against the efforts of many, including the MET and SNT, to improve ASB in this area.



While it is recognised that the applicant has made some attestations of how they intend to support licencing objectives directly as part of their operations and premise, the main issues is that, in short, this Premise will work to operate as nothing less than a bar or nightclub supplying alcohol for vertical drinking. This only gives rise to already advanced concerns in the area for increased public nuisance and potential crime, disorder, health and safety of residents and visitors, noise, and antisocial behaviour. These are all the things which are meant to be safeguarded by the implementation and effective monitoring and maintenance of the CIA for Brick Lane and more generally licencing objectives of the borough.

We ask kindly that this application be swiftly rejected on the grounds that it is not supported by the licencing objectives for the London Borough of Tower Hamlets. The continued use of Temporary Event Notices (TEN) is the appropriate way forward for a business that caters specifically to special events.

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

Yours sincerely

Randall Thiel  
Chairman, SPIRE  
Chairman, Spitalfields and Banglatown Ward Panel



# Appendix 13

## Mohshin Ali

---

**From:** Susan Kay [REDACTED]  
**Sent:** 05 December 2023 17:21  
**To:** Licensing  
**Subject:** Objection to proposed licensing Application for 1 Quaker Street E16SN The Carwash

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

Susan Kay  
[REDACTED]

5th December, 2023

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

Sent via email

Dear Licensing Team,

**Re: Objection to the proposed licensing application  
for THE CARWASH 1, Quaker Street, London E1 6S**

Dear Licensing Team,

I am writing to OBJECT to the proposed alcohol licence application for THE CARWASH, 1 Quaker Street London E1 6SN

These premises, a former small carwash business which could only wash 2 cars simultaneously is now promoting itself as an 'events venue!' It is a tiny space, close to Shoreditch High St Station, Commercial Street and Shoreditch High St Railway Bridge. The premise is within the CIZ for Brick Lane which was set up, and is in place today, to restrict and to have control over the number of premises selling alcohol in the borough.

This area, between Commercial Street, Shoreditch High Street and Bethnal Green Rd is already saturated with many popular bars and private clubs, some offering noisy entertainment late into the night. There is often little security to address the ASB issues that the proliferation of these bars cause. The noise of people leaving premises, drunken behaviour, drug abuse, street urination cause those living nearby much distress. This whole area being so close to Shoreditch station is often used as a 'pop up' event space and rave parties are common, especially under the Brick Lane Bridge. The police are often called in to monitor these 'events.'

To add another premise selling alcohol from 11am to 23.00, 7 days a week is adding more pressure to what is already

an area that does not need what is basically a pub/nightclub attracting mainly vertical drinkers and offering an off-licence service. This can only add to the ASB problems that I have addressed above.

It is for these very reasons that I ask the Licensing Team to please REJECT this application outright.

Yours sincerely,

Susan Kay

# Appendix 14

## Mohshin Ali

---

**From:** MARK.J.Perry [REDACTED]  
**Sent:** 05 December 2023 15:13  
**To:** premiseslicencing [REDACTED] Licensing  
**Subject:** RE: Premises License Application - Carwash 1 Quaker St

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

Hi Edith,

Thanks for getting back to me and agreeing terms with your client. Please tell your client to feel free to contact me with any questions.

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

Kind Regards

Mark



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

Email [REDACTED]

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



---

**From:** Premises Licence <[REDACTED]>  
**Sent:** 05 December 2023 13:44  
**To:** Perry Mark J - CE-CU <[REDACTED]>  
**Subject:** RE: Premises License Application - Carwash 1 Quaker St

Hi Mark,

Thank you for your time on the phone today, my client is happy to accept the proposed conditions.

I will pass on your details to the client to contact you in the new year.

*Kind regards,*



**Edith Lake**  
Licensing Consultant.



**Web** [www.innpacked.com](http://www.innpacked.com)

**Email**

## Excellence as Standard

Member of



See our reviews on

★ Trustpilot



*Find us on Facebook, Twitter and Instagram*



We would ask you to treat any communication from us as confidentially as you would want us to treat communication from you. If you are not an intended recipient, please notify [info@innpacked.com](mailto:info@innpacked.com) immediately. You should know that some of our communications may contain confidential information which it could be a criminal offence for you to disclose or use without authority. This e-mail is not intended nor should it be taken to create any legal relations, contractual or otherwise. Terms & Conditions - [TERMS AND CONDITIONS](#)

---

**From:** [MARK.J.Perry](#)   
**Sent:** Monday, December 4, 2023 10:55 AM  
**To:** Premises Licence <>  
**Subject:** Premises License Application - Carwash 1 Quaker St

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

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following:
  - a) all crimes reported to the venue;
  - b) all ejections of patrons;
  - c) any complaints received concerning crime and disorder
  - d) any incidents of disorder;
  - e) all seizures of drugs or offensive weapons;
  - f) any faults in the CCTV system, searching equipment or scanning equipment;
  - g) any refusal of the sale of alcohol;
  - h) any visit by a relevant authority or emergency service.
4. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:
  - a) the police (and, where appropriate, the London Ambulance Service) are called without delay;
  - b) all measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
  - c) the crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
  - d) such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.
5. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
6. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record must show the outcome of the person who was intoxicated. The record shall be available for inspection at the premises by the police or an authorised officer at all times whilst the premises is open.



7. A written dispersal policy shall be in place and implemented at the premises to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours.
8. The premises shall risk assess all events taking place at the venue. The assessment shall look at all potential risks including but not limited to violence, intoxication, underage drinking and drug use. This assessment shall be written down and stored for 1 year and made available to Police upon request.
9. The premises must have a detailed documented security plan, that must include an ejections policy, search policy, anti-theft policy, and SIA numbers, The security plan will be made available to police upon request

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

If you agree to the conditions please reply to this e-mail and I will let Tower Hamlets Council Licensing know we have agreed conditions.

Kind Regards

Mark



PC Mark Perry  
Central East Licensing Unit  
Metropolitan Police Service (MPS)  
[Redacted]  
Email [Redacted]  
A: Licensing Office, 1<sup>st</sup> Floor Stoke Newington Police Station



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

NOTICE - This email and any attachments are solely for the intended recipient and may be confidential. If you have received this email in error, please notify the sender and delete it from your system. Do not use, copy or disclose the information contained in this email or in any attachment without the permission of the sender. Metropolitan Police

# Appendix 15

## 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 11.1 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 11.4)**.

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 11.2 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 to 9pm or limiting numbers)
- 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)
- Measures to prevent noise/fumes from engines, drivers (including smoking),
- Measures to prevent obstruct access to properties, pavements.  
Measure to reduce the impact of people noise on residents

## 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 16

## 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 11 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 11.2 of the Licensing Policy**).

The policy also recognises that staggered closing can help prevent problems at closure time (**See Section 16.1**).

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 16.6**)

The Council has adopted a set of framework hours (**See 16.8 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 (**See Appendix 3 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 17



## 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 9 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 Conditions **(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 18

## 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 5.14 and 5.15 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 9.2 of the Licensing Policy**)

The Licensing Authority will consider attaching conditions to deter crime and disorder and may be draw from the Model Conditions in **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 20 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).

Licence conditions should not duplicate other legislation (1.16).

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

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

## Other Legislation

### Crime and Disorder Act 1998

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

The Act also introduced a wide range of measures designed to address 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 19

## **Planning**

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



# Appendix 20

## **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 16.8 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 16.9 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 21

## 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:

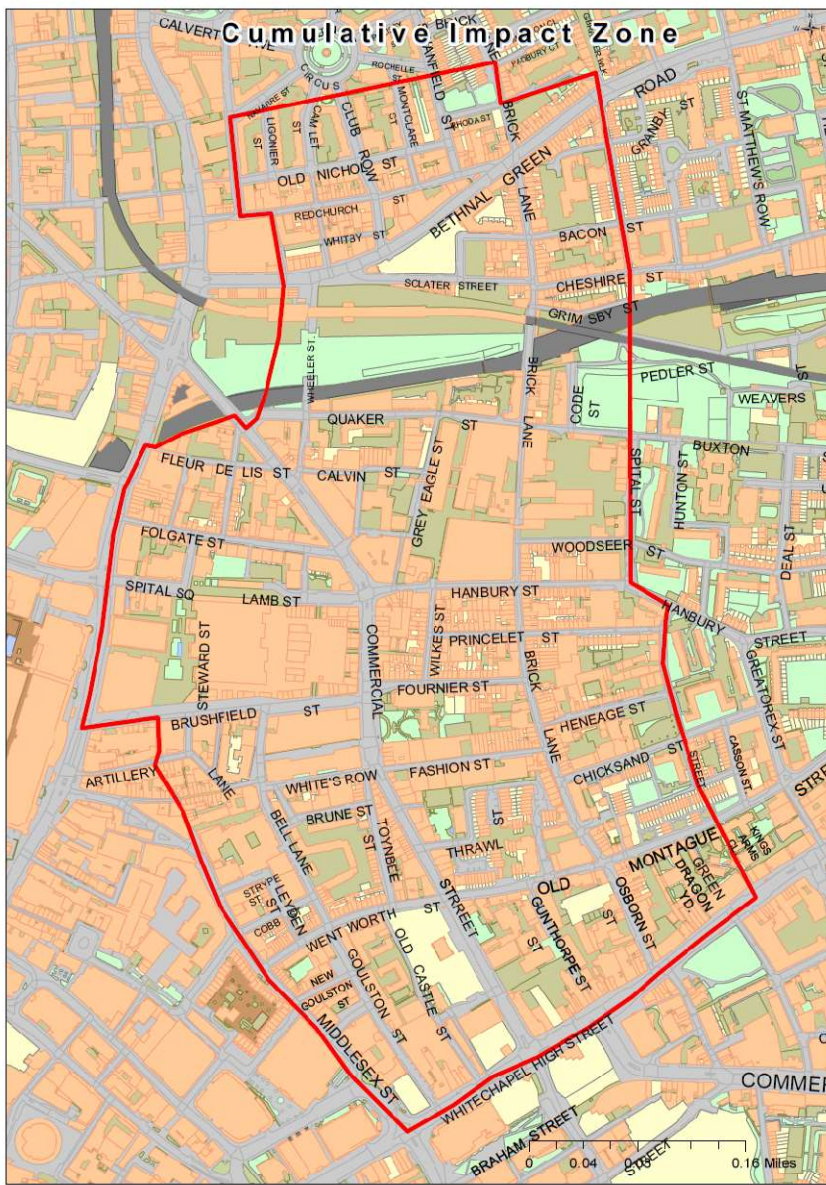
- that the premises will be well managed and run,
- that the premises will be constructed to a high standard,
- that the applicant operates similar premises elsewhere without complaint.

**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**

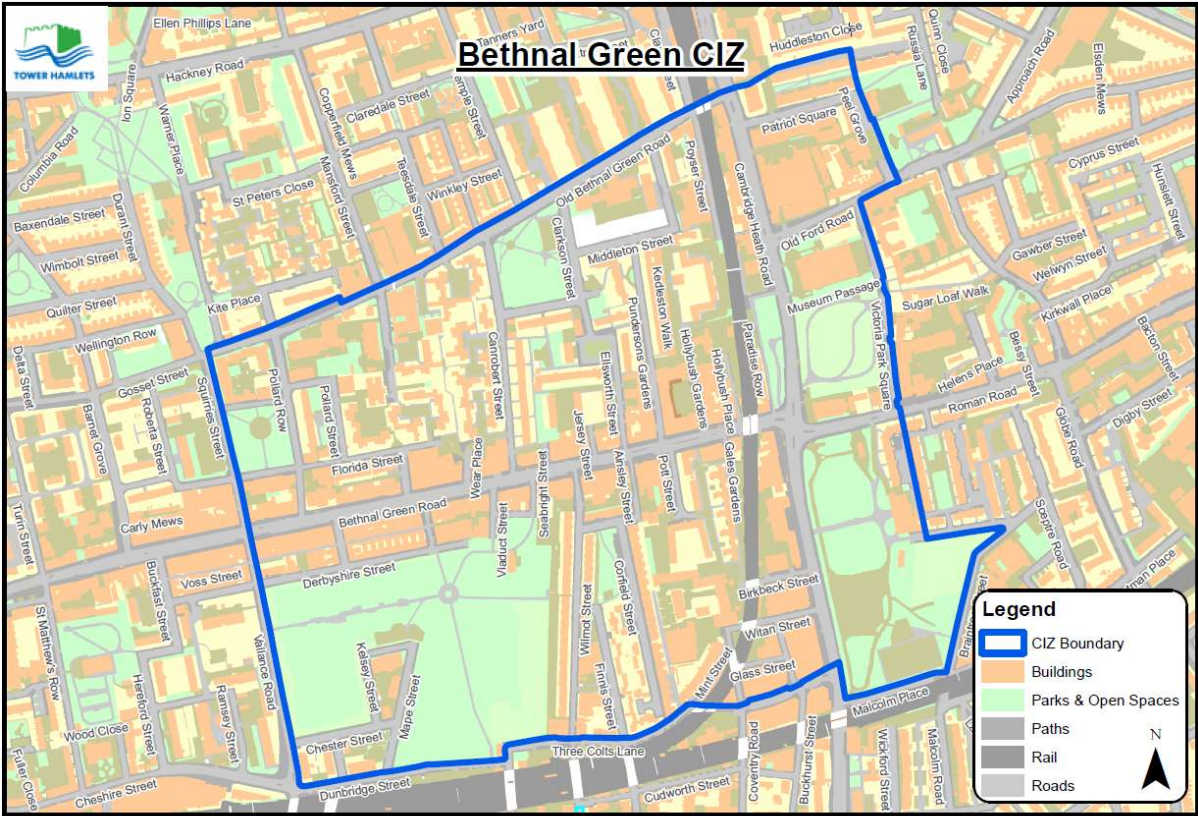
**Brick Lane area:**



**Figure Two:**

**Bethnal Green Area**







# Agenda Item 4.2

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

Report of: <b>David Tolley</b> <b>Head of Environmental Health &amp; Trading Standards</b>  Originating Officer: <b>Lavine Miller-Johnson</b> <b>Licensing Officer</b>	Title: <b>Licensing Act 2003 Application for a new Premise Licence for Bar Ceylon, Basement &amp; Ground Floor 57 Commercial Street London E1 6BD</b>  Ward affected: <b>Spitalfields and Banglatown</b>
--	--

## 1.0 Summary

Applicant: **Adam Ramsey**

Name and **Bar Ceylon**

Address of Premises: **Ground Floor & Basement 57 Commercial Street London E1 6BD**

Licence sought: **Licensing Act 2003  
Sales of Alcohol  
Regulated Entertainment**

Objectors: **Environmental Protection,  
Licensing, Police and Residents**

## 2.0 Recommendations

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

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

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

File  
Section 182 Guidance  
LBTH Licensing Policy

Lavine Miller-Johnson  
020 7364 2665

### 3.0 **Background**

- 3.1 This is an application for a new Premise Licence for Bar Ceylon, Basement & Ground Floor 57 Commercial Street London E1 6BD.
- 3.2 The applicant has not given a clear description as to the nature of the business.
- 3.3 A copy of the application is shown in **Appendix 1**.
- 3.4 The hours applied for are as follows:

#### **Regulated Entertainment Plays, recorded music (indoors)**

Sunday to Thursday from 11:00 hours to 23:00 hours

Friday to Saturday from 11:00 hours to 24:00 hours

#### **Sales of Alcohol (on sales only)**

Sunday to Thursday from 11:00 hours to 23:00 hours

Friday to Saturday from 11:00 hours to 24:00 hours

#### **Opening times**

Sunday to Thursday from 11:00 hours to 23:00 hours

Friday to Saturday from 11:00 hours to 24:00 hours

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

- 4.1 A copy of the site plan is included as **Appendix 2**.
- 4.2 Maps showing the vicinity are included as **Appendix 3**.
- 4.3 Photographs of the premises are included in **Appendix 4**.
- 4.4 Details of other licensed venues in the immediate vicinity are included as **Appendix 5**.

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

- 5.1 The Council has adopted a licensing policy and this is available from the Licensing Section, and at the hearing. The revised policy came into effect on 1<sup>st</sup> November 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](http://www.homeoffice.gov.uk). It was last revised in April 2018.

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

## 6.0 Representations

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

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

6.3 All representations must be "about the likely effect of the grant of the premises licence on the promotion of the licensing objectives." Likely means something that will probably happen, i.e. on balance more likely than not.

6.4 Representations by responsible authorities do not have to meet the second test of not being vexatious and frivolous. Other persons have to meet this test.

6.5 The Home Office recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation.

6.6 Section 182 Advice by the Home Office concerning relevant, vexatious and frivolous representations is attached as **Appendix 12**.

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.

- Mark Perry (**Police**) – **Appendix 6**
- Nicola Cadzow (**Environmental Protection**) – **Appendix 7**
- Mohshin Ali (**Licensing**) – **Appendix 8**
- Christopher Lloyd (**Resident Group SPIRE**) – **Appendix 9**
- Alan Williams (**Resident**) – **Appendix 10**
- Sandy & John Critchley (**Residents**) **Appendix 11**

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

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

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

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

6.11 The objections relate to:

- Public nuisance
- ASB
- Crime & disorder

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

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

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

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

N/A

## 8.0 Conditions Agreed/Requested by Responsible Authority

N/A

### 1. Licensing Officer Comments

- (a) 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.
- (b) 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)
- (c) 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.
- (d) In all cases the Members should make their decision on the civil burden of proof, that is “the balance of probability.”
- (e) 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.
- (f) 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)
- (g) The Council’s Licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.
- (h) In **Appendices 12 – 20** 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.

## **2. Legal Comments**

- (a) The Council's legal officer will give advice at the hearing.

## **3. Finance Comments**

- (a) There are no financial implications in this report.

#### 4. Appendices

<b>Appendix 1</b>	A copy of the application
<b>Appendix 2</b>	Copy of site plan
<b>Appendix 3</b>	Maps of the surrounding area
<b>Appendix 4</b>	Photographs of the premises
<b>Appendix 5</b>	Other licensed premises in the area
<b>Appendix 6</b>	Representation from the Police
<b>Appendix 7</b>	Representation from Environmental Protection
<b>Appendix 8</b>	Representation from Licensing
<b>Appendix 9- 11</b>	Representation from Residents
<b>Appendix 12</b>	Section 182 Advice by the DCMS- Relevant, vexatious and frivolous representations
<b>Appendix 13</b>	Licensing Officer comments on public nuisance
<b>Appendix 14</b>	S182 advice on public nuisance
<b>Appendix 15</b>	Licensing Officer comments on Crime & Disorder
<b>Appendix 16</b>	S182 advice on crime & disorder
<b>Appendix 17</b>	ASB leaving the premises
<b>Appendix 18</b>	CIA policy
<b>Appendix 19</b>	Licensing Policy relating to hours of trading
<b>Appendix 20</b>	Planning



# Appendix 1

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

### Please read the following instructions first

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

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

I/~~We~~ Adam Ramsey

(Insert name(s) of applicant)

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

### Part 1 – Premises details

Basement & Ground Floor, 57 Commercial Street			
<b>Post town</b>	London	<b>Postcode</b>	E1 6BD

Telephone number at premises (if any)	██████████
Non-domestic rateable value of premises	£35,000

### Part 2 - Applicant details

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

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

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

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

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

**(A) individual applicants** (fill in as applicable)

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

--

**Second individual applicant (if applicable)**

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

**(B) Other applicants**

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

Name
Address

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

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
1	5	1 1 2 0 2 3

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

DD	MM	YYYY

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

The premises have two floors (Ground Floor and Basement) with two staircases, with fire exit. The bar is located on the left hand side as you enter and the consuming area with tables and chairs is on the right hand side on the ground floor and the basement. There is a separate ladies and gents toilet facility with hand wash basins in the basement.

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

No
----

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

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

Provision of regulated entertainment (please read guidance note 2)	Please tick all that apply
a) plays (if ticking yes, fill in box A)	✓
b) films (if ticking yes, fill in box B)	
c) indoor sporting events (if ticking yes, fill in box C)	
d) boxing or wrestling entertainment (if ticking yes, fill in box D)	

e)	live music (if ticking yes, fill in box E)	
f)	recorded music (if ticking yes, fill in box F)	✓
g)	performances of dance (if ticking yes, fill in box G)	
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	

<b><u>Provision of late night refreshment</u></b> (if ticking yes, fill in box I)	
<b><u>Supply of alcohol</u></b> (if ticking yes, fill in box J)	✓

In all cases complete boxes K, L and M

**A**

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon	11:00	23:00	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue	11:00	23:00			
Wed	11:00	23:00	<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Thur	11:00	23:00			
Fri	11:00	24:00	<b><u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat	11:00	24:00			
Sun	11:00	23:00			

**B**

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



**C**

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

**D**

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

**E**

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

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	Y
Day	Start	Finish		Outdoors	
				Both	
Mon	11:00	23:00	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue	11:00	23:00			
Wed	11:00	23:00	<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Thur	11:00	23:00			
Fri	11:00	24:00	<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat	11:00	24:00			
Sun	11:00	23:00			

**G**

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

H

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

I

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

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	Y
				Off the premises	
				Both	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	11:00	23:00			
Tue	11:00	23:00			
Wed	11:00	23:00			
Thur	11:00	23:00			
Fri	11:00	24:00			
Sat	11:00	24:00			
Sun	11:00	23:00			
			<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		

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

<b>Name</b>	Adam Ramsey
<b>Date of birth</b>	██████████
<b>Address</b>	████████████████████ ████████████████████ ████████████████████
<b>Personal licence number (if known)</b>	██████████
<b>Issuing licensing authority (if known)</b>	████████████████████



**K**

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

None

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon	11:00	23:00	
Tue	11:00	23:00	
Wed	11:00	23:00	
Thur	11:00	23:00	
Fri	11:00	24:00	
Sat	11:00	24:00	
Sun	11:00	23:00	
<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 6)			

## **M**

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

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

Nothing beyond existing requirements.

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

Nothing beyond existing prevention of crime and disorder requirements.

**c) Public safety**

Nothing beyond existing public safety requirements.

**d) The prevention of public nuisance**

Nothing beyond existing prevention of public nuisance requirements.

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

Nothing beyond existing protection of children from harm requirements.

**Checklist:**

**Please tick to indicate agreement**

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


It is an offence, under Section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.

It is an offence under Section 24b of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to Section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

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

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

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

	<p>the UK (please read guidance note 15).</p> <ul style="list-style-type: none"> <li>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)</li> </ul>
Signature	
Date	30/10/2023
Capacity	

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

a

## Notes for Guidance

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

- any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
  - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
  - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
  5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
  8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.

9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.
15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:

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

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

Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

They do this in one of two ways:

- 1) by providing with this application, copies or scanned copies of the documents which an applicant has provided, to demonstrate their entitlement to work in the UK (which do not need to be certified) as per information published on gov.uk and in guidance.
- 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

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

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

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 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, 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

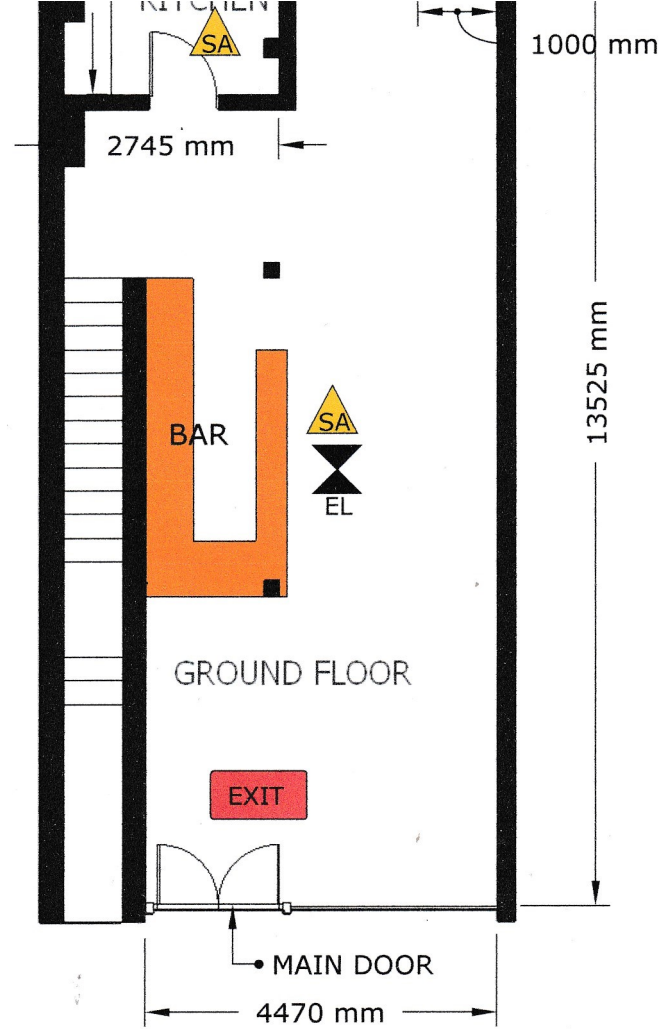
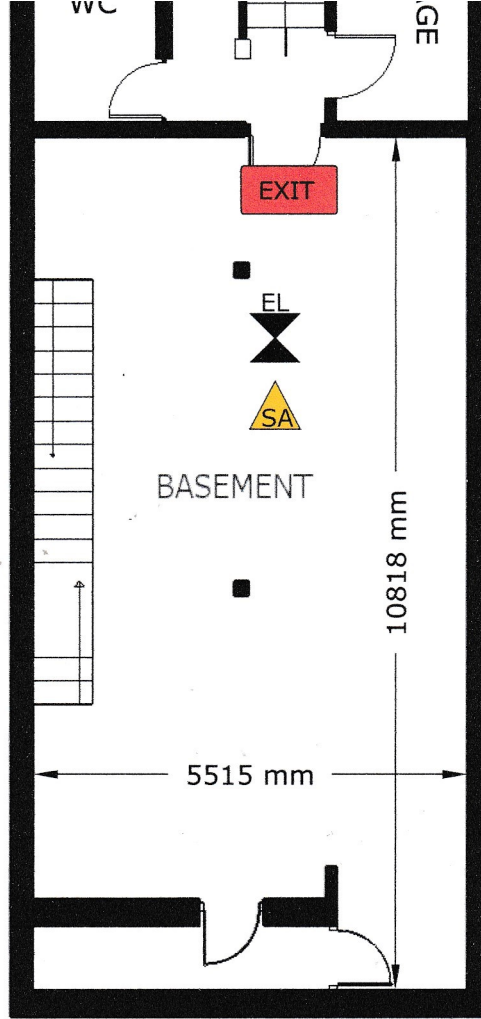
subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

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

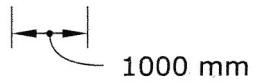
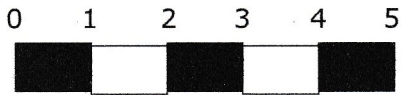
Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.



# Appendix 2



Scale;1:100



ADDRESS

57 COMMERCIAL STREET  
LONDON E1 6BD



SMOKE ALARM



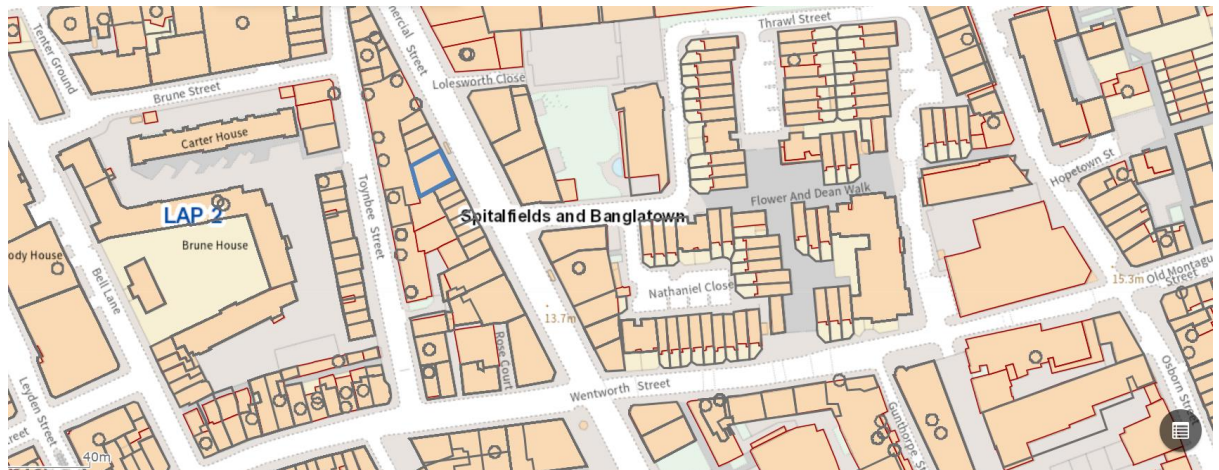
EMERGENCY LIGHT



FIRE BLANKET

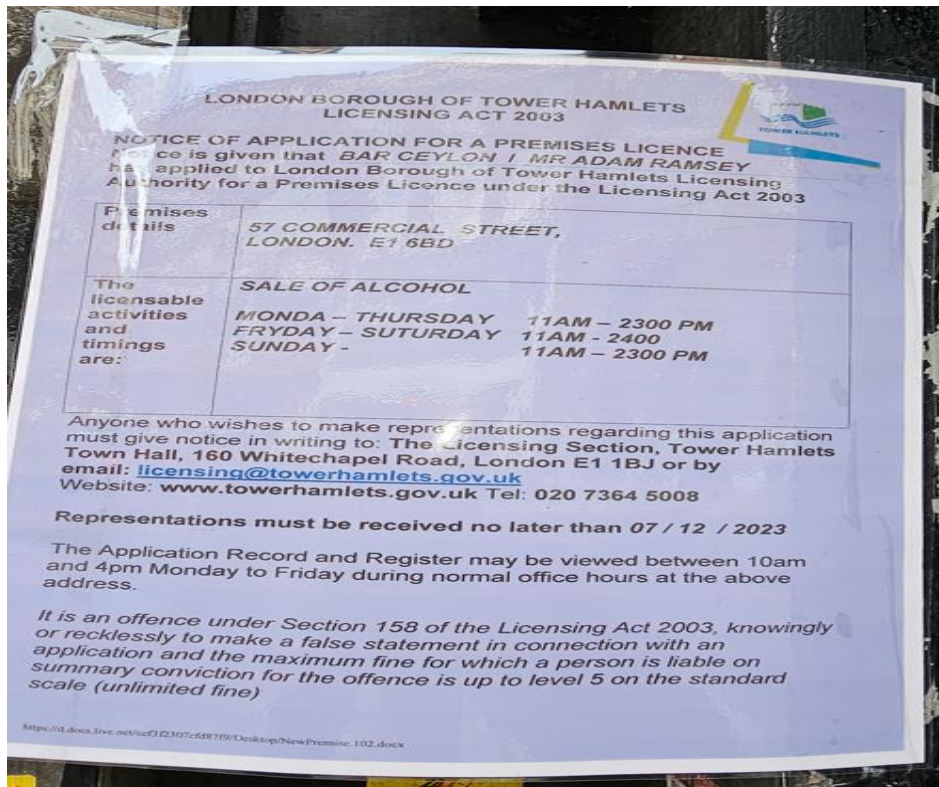
# Appendix 3

Bar Ceylon – 57 Commercial Street – Map



# Appendix 4

Bar Ceylon - Images of the premises











# Appendix 5

## Bar Ceylon - Nearest licences

Name and address	Licensable activities and hours	Opening hours
<p>(Crisis) 64 Commercial Street London E1 6LT</p>	<p><u>The Supply of Alcohol (on sales only)</u></p> <ul style="list-style-type: none"> <li>• Monday to Thursday from 16:00hrs to 23:00hrs</li> <li>• Friday from 16:00hrs to 23:30hrs</li> <li>• Saturday from 10:00hrs to 23:30hrs</li> <li>• Sunday from 10:00hrs to 22:00hrs</li> </ul> <p><u>The Provision of Late Night Refreshment (indoors)</u></p> <ul style="list-style-type: none"> <li>• Friday and Saturday from 23:00hrs to 23:30hrs</li> </ul> <p><b>On sales only</b></p>	<ul style="list-style-type: none"> <li>• Monday to Thursday from 08:00hrs to 23:30hrs</li> <li>• Friday from 08:00hrs to 00:00hrs (midnight)</li> <li>• Saturday from 10:00hrs to 00:00hrs (midnight)</li> <li>• Sunday from 10:00hrs to 22:30hrs</li> </ul>
<p><b>(Som Saa)</b> 43a Commercial Street London E1 6BD</p>	<p><b>The sale by retail of alcohol (On and off sales)</b></p> <ul style="list-style-type: none"> <li>• Monday to Thursday, from 10:00 hours to 23:30 hours</li> <li>• Friday and Saturday, from 10:00 hours to midnight</li> <li>• Sunday, from 12:00 hours to 22:30 hours</li> </ul> <p><b>The provision of late night refreshment (Indoors only)</b></p> <ul style="list-style-type: none"> <li>• Monday to Thursday until 23:30 hours</li> </ul> <p>Friday and Saturday until midnight</p> <p><b>On and off sales</b></p>	<ul style="list-style-type: none"> <li>• Monday to Thursday, from 10:00 hours to 23:30 hours</li> <li>• Friday and Saturday, from 10:00 hours to midnight</li> <li>• Sunday, from 12:00 hours to 22:30 hours</li> </ul>
<p><b>The Space Spitalfields)</b> 44 Commercial Street London E1 6LT</p>	<p><b>Sale of alcohol</b></p> <ul style="list-style-type: none"> <li>▪ Monday to Sunday, from 11:00 hours to 23:30 hours</li> </ul> <p><b>Provision of late night refreshment – Indoor and outdoor</b></p> <ul style="list-style-type: none"> <li>▪ Monday to Sunday, from 23:00 hours to 23:30 hours</li> </ul> <p><b>Provision of regulated Entertainment - Indoor</b></p> <p><u>Live music, recorded music, performance of dance and anything of a similar description.</u></p> <p><u>Provision of facilities for making music,</u></p>	<ul style="list-style-type: none"> <li>▪ Monday to Sunday, from 11:00 hours to 00:00 hours (midnight)</li> </ul> <p><u>Non-standard timings:</u></p> <ul style="list-style-type: none"> <li>▪ New Year's Eve, from 11:00 hours to 02:00 hours the following day</li> </ul>

## Bar Ceylon - Nearest licences

	<p><u>Provision of facilities for dancing and anything of a similar description</u></p> <ul style="list-style-type: none"> <li>▪ Monday to Sunday, from 11:00 hours to 23:30 hours</li> </ul> <p><u>Licensable activities non-standard timings:</u></p> <ul style="list-style-type: none"> <li>▪ New Year's Eve, from 11:00 hours to 01:30 hours the following day</li> </ul> <p><b>On sales only</b></p>	
<p>(Club Mexicana Vegan Restaurant) 46 - 48 Commercial Street London E1 6LT</p>	<p><b>The sale by retail of alcohol</b></p> <ul style="list-style-type: none"> <li>• Monday to Thursday, from 10:00 hrs to 23:30 hrs</li> <li>• Friday and Saturday, from 10:00 hrs to 00:00 hrs (midnight)</li> <li>• Sunday, from 10:00 hrs to 22:30 hrs</li> </ul> <p><b>The provision of late night refreshment - Indoors</b></p> <ul style="list-style-type: none"> <li>• Monday to Thursday, from 23:00 hrs to 23:30 hrs</li> <li>• Friday and Saturday, from 23:00 hrs to 00:00 hrs (midnight)</li> </ul> <p><u>Non standard timings</u></p> <ul style="list-style-type: none"> <li>• From the end of permitted hours on new years' eve to the start of permitted hours on new years' day</li> </ul> <p>Until 00:00 (midnight) hrs on Sundays immediately before Bank Holiday Mondays</p> <p><b>On and off sales</b></p>	<ul style="list-style-type: none"> <li>• Monday to Thursday, from 10:00 hrs to 00:00 hrs (midnight)</li> <li>• Friday and Saturday, from 10:00 hrs to 00:30 hrs the following day</li> <li>• Sunday, from 10:00 hrs to 23:00 hrs</li> </ul> <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> <li>• From the end of permitted hours on new years' eve to the start of permitted hours on new years' day</li> <li>• Until 00:30 hrs on Sundays immediately before Bank Holiday Mondays</li> </ul>
<p>Trade Commercial Street 47 Commercial Street London E1 6BD</p>	<p><u>Sale of Alcohol (on sales only)</u></p> <p>Monday to Saturday from 09:00 hours to 23:30 hours Sunday from 09:00 hours to 21:00 hours</p> <p><b>On sales only</b></p>	<p>Monday to Saturday from 07:00 hours to 23:30 hours</p> <p>Sunday from 09:00 hours to 21:00 hours</p>
<p>(Vish Convenience Store) 59 Commercial Street London E1 6BD</p>	<p><b>Sale by retail of alcohol – (off sales only)</b></p> <ul style="list-style-type: none"> <li>• Monday to Saturday, from 09:00 hrs to 22:30 hrs</li> <li>• Sunday, from 10:00 hrs to 22:30 hrs</li> </ul> <p>Off sales only</p>	<ul style="list-style-type: none"> <li>• Monday to Saturday, from 09:00 hrs to 22:30 hrs</li> <li>• Sunday, from 10:00 hrs to 22:30 hrs</li> </ul>

## Bar Ceylon - Nearest licences

<p><b>Andina</b> Ground Floor and Basement 60 - 62 Commercial Street London E1 6LT</p>	<p style="text-align: center;"><b><u>Ground Floor and Basement Floor</u></b></p> <p><b>The sale by retail of alcohol</b></p> <ul style="list-style-type: none"> <li>• Monday to Thursday, from 10:00 hours to 23:30 hours</li> <li>• Friday and Saturday, from 10:00 hours to midnight</li> <li>• Sunday, from 12:00 hours to 23:30 hours</li> </ul> <p><b>The provision of late night refreshment (Indoors)</b></p> <ul style="list-style-type: none"> <li>• Sunday to Thursday, from 23:00 hours to 23:30 hours</li> <li>• Friday and Saturday, from 23:00 hours to midnight</li> </ul> <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> <li>• Bank Holidays until midnight</li> </ul> <p style="text-align: center;"><b><u>Extension of hours for Basement only</u></b></p> <p><b>The sale by retail of alcohol</b></p> <ul style="list-style-type: none"> <li>• Monday to Wednesday from 10:00 hours to 23:30 hours</li> <li>• Thursday to Saturday: 10:00 hours to 01:00 hours</li> <li>• Sunday: from 12:00 hours to 23:30 hours</li> </ul> <p><b>The provision of late night refreshment</b></p> <ul style="list-style-type: none"> <li>• Sunday to Wednesday from 23:00 hours to 23:30 hours</li> </ul> <p>Thursday to Saturday from 23:00 hours to 01:00 hours</p> <p><b>On and off sales</b></p>	<p style="text-align: center;"><b><u>Ground Floor</u></b></p> <ul style="list-style-type: none"> <li>• Monday to Thursday, from 08:00 hours to midnight</li> <li>• Friday and Saturday, from 08:00 hours to 00:30 hours</li> <li>• Sunday, from 12:00 hours to midnight.</li> </ul> <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> <li>• Bank Holidays until midnight</li> </ul> <p style="text-align: center;"><b><u>Extension of hours for Basement only</u></b></p> <ul style="list-style-type: none"> <li>• Monday to Wednesday from 08:00 hours to 00:00 hours</li> <li>• Thursday to Saturday from 08:00 hours to 01:00 hours</li> <li>• Sunday from 12:00 hours to 00:00 hours</li> </ul>
<p>(Gul &amp; Sepoy Ltd) 65 Commercial Street London E1 6BD</p>	<p><b>The sale by retail of alcohol (on sales only)</b></p> <ul style="list-style-type: none"> <li>• Monday to Saturday, from 11:00 hours to 23:00 hours</li> <li>• Sunday, from 11:00 to 22:30 hours</li> </ul> <p><b>On sales only</b></p>	<ul style="list-style-type: none"> <li>• Monday to Saturday, from 08:00 hours to 23:30 hours</li> <li>• Sunday, from 08:00 to 23:00 hours</li> <li>•</li> </ul>
<p>(Spitalfields Works Ltd) 69 Commercial Street London</p>	<p><b>The sale by retail of alcohol - On and off sales</b></p> <ul style="list-style-type: none"> <li>• Monday to Thursday, from 08:00 hrs to 23:30 hrs</li> </ul>	<ul style="list-style-type: none"> <li>• Monday to Thursday, from 08:00 hrs to 00:00 hrs</li> <li>• Friday and Saturday, from 08:00 hrs to 00:30 hrs the following day</li> </ul>

### Bar Ceylon - Nearest licences

E1 6BD	<ul style="list-style-type: none"> <li>• Friday and Saturday, from 08:00 hrs to 00:00 hrs</li> <li>• Sunday, from 08:00 hrs to 22:30 hrs</li> </ul> <p><b>The provision of late night refreshment - Indoor</b></p> <ul style="list-style-type: none"> <li>• Monday to Thursday, from 23:00 hrs to 23:30 hrs</li> <li>• Friday and Saturday, from 23:00 hrs to 00:00 hrs</li> <li>• (Sunday, no late night refreshment)</li> </ul>	<ul style="list-style-type: none"> <li>• Sunday, from 08:00 hrs to 23:00 hrs</li> <li>•</li> </ul>
(Mambow Ltd) 75 Commercial Street London E1 6BD	<p><b>The sale by retail of alcohol (On Sale Only)</b></p> <p>Monday to Sunday 12:00 – 22:30</p>	Monday to Sunday 11:30 to 23:00
Milroys 76 Commercial Street London E1 6LY	<p><u>Regulated entertainment.</u> (Live music and recorded music only). Sunday to Thursday 11:00 hours – 23:40 hours Friday &amp; Saturday 11:00 hours – 00:40 hours the following day.</p> <p><u>Sale of alcohol by retail.</u> Sunday to Thursday 11:00 hours – 23:40 hours Friday &amp; Saturday 11:00 hours – 00:40 hours the following day.</p>	Sunday to Thursday 11:00 hours - midnight Friday & Saturday 11:00 hours – 01:00 hours

# Appendix 6



Tom Lewis  
Head of Licensing  
Tower Hamlets Council

**HT - Tower Hamlets Borough**

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

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

07/12/2023

Dear Sir,

Central East Police Licensing formally object to the application for a Premises License Application for Ground Floor and Basement 57 Commercial Street. This objection is on the ground of preventing crime and disorder, public nuisance and protecting children from harm.

This is an application for premises license in the Brick Lane Cumulative Impact Zone, with the sale of alcohol, and regulated entertainment until midnight on a Friday and Saturday, and 11pm the rest of the week.

Yet the applicant has offered no conditions to uphold the licensing objectives, for each and every licensing objective the applicant has put the same thing:

***“Nothing beyond existing requirements.”***

The applicant has not said what these requirements are, and has failed to show he has any regard for his responsibilities under the licensing act. We believe it simply is not safe or right to grant a late license to an operator that has failed to offer the most basic of conditions like “Challenge 25” to protect Children.

The application does not say what the venue is going to be used for, restaurant, bar, nightclub, we simply do not know. I spoke to the applicant who said the venue was going to be a restaurant, yet if that is the case why have they asked for sale of alcohol and recorded music until 1am, but not asked for late night refreshment?

By having sale of alcohol and the ability to play recorded music the venue could be a late night bar on two levels in the heart of Shoreditch, an area with high levels of crime and anti-social behaviour compared to the rest of Tower Hamlets. We expect venues to be looked at their venue, their customers and identified the risks associated with running such a venue. The applicant has provided none.

We know how important it is for licensed premises to have plans and policies in place to deal with violent and aggressive customers, or those who are vulnerable, to have safe guarding policies in place, yet this venue has none. We also know that venues need to have dispersal plans to prevent disorder as people leave licensed premises, a time when people who have been drinking are particularly susceptible to being involved in alcohol related crime and disorder, but again the venue has none.

The council's new licensing policy says that venues should have such plans and risk assessments in place:

## 9.2

*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. The applicant should also list such steps that are required to deal with these identified issues. Both risks and mitigating steps 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.*

The applicant has not contacted Police Licensing prior to submitting the application or after submitting the application.

We believe that this application failed to show how it would uphold all the licensing objectives, and therefore believe that the application should be refused, as allowing a premises to sell alcohol and play music in the CIZ without any conditions or policies would lead to crime and disorder, public nuisance and risk harm to children.



Kind Regards

Mark



PC Mark Perry

Central East Licensing Unit

Metropolitan Police Service (MPS)

Email [REDACTED]

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

# Appendix 7

## Lavine Miller-Johnson

---

**Subject:** FW: 164298 MAU REPRESENTATION New premises license application Bar Ceylon, 57 Commercial Road, London  
**Attachments:** 164298 Bar Ceylon 57 Commercial Road.docx

---

**From:** Nicola Cadzow

**Sent:** Thursday, December 7, 2023 4:13 PM

**To:** Mohshin Ali <[REDACTED]>

**Cc:** 'MARK.J.Perry' <[REDACTED]>; 'mr.ramsey' <[REDACTED]>

**Subject:** 164298 MAU REPRESENTATION New premises license application Bar Ceylon, 57 Commercial Road, London

Dear Licensing,

Having considered the premises license application for Bar Ceylon, 57 Commercial Road, London, I have to consider the impact of the licensing objectives, particular for Environmental Protection the prevention of public nuisance and the prevention of noise generated from within the premises or outside to be causing disturbance to people in the vicinity, especially given the fact that the premises is within Brick Lane Cumulative Impact Zone.

Whilst the application is not for greater hours than the Council's framework hours, other than an extra 30 mins on a Sunday, there is insufficient information in the operating schedule in the licence application to show how the applicant will promote licensing objective for the prevention of public nuisance, when considering that the premises is in Brick Lane Cumulative Impact Zone.

**Noise Sensitive premises:** residential premises in close proximity to 57 Commercial Road, London (see attached image)

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

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

### **CONCLUSION**

Environmental Protection **does not** support the application Bar Ceylon, 57 Commercial Road, London for the following reasons:

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

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

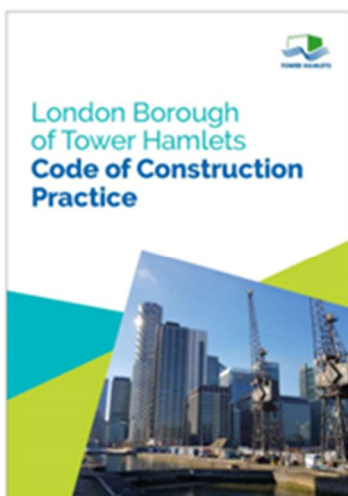
1. Loudspeakers shall not be located in the entrance lobby, or outside the premise building nor on ceilings. And anti-vibration mounts used is speakers attached to the walls
2. The premises license holder shall ensure that noise or vibration is not audible at the nearest noise sensitive premises.
3. All windows and external doors shall be kept closed at any time when regulated entertainment takes place, except for the immediate access & egress of persons.
4. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
5. Patrons permitted to temporarily leave and then re-enter the premises e.g. to smoke shall be limited to 8 persons at any one time.
6. 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.
7. The external area shall not be used after 22:30 hours, except for patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, and shall be limited to 8 persons at any one time.

Kind regards

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

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

Follow us on:  
[Facebook](#) | [Twitter](#) | [Linkedin](#) | [Instagram](#)



### Construction Code of Practice 2023

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

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



57 Commercial Steet, London  
F1 6RD

Residential Premises

# Appendix 8



TOWER HAMLETS

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

CC:  
Adam Ramse  
[REDACTED]

Communities Directorate  
Public Realm

Head of Environmental Health  
& Trading Standards: David  
Tolley

Enquiries to: Mohshin Ali  
Tel: [REDACTED]  
Email: [REDACTED]

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

7<sup>th</sup> December 2023

Your reference  
My reference: EHTS/LIC/L1U:164298/MA

Dear Licensing Authority,

### **Licensing Act 2003**

New premises licence application: Bar Ceylon, Basement & Ground Floor, 57 Commercial Street,  
London E1 6BD

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

#### **Special Cumulative Impact Policy for the Brick Lane**

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

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

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





objectives. Thus, it has declared a cumulative impact assessment within these areas.

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

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

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

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

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

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

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

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

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

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



### Licensable activities and times

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

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

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

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

### The Home Office guidance

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

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

- the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;
- any risk posed to the local area by the applicants' proposed licensable activities; and

- *any local initiatives (for example, local 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. For the performance of “Plays” the applicant has not stated whether this will be indoors or outdoors.
  2. The applicant has not offered any conditions in the operating schedule. There is no reference in the application to the premises being within the CIA and therefore no additional provisions, on how the applicant intends to uphold the licensing objectives, to demonstrate how the premises will not have a negative effect on the already saturated area.
  3. There is no indication in the application form what capacity of the premises will be.
  4. There are no arrangements to prevent vertical drinking, for example fully seated venues.
  5. Licensable activities are proposed to continue until the premises closes to the public. In relation to the sale of alcohol, it is difficult to see how the licence holder will ensure that the licence conditions are met. The problem of course is that if sales continue until the last minute the premises cannot be emptied on time so the applicant is advised to consider a break between the end of the licensable activities and the time the premises closes to the public.

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 and therefore 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. *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.*
6. *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.*
7. *There shall be no “vertical drinking” of alcohol at the premises*
8. *When the designated premise supervisor is not on the premises any or all persons authorised to sell alcohol will be authorised by the designated premises supervisor in writing. This shall be available on request by the Police or any authorised officer.*

Yours sincerely



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

# Appendix 9



3rd November 2023

London Borough of Tower Hamlets  
Licensing Team  
Environmental Health & Trading Standards  
160 Whitechapel Road  
London  
E1 1BJ  
[licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)

Sent via Email

**Re: Formal objection to the proposed licencing application for Bar Ceylon, 57 Commercial Street, E1 6BD**

Dear Licensing Team

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

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

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

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

### **Formal Objection**

SPIRE raises a formal objection to the proposed application for an alcohol licence of **Bar Ceylon, 57 Commercial Street, E1 6BD** ("the Premise").

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

After consultation with the SPIRE committee and many local residents groups SPIRE objects to a new alcohol licence being awarded in the current form..

Residents have concerns that there could be a rise in noise and public nuisance in what is already a saturated area.

I have had communications with the applicant and they are proposing a unique restaurant experience. The applicant has agreed to the addition of two conditions being attached, **no vertical drinking** and **alcohol only to be sold with food**.

In the event of these safeguards being attached to the licence SPIRE would withdraw this objection.

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

Yours sincerely

Christopher Lloyd  
Vice Chair, SPIRE

[Redacted signature]

# Appendix 10

## Lavine Miller-Johnson

---

**Subject:** FW: Licensing Application from Bar Ceylon, 57 Commercial Street, E1 7BD

---

**From:** Alan Williams <[REDACTED]>  
**Sent:** Friday, November 3, 2023 6:37 AM  
**To:** Licensing <[Licensing@towerhamlets.gov.uk](mailto:Licensing@towerhamlets.gov.uk)>  
**Subject:** Licensing Application from Bar Ceylon, 57 Commercial Street, E1 7BD

For the Licensing Team

I write to object to the application from Bar Ceylon for a licence to serve alcohol between the hours of 1100-2300 on Monday to Thursday and Sunday, and from 1100 to 2400 on Friday and Saturday.

This application includes an off-licence.

The Bar Ceylon premises are within the Brick Lane Cumulative Impact Zone.

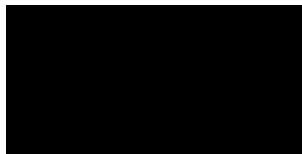
Bar Ceylon risks increasing what are already ongoing problems from anti-social behaviour and noise pollution suffered by residents.

The neighbourhood in question is already saturated with bars and restaurants.

But, if the applicant were to agree that no vertical drinking will be permitted within the premises and that alcohol will only be served with food; and also to undertake to ensure that its employees adhere strictly to the Council's licensing objectives, then with those conditions applied, I would be willing to withdraw my objection.

Would you please redact my details from any electronic publication of this letter. Thank you.

**Alan Williams**





# Appendix 11

## Lavine Miller-Johnson

---

**From:** Licensing  
**Sent:** 03 November 2023 11:00  
**To:** Lavine Miller-Johnson  
**Subject:** FW: Licensing Application from Bar Ceylon, 57 Commercial Street, London E1 7BD

---

**From:** John and Sandy Critchley [REDACTED]  
**Sent:** Thursday, November 2, 2023 10:32 PM  
**To:** Licensing <Licensing@towerhamlets.gov.uk>  
**Cc:** Critchley, Sandy [REDACTED]; Critchley, main [REDACTED]  
**Subject:** Licensing Application from Bar Ceylon, 57 Commercial Street, London E1 7BD

Dear Licensing Team,

Licensing Application from Bar Ceylon, 57 Commercial Street, E1 7BD

I am writing to register my objection in principle to the application from Bar Ceylon for a London Borough of Tower Hamlets licence to serve alcohol between the hours of 1100-2300 on Monday to Thursday and Sunday, and from 1100 to 2400 on Friday and Saturday.

The neighbourhood in question is already saturated with bars and restaurants and the restaurant would be located within the Brick Lane Cumulative Impact Zone. Bar Ceylon risks exacerbating ongoing problems suffered by residents from anti-social behaviour and noise pollution.

However, I understand that the applicant has agreed that no vertical drinking will be permitted within the premises and that alcohol will only be served with food. He has also undertaken to ensure that employees adhere strictly to the Council's licensing objectives.

If the above conditions were applied, I would be happy to withdraw my objection and support the application.

With very best regards,  
Sandy Critchley

[REDACTED]  
[REDACTED]

# Appendix 12

**Section 182 Advice by the Home Office  
Updated on August 2023**

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 13

## Licensing Policy Section 11

### Prevention of Public Nuisance

- 11.1 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.
- 11.2 Like many London boroughs, Tower Hamlets has many areas of the borough where businesses and residents are “cheek by jowl” with each other. Thus, the correct balance needs to be adopted ensuring residents are not unduly disturbed by licensed premises, whilst ensuring this does not stifle growth in the licence trade.
- 11.3 Though all licensed premises must promote the licensing objectives, and thus actively try to prevent public nuisance being caused by their licensable activities, there are some factors that this Licensing Authority would expect to applicants to consider and where appropriate address in their operating schedule. These are:
- a) Music/performances  
Measures to reduce impact of noise on residents
  - b) Queue management  
Measure to prevent obstruct access to properties, pavements. Measure to reduce the impact of people noise on residents
  - c) Ingress and Egress  
Measure to prevent people noise during ingress and egress
  - d) Use of outside areas (see 11.7 below)
  - e) Deliveries, particularly pick-ups by vehicles  
Measures to prevent noise/fumes from engines, drivers (including smoking),
  - f) Bottle disposal  
Done at reasonable time to prevent impact on residents e.g. between 8am and 8pm
  - g) Litter  
Measures to prevent littering around the venue from patrons
- 11.4 The Licensing Authority appreciates that it would not be necessary or appropriate for all applications to have measures to prevent the above issues. Nevertheless, we will take a strong view on applications for licences that are in close proximity to residential premises, and whose intended use has a higher likelihood of causing public nuisance. This also includes those applications in areas covered by a Cumulative Impact Assessment (CIA). Especially where the applications falls outside the scope of any exceptions to such CIAs.
- 11.5 The Licensing Authority, where its discretion is engaged, will consider, where appropriate, attaching conditions to licences and permissions to prevent the

problems identified listed above, or any other conditions it considered appropriate and proportionate to promote the licensing condition of prevention of public nuisance.

- 11.6 **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 Councils 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.
- 11.7 **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.
- 11.8 **Beer Gardens and outside areas** – since the ending of the restrictions imposed during the Coronavirus pandemic, we have seen an increase the use of outside areas. This has also been encouraged by Government under the Business and Planning Act 2020. We want to strike the right balance between allowing businesses to thrive whilst still protecting residents of the borough being unduly disturbed by the night time economy. Hence, we would encourage applicants address this concern in their operating schedule by detailing what mitigating measures they intend adopt to reduce any disturbance the use of the outside area is likely to have on neighbouring residents. Such measures could include:
- limiting the amount of patrons permitted in the outside area, and/or,
  - restricting the use of areas after a certain time,
  - ceasing its use after a certain time.
- Where disturbance of residents from outside areas is likely, and where its discretion is engaged, this Licensing Authority may add conditions limiting the numbers of person permitted to use any outside areas, and/or seek to cease the use of any outside areas after 21:00 hours.
- 11.9 **Party Boats** – An increasing number of complaints have been received in London Boroughs that boarder the River Thames in relation to "Party Boats", which use the River. In respect of this we would encourage applicants for Party Boats to consider adopting the "Boat" conditions, listed in our Model Conditions in Appendix 3, where appropriate to promote the Licensing Objective of Prevention of Public Nuisance. Furthermore, where disturbance of residence from these party boats is likely, and where its discretion is engaged, this Licensing Authority may add one or more of the boat conditions from our Model Conditions.



# Appendix 14

# 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 15

## Licensing Policy Section 9

### Crime and Disorder

- 7.1 Licensed premises, especially those offering late night / early morning entertainment, alcohol and refreshment for large numbers of people, can be a source of crime and disorder problems and to store prescribed information.
- 7.2 When addressing crime and disorder the applicant should initially identify any particular issues (having regard to their particular type of premises and / or activities) which are likely to adversely affect the promotion of the crime and disorder licensing objective. The applicant should also list such steps that are required to deal with these identified issues. Both risks and mitigating steps 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 Conditions in Appendix 3.
- 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 conditions from our model conditions in appendix 3, to prohibit 'touting':-

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.

7.9 **Psychoactive Substances, e.g. Nitrous Oxide (NOx)** – Misuse of nitrous oxide is associated with increased antisocial behaviour including littering, noise nuisance and vandalism, all of which are detrimental to residents' quality of life and feelings of safety. Use of nitrous oxide is also a health concern and has other associated harms.

As a result, this Licensing Authority expects Licence Holders to refuse entry to any person seen use or selling NOx as a psychoactive Substance. Refusals should also be entered into Licence Holders refusals logs.

Where its discretion is engaged this Licensing Authority impose conditions to formally require refusal of persons seen selling or using NOx as a psychoactive Substance.

7.10 **Drinks spiking** – in reference to the Local Governments Association (LGA) Guidance note on drink spiking prevention, this Licensing Authority expects licence holders and applicants to have a zero-tolerance policy towards drinks spiking. This involves as a minimum ensuring all reports of spiking are acted upon and that all incidents of alleged spiking are recorded and reported to the police. Licence holders and applicants should also be aware of the Metropolitan Police's definition of drink spiking:

"Spiking is where someone adds drugs or alcohol to another person's drink without them knowing, it is illegal."

The LGA has set some recommendations for Licence holder, and we would expect our Licence holders to follow these where appropriate to their venues:

<https://www.local.gov.uk/publications/lga-guidance-note-drink-spiking-prevention#recommended-actions-for-licensed-premises->

Applicants for new and variations of exiting licences as well as those submitting TENs are expected to work with the Metropolitan Police in order to consider actions needed to prevent drinks spiking in their venues/events

Where its discretion is engaged this Licensing Authority will impose conditions on licences aimed at preventing drinks spiking, specifically any recommended by the metropolitan police.

7.11 **Welfare and Vulnerability** – This Licensing Authority believes that all Licensed venues should train their staff in Welfare and Vulnerability Engagement (WAVE). As of 2023 this Licensing Authority in partnership with the Metropolitan Police and the London Borough of Hackney is delivering monthly WAVE training sessions for Licensed venues within both Tower Hamlets and Hackney. As a result, we expect that all Licensed venues who sell alcohol for consumption on their premises should train their staff in WAVE and adopt Ask for Angela or similar initiatives aimed at assisting vulnerability within alcohol licensed venues.

7.12 **Sexual Harassment in the Night Time Economy** – sadly this is still an issues for women working in and visiting licensed venues in London. As a result, this Licensing Authority encourages Licensed venues to sign up to the Mayor of London’s Women’s Night Safety Charter:

<https://www.london.gov.uk/programmes-strategies/arts-and-culture/24-hour-london/womens-night-safety-charter>

As well as the Women’s Night Safety Charter we would encourage applicants and licence holders to discuss applications with the Council’s Violence Against Women and Girls Service, who can provide advice and training to venues on preventing misogyny within licensed premises.

Lastly, we expect Licence Holders to take a zero-tolerance approach to misogyny within their venues where this is towards customers or employees. We would expect licence holders to refuse to serve persons who commit acts of sexual harassment, even in the first instance, and report the matter to the Metropolitan Police.

7.13 **Party Boats** – An increasing number of complaints have been received in London Boroughs that boarder the River Thames in relation to “Party Boats”, which use the River. In respect of this we would encourage applicants for Party Boats to consider adopting the conditions listed in our Model Conditions in Appendix 3, where appropriate to promote the Licensing Objective of Prevention of Crime and Disorder. Furthermore, where its discretion is engaged, this Licensing Authority may add one or more of the boat conditions from our Model Conditions.

7.14 **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.

- 7.15 The Licensing Authority is mindful of the Secretary of State's Guidance "Reviews arising in connection with crime".
- 7.16 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>.
- 7.17 **Smuggled Goods** – The Licensing Authority will exercise its discretion to add conditions to licence where appropriate and proportionate to reduce the risk of receiving smuggled goods and encourage traceability.
- 7.18 **Olympic Park (Football Ground)** – Premises where Police intelligence shows that football supporters congregate within the borough should consider adding the Olympic Park – Football Ground conditions in our Model Conditions in appendix 3.



# Appendix 16

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

Updated December 2022

## Crime and disorder

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

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

# Appendix 17

## 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 5.14 and 5.15 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 9.2 of the Licensing Policy**)

The Licensing Authority will consider attaching conditions to deter crime and disorder and may be draw from the Model Conditions in **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 20 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).

Licence conditions should not duplicate other legislation (1.16).

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

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

## Other Legislation

### Crime and Disorder Act 1998

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

The Act also introduced a wide range of measures designed to address 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 18



## 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:

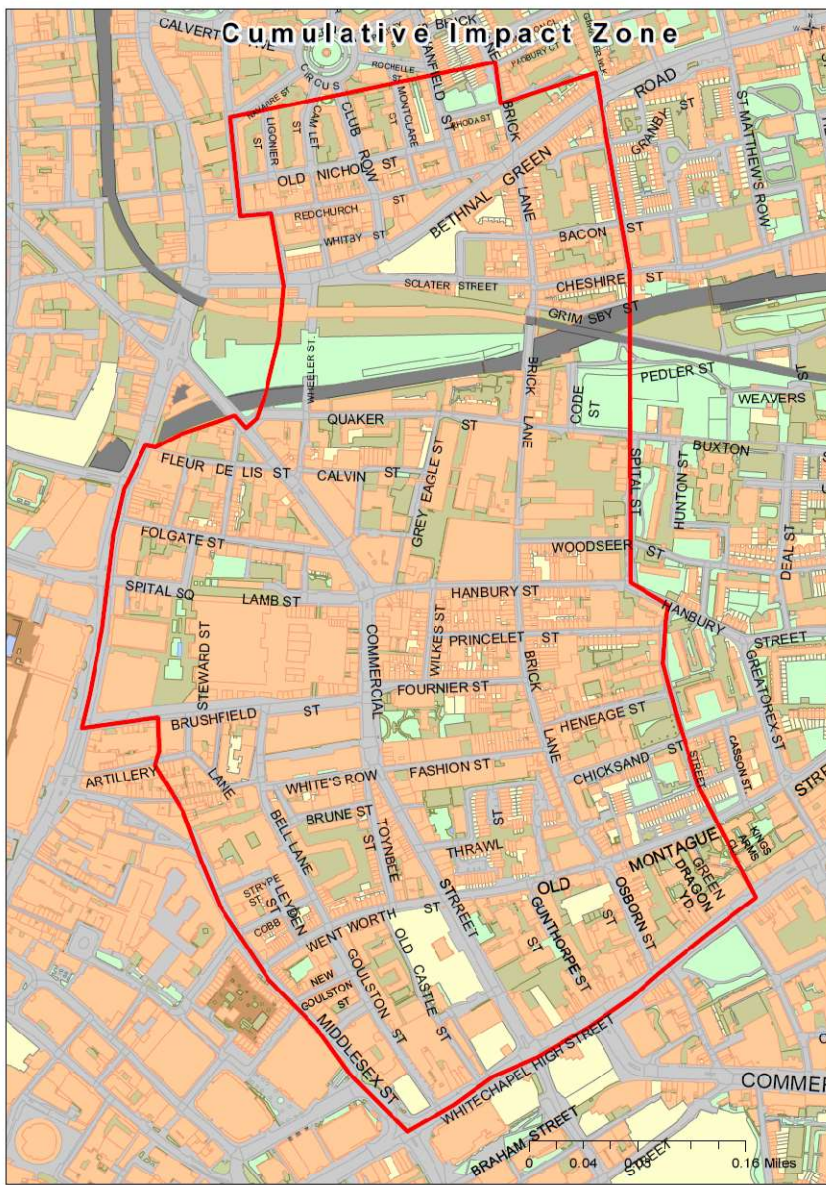
- that the premises will be well managed and run,
- that the premises will be constructed to a high standard,
- that the applicant operates similar premises elsewhere without complaint.

**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**

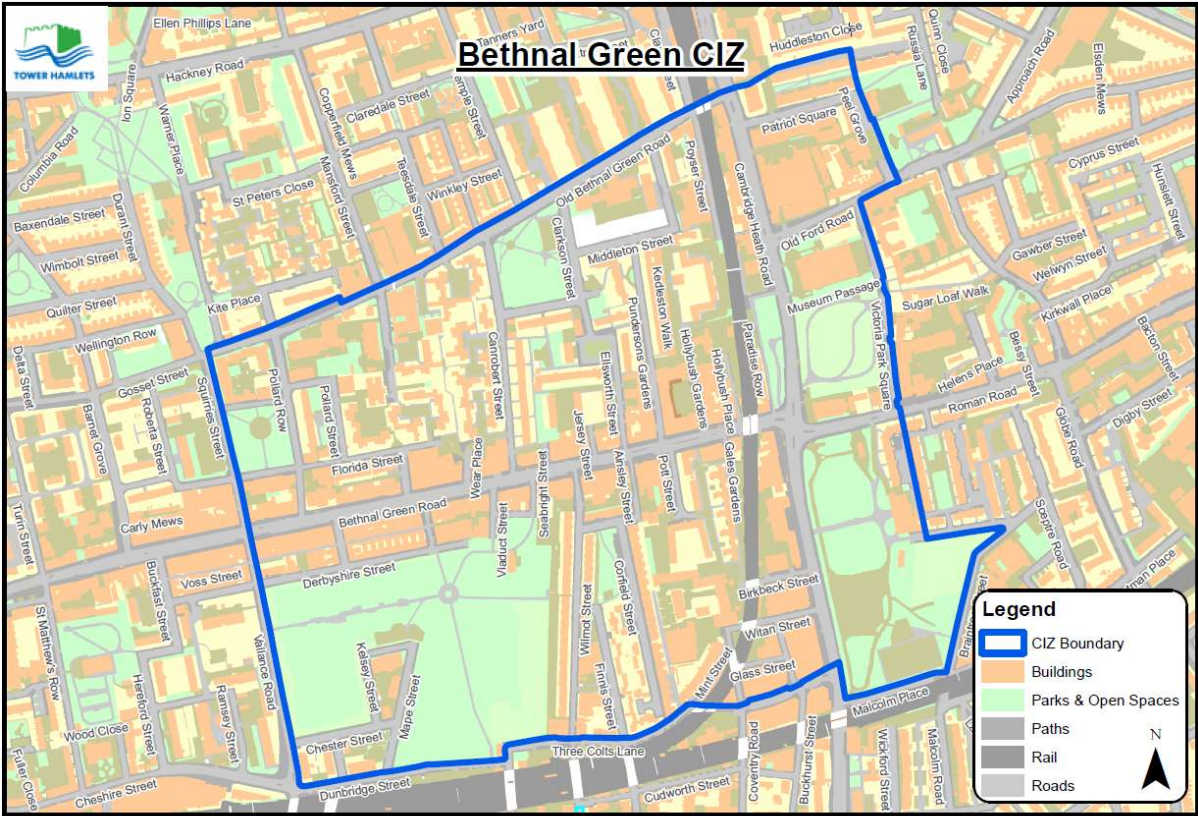
**Brick Lane area:**



**Figure Two:**

**Bethnal Green Area**





# Appendix 19

## **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 16.8 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 16.9 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 20



## **Planning**

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

This page is intentionally left blank

# Agenda Item 5

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

Report of: <b>David Tolley Head of Environmental Health &amp; Trading Standards</b>  Originating Officer: <b>Lavine Miller-Johnson Licensing Officer</b>	Title: <b>Licensing Act 2003 Application for a new Premise Licence for Princelyn Grocery &amp; Restaurant 477 Bethnal Green London E2 9QH</b>  Ward affected: <b>Bethnal Green West</b>
--	---

## 1.0 **Summary**

Applicant: **Princelyn Garden LTD**

Name and **Princelyn Grocery & Restaurant**

Address of Premises: **477 Bethnal Green Road London E2 9QH**

Licence sought: **Licensing Act 2003  
Sales of Alcohol  
Regulated Entertainment  
Late Night Refreshment**

Objectors: **Environmental Protection & Licensing**

## 2.0 **Recommendations**

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

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

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

File  
Section 182 Guidance  
LBTH Licensing Policy

Lavine Miller-Johnson  
020 7364 2665

### 3.0 **Background**

- 3.1 This is an application within the Bethnal Green CIA, for a new Premise Licence for, 477 Bethnal Green Road London E2 9QH.
- 3.2 The applicant has described the premises as a African Caribbean Grocery store with a restaurant for eat in and take away.
- 3.3 A copy of the application is shown in **Appendix 1**.
- 3.4 The hours applied for are as follows:

#### **Regulated Entertainment (Recorded Music) (Indoors)**

Friday and Saturday from 23:00 hours to 00:30 hours

#### **Late Night Refreshments**

Friday and Saturday from 23:00 hours to 00:30 hours

#### **Sales of Alcohol (on sales only)**

Sunday to Thursday from 10:00 hours to 23:30 hours

Friday to Saturday from 10:00 hours to 00:30 hours

#### **Nonstandard timings**

Christmas Eve / Christmas Day 23:00 hours to 02:30 hours

New Years Eve / New Years Day 23:00 hours to 02:30 hours

#### **Opening times**

Sunday to Thursday from 10:00 hours to 00:00 hours

Friday to Saturday from 10:00 hours to 01:00 hours

#### **Nonstandard timings**

Christmas Eve / Christmas Day 23:00 hours to 03:00 hours

New Years Eve / New Years Day 23:00 hours to 03:00 hours

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

- 4.1 A copy of the site plan is included as **Appendix 2**.
- 4.2 Maps showing the vicinity are included as **Appendix 3**.
- 4.3 Photographs of the premises are included in **Appendix 4**.
- 4.4 Details of other licensed venues in the immediate vicinity are included as **Appendix 5**.

## 5.0 Licensing Policy and Government Advice

- 5.1 The Council has adopted a licensing policy and this is available from the Licensing Section, and at the hearing. The revised policy came into effect on 1<sup>st</sup> November 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](http://www.homeoffice.gov.uk). It was last revised in April 2018.
- 5.4 Relevant Sections of this advice are brought to Members attention within the Licensing Officers report. Members should note however, that in some areas Tower Hamlets, after a proper consideration of local circumstances, has not followed the Government's advice, or has developed it further.

## 6.0 Representations

- 6.1 All representations have to meet basic legal and administrative requirements. If they fail to do so they cannot be accepted. When rejected the person sending in the representation must be written to, and an explanation for rejection given in writing.
- 6.2 A responsible authority or other person can make a representation. There are two tests for other persons and only one for a responsible authority. The two tests are contained in Section 18 of the Act.
- 6.3 All representations must be "about the likely effect of the grant of the premises licence on the promotion of the licensing objectives." Likely means something that will probably happen, i.e. on balance more likely than not.
- 6.4 Representations by responsible authorities do not have to meet the second test of not being vexatious and frivolous. Other persons have to meet this test.
- 6.5 The Home Office recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation.
- 6.6 Section 182 Advice by the Home Office concerning relevant, vexatious and frivolous representations is attached as **Appendix 8**.
- 6.7 All the representations in this report have been considered by the relevant officer (Team Leader Licensing & Safety) and determined to have met the requirements of the Licensing Act 2003.

- 6.8 This hearing is required by the Licensing Act 2003, because relevant representations have been made by the following.
- Nicola Cadzow (**Environmental Protection**) – **Appendix 6**
  - Corinne Holland (**Licensing**) – **Appendix 7**
- 6.9 All of the responsible authorities have been consulted about this application. They are as follows:
- The Licensing Authority
  - The Metropolitan Police
  - The LFEPA (the London Fire and Emergency Planning Authority).
  - Planning
  - Health and Safety
  - Noise (Environmental Health)
  - Trading Standards
  - Child Protection
  - Public Health
  - Home office (Immigration Enforcement)
- 6.10 In addition the application was required to be advertised in a local newspaper and by a blue poster. Only objections that relate to the following licensing objectives are relevant:
- the prevention of crime and disorder
  - public safety
  - the prevention of public nuisance
  - the protection of children from harm
- 6.11 The objections relate to:
- Public nuisance
  - ASB
- 6.12 Essentially, the relevant parties oppose the application because the applicant has not explained how within the context of the application they will meet licensing objective of the prevention of public nuisance and the prevention of crime and disorder.
- 6.13 There are strict time limits to any representations. The time limits are contained in The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005.
- 6.14 The applicant has offered measures in the operating schedule of the application that address the promotion of the Licensing Objectives. If there were no representations, the Licensing Authority would grant the licence, with conditions consistent with the operating schedule, which are relevant, proportionate and enforceable. Members are asked to consider the schedule and incorporate any conditions as necessary to address the licensing objectives.

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

1. A CCTV System shall be installed at the premises. The Camera will cover both the internal and external parts of the premises.
2. Recording must be constant and kept for a minimum of 31 days the dates and time settings on the CCTV must be correct.
3. A trained member of Staff will be on duty to operate the system whenever the premises is open.
4. A signage will be displayed at the premises reminding customers of the presence and recording of a CCTV System.
5. Management will ensure staff members are adequately trained on strategies to manage any form of anti-social behaviour.
6. Prominent notices will be displayed near the exit routes requesting customers to leave promptly and quietly.
7. Customers will be reminded to have respect for the neighbours of other adjoining businesses when they are leaving the premises.
8. Deliveries of Stock shall be made during the daytime (10am - 4pm). Waste shall be disposed responsibly so as not to disturb other businesses in the neighbourhood.
9. A 'Challenge 25' shall be operated as the age verification policy at the premises.
10. The premises will allow accompanied children on the premises until 21:00 Hours.
11. Refusals shall be documented, and record of refusals will record the date, time of refusal, and the name of the staff that refused the sale.
12. Training records shall be kept on the premises and made available on request by the Police and authorized officers of Tower Hamlets Council.

## **8.0 Conditions Agreed/Requested by Responsible Authority (Licensing)**

N/A

### **1. Licensing Officer Comments**

- (a) 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.

(b) 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)
- (c) 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.
  - (d) In all cases the Members should make their decision on the civil burden of proof, that is “the balance of probability.”
  - (e) 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.
  - (f) 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)
  - (g) The Council’s Licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.
  - (h) In **Appendices 8 – 14** 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.

## 2. Legal Comments

- (a) The Council’s legal officer will give advice at the hearing.

## 3. Finance Comments

- (a) There are no financial implications in this report.

#### **4. Appendices**

<b>Appendix 1</b>	A copy of the application
<b>Appendix 2</b>	Copy of site plan
<b>Appendix 3</b>	Maps of the surrounding area
<b>Appendix 4</b>	Photographs of the premises
<b>Appendix 5</b>	Other licensed premises in the area
<b>Appendix 6</b>	Representation from Environmental Protection
<b>Appendix 7</b>	Representation from Licensing Officer
<b>Appendix 8</b>	Section 182 Advice by the DCMS- Relevant, vexatious and frivolous representations
<b>Appendix 9</b>	Licensing Officer comments on public nuisance
<b>Appendix 10</b>	S182 advice on public nuisance
<b>Appendix 11</b>	ASB leaving the premises
<b>Appendix 12</b>	CIA Policy
<b>Appendix 13</b>	Licensing Policy relating to hours of trading
<b>Appendix 14</b>	Planning

# Appendix 1

**Section 1 of 21**

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

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

Yes  No

**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

Registration number

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

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

Legal status

**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.

**Your Address**

Address official correspondence should be sent to.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

Continued from previous page...

**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	PRINCELYN GROCERY & RESTAURANT
Street	477 BETHNAL GREEN ROAD
District	BETHNAL GREEN
City or town	LONDON
County or administrative area	TOWER HAMLETS
Postcode	E2 9QH
Country	United Kingdom

**Further Details**

Telephone number	
Non-domestic rateable value of premises (£)	32,500

**Section 3 of 21**

**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

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

**Confirm The Following**

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

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.

AFRICAN / CARRIBEAN GROCERY STORE WITH A RESTAURANT FOR EAT - IN AND TAKE AWAY LOCATED ON THE BETHNAL GREEN HIGH ROAD.



*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.

UNAMPLIFIED MUSIC

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.

N/A

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.

CHRISTMAS' EVE / CHRISTMAS DAY - 23:00 - 02:30 HOURS  
NEW YEARS' EVE / NEW YEARS' DAY - 23:00 - 02:30 HOURS

**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

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start  End   
Start  End

SATURDAY

Start  End   
Start  End

SUNDAY

Start  End   
Start  End

Will the 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.

UNAMPLIFIED

State any seasonal variations

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

N/A

Non-standard timings. Where the premises will be used for the supply of 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.

CHRISTMAS' EVE / CHRISTMAS DAY - 23:00 - 02:30 HOURS  
NEW YEARS' EVE / NEW YEARS' DAY - 23:00 - 02:30 HOURS

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

Yes       No

Continued from previous page...

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises       Off the premises       Both

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

State any seasonal variations

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

N/A

*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.

CHRISTMAS' EVE / CHRISTMAS DAY - 23:00 - 02:30 HOURS  
NEW YEARS' EVE / NEW YEARS' DAY - 23:00 - 02:30 HOURS

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

**Name**

First name

Family name

Date of birth  /  /   
dd mm yyyy

**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'.

Continued from previous page...

**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

SUNDAY

Start

End

Start

End

State any seasonal variations



**Continued from previous page...**

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

N/A

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

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

CHRISTMAS' EVE / CHRISTMAS DAY - 23:00 - 03:00 HOURS  
NEW YEARS' EVE / NEW YEARS' DAY - 23:00 - 03:00 HOURS

## 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.

We have read and understood Tower Hamlets' Licensing Policy (2023-2028) which came into force on the 1st of November 2023. The premises will promote all the four Licensing Objectives by first complying with other legislations such as, Food Safety Act 1990, Health & Safety At Work Act 1974, The Regulatory Reform (Fire Safety) Order 2005, Employment Act, Equality Act, etc. In order to deter crime and militate against disorder, a CCTV System will be installed at the premises. The CCTV will cover all internal and external areas of the premises, and it will record images of those coming in around the vicinity of the premises. It will be capable of capturing facial recognitions in all lighting conditions. Apart from preventing and detecting crime, it is also an important tool for public safety at the premises. Appropriate risk Assessments has been carried out against the Licensing objectives at the premises. Adequate number and types of fire extinguishers will be provided as well as fire doors, fire alarm, and smoke alarm systems. All these will be serviced and maintained. Fire drills will be carried out at set frequencies. Staff will be trained on use of fire extinguishers, and evacuation procedures.

b) The prevention of crime and disorder

A CCTV System shall be installed at the premises. The Camera will cover both the internal and external parts of the premises. Recording must be constant and kept for a minimum of 31 days the dates and time settings on the CCTV must be correct. A trained member of Staff will be on duty to operate the system whenever the premises is open. A signage will be displayed at the premises reminding customers of the presence and recording of a CCTV System. Management will ensure staff members are adequately trained on strategies to manage any form of anti-social behavior.

c) Public safety

The Management of the premises shall ensure at all times, the safety and comfort of patrons at the premises. Adequate ventilation and illumination to be provided. Fire notices and fire procedures will be clearly displayed at the premises, while highlighting the fire exits signage and exit routes. Emergency lighting systems will be installed and maintained. Fire - Fighting equipment shall be frequently serviced and maintained, while fire drills will be carried out to test alarm systems and implement the Fire procedures. Staff will be trained on evacuation procedures and the use of all fire- fighting equipment, shall be well kept and maintained. An adequately stock First Aid Box shall be provided and kept at the premises. Lighting conditions shall be kept in good order, while all electrical equipment will be tested and certified by qualified professional. Public liability Insurance will be undertaken and regularly reviewed based on risk assessment.

d) The prevention of public nuisance



*Continued from previous page...*

ominent notices will be displayed near the exit routes requesting customers to leave promptly and quietly. Customers will be reminded to have respect for the neighbors of other adjoining businesses when they are leaving the premises. Deliveries of Stock shall be made during the day time (10am - 4pm). Waste shall be disposed responsibly so as not to disturb other businesses in the neighbourhood.

e) The protection of children from harm

A 'Challenge 25' shall be operated as the age verification policy at the premises. The premises will allow accompanied children on the premises until 21:00 Hours. Refusals shall be documented and record of refusals will record the date, time of refusal, and the name of the staff that refused the sale. Training records shall be kept on the premises and made available on request by the Police and authorized officers of Tower Hamlets Council.

## **Section 19 of 21**

### **NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

*Continued from previous page...*

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

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

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

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

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

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

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

*Continued from previous page...*

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

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

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

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

*Continued from previous page...*

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

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

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

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

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

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

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

## **Section 20 of 21**

### **NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

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

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

*Continued from previous page...*

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

## Section 21 of 21

### PAYMENT DETAILS

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

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

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](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 (£)

190.00

## DECLARATION

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

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

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

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

\* Full name

OLU OLUSOLA

\* Capacity

AGENT

\* Date

04 / 11 / 2023  
dd mm yyyy

Add another signatory

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

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

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

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

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

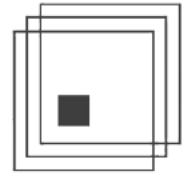
**OFFICE USE ONLY**

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

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

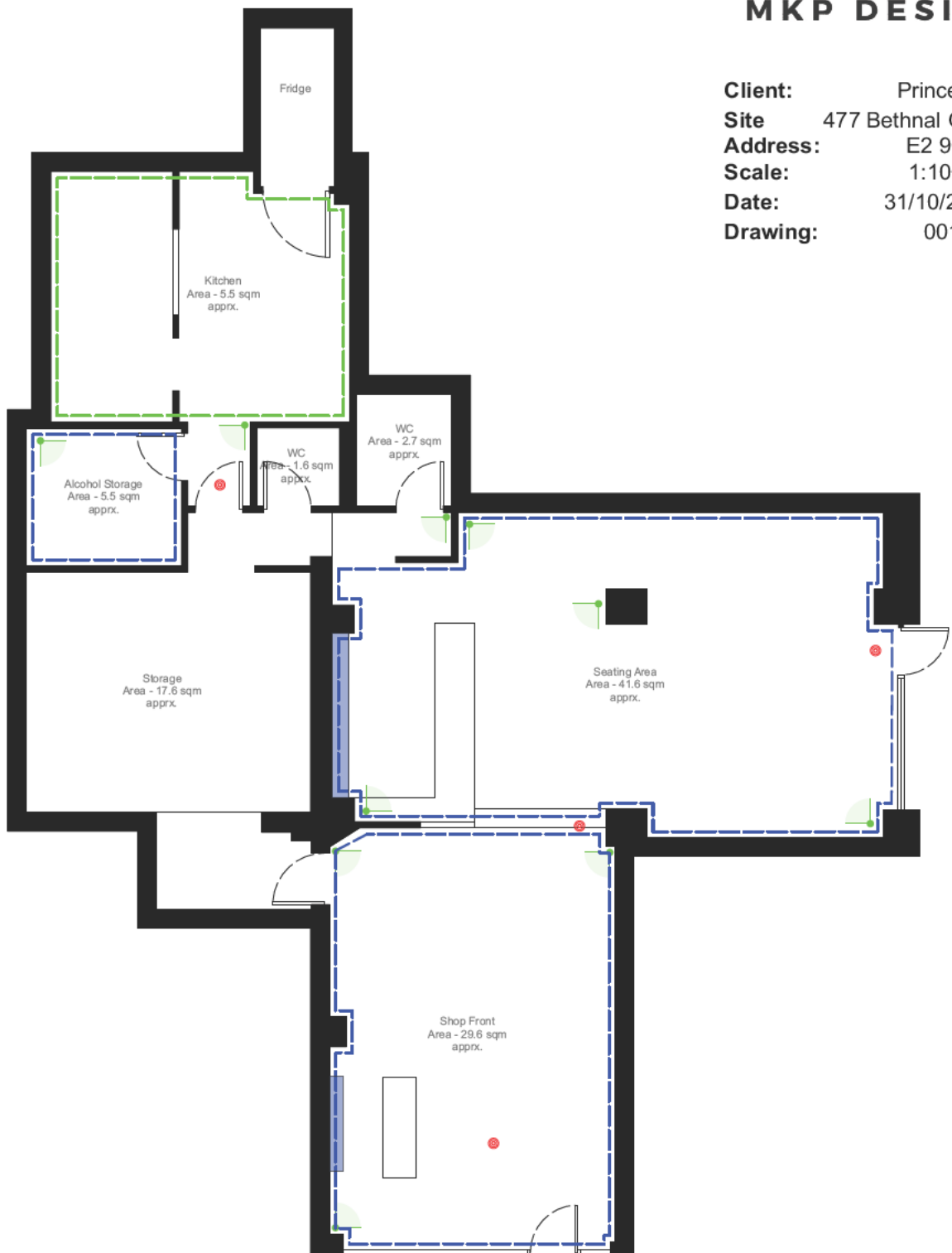





# Appendix 2

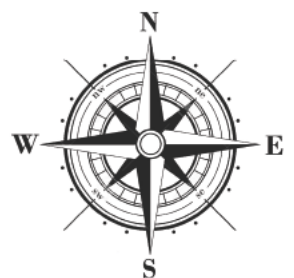
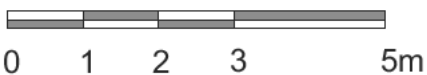


# MKP DESIGN

**Client:** Princelyn  
**Site:** 477 Bethnal Green Road  
**Address:** E2 9QH  
**Scale:** 1:100  
**Date:** 31/10/2023  
**Drawing:** 001

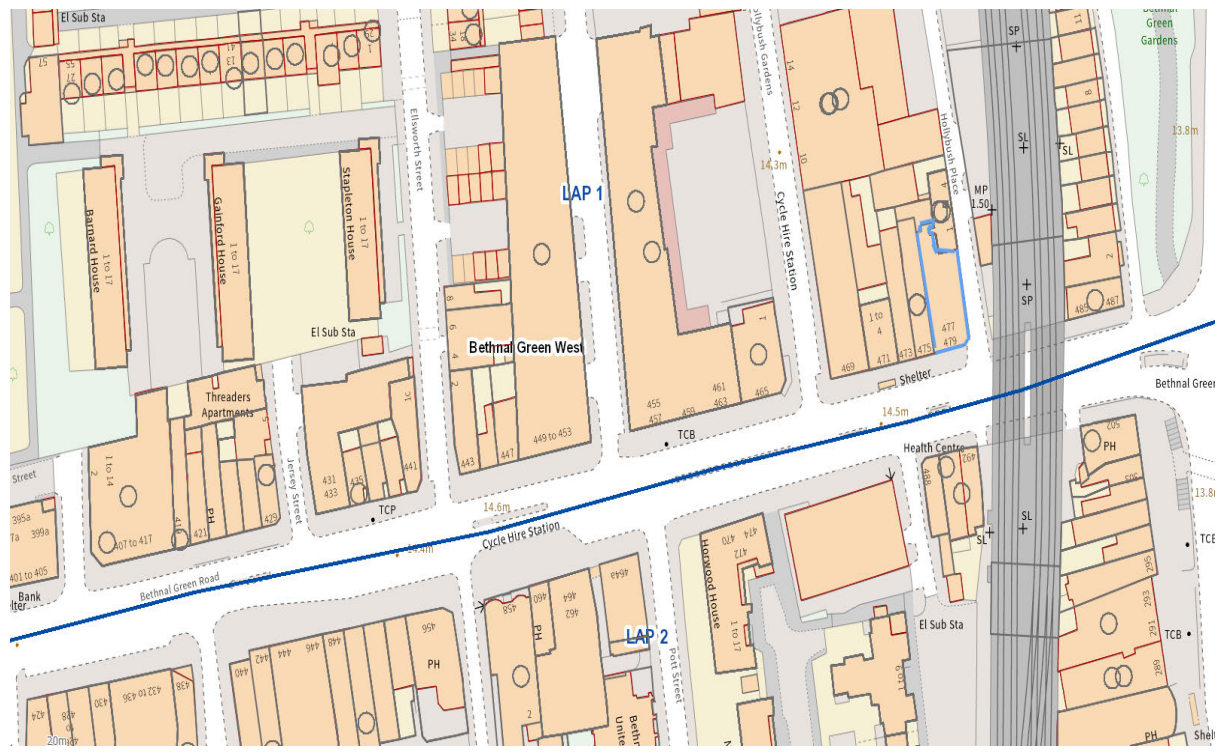


-  Alcohol Service Area
-  location of Kitchen/Cookign Area
-  Camera location and direction



# Appendix 3

# 477 Bethnal Green Road - Maps



# Appendix 4

477 Bethnal Green Road - Images of the premises



LONDON BOROUGH OF TOWER HAMLETS  
LICENSING ACT 2003



**NOTICE OF APPLICATION FOR A PREMISES LICENCE**  
Notice is given that **PRINCELYN GARDENS LTD**  
has applied to London Borough of Tower Hamlets Licensing  
Authority for a Premises Licence under  
the Licensing Act 2003.

<b>Premises</b>	<b>PRINCELYN GROCERY &amp; RESTAURANT</b> 477 BETHNAL GREEN ROAD LONDON E2 9QH
<b>The Licensable Activities and Timings are:</b>	<b>Retail Sale of Alcohol (On &amp; Off):</b> Sunday-Thursday: 10:00 – 25:30 Hours Friday-Saturday: 10:00 – 00:30 Hours <b>Regulated Entertainment (Recorded Music):</b> Friday-Saturday: 23:00 – 00:30 Hours <b>Late Night Refreshment:</b> Friday-Saturday: 23:00 – 00:30 Hours

Anyone who wishes to make representations regarding this application must give notice in writing to: **Licensing Team, Environmental Health & Trading Standards Tower Hamlets Town Hall, 160 Whitechapel Road London E1 1BJ** email: [licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)  
Website: [www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk) Tel: 020 7364 5008

**Representations must be received no later than 02 / 12 / 2023**

The Application Record and Register may be viewed between 10am and 4pm Monday to Friday during normal office hours at the above address.

*It is an offence under Section 158 of the Licensing Act 2003, knowingly or recklessly to make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence is up to level 5 on the standard scale (£5000)*

# Appendix 5



## Princelyn Grocery & Restaurant - Nearest licences

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

## Princelyn Grocery & Restaurant - Nearest licences

	<p>notice is to be given to the local authority.</p> <p>(a) the permitted hours shall end at midnight . . . on any day on which music and dancing is not provided after midnight; and</p> <p>(b) on any day that music and dancing end between midnight and 02 00 hrs the permitted hours shall end when the music and dancing end</p> <p>Recorded Music and Private Entertainment</p> <p>The hours of recorded music only and private entertainment are not restricted</p> <p>Hot food and hot drinks</p> <p>Hot food and hot drinks may be sold for up to thirty minutes after the end of normal permitted hours</p> <p>On and off sales</p>	
<p>Tesco Bethnal Green Metro (02092)) 361 Bethnal Green Road London E2 OAN</p>	<p>Alcohol shall not be sold or supplied except during permitted hours.</p> <p>In this condition, permitted hours means:</p> <p>On Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday for 24 hours a day.</p> <p><a href="#">For conditions relating to times re off sales see Mandatory Conditions</a></p> <p>Off sales only</p>	<p>On Monday from 08:00 hours until 24:00 hours</p> <p>On Tuesday, Wednesday, Thursday and Friday from 07:00 hours until 24:00 hours</p> <p>On Saturday from 08:00 until 22:00 hours</p> <p>On Sunday from 10:00 hours until 16:00 hours</p> <p style="text-align: center;">•</p>
<p>(Nando's) 366 Bethnal Green Road London E2 OAH</p>	<p>Sale by retail of alcohol:</p> <ol style="list-style-type: none"> <li>(1) Monday to Saturday, other than Christmas Day, Good Friday or New Year's Eve from 10am to 12pm</li> <li>(2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12 noon to 11:30pm.</li> <li>(3) On Christmas Day, 12 noon to 1130pm;</li> <li>(4) On New Year's Eve, except on a Sunday, 11am to midnight;</li> <li>(5) On New Year's Eve on a Sunday, 12 noon to 1130pm.</li> <li>(6) On Near Year's Eve from the end of permitted hours on New Year's</li> </ol>	<p>There are no restrictions on the hours which this premises is open to the public</p>

## Princelyn Grocery & Restaurant - Nearest licences

Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on the 31<sup>st</sup> December).

### Late Night Refreshment

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

The above restrictions do not prohibit:

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

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

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

On sales only

## Princelyn Grocery & Restaurant - Nearest licences

<p>(The Old George Public House) 379 Bethnal Green Road London E2 0AN</p>	<p>Sale by retail of alcohol</p> <ul style="list-style-type: none"> <li>• Sunday to Thursday, from 10:00 hours to midnight</li> <li>• Friday and Saturday, from 10:00 hours to 02:00 hours the following day</li> </ul> <p>The Provision of late night refreshment – Indoors</p> <ul style="list-style-type: none"> <li>• Sunday to Thursday from 23:00 hours to 00:30 hours the following day</li> <li>• Friday and Saturday, from 23:00 hours to 02:30 hours the following day</li> </ul> <p>Provision of regulated Entertainment – Indoors <u>Films. Live music, recorded music and performances of dance</u></p> <ul style="list-style-type: none"> <li>• Sunday to Thursday, from 10:00 hours to midnight</li> <li>• Friday and Saturday, from 10:00 hours to 02:00 hours on the following day</li> </ul> <p>On and off sales</p>	<ul style="list-style-type: none"> <li>• Sunday to Thursday, from 10:00 hours to 00:30 hours the following days</li> <li>• Friday and Saturday, from 10:00 hours to 02:30 hours the following day</li> </ul>
<p>( Subway) 395 Bethnal Green Road London E2 0AN</p>	<p>The provision of late night refreshment</p>	<p>Monday to Saturday from 23:00 hours until midnight</p>
<p>(Coupette) 423 Bethnal Green Road London E2 0AN</p>	<p>The sale by retail of alcohol (On &amp; Off sales)</p> <ul style="list-style-type: none"> <li>▪ Monday to Thursday, from 11:00 hours to 23:30 hours</li> <li>▪ Friday, from 11:00 hours to 01:00 hours the following days</li> <li>▪ Saturday, from 10:00 hours to 01:00 hours the following days</li> <li>▪ Sunday, from 11:00 hours to 23:00 hours</li> </ul> <p>The provision of regulated entertainment - Indoors <u>Live music, recorded music and performance of dance. Provision of facilities for dancing</u></p>	<ul style="list-style-type: none"> <li>▪ Monday to Thursday, from 10:00 hours to 23:30 hours</li> <li>▪ Friday, from 10:00 hours to 01:00 hours the following days</li> <li>▪ Saturday, from 10:00 hours to 01:00 hours the following days</li> <li>▪ Sunday, from 10:00 hours to 23:00 hours</li> </ul> <p>However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on</p>

## Princelyn Grocery & Restaurant - Nearest licences

	<ul style="list-style-type: none"> <li>▪ Monday to Thursday, from 11:00 hours to 23:00 hours</li> <li>▪ Friday, from 11:00 hours to 01:00 hours the following days</li> <li>▪ Saturday, from 10:00 hours to 01:00 hours the following days</li> <li>▪ Sunday, from 11:00 hours to 23:00 hours</li> </ul> <p>The provision of late night refreshment</p> <ul style="list-style-type: none"> <li>▪ Friday and Saturday, from 23:00 hours to 01:00 hours the following days</li> </ul> <p>However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day</p> <p>On and off sales</p>	<p>New Years Eve and 11am on New Years Day</p>
<p>McDonalds) 432 - 436 Bethnal Green Road London E2 0DJ</p>	<p>Regulated Entertainment (Recorded music)</p> <ul style="list-style-type: none"> <li>• Sunday to Thursday, from 07:00 hrs to 00:30 hours the following day</li> <li>• Friday and Saturday, from 07:00 hrs to 02:00 hours the following day</li> </ul> <p>Late Night Refreshment</p> <ul style="list-style-type: none"> <li>• Sunday to Monday, from 23:00 hrs to 05:00 the following day</li> </ul> <p>No alcohol sales</p>	<ul style="list-style-type: none"> <li>▪ There are no restrictions on opening hours of the premises (24 hours)</li> </ul>
<p>(Bethnal Green Food Centre) 438 Bethnal Green Road London  <i>E2 0DJ</i></p>	<p>Alcohol</p> <ul style="list-style-type: none"> <li>▪ Monday to Sunday, from 10:00 hours to 23:00 hours</li> </ul> <p>Off sales only</p>	<ul style="list-style-type: none"> <li>▪ Monday to Sunday, from 06:00 hours to 01:00 hours the following day</li> </ul>
<p>(The Sun Tavern) 441 Bethnal Green Road London</p>	<p><u>Sale of Alcohol</u></p> <ul style="list-style-type: none"> <li>• Sunday to Wednesday from 10:00hrs to 00:00hrs (midnight)</li> </ul>	<ul style="list-style-type: none"> <li>▪ Sunday to Wednesday from 10:00hrs to 00:30hrs (the following day)</li> </ul>

## Princelyn Grocery & Restaurant - Nearest licences

<p>E2 0AN</p>	<ul style="list-style-type: none"> <li>• Thursday to Saturday from 10:00hrs to 02:00hrs (the following day)</li> </ul> <p><u>The Provision of Late Night Refreshment</u></p> <ul style="list-style-type: none"> <li>• Sunday to Wednesday from 23:00hrs to 00:00hrs (midnight)</li> <li>• Thursday to Saturday from 23:00hrs to 01:00hrs (the following day)</li> </ul> <p><u>The Provision of Regulated Entertainment (in the form of recorded music (indoors))</u></p> <ul style="list-style-type: none"> <li>• Sunday to Wednesday from 10:00hrs to 00:00hrs (midnight)</li> <li>• Thursday to Saturday from 10:00hrs to 02:00hrs (the following day)</li> </ul> <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> <li>• Bank Holidays from 10:00hrs to 00:00hrs (midnight)</li> <li>• An additional hour to the standard and non-standard times on the day when British summertime commences</li> <li>• From the standard start timing on 31<sup>st</sup> December to the standard start timing on 1<sup>st</sup> January</li> </ul> <p>On and off sales</p>	<ul style="list-style-type: none"> <li>▪ Thursday to Saturday from 10:00hrs to 02:30hrs (the following day)</li> </ul> <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> <li>▪ An additional 30minutes after the non-standard finish timings for the provision of licensable activities.</li> </ul>
<p>Iceland Foods Ltd) Iceland 444-446 Bethnal Green Road</p>	<p>Monday to Saturday from 08:00 hours to 23:00 hours Sunday from 10:00 hours to 22:30 hours</p> <p>Off sales only</p>	<p>Monday to Saturday from 08:00 hours to 23:00 hours Sunday from 10:00 hours to 22:30 hours</p> <ul style="list-style-type: none"> <li>▪</li> </ul>
<p><b>Bethnal Green Tavern)</b> 456 Bethnal Green Road London E2 0EA</p>	<p><b>Alcohol and Regulated Entertainment (live music, recorded music and anything of a similar description. Provision of facilities for making music, provision of facilities for dancing and anything of a similar description)</b></p>	<ul style="list-style-type: none"> <li>• Monday to Thursday from 10:00hrs to 01:00hrs (the following day)</li> <li>• Friday and Saturday from 10:00hrs to 01:30hrs (the following day)</li> <li>• Sunday from 12:00hrs (midday) to 01:00hrs (the following day)</li> </ul>

## Princelyn Grocery & Restaurant - Nearest licences

<ul style="list-style-type: none"> <li>• Monday to Thursday from 10:00hrs to 00:30hrs (the following day)</li> <li>• Friday and Saturday from 10:00hrs to 01:00hrs (the following day)</li> <li>• Sunday from 12:00hrs (midday) to 00:30hrs (the following day)</li> </ul> <p><b>Late Night Refreshment</b></p> <ul style="list-style-type: none"> <li>• Monday to Thursday from 23:00hrs to 00:30hrs (the following day)</li> <li>• Friday and Saturday from 23:00hrs to 01:30hrs (the following day)</li> <li>• Sunday from 23:00hrs to 00:30hrs (the following day)</li> </ul> <p><u>Non-Standard Hours</u> On commencement of British Summer Time one hour should be added to the finish time above</p> <p>In the event of a recognised sporting event (the event not exceeding 15 annually) which falls outside the current permitted hours on the Premises Licence to permit licensable activities commencing one hour before the start of the event and ending one hour after the end of the event, details of the event to be notified to the Licensing Authority and Police at least 10 days beforehand, with the Police giving a prior written consent in each case.</p> <p>On the days/dates listed below the additional hours are to be permitted for licensable activity:- 1<sup>st</sup> January New Year's Day 1 hour, Burns Night 1 hour, 14<sup>th</sup> February Valentines Night 1 hour, 1<sup>st</sup> March St. David's Day 1 hour, 17<sup>th</sup> March St Patrick's Day 2 hours, 23<sup>rd</sup> April St. George's Day 1 hour, Easter Sunday 1 hour, Easter Monday 1 hour, May Day Bank Holiday Sunday prior to Bank Holiday Monday 1 hour, May Day Bank Holiday Monday 1 hour, F.A. Final Day 1 hour, Spring Bank Holiday</p>	<p><u>Non-Standard Hours</u> 30 minutes after the end of licensable activities</p>
---	--

## Princelyn Grocery & Restaurant - Nearest licences

	<p>Sunday Prior to Bank Holiday Monday 1 hour, Spring Bank Holiday Monday 1 hour, Summer (August) Bank Holiday prior to Bank Holiday Monday 1 hour, Summer (August) Bank Holiday Monday 1 hour, 30<sup>th</sup> November St. Andrews Day 1 hour, Christmas Eve 2 Hours, Boxing Day/St Stephen's Day 2 hours, 27<sup>th</sup> December 2 hours, 28<sup>th</sup> December 2 hours, 29<sup>th</sup> December 2 hours, 30<sup>th</sup> December 2 hours.</p> <p>On and off sales</p>	
<p><i>(City View Food &amp; Wine)</i> 457A Bethnal Green Road</p> <p><b>London</b> E2 9QH</p>	<p><b>alcohol</b></p> <ul style="list-style-type: none"> <li>Monday to Sunday, from 00:00 hours to 00:00 hours (24 hours)</li> </ul> <p>Off sales</p>	<ul style="list-style-type: none"> <li>Monday to Sunday, from 00:00 hours to 00:00 hours (24 hours)</li> </ul>
<p>Shakespeare) 460 Bethnal Green Road</p>	<p><b>The supply of alcohol:</b> Monday to Saturday from 10:00 hours to midnight Sunday from 12:00 hours to midnight</p> <p><b>Late Night Refreshment:</b> Monday to Sunday until midnight</p> <p><b>Live Music:</b> Monday to Saturday from 10:00 hours to midnight Sunday from 12:00 hours to midnight</p> <p><b>Recorded Music:</b> Monday to Saturday from 10:00 hours to 00:30 hours the following day Sunday from 12:00 hours to 00:30 hours the following day</p> <p>New Years Eve: From end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.</p> <p>On and off sales</p>	<p>Monday to Saturday from 10:00 hours to 00:30 hours the following day Sunday from 12:00 hours to 00:30 hours the following day</p>
<p><b>( La Forchetta)</b> 464 Bethnal Green Road</p>	<p><b>The times the licence authorises the carrying out of licensable activities</b> <u>Sale of alcohol by retail.</u></p>	<p>There are no restrictions on the hours during which this premises is open to the public</p>



**Princelyn Grocery & Restaurant - Nearest licences**

<p><b>London E2 0EA</b></p>	<p>Alcohol shall not be sold or supplied except during permitted hours. In this condition, permitted hours means:</p> <ul style="list-style-type: none"> <li>a. Monday to Thursday, other than Christmas Day, Good Friday or New Year's Eve, 10 a.m. to 11 p.m.</li> <li>Friday &amp; Saturday 10:00 hours – 12:30 hours the following day.</li> <li>b. On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30 p.m.</li> <li>c. On Good Friday, 12 noon to 10.30 p.m.</li> <li>d. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.</li> <li>e. On New Year's Eve, except on a Sunday, 11 a.m. to 11 p.m.</li> <li>f. On New Year's Eve on a Sunday, 12 noon to 10.30 p.m.</li> <li>g. On New Year's Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).</li> </ul> <p>The above restrictions do not prohibit:</p> <ul style="list-style-type: none"> <li>(a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;</li> <li>(b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;</li> <li>(c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;</li> <li>(d) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;</li> <li>(e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;</li> <li>(f) the sale of alcohol to a trader or club for the purposes of the trade or club;</li> </ul>	
---------------------------------	--	--

## Princelyn Grocery & Restaurant - Nearest licences

(g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

(h) the taking of alcohol from the premises by a person residing there; or

(i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or

(j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

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

### Regulated entertainment.

#### Recorded music:

Monday to Thursday 10:00 – 23:00  
 Friday & Saturday 10:00 – 01:00 the following day  
 Sunday 12:00 noon – 22:30

#### Performance of dance and provision of facilities for dancing (basement floor only):

Monday to Thursday 16:00 – 23:00  
 Friday & Saturday 16:00 – 01:00 the following day  
 Sunday 16:00 noon – 22:30

**Princelyn Grocery & Restaurant - Nearest licences**

	<i>On sales</i>	
(Salmon and Ball) 502 Bethnal Green Road London E2 0EA	<p>The sale by retail of alcohol Monday to Sunday – 10:00 hours to 00:00 hours</p> <p><i>Regulated entertainment</i> (Recorded Music or entertainment of a similar nature) Monday to Sunday – 10:00 hours to 00:00 hours</p> <p>(Live Music) Monday to Sunday – 10:00 hours to 00:00 hours</p> <p>On and off sales</p>	Monday to Sunday – 10:00 to 00:00 hours

# Appendix 6

## Lavine Miller-Johnson

---

**From:** Nicola Cadzow  
**Sent:** 29 November 2023 15:05  
**To:** Licensing  
**Cc:** [REDACTED]  
**Subject:** 164470 MAU REPRESENTATION New premises license for Princelyn Grocery & Restaurant 477 Bethnal Green Road, London E2 9QH

Dear Licensing,

I have considered the premises license application for Princelyn Grocery & Restaurant 477 Bethnal Green Road, London E2 9QH and the impact of the licensing objectives, particular for Environmental Protection the prevention of public nuisance and the prevention of noise generated from within the premises or outside to be causing disturbance to people in the vicinity, especially given the fact that the premises is within Bethnal Green Cumulative Impact Zone.

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

There is no consideration of the impact on public nuisance from people access and egressing the premises and people loitering outside whilst the premises is in operation, particularly when considering the late hours, non-standard timings sought until 02:30 hours in the morning and the fact that the premises is in Bethnal Green Cumulative Impact Zone.

**Noise Sensitive premises:** residential premises in close proximity to 477 Bethnal Green Road, London E2 9QH.

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

- Noise breakout from the venue affecting neighbouring residents.
- Access & egress to and from the venue, of patrons, especially due to patrons likely to be in high spirits
- Hours of operation, to include the non-standard timings proposed.

### **CONCLUSION**

Environmental Protection **does not** support the application for 477 Bethnal Green Road, London E2 9QH for the following reasons:

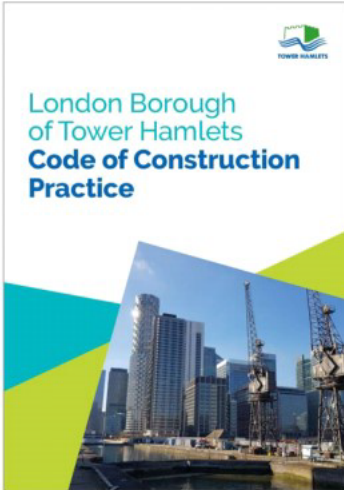
- (1) The applicant have not provided sufficient information to show how they will promote the licensing objective for the prevention of public nuisance
- (2) The premises is in Bethnal Green Cumulative Impact Zone.
- (3) Non-standard hours sought until 02:30 proposed

Kind regards

Nicola Cadzow  
Environmental Protection Officer  
Communities Directorate

Follow us on:

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



### Construction Code of Practice 2023

- Development with Planning Permission granted and subject to Planning Conditions is adoption of the new Code will continue to operate under the conditions for working hours of **Code of Construction Practice 2006**.

Permitted to work Saturdays without s61 Agreement (8am to 1pm only)

- Development granted Planning Approval **after the 26<sup>th</sup> April 2023** and subject to Plan required to adhere to working hours as set out above and in the **Code of Construction Practice 2023**. s61 Agreement required for works on Saturdays, Sundays, Bank Holidays, or Public Holidays
- Developments seeking amendments to Planning Approvals issued prior to 26<sup>th</sup> April 2023 Working Hours imposed if relevant to the details being amended.
- For more information, please click on the cover page of the Code of Construction Practice 2023

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

# Appendix 7



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

Agent: [REDACTED]

30<sup>th</sup> November 2023

Your reference

My reference: LIC/164470/CH

Communities Directorate  
Public Realm

Environmental Health & Trading Standards  
Licensing & Safety Team  
Tower Hamlets town Hall  
160 Whitechapel Road  
London E1 1BJ

Tel: 020 7364 3986  
Email: [licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)

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

Dear Licensing Authority,

### **Licensing Act 2003**

New premises licence application: Princelyn, 477 Bethnal Green Road, London, E2 9QH

The Licensing Authority (acting a Responsible Authority) is making a representation against the above application under the crime & disorder and public nuisance licensing objectives.

#### **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 Bethnal Green 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 Bethnal Green area 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 Bethnal Green CIA if they wish to rebut this presumption.***





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

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

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

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

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

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

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

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

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

#### Licensable activities and times

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



*only where relevant representations are made. Each case will be considered on its merits.*

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

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

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

### The Home Office guidance

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

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

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



**Application:**

This application describes Princelyn as an African/Caribbean grocery store with a restaurant for eat in and take away.

The following times and activities have been applied for. These hours exceed the framework hours on both Friday, Saturday and Sunday.

Sale of Alcohol (on & off sales)

Sunday – Thursday 10:00 – 23:30 hours

Friday – Saturday 10:00 – 00:30 hours

Late Night Refreshments/Provision of Recorded Music (indoors)

Friday - Saturday 23:00 – 00:30 hours

Non-Standard timings

Christmas Eve / Christmas Day 23:00 – 02:30 hours

New Years Eve / New Years Day 23:00 – 02:30 hours

Opening Hours:

Sunday – Thursday 10:00 – 00:00 hours (midnight)

Friday – Saturday 10:00 – 01:00 hours

Non-Standard timings

Christmas Eve / Christmas Day 23:00 – 03:00 hours

New Years Eve / New Years Day 23:00 – 03:00 hours

Having spoken to the agent, he has confirmed that the non-standard hours on the application are for Christmas Eve into Christmas Day, and NYE into NYD rather than for all four days.

The agent also informed to me that the capacity of the restaurant is for about 40-45 person. There is a side door which can go directly into the restaurant from a side alleyway which is next to the railway line.

The application covers both a grocery shop at the front of the premises which requires 'off sales' and a restaurant area at the rear which requires 'on sales'. Off sales of alcohol are also required for delivery purposes with food. The premises currently utilises the delivery services of Just East and Uber Eats.

The agent stated that although the restaurant would be predominantly seated they also needed flexibility for the restaurant area to be available for bookings such as birthday parties where people may not be seated.

Recorded music is also applied for until 00:30 hours on a Friday and Saturday nights. It is not known whether the premises directly above the restaurant is commercial or residential. If residential this would be directly below their flat and could potentially lead to complaints to have music playing until this time.



There is no mention within the operating schedule that the premises falls within the Bethnal Green Lane Cumulative Impact Area (CIA) although the applicant has proposed a number of conditions within the Operating Schedule and states they are familiar with the current Licensing Policy.

There are no proposed conditions within the operating schedule which would make this premise fall into the possible exceptions to the CIA.

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 as patrons could be in high spirits. With a capacity of 40-45 persons which closes at 01:00 hours on a Friday and Saturday (03:00hours for non-standard timings) this could potentially lead to this number of people all leaving at once and therefore potentially undermining the licensing objectives, in particular if the premises is hired out for a function.

The onus is on the applicant to show there are exceptional circumstances as to why their licence should be granted and that it will not have a negative cumulative effect on the area. It is their responsibility to rebut the presumption otherwise the licence should be refused.

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.

Yours faithfully

  
**Corinne Holland**  
**Licensing Officer**

# Appendix 8

## **Section 182 Advice by the Home Office Updated on August 2023**

### Relevant, vexatious and frivolous representations

- 9.4 A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.
- 9.5 It is for the licensing authority to determine whether a representation (other than a representation from responsible authority) is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. A representation may be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification. Vexatious circumstances may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Licensing authorities can consider the main effect of the representation, and whether any inconvenience or expense caused by it could reasonably be considered to be proportionate.
- 9.6 Frivolous representations would be essentially categorised by a lack of seriousness. Frivolous representations would concern issues which, at most, are minor and in relation to which no remedial steps would be warranted or proportionate.
- 9.7 Any person who is aggrieved by a rejection of their representations on either of these grounds may lodge a complaint through the local authority’s corporate complaints procedure. A person may also challenge the authority’s decision by way of judicial review.
- 9.8 Licensing authorities should not take decisions about whether representations are frivolous, vexatious or relevant to the licensing objectives on the basis of any political judgement. This may be difficult for councillors who receive complaints from residents within their own wards.

If consideration is not to be delegated, contrary to the recommendation in this Guidance, an assessment should be prepared by officials for consideration by the sub-committee before any decision is taken that necessitates a hearing. Any councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.

- 9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.
- 9.10 Licensing authorities should consider providing advice on their websites about how any person can make representations to them.

# Appendix 9



## Licensing Policy Section 11

### Prevention of Public Nuisance

- 11.1 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.
- 11.2 Like many London boroughs, Tower Hamlets has many areas of the borough where businesses and residents are “cheek by jowl” with each other. Thus, the correct balance needs to be adopted ensuring residents are not unduly disturbed by licensed premises, whilst ensuring this does not stifle growth in the licence trade.
- 11.3 Though all licensed premises must promote the licensing objectives, and thus actively try to prevent public nuisance being caused by their licensable activities, there are some factors that this Licensing Authority would expect to applicants to consider and where appropriate address in their operating schedule. These are:
- a) Music/performances  
Measures to reduce impact of noise on residents
  - b) Queue management  
Measure to prevent obstruct access to properties, pavements. Measure to reduce the impact of people noise on residents
  - c) Ingress and Egress  
Measure to prevent people noise during ingress and egress
  - d) Use of outside areas (see 11.7 below)
  - e) Deliveries, particularly pick-ups by vehicles  
Measures to prevent noise/fumes from engines, drivers (including smoking),
  - f) Bottle disposal  
Done at reasonable time to prevent impact on residents e.g. between 8am and 8pm
  - g) Litter  
Measures to prevent littering around the venue from patrons
- 11.4 The Licensing Authority appreciates that it would not be necessary or appropriate for all applications to have measures to prevent the above issues. Nevertheless, we will take a strong view on applications for licences that are in close proximity to residential premises, and whose intended use has a higher likelihood of causing public nuisance. This also includes those applications in areas covered by a Cumulative Impact Assessment (CIA). Especially where the applications falls outside the scope of any exceptions to such CIAs.
- 11.5 The Licensing Authority, where its discretion is engaged, will consider, where appropriate, attaching conditions to licences and permissions to prevent the

problems identified listed above, or any other conditions it considered appropriate and proportionate to promote the licensing condition of prevention of public nuisance.

- 11.6 **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 Councils 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.
- 11.7 **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.
- 11.8 **Beer Gardens and outside areas** – since the ending of the restrictions imposed during the Coronavirus pandemic, we have seen an increase the use of outside areas. This has also been encouraged by Government under the Business and Planning Act 2020. We want to strike the right balance between allowing businesses to thrive whilst still protecting residents of the borough being unduly disturbed by the night time economy. Hence, we would encourage applicants address this concern in their operating schedule by detailing what mitigating measures they intend adopt to reduce any disturbance the use of the outside area is likely to have on neighbouring residents. Such measures could include:
- limiting the amount of patrons permitted in the outside area, and/or,
  - restricting the use of areas after a certain time,
  - ceasing its use after a certain time.

Where disturbance of residents from outside areas is likely, and where its discretion is engaged, this Licensing Authority may add conditions limiting the numbers of person permitted to use any outside areas, and/or seek to cease the use of any outside areas after 21:00 hours.

- 11.9 **Party Boats** – An increasing number of complaints have been received in London Boroughs that boarder the River Thames in relation to "Party Boats", which use the River. In respect of this we would encourage applicants for Party Boats to consider adopting the "Boat" conditions, listed in our Model Conditions in Appendix 3, where appropriate to promote the Licensing Objective of Prevention of Public Nuisance. Furthermore, where disturbance of residence from these party boats is likely, and where its discretion is engaged, this Licensing Authority may add one or more of the boat conditions from our Model Conditions.

# Appendix 10

## **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 11

## 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 5.14 and 5.15 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 9.2 of the Licensing Policy**)

The Licensing Authority will consider attaching conditions to deter crime and disorder and may be draw from the Model Conditions in **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 20 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).

Licence conditions should not duplicate other legislation (1.16).

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

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

## Other Legislation

### Crime and Disorder Act 1998

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

The Act also introduced a wide range of measures designed to address 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 12

## 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:

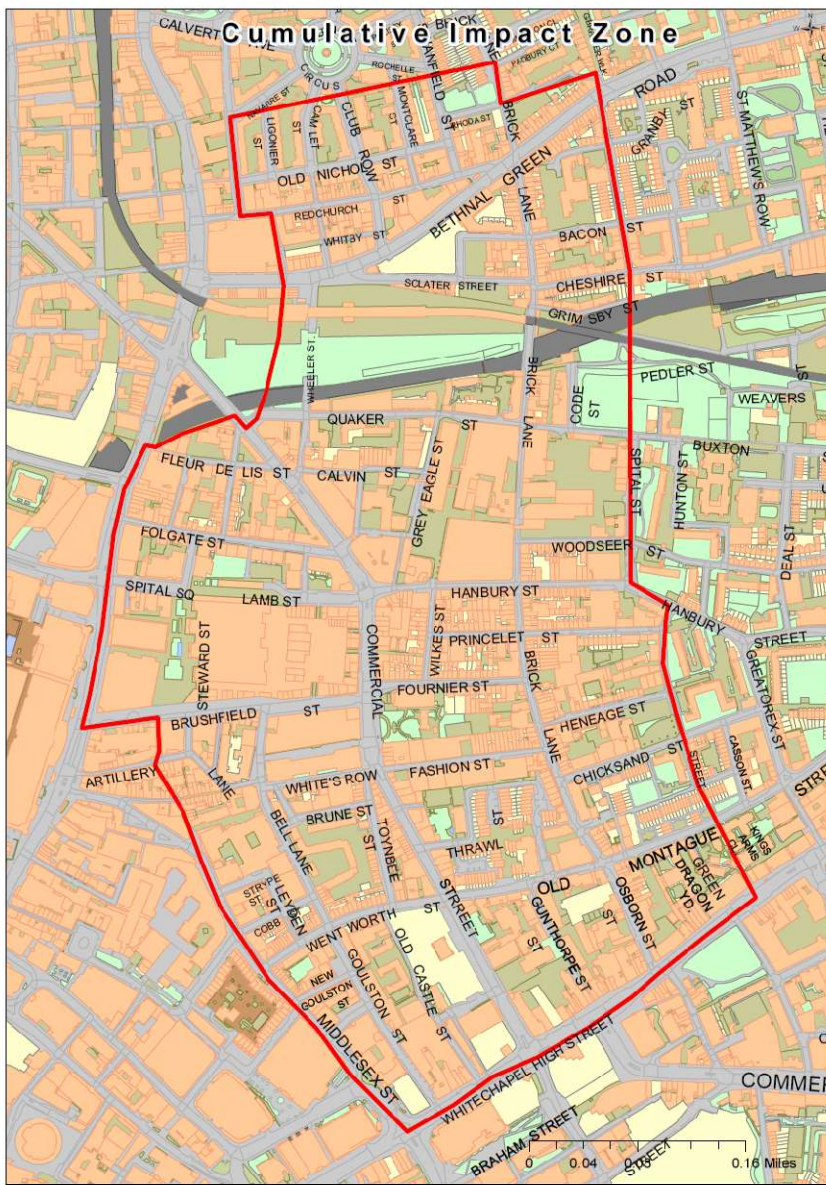
- that the premises will be well managed and run,
- that the premises will be constructed to a high standard,
- that the applicant operates similar premises elsewhere without complaint.

**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**

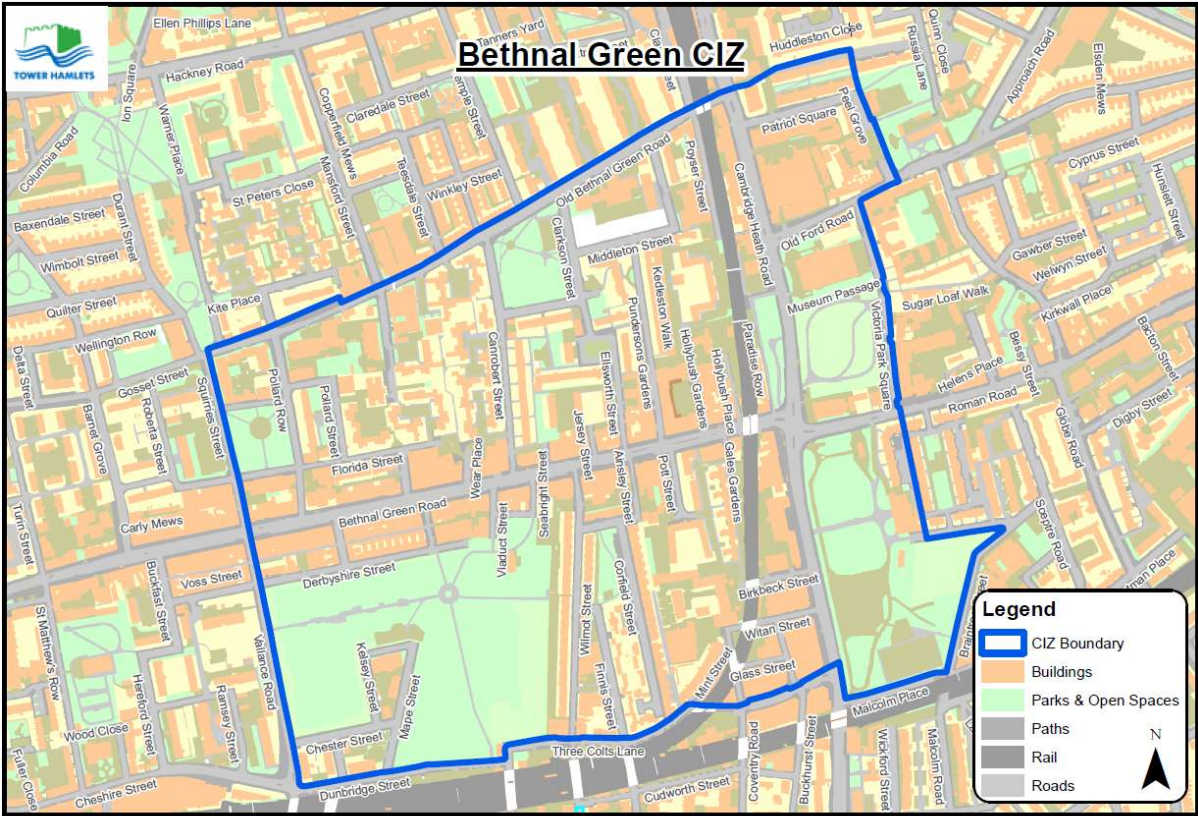
**Brick Lane area:**



**Figure Two:**

**Bethnal Green Area**





# Appendix 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 16.8 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 16.9 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 14

## **Planning**

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

This page is intentionally left blank