



# Licensing Sub Committee

## Agenda

**Tuesday, 18 June 2024 at 2.00 p.m.  
Council Chamber - Town Hall, Whitechapel**

### Contact for further enquiries:

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



## Public Information

### Viewing or Participating in Committee Meetings

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

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

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

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

### **Public Engagement**

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

# London Borough of Tower Hamlets

## Licensing Sub Committee

Tuesday, 18 June 2024

2.00 p.m.

### **APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

#### **1. DECLARATIONS OF INTEREST (PAGES 7 - 8)**

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

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

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

#### **2. RULES OF PROCEDURE (PAGES 9 - 18)**

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

#### **3. MINUTES OF THE PREVIOUS MEETING(S) (PAGES 19 - 50)**

To confirm as a correct record the minutes of the Licensing Sub-Committees held on 23<sup>rd</sup> April and 14<sup>th</sup> May 2024.

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

##### **4.1 Application for a New Premise Licence for Unit 2a, Queens Yard, 43 White Post Lane, London, E9 5EN (Pages 51 - 156)**





**4 .2 Application for a New Premise for We Are Bard Books 341-343 Roman Road  
London E3 5QR (Pages 157 - 246)**

**4 .3 Application for a Variation of Premises Licence for (Studio Spaces Ltd / E1), 110  
Pennington Street, London E1W 2BB (Pages 247 - 316)**

**5. 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, 25 June 2024 at 6.30 p.m. to be held in Council Chamber - Town Hall,  
Whitechapel



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# Agenda Item 1

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Further Advice** contact: Linda Walker, Interim Director of Legal and Monitoring Officer, Tel: 0207 364 4348

## **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.

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**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE LICENSING SUB COMMITTEE**

**HELD AT 6.30 P.M. ON TUESDAY, 23 APRIL 2024**

**COUNCIL CHAMBER - TOWN HALL, WHITECHAPEL**

**Members Present in Person:**

Councillor Ana Miah  
Councillor Iqbal Hossain  
Councillor Amy Lee

**Apologies:**

None.

**Others Present in Person:**

Frank Fender	(Item 3.1)
Lekan Moweta	(Item 3.1)
Andrew Dempster	(Item 3.1)
Kevin Bell	(Item 3.1)
Robert Sutherland	(Item 3.2)
Adrian Studd	(Item 3.2)
Owen Blackwood	(Item 3.2)
Matthew Blewitt	(Item 3.2)
Nicola Cadzow	(Item 3.2)
Michael Dover	(Item 3.2)
Samantha Clark	(Item 3.2)

**Others In Attendance Virtually:**

PC Mark Perry	(Item 3.1)
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**Officers Present in Person:**

Jonathan Melnick	(Principal Lawyer-Enforcement)
Corinne Holland	(Licensing Officer)
Kathy Driver	(Principal Licensing Officer)
Simmi Yesmin	(Democratic Services Officer, Committees, Governance)

## 1. DECLARATIONS OF INTEREST

There were no declarations of interest.

## 2. RULES OF PROCEDURE

The rules of procedure were noted.

## 3. ITEMS FOR CONSIDERATION

### 3.1 Application for a New Premise Licence for Code Floors 3-4, 34 Westferry Circus London E14 8RR

At the request of the Chair, Ms Kathy Driver, Licensing Officer introduced the report which detailed the application for a new premises licence for E14 Lounge Ltd. to be held in respect of Code, Floor 3-4, Westferry Circus, London, E14 8RR (“the Premises”). The application sought authorisation for the sale by retail of alcohol, regulated entertainment, and the provision of late night refreshment. With the exception of late night refreshment, which commences at 23:00 hours, the hours sought for all licensable activities were 12:00 hours to 02:00 hours seven days per week. The premises would close to the public at 02:30 hours although the report before the Sub-Committee incorrectly stated this to be 02:00 hours.

The application attracted representations against it from the police, Environmental Health, the Licensing Authority, and local residents. The representation from the residents was in the form of a letter undersigned by eighty people.

The Sub-Committee was informed at the start of the meeting that conditions had been agreed with the Environmental Health officer and the Police. As a result, the representation from Environmental Health was withdrawn, however the police objection remained. The objections were based predominantly on the licensing objectives of public safety and the prevention of public nuisance.

The Sub-Committee heard from Frank Fender on behalf of the applicant. He reminded the Sub-Committee that the Premises were not located within a Cumulative Impact Zone and that the presumption was in favour of granting unless there were good reasons to refuse. The Premises operated only on two floors. The fourth floor would be a restaurant only with no regulated entertainment and only background music. The third floor was intended to be a lounge bar with regulated entertainment. There was no dance floor or flashing lights; it was intended to be a cabaret-style operation. It was not to operate as a disco.

The applicant stated that the main entrance, located by the riverside, had the potential to give rise to noise disturbance later in the evening and so this entrance and exit would be used only to 22:30 hours. After that time, entry and exit would be via the underground car park only. Security staff would patrol in the car park, which would address any noise concerns. All the proposed police conditions were agreed.



The applicant had various policies in place except for a transport management plan. The applicant was willing to accept a condition that a plan be produced and agreed with the police and the licensing authority before licensable activity takes place.

Mr. Fender suggested that the residents may not have been fully aware of what they were signing, as this was common with petitions. The representation expressed a number of concerns and the applicant has sought to address those concerns. Mr. Fender also explained that an agreement for no entry or exit after 22:30 hours applied only to the riverside entrance, not to the premises as a whole.

At the request of the Chair PC Mark Perry explained that conditions had been agreed. However, his main concern related to a terminal hour of 02:00 hours and the use of the car park. The car park was shared with residents and users of a gym. There was the potential for it to become congested with patrons, Ubers, with the associated nuisance that comes with that. There was also the risk of taxis and other vehicles pulling up and blocking the roundabout underneath Westferry Circus and which gave rise to the risk of crime and disorder. That issue had not been resolved to the police's satisfaction. PC Perry said it was unique in that entry and exit at certain times would be via an underground roundabout and an underground car park. Adding alcohol to the mix also gave rise to a public safety risk from road traffic collisions.

PC Perry welcomed the proposal for a traffic management plan but did not agree that it should be for the police to agree; his view was that it should be before the Licensing Sub Committee for them to approve. No plan has been put in place and he suggested that the lack of a plan to date indicated the possibility that there is no safe plan for the egress of patrons, which was the greatest concern to him.

The Sub Committee then heard from Corinne Holland on behalf of the Licensing Authority, she explained that one of her concerns was around the potential for public nuisance arising from large numbers of people leaving at around 02:30 hours. She noted also that the planning permission allowed for the use of bi-folding doors and these were shown on the plans. This had the potential to create a internal terrace area that could be opened to the front of the building. That potential for noise escape had not been mentioned in the management plan.

Smoking was another area of concern. After 22:30 hours, if the main doors were closed, it was said that smoking would take place on Westferry Circus. The noise management plan, at Page 83, stated that after 22:30 hours the Premises would not be able to accommodate smokers. Escorting smokers from the Premises would appear to require four staff members and she expressed doubts as to whether this was workable.

Ms Holland stated that if granted, there would need to be clear conditions to manage smokers. There was also a planning permission for the use of the roof terrace, which was not part of the plans included with the licensing application, but which could be used for non-licensable activity. Finally, she referred to links between the directors of the applicant company who had also been directors of another company, Nine Lounge Ltd., which operated a shisha bar in Greenwich and which had been convicted of offences relating to indoor smoking and blocking of fire exits.

Kevin Bell then addressed the Sub-Committee on behalf of the residents. He asked that the application be rejected for non-compliance with various planning policies. He stated that there were around 1,000 residents in the nearby vicinity, many of whom were only thirty metres away from the Premises. Two hundred properties could look

into the Premises and the residents would suffer a considerable degree of loss of privacy.

Mr. Bell asserted that the applicant would restrict noise but only from 01:30 hours and that it could therefore be assumed that music would be played at maximum volume before then. He suggested that if a noise limiter was to be put in, then the application should be withdrawn and an application made for no noise. He referred also to the possibility of light pollution and that the planning permission required a lighting strategy to be approved by the planning authority. That had not been done.

He stated that the Premises were not suitable for smokers and that this too was recognised in the planning permission. He also expressed concerns around the lack of a traffic management plan. People would inevitably congregate under Westferry Circus and that would lead to litter, public urination and the like. He also stated that there had been no discussion with the estate management over the extent to which they could control the car park.

In response to questions from Members the following was noted;

The applicant confirmed that the capacity of each floor was 160 people and that the light levels would be raised as the evening draws to a close as this indicates to patrons that the venue is close to closing. The applicant was asked how long it would take to disperse 320 people and replied that not everyone would leave at once; dispersal usually occurred gradually over a period of time. When asked how long it would take, in the event that everyone did leave at once, the applicant was unable to give an answer.

Members also explored the issues around egress and use of the car park, noting PC Perry's concerns. It was accepted by the applicant that it would be security-intensive but it would be implemented. They would ensure that no-one smoked in the car park and that the footpath by the car park would be supervised.

When asked about the likely impact of 320 people on the community late at night, the applicant asserted that the Premises were not in the middle of the estate, but on the edge. The conditions agreed with the Noise Service would mitigate noise nuisance. Further, the applicant stated that they proposed to close the restaurant at midnight or 01:00 hours. When asked by the legal adviser which time was being proposed, the response was that people would stay out later at the weekend and that the Premises were not a nightclub.

With respect to the application seeking authorisation for activities such as films and what was meant by "occasional" the applicant clarified that it would likely be Thursdays to Sundays. They did not anticipate having people in the Premises until 02:00 every day but wanted the flexibility.

Members also sought more information about the car park and a nearby taxi rank. Mr. Bell explained that the car park had 620 spaces, of which 400 belonged to residents. The exit routes would go through those car parking spaces, which contained about £12m worth of cars. The lift down to the car park can hold about six people at a time. The area to the side of the car park was in use 24 hours per day. Mr. Bell asserted that it would not be appropriate to use an unsafe, unlit car park.

When asked how dispersal could be managed in light of this, the applicant again reiterated that not everyone would leave at once. The restaurant would close earlier than the third floor and not everyone would go to the third floor. The security staff

would escort everyone and the applicant would have to manage it since that would be a condition of the licence. With respect to a traffic management plan, it was said that this would cost around £3,000.00 to £5,000.00 and the applicant did not wish to do that without knowing a licence would be granted.

Concluding remarks were made. Mr. Bell commented that money could be spent on other measures to reduce some concerns, such as curtains and glazing. He maintained that the application was not appropriate for the location.

Ms. Holland noted that sound limiters could only control music noise, not noise from patrons. She also highlighted that there was no corresponding reduction in opening hours for the fourth floor, if the hours for licensable activity were reduced and that one lift from the Premises to the car park could be problematic.

PC Perry emphasised that the egress route was via an underground car park to an underground roundabout on a busy arterial road. A traffic management plan should have been produced in advance of the meeting. There was a real risk to public safety, both of patrons and other road users, and to suggest that perhaps sixty taxis turning up at once was a viable means of dispersal was not a viable means of removing people from the area.

Mr. Fender asserted that the proposal to devise a traffic management plan upon grant of the licence would suffice to address the concerns raised. The Premises had previously been licensed. The hours sought were not excessive and the nearby Canary Wharf hotel was licensed to 03:00 hours.

This application engages the licensing objectives of the prevention of public nuisance, public safety and, to a lesser extent, the prevention of crime and disorder. The Sub-Committee had had regard to all the written representations and documentation as well as the oral submissions of the parties.

It should be stated at the outset that many of the concerns raised could be dealt with by way of conditions. Music noise, for example, could be addressed by a sound limiter condition as agreed. The suggestion that this required a new application was not correct. Issues such as lighting, whilst potentially of relevance to the prevention of public nuisance, are more appropriately left to the planning regime to be dealt with, particularly as the planning permission requires a lighting strategy to be provided to the planning authority. Further, it was not unreasonable to consider that residents themselves have some responsibility for preventing unwanted light from entering their flats and it is not unreasonable to suggest that many flats would have curtains or blinds.

Similarly, the Sub-Committee did not consider there to be a real risk of overlooking and loss of privacy; the nearest properties were around thirty metres away, which is a considerable distance. The Sub-Committee understands it also to be arguable as to whether this would, in any event, suffice to constitute a public rather than private nuisance. However, it too is something that could be mitigated by the imposition of conditions and would not, of itself, justify a refusal of the premises licence.

The Sub-Committee noted the issues around the escorting of patrons wishing to smoke and the practicalities of that. Again, that is something that potentially could be conditioned as suggested or even by the imposition of a condition prohibiting people leaving after 22:30 to smoke from re-entering.

Issues such as the age of the company or its trading history are not relevant to the licensing objectives. The suggestion that there should be a waste management plan

is similarly not relevant. Waste is addressed by other statutory controls and it is only in respect of discrete issues where it would be appropriate for waste matters to be relevant to the licensing objectives e.g. conditions restricting the emptying of bottle banks.

The main areas of concern for the Committee, however, were the terminal hour and the issues flagged around dispersal of patrons and the potential risks arising. The terminal hour of 02:00, with the Premises closing to the public at 02:30, gave rise to potentially large numbers of people in the vicinity as late as 02:30 or 03:00. Whilst the applicant suggested that these were not particularly late hours, the Sub-Committee disagrees. These were sought seven days per week. Whilst the applicant points to another nearby premises, that is of no assistance. Each application must be dealt with on its own merits and the fact that another premises nearby may have later hours is not a relevant consideration for the Sub-Committee. The Statutory Guidance at paragraph 2.25 provides that:

“Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, 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.”

Similarly, paragraphs 16.6 to 16.8 address the issue of hours. These provide that:

“16.6 The Licensing Authority considers that the possibility of disturbance to residents late at night and in the early hours of the morning, and the effect that any such disturbance may have, is a proper matter for it to consider when addressing the hours during which licensable activities may be undertaken.

16.7 The Licensing Authority is concerned to ensure that extended licensing hours do not result in alcohol-related antisocial behaviour persisting into the night and early hours of the morning. For these reasons, applications to carry on licensable activities at any time outside the framework hours will be considered on their own merits with particular regard to the matters set out in the Policy section below...

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.

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).

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.

The adequacy of the applicant’s proposals to address the issues of the prevention of crime and disorder and the prevention of public nuisance.

Where the premises have been previously licensed, the past operation of the premises.

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.

The proximity of the premises to other licensed premises in the vicinity and the hours of those other premises.”

This application seeks to operate considerably outside of framework hours in an area that the Sub-Committee considers to be highly residential. The Premises are surrounded by flats and this gives rise to a very real risk of public nuisance. Whilst the Sub-Committee sought to explore the hours with the applicant, it was not particularly assisted by a suggestion that the restaurant would probably close at midnight or 01:00 hours. The Sub-Committee accepts that it could impose different hours if it saw fit to do so, but it does expect a degree of assistance from applicants as to what may or may not be realistic.

The Sub-Committee was similarly concerned, as were the responsible authorities, by the egress arrangements. There were photographs of the car park in the report pack (Pages 132-133). The Sub-Committee noted that it was often not the case that all patrons would leave at once. However, it is nonetheless a possibility and one which the applicant had not countenanced. There was only one lift, which could accommodate six persons, which went to the car park. That would likely result at times in people, some of whom are intoxicated, becoming noisier as they are obliged to wait for the lift. They would then need to wait to be escorted through the car park. There would be no realistic way to control noise from those patrons beyond asking them to be quiet. It was also easy to see the potential for other issues arising, such as patrons running off around the car park, which would also give rise to public safety risks.

Equally, in the absence of a traffic management plan the Sub-Committee was concerned to know exactly how traffic issues would be managed. The photographs did show the possibility for the car park entrance and the road into it to be come congested. That again gives rise to the possibility of public nuisance as drivers sound their horns. There is, it appears, little public transport in the immediate vicinity after midnight. The Sub-Committee was also concerned as to possible public safety risks in dispersing people through the car park and into the underground route under Westferry Circus, which is a very busy road and not suited to pedestrians. Again, when alcohol is added to the mix, the potential for accidents seemed to be high. This was not, in the Sub-Committee’s view, a matter to be addressed by way of conditions and plans produced after the licence is granted, but before grant so that Members and the responsible authorities can be satisfied that the proposals are workable and address the risks.

The lack of clarity in the answers given to some questions posed did not give the Sub-Committee a great deal of confidence. Whilst it is right to say, for example, that the applicant must, if a condition is imposed, comply with it the Sub-Committee still needs to have confidence both in the feasibility of the condition as well as in the applicant’s ability to ensure compliance. Whilst there was a dispersal plan, the Sub-Committee was concerned that it was not sufficient, particularly combined with the lack of a traffic management plan.

The Sub-Committee has considered the options open to it. It did not consider that it had heard enough to justify granting the application as sought by the applicant. The Sub-Committee considered the imposition of the agreed conditions and whether any other conditions could also be imposed so as to mitigate its concerns and those of the responsible authorities. This also included consideration of reduced hours to framework hours, although the Sub-Committee had no useful information about that.

It was not satisfied that this would suffice to mitigate the concerns raised. The issues of egress and dispersal remained.

It did not consider it appropriate to remove any licensable activities from the scope of the licence as that would not have mitigated its concerns. The Sub-Committee has noted the Statutory Guidance at paragraphs 9.42 to 9.44 and, in particular, the opening sentence of paragraph 9.42 which recognises that licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. Given the points made above, the Sub-Committee was not satisfied that it had before it sufficient evidence to allay its concerns that the risks to public safety and the prevention of public nuisance, especially at the late hours proposed, would be suitably mitigated so as to ensure that the licensing objectives would be promoted.

The decision of the Sub-Committee is therefore to refuse the application.

### **3.2 Application for a New Premise Licence for Little LND, Studio 2, Unit3a, 39 Autumn Street, London, E3 2TT**

At the request of the Chair, Ms Corinne Holland, Licensing Officer introduced the report which detailed the application by Little LND Ltd. for a new premises licence to be held in respect of Studio 2, Unit 3a, 39 Autumn Street, London, E3 2TT ("the Premises"). The application sought authorisation for licensable activity as follows:

**Sale by retail of alcohol (on-sales only)**

Monday to Sunday 09:00 hours to 03:00 hours

**Regulated entertainment (films, recorded music, dance (indoors))**

Monday to Sunday 06:00 hours to 03:00 hours

**Live music (indoors)**

Monday to Sunday 12:00 hours to 03:00 hours

The opening hours would be Monday to Sunday 0600 hours to 03:00 hours. Non-standard timings were sought for licensable activity and opening in respect of Christmas, New Year and bank holidays.

The application attracted representations against it from the Licensing Authority, Environmental Health, the London Legacy Development Corporation (LLDC) and from a number of local residents. The police had agreed a number of conditions to be imposed in the event that the licence was granted. The objections were concerned with the prevention of crime and disorder, the prevention of public nuisance, and public safety,

At the start of the meeting, the Sub-Committee was informed that Appendix 18 (Pages 313-400 of the main pack) had been updated and replaced with plans provided in a supplemental agenda.

At the request of the Chair, Mr Robert Sutherland, informed the Sub-Committee at the commencement of his submissions that the times sought for licensable activity were being amended. These were:

**Sale by retail of alcohol (on-sales only)**

Monday to Thursday 09:00 hours to 23:30 hours  
Friday and Saturday 09:00 hours to 03:00 hours  
Sunday 09:00 hours to 22:30 hours

**Regulated entertainment**

Friday and Saturday 06:00 hours to 03:00 hours

**Live music**

Friday and Saturday 12:00 hours to 03:00 hours

The Premises would close to the public thirty minutes after the cessation of licensable activity.

Mr. Sutherland drew the Sub-Committee's attention to the conditions proposed and agreed which appeared in sections 6 and 7 of the report pack. The police were satisfied that these conditions would suffice to promote the licensing objectives. He drew particular attention to conditions 19 and 21 and the effect in particular of condition 19, which would allow the hours to be reduced by the Council and the police in the event of the transport plan not working effectively. The applicant, Mr. Blewitt, would be on-site and would provide his mobile number to local residents so that he could be contacted in the event of problems.

Kathy Driver explained that the Licensing Authority welcomed the reduction in hours. However, her main concern related to the potential for public nuisance. The LLDC, which is the local planning authority, had imposed a planning condition that restricted use of the premises to the hours of 09:00 to 23:30 and that this had been imposed in order to avoid the risk of public nuisance. The area had been changing and continues to do so and is becoming increasingly residential. The Premises had previously operated as a nightclub and that had generated a lot of complaints.

Ms. Driver noted the transport and egress plan. People would exit and leave on foot, by taxi and night bus. Problems had been experienced in the past when people walked and got taxis close to residential properties. There had similarly been issues with public urination. There was no bus service after 01:00 hours. Taxis pulling up near residential properties would inevitably have some noise impact. There was also a nearby petrol station which was used as a taxi pick-up point by patrons and which gave rise to noise complaints and complaints of public urination. Ultimately, the club operation, which is where the money is, was not suitable for this location. Ms. Driver also considered that these plans would be hard to manage in practise.

Ms. Cadzow addressed the Sub-Committee on behalf of the Environmental Health Service. The capacity of the venue was around 300 people. The last bus in the area was at 01:00 hours, which meant a considerable number of Ubers and taxis to collect patrons. Autumn Street was a very small road and potentially 75 to 100 vehicles on that road collecting patrons would lead to noise issues. She too referred to the nearby petrol station and the noise complaints that arose as a result of patrons going there. She drew attention to the proximity of nearby residential properties, with the nearest ones being on the corner of Autumn Street and Wick Lane.

Mr. Dover spoke to his representation. He stated that noise was a guaranteed outcome. He was very concerned about the prospect of road closures by the applicant. He noted that this venue was very different to others that had been managed by the applicant; running a festival in a field was a different proposition to running a nightclub in an urban area. He also drew attention to the fact that planning permission had not been obtained.

He referred to the photographs provided, which showed some of the issues experienced over the years. He noted that the traffic management plan proposed to suspend twelve parking bays in an area with already limited parking. The applicant relied upon the Council granting those suspensions in order for the premises to be able to operate.

Ms. Clark also addressed the Sub-Committee. She was the freeholder of two warehouses in Autumn Yard. Her tenants needed access to the yard at all times and some engaged in noise-sensitive work. She also referred to other issues such as drug use, littering and security. The courtyard was owned by the owner of Unit 3 and there were issues with the surface of the yard, which needed potholes filled in and which presently posed a trip hazard.

She also referred to the changing nature of the area and the problems experienced over the years when the Premises had operated under a premises licence. She considered it likely that these issues would arise again if the licence was granted.

In response to questions from Members, the following was noted;

Mr. Sutherland confirmed that there was no intention of closing the road and that this was a misreading of the plans. Parking in the nearby bays at night was minimal and so there would be no impact if the bays were to be suspended. There would be one community safety-accredited person present as they would have power to impose some traffic controls and could report offenders to the authorities. With respect to taxi pick-up points, the Sub-Committee was told that apps were now more sophisticated and drivers could be directed to specific pick-up points. It was anticipated that around 80% of patrons would leave by a vehicle. The only barriers to be placed in the road were barriers parallel to the carriageway to assist in maintaining public safety.

Mr. Dover disputed the assertion about the parking bays and that they were in regular use at all times. He also stated that he had been threatened on three occasions for asking people to keep noise down. Since the last club had been closed down, there had been no problems. Ms. Driver suggested that the potential for road closures gave rise to a risk of people hanging around and not dispersing.

Mr. Sutherland noted that planning was a separate regime and that a planning application was to be made. There would be no issue with people needing access to the yard getting in. In his view, the application could be granted given the main use of the Premises during the week, the traffic management plan would address many of the issues, capacity was only 300 hundred people and the applicant had the experience to run this venue.



## **Decision**

This application engages the licensing objectives of the prevention of crime and disorder, the prevention of public nuisance, and public safety. The Sub-Committee had regard to the oral and written submissions of all the parties, including those who had not attended. The Sub-Committee welcomed the reduction in hours offered by the applicant. However, it must be borne in mind that if the application was granted, the applicant would benefit from the deregulation provisions applicable to live and recorded music and that no licence would be needed for regulated entertainment between 08:00 hours and 23:00 hours. Thus, whilst it certainly addresses the concern of a nightclub operating until 03:00 hours seven days per week, it did not entirely mitigate all the issues raised.

The Sub-Committee accepted, and it did not seem to be disputed, that when a nightclub had operated in the Premises between 2013 and 2019, problems had arisen on a regular basis. This was despite there being a good management company in place (Page 223). It is also of note that several of the representations were very clear about the lack of problems being experienced since the Premises ceased to operate.

The Sub-Committee noted an email from Lottie Metrebian at Page 307 to (presumably) those making representations to explain what they intended to do within the Premises, such as providing a work space and a social space. A similar document was contained in the Supplemental Agenda at pages 75 to 85, indicating a variety of uses. Many of those uses, however, did not require a premises licence. Whilst the Sub-Committee accepted that these might well be the likely daytime uses and unlikely to give rise to problems, the Premises' operation in the evening until closing was more likely than not going to be closer in style to a bar or a club than to a creative community space. The application itself described the Premises as intended to be used predominantly for music events (Page 188). Notwithstanding the reduction in hours, that intention did not appear to have changed.

The Sub-Committee also had regard to the proximity of the Premises to residential properties as well as the changing nature of the location, with more residential development being constructed. This was recognised in the applicant's own documentation, at Page 230, which also refers to three stations around 0.8 miles away and bus stops at the junction of Autumn Street and Wick Lane. These also support the points made by the representations about the lack of public transport in the area after about 23:00 hours. That therefore limits the dispersal options and raises the likelihood of noise from and associated with Ubers and taxis, especially on a Friday and Saturday. Members also had regard to what Ms. Clark said about the yard itself being very small and not suitable for vehicles turning around in it. Given that Autumn Street is a dead-end, that would mean vehicles having to turn around in the road, which again can give rise to noise issues, whether from engines, sounding of horns, and similar.

The Sub-Committee noted, but was not particularly assisted by, the report of Adrian Studd. He refers to having seen the traffic management plan dated 29<sup>th</sup> January 2024 but the plan was updated in March 2024. The Sub-Committee found it odd that he referred, at paragraph 23, to it being “beneficial to identify who will perform the role of Designated Premises Supervisor”, given that the DPS must be and is specified in the application. He appeared to only address the police proposed conditions and the Licensing Authority representation but makes no mention of any other representation or the issues raised by those other representations. It is also not clear whether or not he has visited the area. He did not consider that the previous history meant that similar problems were likely to occur with this operator.

The options open to the Sub-Committee are to grant with appropriate conditions and modifications, to exclude any of the licensable activities from the scope of the licence, or to refuse the application (the option to refuse to specify the proposed DPS not being an option in this instance). Given the modification proposed by the applicant in respect of regulated entertainment from Sunday to Thursday, the only licensable activity that could now be removed from the scope of the licence on those days is the sale of alcohol. That would be the equivalent of a refusal. It was also not a viable option, given the nature of the application, to remove any of the licensable activities on a Friday or a Saturday. If alcohol were removed, it would be open to patrons to bring their own; if regulated entertainment were removed, it would fundamentally change the nature of the intended operation and likely be unworkable.

The Sub-Committee noted the planning permission, which was addressed by the LLDC in their representation, and which made clear that the permitted hours were imposed in order to avoid public nuisance. Whilst the licence, if granted, would not alter the hours as far as planning law is concerned, the two regimes are separate. Moreover, non-compliance with a planning condition is not an offence. However, given that the planning authority had imposed a condition intended to prevent public nuisance, the Sub-Committee considered that this was a relevant consideration to take into account.

The Sub-Committee accepted the representations made by the responsible authorities and the residents. Notwithstanding Mr. Studd’s belief that the conditions and plans would mitigate any impact on the licensing objectives, the Sub-Committee found the representations of those who live and work in the area to be more compelling given their local knowledge and their ability to talk to their experience on a day-to-day basis. The Sub-Committee accepted their evidence as to the issues that had arisen during the previous operation of the Premises and accepted that granting this licence, even with the conditions proposed, would lead to a significant impact on the licensing objectives and which could not be mitigated by the proposed conditions. The Sub-Committee had regard to the fact that there is only one route out of Autumn Street, given that it is a dead end, and that patrons would leave via Wick Lane, where the closest residential properties were located.

The Statutory Guidance at paragraph 2.25 provides that:

*“Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, 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.”*

Similarly, paragraphs 16.6 to 16.8 and 16.10 address the issue of hours. These provide that:

*“16.6 The Licensing Authority considers that the possibility of disturbance to residents late at night and in the early hours of the morning, and the effect that any such disturbance may have, is a proper matter for it to consider when addressing the hours during which licensable activities may be undertaken.*

*16.7 The Licensing Authority is concerned to ensure that extended licensing hours do not result in alcohol-related antisocial behaviour persisting into the night and early hours of the morning. For these reasons, applications to carry on licensable activities at any time outside the framework hours will be considered on their own merits with particular regard to the matters set out in the Policy section below...*

*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.*

*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).*

*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.*

*The adequacy of the applicant’s proposals to address the issues of the prevention of crime and disorder **and** the prevention of public nuisance.*

*Where the premises have been previously licensed, the past operation of the premises.*

*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.*

*The proximity of the premises to other licensed premises in the vicinity and the hours of those other premises.”*

*“In addition, and in relation to all applications, whatever the hours applied for where its discretion is engaged, the Licensing Authority will generally deal with the issue of licensing hours having due regard to the individual merits of each application. However, consideration will be given to imposing stricter*

*conditions in respect of noise control where premises are situated close to local residents.”*

Patrons would not necessarily be leaving the Premises until thirty minutes after licensable activity ceases. It would take some time to disperse everyone from the area and the Sub-Committee considered that the representations evidenced the likely impact. The Sub-Committee considered impact to be inevitable on a Friday and Saturday. Consideration was given to reducing the hours on those days. However, the intended operation of the Premises combined with the lack of public transport in the area from around the cessation of licensable activity led the Sub-Committee to conclude that there was still likely to be a degree of noise nuisance to the neighbours, even at framework hours, and which would not be mitigated by the conditions. For that reason, although welcomed, the Sub-Committee did not consider that a reduction to framework hours seven days per week combined with the various conditions would suffice to address the concerns raised by the representations. Condition 19, whilst welcomed as being a genuine attempt to provide a degree of comfort during late hours, would be rendered redundant by a reduction in hours seven days per week. Ultimately, the Sub-Committee was satisfied that there were no measures that could be taken in relation to this application to mitigate the impact upon the licensing objectives and which would allow the licence to be granted.

The Sub-Committee is therefore satisfied that the only decision open to it is to **refuse** the application.

#### **4. EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003**

The following application decision deadlines were extended to 31<sup>st</sup> July 2024;

- We Are Bard Books 341-343 Roman Road London E3 5QR
- Perfecto Pizza, 391 Cambridge Heath Road, London, E2 9RA
- Fabwick, Unit 4a Queens Yard, 43 White Post Lane, London, E9 5EN
- The Yard Theatre, Unit 2a Queens Yard, 43 White Post Lane, London, E9 5EN
- Victoria Park Market), Land between Bonner Gate and Gore Gate, London E3 5TB

The meeting ended at 9.20 p.m.

Chair, Councillor Ana Miah  
Licensing Sub Committee

**LONDON BOROUGH OF TOWER HAMLETS**  
**MINUTES OF THE LICENSING SUB COMMITTEE**  
**HELD AT 2.30 P.M. ON TUESDAY, 14 MAY 2024**

**COMMITTEE ROOM - TOWER HAMLETS TOWN HALL, 160 WHITECHAPEL ROAD, LONDON E1 1BJ**

**Members Present in Person:**

Councillor Ana Miah  
Councillor Suluk Ahmed  
Councillor Kabir Hussain

**Apologies:**

None

**Others Present in Person:**

Rhys Rose	(Item 4.1)
Jomard Kurdi	(Item 4.1)
Tarik Monsur	(Item 4.2)
Sandra Bajraliu	(Item 4.3)
Kenan Balli	(Item 6)
Robert Sutherland	(Item 7)
Rita Craddock	(Item 6 & 7)

**Others In Attendance Virtually:**

Jason Smith	(Item 4.1)
James Thomson	(Item 4.1)
Dave Nevitt	(Item 7)

**Officers Present in Person:**

Mohshin Ali	(Senior Licensing Officer)		
David Wong	(Legal Services)		
Simmi Yesmin	(Democratic Services Officer, Governance)	Committees,	

**1. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**2. RULES OF PROCEDURE**

The rules of procedure were noted.

**3. MINUTES OF THE PREVIOUS MEETING(S)**

The minutes of the meetings held on 27<sup>th</sup> February and 12<sup>th</sup> March were agreed and approved as a correct record.

**4. ITEMS FOR CONSIDERATION****4.1 Application for a New Premises Licence for Lucia's Unit 5007 Queens Yard White Post Lane, London, E9 5EN**

At the request of the Chair, Mr Mohshin Ali, Licensing Officer introduced the report which detailed the application for a new premises licence for Lucia's Unit 5007 Queens Yard, Whitepost Lane, London E9 5EN. The application sought authorisation for the sale by retail of alcohol (on sales only) from 11:00 hours to 23:00 hours from Mondays to Sundays with the hours open to the public between 11:00 hours to 23:30 hours from Mondays to Sundays.

Representations were received against the application from Hatton Garden Properties Limited, a local business, on the basis of public nuisance and public safety.

At the request of the Chair, Mr Rhys Rose, Licensing Representative on behalf of the applicant explained that it was a small food led restaurant which sought to sell alcohol ancillary to its business. He drew attention to only on sale of alcohol being sought, and clarified that the size of the premises offered no scope for a music venue.

Mr Rose asserted that the objection related to land access which was not relevant to licensing issues. He then referred to conditions offered, and also to conditions agreed with the police with regard to the prevention of crime and disorder. The applicant suggested that on sales being sought mitigated concerns about patrons encroaching on the passageway. It was noted that the premises had a capacity of 30/40 patrons at any one time.

Members then heard from James Thompson, from Hatton Gardens Properties Ltd, who was concerned about increased footfall on an adjacent passageway over which there is a public right of way. In particular, the objector was concerned about patrons drinking and encroaching on that passageway, which is not wide, with the ramifications upon safety and noise disturbance. Mr Thompson raised questions about how takeaway deliveries would work

with the limited space, and suggested that it was not a safe way to operate a business.

In response to questions from Members the following were noted;

- The applicant confirmed that no patrons would be allowed outside to consume food and drink after 10pm.
- That the premises was a food led business selling tacos.
- That there was no previous history of complaints as the business was operating for the first time.
- The premises was approximately 20 meters away from the public highway.
- The objector was concerned that the passageway would be crowded with people at a late hour, causing issues of public safety and public nuisance.

Concluding remarks were made by both parties.

### **DECISION**

This is an application by Mr. Jomardi Kurdi of Rashdan Group Limited for a premises licence in respect of Lucia's, Unit 5007, Queens Yard, 43 White Post Lane, London E9 5EN.

The application sought the sale by retail of alcohol (on sales only) from Mondays to Sundays from 11:00hrs. to 23:00hrs.

Representations were received against the application from Hatton Garden Properties Limited, a local business on the basis of public nuisance and public safety. The objector was concerned about increased footfall on an adjacent passageway over which there is a public right of way. In particular, the objector was concerned about patrons drinking and encroaching on that passageway, which is not wide, with the ramifications upon safety and noise disturbance.

The applicant told the Sub-Committee that it was a small restaurant and sought to sell alcohol ancillary to its business. The applicant referred to conditions offered, and also to conditions agreed with the police with regard to the prevention of crime and disorder. The applicant suggested that on sales being sought mitigated concerns about patrons encroaching on the passageway.

The Sub-Committee ascertained from the applicant that no patrons would be allowed outside to consume food and drink after 10pm.

This application engages the licensing objective of the prevention of public nuisance and, to a lesser extent, that of public safety. The representation against the application was largely considered with the potential impact of increased footfall by the applicant's patrons over an adjacent private

passageway over which there was a right of way for both pedestrians and vehicles.

The Sub-Committee noted the objector's concerns that granting the licence would lead to more people using that right of way and from the applicant's business, causing noise disturbance and increased risk to public safety. The objector was particularly concerned about the passageway being crowded with people at a late hour, and that the small size of the applicant's premises would lead to an overspill of people into the narrow passageway.

The Sub-Committee disregarded, however, the representation insofar as it related to the objector's property rights.

The Sub-Committee noted from the applicant that the half hour between the terminal hour and the closing time on each day was intended to enable an orderly dispersal of patrons without risk to public safety or risk of public nuisance being caused.

Whilst no responsible authorities, particularly Environmental Health or the police had made any representations, that in itself was considered by the Sub-Committee not to be conclusive, and to have neutral significance.

The Sub-Committee was concerned to reflect a balanced approach with regard to the legitimate aims of the business, and the legitimate concerns of the objector. Members were satisfied on the balance of probabilities that whilst the objector had genuine concerns about the likely impact of increased footfall on the adjacent passageway, the combination of conditions offered and conditions agreed with the police mitigated the impact of any increased footfall over the adjacent passageway and that granting the licence with conditions was appropriate and proportionate for the promotion of the licensing objectives.

Therefore, the Sub-Committee decided to grant the application for the sale of alcohol as follows: -

The sale by retail of alcohol (on sales only) from Mondays to Sundays from 11:00hrs. to 23:00hrs. with the following conditions: -

1. All Staff to be trained in alcohol awareness and made aware of their responsibilities under the Licensing Act 2003.
2. Staff will refuse alcohol to already intoxicated or overly aggressive customers.
3. A comprehensive health and safety risk assessment will be in place.
4. A first aid kit will be available.
5. Signs to ask patrons to respect the neighbours and leave the area quietly will be displayed.
6. Use of the outdoor courtyard will cease at 22:00 hours.



7. Any tables will be removed from the front covered area at 22:00 hours leaving this space as a smoking area.

8. All doors and windows will be kept closed after 22:00 hours apart from access and egress.

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

10. 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 are 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.

11. 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.

12. When the designated premises 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.

13. 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.

14. 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.

15. A Challenge 25 proof of age scheme shall be operated at the premises, where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS hologram.

16. 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.

#### **4.2 Application for a New Premises Licence for Burgers LDN, (Alleyway) 141 Leman Street, London E1 8EY**

At the request of the Chair, Mr Mohshin Ali, Licensing Officer introduced the report which detailed the application for a new premises licence for Burgers LDN, 141 Leman Street, London E1 8EY. The application sought authorisation for the provision of late night refreshments from Sunday to Thursday, from 23:00 hrs. to 00:00 hrs. (midnight) and Friday and Saturday, from 23:00 hrs. to 02:00 hrs. on the following day.

A representation was received against the application from Mr. Montgomery, a local resident on the basis of the prevention of public nuisance. It was noted that the applicant had agreed conditions with the police and the Environmental Health Service.

At the request of the Chair, Mr Tariq Monsur on behalf of the applicant, clarified that whilst the business comprised a restaurant and a separate kitchen, it was only the kitchen which was to be used for the proposed sale of takeaway late-night refreshment. Mr Monsur accepted that they had provided late-night refreshment in September 2023 without a licence. However, he had been unaware that a licence was required for that. When informed about this, the business immediately ceased providing late-night refreshment and applied for a licence. The applicant could not understand the issue raised by the objector regarding need for late-night refreshment in the area, as the objector lived quite a distance from the premises. Mr Monsur added that there were residential properties above the premises and next to the premises, whose occupants had not made objections.

The applicant referred to the positive impact of the business upon antisocial behaviour in the vicinity. Before they took over the premises, there had been

public urination in the adjacent alleyway. That ceased after the business took over and installed CCTV.

Whilst the objector was unable to attend the Sub-Committee meeting, the Sub-Committee carefully considered and noted Mr. Montgomery's written representations on pages 157 and 158 of the agenda.

In response to questions the following were noted: -

- That a warning letter was issued to the applicant following the trading of unlicensed late night refreshments in September 2023.
- That an application was submitted as soon as the applicant was made aware that a separate licence was needed in addition to the restaurant licence.
- No history of complaints other than the warning letter.
- No objections from responsible authorities and agreed conditions with the metropolitan police.
- All food would be for takeaway only.
- The kitchen had a separate entrance and exit and a separate waste collection service.

## **DECISION**

This is an application by Burgers LDN Limited for a premises licence in respect of Burgers LDN, 141 Leman Street, London E1 8EY.

The application sought the provision of late-night refreshment for consumption off the premises on: -

Sunday to Thursday, from 23:00 hrs. to 00:00 hrs. (midnight)

Friday and Saturday, from 23:00 hrs. to 02:00 hrs. on the following day

A representations was received against the application from Mr. Montgomery, a resident on the basis of the prevention of public nuisance The applicant had agreed conditions with the police and the Environmental Health Service.

The applicant clarified that whilst the business comprises a restaurant and a separate kitchen, it was only the kitchen which was to be used for the proposed sale of takeaway late-night refreshment. The applicant accepted that they had provided late-night refreshment in September 2023 without a licence. However, they had been unaware that a licence was required for that. When informed about this, the applicant immediately ceased providing late-night refreshment and duly applied for a licence. The applicant could not understand the issue raised by the objector regarding need for late-night refreshment in the area.

The applicant referred to the positive impact of the business upon antisocial behaviour in the vicinity. Before they took over the premises, there had been public urination in the adjacent alleyway. That ceased after the business took over and installed CCTV.

Although Mr. Montgomery did not attend the Sub-Committee meeting, the Sub-Committee carefully considered Mr. Montgomery's written representations on pages 157 and 158 of the agenda. The objection referred to a perceived lack of need for late-night refreshment in the area, given that this was already being provided by other premises, as well as antisocial behaviour such as public urination, noise disturbance, and littering.

Need is not a relevant consideration for the Sub-Committee.

Antisocial behaviour such as public urination, littering and noise engage the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance.

The Sub-Committee ascertained from the Licensing Officer that the applicant had no history of non-compliance with the Licensing Act 2003, except for the instance of unlicensed late-night refreshment in September 2023.

Whilst no responsible authorities, particularly Environmental Health or the police had made any representations, that in itself was considered by the Sub-Committee not to be conclusive, and to have neutral significance.

The Sub-Committee was concerned to reflect a balanced approach with regard to the legitimate aims of the business, and the legitimate concerns of the objector. Notwithstanding that the applicant had carried on the provision of late night refreshment previously, Members were satisfied that this was an error on the applicant's part which was rectified immediately after being informed of the need for a licence. There were no other matters that gave the Sub-Committee reason to consider that the applicant would not uphold the licensing objectives.

The Sub-Committee was satisfied that these considerations allied to the conditions agreed by the applicant with the police and Environmental Protection, meant that it would be appropriate and proportionate for the promotion of the licensing objectives to grant the application.

Therefore, the Sub-Committee decided to grant the application for late-night refreshment on: -

Monday to Thursday, from 23:00 hrs. to 00:00 hrs. (midnight)  
Friday and Saturday, from 23:00 hrs. to 02:00 hrs. on the following day  
Sunday, from 23:00 hrs to 00:00 hrs (midnight)

with the following conditions: -

1. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses, and to leave the area quietly.

2. No loitering of customers outside the premises having received their takeaway from the premises.

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

4. 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.

5. 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.

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

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

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

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

#### **4.3 Application for a New Premises Licence for (Local Café), 84 St Stephen's Road, London, E3 5JL**

At the request of the Chair, Mr Mohshin Ali, Licensing Officer introduced the report which detailed the application for a new premises licence for Local Café, 84 St Stephen's Road, London, E3 5JL. The application sought the sale by retail of alcohol (on sales only) from Monday to Sunday, from 11:00 hrs. to 22:00 hrs. Representations were received against the application from two residents based on the licensing objectives of preventing public nuisance.

Ms Sandra Bajraliu, applicant, amended her application in respect of the terminal hour and the closing time, so that both were now 21:00hrs. She made no other amendments to the application.

Ms Bajraliu briefly explained that her café business had been trading for 2 years without any issues. The premises was a café selling things like afternoon tea and was not seeking to operate a wine bar. She said the premises had 10 tables and was a small food led café.

Although the objectors did not attend the meeting, the Sub-Committee carefully considered their written representations on pages 231 and 233 of the agenda.

There were no questions from Members.

### **DECISION**

This is an application by Sandra Bajraliu for a premises licence in respect of Local Café, 84 St Stephen's Road, London, E3 5JL.

The application sought the sale by retail of alcohol (on sales only) from Monday to Sunday, from 11:00 hrs. to 22:00 hrs.

Representations were received against the application from two residents based on the licensing objectives of preventing public nuisance.

The applicant amended her application in respect of the terminal hour and the closing time, so that both were now 21:00hrs. She made no other amendments to the application.

The applicant presented her business as having traded for 2 years without any issues. The premises were a café selling things like afternoon tea. She was not seeking to operate a wine bar.

Although the objectors did not attend the meeting, the Sub-Committee carefully considered their written representations on pages 231 and 233 of the agenda.

The objections both referred to loud and antisocial behaviour in the locality, additional noise impacting residents living above and around the café as well as more generally, and that the local community was already well served by licensed premises.

This application engages the licensing objective of the prevention of public nuisance. The premises are not in a cumulative impact zone and there was insufficient evidence before the Sub-Committee of cumulative impact. Likewise, the Committee is not concerned with the need for licensed premises.

Whilst no responsible authorities, particularly Environmental Health or the police had made any representations, that in itself was considered by the Sub-Committee not to be conclusive, and to have neutral significance.

The applicant had agreed a number of conditions with Environmental Protection, and had offered a number of other conditions.

The Sub-Committee considered what was reasonable and proportionate for the promotion of the licensing objectives, in particular, preventing public nuisance such as noise disturbance, and preventing crime and disorder which can include antisocial behaviour. The Sub-Committee was satisfied that any risk of noise disturbance or antisocial behaviour being caused by patrons of the business would be offset by a combination of those conditions offered by the applicant, and conditions which the applicant had agreed with Environmental Protection.

The Sub-Committee was concerned to reflect a balanced approach with regard to the legitimate aims of the business, and the legitimate concerns of the objectors. Members were satisfied that there was insufficient evidence that patrons of the business were responsible for noise disturbance or antisocial behaviour or that the operation of the business generally gave rise to concerns. The hours sought were modest and within framework hours. The premises too were small, which therefore also assisted in limiting any impact upon the licensing objectives. The Sub-Committee was satisfied that it was appropriate and proportionate for the promotion of the licensing objectives to grant the application with amendments and conditions.

Therefore, the Sub-Committee decided to grant the application to allow the sale by retail of alcohol (on sales only) from Monday to Sunday, from 11:00 hrs. to 21:00 hrs. with the following conditions, although in respect of the conditions offered by the applicant, where there was an equivalent model condition, the Sub-Committee substituted that condition: -

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. The premises licence holder will implement fire safety measures within the premises, including the presence of fire safety equipment, such as foam, H2O, and CO2 fire extinguishers, a fire blanket, internally illuminated fire exit signs, and multiple smoke detectors.
4. All fire safety appliances will undergo annual inspections to guarantee their effectiveness and compliance with safety standards.
5. All emergency exits will be kept free from any obstructions at all times to ensure swift and unimpeded evacuation in case of an emergency.
6. Clear and legible notices will be prominently displayed, reminding patrons to leave the premises quietly.
7. A Challenge 25 proof of age scheme shall be operated at the premises, where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS hologram.
8. All members of staff will undergo regular training on the prevention of alcohol sales to persons under the age of 18 years.
9. 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.
10. All external doors and/or windows shall be kept closed after 20:00hrs., except for the immediate access and egress of persons.
11. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
12. The premises license holder shall ensure that music and/or patrons' sound is not audible at the nearest noise sensitive premises.
13. The external area shall not be used after 20:00hrs., except for patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, and shall be limited to 3 persons at any one time.



14. No collections of waste or recycling materials (including bottles) from the premises shall take place between 22:00hrs. and 08:00hrs. on the following day.

15. No deliveries to the premises shall take place between 22:00hrs. and 08:00hrs. on the following day.

## **5. EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003**

The following applications were extended till 31<sup>st</sup> July 2024.

- Vittoria Wharf Studio 10 Stour Road London E3 2NT
- Slurp (Andina), 60 - 62 Commercial Street, London E1 6LT
- Bethnal Green Working Men's Club, Basement, 42-46 Pollard Row E2
- Uber, 1 Aldgate Tower (1<sup>st</sup> & 2<sup>nd</sup> floor), 2 Leman Street, London, E1
- Xi Home Dumplings, 10 Blossom Street, London, E1 6PL
- House of Music & Entertainment, 20 Commercial Street, London, E1
- 1 Cha, 142 Bethnal Green Road, London, E2 6DG

## **6. TEMPORARY EVENT NOTICE FOR FABWICK UNIT 4A QUEENS YARD 43 WHITE POST LANE LONDON E9 5EN**

At the request of the Chair, Mr Mohshin Ali, Licensing Officer introduced the report which detailed the application for a temporary event notice for Fabwick Unit 4a Queens Yard 43 White Post Lane London E9 5EN.

It was noted that this application was by Environmental Health for a counter-notice against a Temporary Event Notice (TEN) given by Mr. Kenan Balli in respect of Fabwick, Unit 4a, Queens Yard, 43 Whitepost Lane, London E9 5EN. The TEN application sought the sale by retail of alcohol, the provision of regulated entertainment, and the provision of late-night refreshment as follows: -

23<sup>rd</sup> May 2024 – 10:00 hours to 24<sup>th</sup> May 2024 01:00 hours

24<sup>th</sup> May 2024 – 10:00 hours to 25<sup>th</sup> May 2024 01:00 hours

25<sup>th</sup> May 2024 – 10:00 hours to 26<sup>th</sup> May 2024 01:00 hours

At the request of the Chair, Mr Kenan Balli, applicant, explained that he had been operating for the past 4 months in the current premises as an art exhibition venue, and had been collecting art for the past few years. The premise was a sit-down food led premises for patrons to socialise and appreciate the art collection.

It was noted that there was a pending application for a premises licence, which is due to be considered by the Licensing Sub-Committee on 18<sup>th</sup> July 2024. The applicant presented the application as a “tidying up” to enable the applicant, in the meantime, to sell alcohol, provide regulated entertainment,

and provide late-night refreshment on the above dates, with a maximum capacity of 200.

Ms Rita Craddock, Environmental Health Officer, provided clear and cogent reasons to the Sub-Committee as to why the TEN should not be permitted to proceed. She explained that the application failed to meet the licensing objectives with no good transport links. It was noted that since the premises are not currently licensed, the Sub-Committee cannot impose conditions upon the TEN. The only options are to issue a counter-notice or to refuse to issue a counter-notice.

### **DECISION**

This is an application by Environmental Health for a counter-notice against a Temporary Event Notice (TEN) given by Mr. Kenan Balli in respect of Fabwick, Unit 4a, Queens Yard, 43 Whitepost Lane, London E9 5EN.

The TEN authorising the sale by retail of alcohol the provision of regulated entertainment, and the provision of late-night refreshment as follows: -

23<sup>rd</sup> May 2024 – 10:00 hours to 24<sup>th</sup> May 2024 01:00 hours

24<sup>th</sup> May 2024 – 10:00 hours to 25<sup>th</sup> May 2024 01:00 hours

25<sup>th</sup> May 2024 – 10:00 hours to 26<sup>th</sup> May 2024 01:00 hours

The applicant had carried on a business for 22 years without problems. He has a pending application for a premises licence, due to be considered by the Licensing Sub-Committee on 18<sup>th</sup> July 2024. The applicant presented the application as a “tidying up” to enable the applicant, in the meantime, to sell alcohol, provide regulated entertainment, and provide late-night refreshment on the above dates. The maximum capacity is 200.

The Environmental Health Officer provided clear and cogent reasons to the Sub-Committee as to why the TEN should not be permitted to proceed. Since the premises are not currently licensed, the Sub-Committee cannot impose conditions upon the TEN. The only options are to issue a counter-notice or to refuse to issue a counter-notice.

The applicant presented no evidence to satisfy the Sub-Committee that the event would not give rise to noise disturbance, particularly at the later hours after up to 200 patrons leave. The Sub-Committee was therefore satisfied that allowing the event to go ahead would inevitably lead to public nuisance. The Sub-Committee’s decision is therefore to issue a counter-notice.

### **7. TEMPORARY EVENT NOTICE FOR (LITTLE LDN) UNIT 3, 39 AUTUMN STREET, LONDON E3 2TT**

At the request of the Chair, Mr Mohshin Ali, Licensing Officer introduced the report which detailed an application by Environmental Health for a counter-

notice to a Temporary Event Notice (TEN) given by Little LDN Limited in respect of (Little LDN) Unit 3, 39 Autumn Street, London E3 2TT.

The TEN sought would authorise the sale by retail of alcohol and the provision of regulated entertainment from 21:00 hours on Saturday 25<sup>th</sup> May 2024 to 03:00 hours on Sunday 26<sup>th</sup> May 2024.

Mr. Robert Sutherland who attended on behalf of the premises user, informed the Sub-Committee that his client wished to amend the TEN in respect of the terminal hour, which would be reduced to 23:59 hours. This brought the hours within the Council's framework hours. There were no other amendments.

Mr Sutherland explained that a previous application had failed, and now sought to persuade the Sub-Committee that they can operate without undermining the licensing objectives. It was noted that Mr Nevitt, consultant, would attend the event to monitor noise levels and set the noise limiter, ensuring that residents would not suffer noise disturbance from the event, if the TEN was granted.

Mr Sutherland further explained that the Police were satisfied with the conditions and policies in place and therefore no objection was received. The Sub-Committee heard that the applicant hoped to be able to demonstrate that the reduced hours plus good management would ensure that no public nuisance would arise.

Members then heard from Ms Rita Craddock, Environmental Health Service objected to the TEN because of the combination of noise breakout to local residents, and noise from patrons entering and leaving in high spirits, with a terminal hour beyond the Council's framework hours. Ms Craddock acknowledged that the reduced hours and the noise management processes set out on pages 44 and 107 of the second supplement to the agenda partly addressed her team's concerns. However, her team needed to know what was proposed regarding patrons smoking outside, access and egress, and people sounding car horns.

## **DECISION**

This is an application by Environmental Health for a counter-notice to a Temporary Event Notice (TEN) given by Little LDN Limited in respect of (Little LDN) Unit 3, 39 Autumn Street, London E3 2TT.

The TEN given would authorise the sale by retail of alcohol and the provision of regulated entertainment from 21:00 hours on Saturday 25<sup>th</sup> May 2024 to 03:00 hours on Sunday 26<sup>th</sup> May 2024.

Mr. Sutherland who attended on behalf of the premises user, informed the Sub-Committee that his client wished to amend the TEN in respect of the terminal hour, which would be reduced to 23:59 hours. This brought the hours within the Council's framework hours. There were no other amendments.

The Sub-Committee noted the applicant's acknowledgement that a previous application had failed, and now sought to persuade the Sub-Committee that they can operate without undermining the licensing objectives.

The Sub-Committee heard that the applicant's consultant would attend the event to monitor noise levels and set the noise limiter, ensuring that residents would not suffer noise disturbance from the event.

The Sub-Committee heard that the applicant hoped to be able to demonstrate that the reduced hours plus good management would ensure that no public nuisance would arise.

Mr. Nevitt who also appeared for the applicant confirmed that he had assisted the applicant with drawing up the noise management and traffic management plans. He referred in particular to the noise management plan in the second supplement to the agenda pack.

The Sub-Committee ascertained that the hours were reduced because of Environmental Protection's representations.

The Environmental Health Service objected to the TEN because of the combination of noise breakout to local residents, and noise from patrons entering and leaving in high spirits, with a terminal hour beyond the Council's framework hours. Rita Craddock for Environmental Health acknowledged that the reduced hours and the noise management processes set out on pages 44 and 107 of the second supplement to the agenda partly addressed her team's concerns. However, her team needed to know what was proposed regarding patrons smoking outside, access and egress, and people sounding horns.

The Sub-Committee heard the applicant address this by reference to a limited pick-up area, and assurance that the applicant will work with Environmental Health on how the premises user will manage the number of smokers, and people accessing and egressing the premises.

The Sub-Committee considered what would be reasonable and proportionate for the promotion of the licensing objectives, in particular, preventing public nuisance. The Sub-Committee understands that, as a matter of law, it is not possible for a TEN to be amended in the way proposed by Mr. Sutherland. However, the Sub-Committee was willing to accept this as an undertaking by the premises user that the event would cease at 23:59 hours notwithstanding that the TEN could not be altered to reflect that. This undertaking to cease licensable activity at 23:59 hours would mitigate any impact on the licensing objective of the prevention of public nuisance would not be undermined. The applicant should note, however, that should they fail to adhere to the undertaking to operate to a reduced terminal hour, this may well affect its credibility in the event it comes before the Sub-Committee in the future. The decision of the Sub-Committee is to refuse the application for a counter-notice.

The meeting ended at 5.05 p.m.

Chair, Councillor Ana Miah  
Licensing Sub Committee

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# Agenda Item 4.1

Committee: <b>Licensing Sub Committee</b>	Date 18 June 2024	Classification <b>Unrestricted</b>	Report No.	Agenda Item No.
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Report of: <b>Tom Lewis</b> <b>Service Manager</b> <b>Regulatory Services (Commercial)</b>	Title: <b>Licensing Act 2003 Application for a new Premise Licence for Unit 2a, Queens Yard, 43 White Post Lane, London, E9 5EN</b>
Originating Officer: <b>Corinne Holland</b> <b>Licensing Officer</b>	Ward affected: <b>Bow East</b>

## 1.0 Summary

Applicant:	<b>Hatton Garden Properties Ltd</b>
Name and Address of Premises:	<b>The Yard Theatre Unit 2a Queens Yard 43 White Post Lane London E9 5EN</b>
Licence sought:	<b>Licensing Act 2003 Sale by retail of Alcohol (on sales) Regulated entertainment (plays, films, live &amp; recorded music, dance) Provision of Late-Night Refreshments</b>
Objectors:	<b>Residents</b>

## 2.0 Recommendations

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

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

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

File  
Section 182 Guidance  
LBTH Licensing Policy

Corinne Holland  
020 7364 3986

### 3.0 **Background**

- 3.1 This is an application for a new Premise Licence for The Yard Theatre, Unit 2a Queens Yard, 43 White Post Lane, London, E9 5EN.
- 3.2 The applicant has described the premises as: *An application for a shadow licence under the same terms, plans and conditions as the granted licence 19537.*

*A 'shadow licence' is a term used to hold a duplicate licence on exactly the same terms as the existing licence, usually by the landlord of the premises as a security against the existing licence lapsing.*

- 3.3 A copy of the application is shown in **Appendix 1**
- 3.4 The hours applied for are as follows:

#### **Sale of Alcohol (On sales only)**

Sunday – Wednesday 12:00 – 00:00 hours (midnight)

Thursday 12:00 – 02:00 hours the following day

Friday – Saturday 12:00 – 03:00 hours the following day

#### **Regulated Entertainment**

##### **Plays, Films, Dance (indoors)**

Monday – Sunday 12:00 – 23:00 hours

##### **Live Music & recorded music (indoors)**

Sunday – Wednesday 18:00 – 00:00 hours (midnight)

Thursday 18:00 – 02:00 hours the following day

Friday – Saturday 18:00 – 03:00 hours the following day

##### **Late Night Refreshments**

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

Thursday 23:00 – 02:00 hours the following day

Friday – Saturday 23:00 – 03:00 hours the following day

##### **Non-Standard Hours for sale of alcohol, recorded music, late-night refreshments**

40 nights a year the opening times and licensable activities extended until 06:00 hours the following day

##### **Opening times**

Sunday – Wednesday 12:00 – 00:00 hours (midnight)

Thursday 12:00 – 02:00 hours the following day

Friday – Saturday 12:00 – 03:00 hours the following day

##### **Non-Standard Hours**

40 nights a year the opening times and licensable activities extended until 06:00 hours the following day

- 3.5 A copy of the existing licence is in **Appendix 2**



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

- 4.1 The site plan of the venue and application summary is included as **Appendix 3**.
- 4.2 Maps showing the vicinity are included as **Appendix 4**.
- 4.3 Photographs of the premises are included in **Appendix 5**.
- 4.4 Details of other licensed venues in the immediate vicinity are included as **Appendix 6**.

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

- 5.1 The Council has adopted a licensing policy and this is available from the Licensing Section, and at the hearing. The revised policy came into effect on 1<sup>st</sup> November 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 December 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 11**
- 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.

Dara MacMichael	<b>Appendix 7</b>
Jomard Kurdi	<b>Appendix 8</b>
Lucie Ashworth	<b>Appendix 9</b>

- 6.9 Applicants' response to objectors – **Appendix 10**
- 6.10 All of the responsible authorities have been consulted about this application. They are as follows:
- The Licensing Authority
  - The Metropolitan Police
  - The LFEPA (the London Fire and Emergency Planning Authority).
  - Planning
  - Health and Safety
  - Noise (Environmental Health)
  - Trading Standards
  - Child Protection
  - Public Health
  - Home office (Immigration Enforcement)
- 6.11 In addition the application was required to be advertised in a local newspaper and by a blue poster. Only objections that relate to the following licensing objectives are relevant:
- the prevention of crime and disorder
  - public safety
  - the prevention of public nuisance
  - the protection of children from harm

6.12 The objections relate to:

- Public nuisance
- ASB
- Crime & Disorder

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

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

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

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

As per licence number 19537 – **Appendix 2**

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

None

## **9.0 Licensing Officer Comments**

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

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

9.2 The following is intended to advise Members of the relevant aspects of the Boroughs Licensing Policy, guidance from the Secretary of State,

legislation and good practice. Members may depart from the Council's Licensing Policy and/or Government advice, provide they consider it appropriate to do so, and have clear reasons for their decision.

### 9.3 Guidance issued under section 182 of the Licensing Act 2003

- ❖ As stated in the guidance it is “provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act.” It is a key medium for promoting best practice, ensuring consistent application and promoting fairness equal treatment and proportionality (1.7).
- ❖ Also “as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons. Departure from this Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.” Therefore licensing authorities will need to give full reasons for their actions (1.9).
- ❖ Also Members should note “A Licensing Authority may depart from its own policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the licensing objectives.” (1.12)
- ❖ Also, “The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives.” Therefore, conditions may not be imposed for the purpose other than promoting the licensing objectives and in some cases no additional conditions will be appropriate. (10.8)
- ❖ Necessary conditions should emerge from a risk assessment by the applicant, which should then be reflected in the operating schedule (10.4).
- ❖ The Guidance states: “Where there are objections to an application to extend the hours during which licensable activities are to be carried on and the licensing authority determines that this would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.” (10.14)
- ❖ Mandatory conditions must be imposed (10.25) and censorship avoided (10.17).
- ❖ The Guidance states: “It is still permitted to sell alcohol using promotions (as long as they are compatible with any other licensing

condition that may be in force), and the relevant person should ensure that the price of the alcohol is not less than the permitted price. Detailed guidance on the use of promotions is given in the guidance document available on the Gov.uk website.” (10.58)

- ❖ Also, “Licensing authorities should not attach standardised blanket conditions promoting fixed prices for alcoholic drinks to premises licences or club licences or club premises certificates in an area.” (10.21)

- 9.4 The Licensing Act 2003 permits children of any age to be on the premises which primarily sell alcohol providing they are accompanied by an adult. It is not necessary to make this a condition.
- 9.5 In all cases the Members should make their decision on the civil burden of proof, that is “the balance of probability.”
- 9.6 In all cases Members should consider whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.
- 9.7 The Government has advised that conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. Conditions cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff and standardised conditions should be avoided where they cannot be shown to be appropriate. (1.16/1.17)
- 9.8 The Council’s Licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.
- 9.9 In **Appendices 11-** 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>	Existing licence No. 19537
<b>Appendix 3</b>	Site Plan & application summary
<b>Appendix 4</b>	Maps of the surrounding area
<b>Appendix 5</b>	Photographs of the premises
<b>Appendix 6</b>	Other licensed venues in the area
<b>Appendix 7 - 9</b>	Resident Representations
<b>Appendix 10</b>	Applicants' response to representations
<b>Appendix 11</b>	Section 182 Advice by the DCMS- Relevant, vexatious and frivolous representations
<b>Appendix 12</b>	Licensing Officer comments on public nuisance
<b>Appendix 13</b>	S182 advice on public nuisance
<b>Appendix 14</b>	Licensing Officer comments on crime and disorder nuisance
<b>Appendix 15</b>	S182 advice on crime & disorder
<b>Appendix 16</b>	ASB on leaving the premises
<b>Appendix 17</b>	Licensing Policy relating to hours of trading
<b>Appendix 18</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?

- Yes  No

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

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

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

Is the applicant:

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

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

**Applicant Business**

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

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

Registration number

Business name

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.

**Agent Business**

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

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

*Continued from previous page...*

Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 21**

**PREMISES DETAILS**

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

**Premises Address**

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

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

**Section 3 of 21**

**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

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

**Confirm The Following**

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

**Section 4 of 21**

**NON INDIVIDUAL APPLICANTS**

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

**Non Individual Applicant's Name**

Name

**Details**

Registered number (where applicable)

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

Continued from previous page...

Private Limited Company

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

Telephone number

Other telephone number

\* Date of birth  /  /   
dd mm yyyy

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

**Section 5 of 21**

**OPERATING SCHEDULE**

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

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

Provide a general description of the premises

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

The application is for a shadow licence under the same terms, plans and conditions as the granted licence 19537.

Continued from previous page...

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

**Section 6 of 21**

**PROVISION OF PLAYS**

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

- Indoors                       Outdoors                       Both

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

*Continued from previous page...*

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

State any seasonal variations for performing plays

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

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

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

**Section 7 of 21**

**PROVISION OF FILMS**

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Continued from previous page...

THURSDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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

- Indoors       Outdoors       Both

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

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

State any seasonal variations for the exhibition of film

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

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

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

*Continued from previous page...*

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 21**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 21**

**PROVISION OF LIVE MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End



Continued from previous page...

SUNDAY

Start

End

Start

End

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

- Indoors
- Outdoors
- Both

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

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

State any seasonal variations for the performance of live music

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

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

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

**Section 11 of 21**

**PROVISION OF RECORDED MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes
- No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="18:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="18:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="18:00"/>	End	<input type="text" value="03:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="18:00"/>	End	<input type="text" value="03:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="18:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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

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

- Indoors       Outdoors       Both

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

State any seasonal variations for playing recorded music

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

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

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

40 nights per year opening times and licensable activities extended until 6am

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

- Indoors                       Outdoors                       Both

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

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

Continued from previous page...

State any seasonal variations for the performance of dance

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

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

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

### Section 13 of 21

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

[See guidance on regulated entertainment](#)

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

Yes  No

### Section 14 of 21

#### LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes  No

#### Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Continued from previous page...

THURSDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="03:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="03:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

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

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

- Indoors       Outdoors       Both

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

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

State any seasonal variations

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

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

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

40 nights per year opening times and licensable activities extended until 6am

Continued from previous page...

## SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes  No

### Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises  Off the premises  Both

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

State any seasonal variations

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

Continued from previous page...

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

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

40 nights per year opening times and licensable activities extended until 6am

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

**Name**

First name

Family name

Date of birth

**Enter the contact's address**

Building number or name

City or town

County or administrative area

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

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

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

Reference number for consent form (if known)

*Continued from previous page...*

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

**Section 16 of 21**

**ADULT ENTERTAINMENT**

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

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

None

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End



*Continued from previous page...*

SUNDAY

Start

End

Start

End

State any seasonal variations

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

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

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

40 nights per year opening times and licensable activities extended until 6am

**Section 18 of 21**

**LICENSING OBJECTIVES**

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

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

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

The application is for a shadow licence under the same terms, plans and conditions as the granted licence 19537.

b) The prevention of crime and disorder

Please see attached

c) Public safety

Please see attached

d) The prevention of public nuisance

Please see attached

*Continued from previous page...*

e) The protection of children from harm

Please see attached

**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 (£)

315.00

## DECLARATION

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

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

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

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

\* Full name

Thomas and Thomas Partners LLP

\* Capacity

Solicitors on behalf of the Applicant

\* Date

20 / 03 / 2024  
dd mm yyyy

Add another signatory

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

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

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

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

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



**OFFICE USE ONLY**

Applicant reference number	<input type="text" value="JS/MS2/HAT.1.1"/>
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"/>
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Is Digitally signed	<input type="checkbox"/>

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# Appendix 2



**Lic No:  
19537**

**(The Yard Theatre)  
Unit 2a Queens Yard  
White Post Lane  
London  
E9 5EN**

**Licensable Activities authorised by the licence**

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

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

**Signed by**

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

**Date: 31<sup>st</sup> July 2015**



**Part A - Format of premises licence**

Premises licence number

19537

**Part 1 - Premises details**

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

(The Yard Theatre)  
Unit 2a Queens Yard  
White Post Lane

**Post town**

London

**Post code**

E9 5EN

**Telephone number**

[REDACTED]

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

Not applicable

**Licensable activities authorised by the licence**

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

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

#### The supply of alcohol (on sales only)

- Sunday to Wednesday from 12:00hrs (midday) to 00:00hrs (midnight)
- Thursday from 12:00hrs (midday) 02:00hrs (the following day)
- Friday to Saturday from 12:00hrs (midday) to 03:00hrs (the following day)

#### The provision of regulated entertainment in the form of plays (indoors), films (indoors), performances of dance (indoors)

- Monday to Sunday from 12:00hrs (midday) to 23:00hrs

#### The provision of regulated entertainment in the form of live music (indoors), recorded music (indoors)

- Sunday to Wednesday from 18:00hrs to 00:00hrs (midnight)
- Thursday from 18:00hrs to 02:00hrs (the following day)
- Friday to Saturday from 18:00hrs to 03:00hrs (the following day)

#### The provision of late night refreshment

- Sunday to Wednesday from 23:00hrs to 00:00hrs (midnight)
- Thursday from 23:00hrs to 02:00hrs (the following day)
- Friday to Saturday from 23:00hrs to 03:00hrs (the following day)

#### Non-Standard Times (supply of alcohol, late night refreshment and recorded music only)

- 40 nights per year opening times and licensable activities extended until 6am

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

- Sunday to Wednesday from 12:00hrs (midday) to 00:00hrs (midnight)
- Thursday from 12:00hrs (midday) to 02:00hrs (the following day)
- Friday to Saturday from 18:00hrs to 03:00hrs (the following day)

#### Non-Standard Times

- 40 nights per year opening times and licensable activities extended until 6am

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

- On sales only

## **Part 2**

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

The Yard Theatre Limited  
Unit 2a Queen's Yard  
White Post Lane  
London  
E9 5EN

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

Registered Number: 7664276

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

Ashleigh Wheeler  
[REDACTED]

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**

Licence Number: [REDACTED]  
Issuing Authority: [REDACTED]

## Annex 1 - Mandatory conditions

No supply of alcohol may be made under the premises licence-

- a) at a time where there is no designated premises supervisor in respect of the premises licence, or
- b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended

1.

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

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

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



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

Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, such individuals must be licensed with the Security Industry Authority. This does not apply to premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001, (premises with premises licences authorising plays or films), or in respect of premises in relation to- any occasion mentioned in paragraph 8(3)(b) or (c) of Schedule 2 (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or any occasion within paragraph 8(3)(d) of Schedule 2 (occasions prescribed by regulations under that Act) unless the Licence specifically states otherwise.

Security activity means an activity to which paragraph 2(1)(a) of Schedule 2 of the Private Security Industry Act 2001 of that schedule applies, and

Paragraph 8(5) of Schedule 2 (interpreting of references to an occasion) applies as it applies in relation to paragraph 8 of Schedule 2 of the Private Security Industry Act 2001

Where the exhibition of films is authorised, the admission of children to the exhibition of any film must be to be restricted as follows: If the London Borough of Tower Hamlets Licensing Section has issued a particular notification of restriction to the licence holder, that restriction must be adhered. Otherwise the recommendation of the film classification body must be followed. Children means persons aged under 18 and “film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (currently the British Board of Film Classification)

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

1. When planning late-running ticketed events the Premises Licence Holder (PLH) will send a 696 Risk Assessment (3 weeks prior) to the Metropolitan Police, including details of audience numbers, promoters and DJs. The PLH also send post-event summary emails when required;

Security plan:

2. When running a late-night music event at maximum bar capacity (250 people) the PLH will employ 4 security staff in total to cover the following areas: 2 security (1 male 1 female) at the front gate to check incoming people for any dangerous or illegal items and keep track of numbers with a clicker. One security member is to be stationed in the garden area immediately in front of the shutter entrance to monitor behaviour and noise on the exterior of the building, and to act as the communication link between the outside and inside staff. The last security person is to be stationed as a floating observer inside the bar area;
3. At the end of the night the roles of the 2 security at the front gate become that of stewards to help people into taxis, or direct them to the night bus stops. The inside security person is to support the cloakroom staff and monitor the cloakroom queue, and the remaining security person is to help round up any leftover patrons who have yet to leave. The PLH will have a walkie-talkie system in place between security staff at the front gate and the Bar and Venue Manager;
4. For small scale ticketed DJ events for no more than 50 people that is not promoted by an external promoter, the PLH will have SIA security staff and the number of these staff will be based on a risk assessment complied by PLH;

5. All non DJ events are to have security based on the risk assessments completed by the PLH.
6. The CCTV is to cover the outdoor area of The Yard, the entrance to the bar and members of the public being served at the bar.

Drugs policy:

7. The premises is to have a lockable box on-site for the safe storage of any suspected drugs that have been seized. If any staff member witnesses persons taking or distributing drugs on the premises, they are to be instructed to fetch a member of the security staff to detain the suspect and confiscate the item while the Police are called. The details are to be recorded in an incident book, with the date, name of the supervisor on shift, the name and number of the security guard present and a description of the seized item. The Yard's Bar and Venue Manager will arrange a time for Police to collect the confiscated substance from the premises; prior to this the box is to be locked away securely with the substance sealed in a freezer bag;
8. Any lost property found at The Yard is to be logged in the incident report book and kept locked away securely. If the PLH does not manage to locate the owner after one month, the item will be taken to Bow police station.
9. All staff supervisors and event managers are to be aware of capacity limits in the theatre and bar areas and security staff are to be tasked with keeping track of numbers with clickers. All Yard staff are to be trained in evacuation procedure and location of fire extinguishers;
10. On late-night events The Yard is to serve drinks in plastic glasses only. During usual opening hours, The Yard is to use toughened glass for drinks;

Transport plan:

11. The premises is to have an established relationship with several local minicab firms. Hired security staff are to double as stewards at the end of the night to help get people into cabs;
12. During late-night music events a soundproofing curtain is to be used across the shutter opening;
13. Security staff are to act as marshals to keep noise down and move people towards their transport home;

14. When planning an event that runs outside of our usual hours, the PLH is to contact the closest neighbouring businesses in writing at least a fortnight before the event itself with details of start and end times;
15. The Yard bar is to operate a Challenge 21 policy. All people entering the building for a late night event are asked for identification at the front gate. All late-night music events have an 18years+ age restriction and no person under the age of 18 is allowed into the building after 00:00hrs (midnight);
16. Children under the age of 16 are not allowed in the bar unaccompanied by an adult.

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

Not applicable

### **Annex 4 - Plans**

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

- 30<sup>th</sup> June 2015 – Ground Floor

**Part B - Premises licence summary**

**Premises licence number**

19537

**Premises details**

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

(The Yard Theatre)  
Unit 2a Queens Yard  
White Post Lane

**Post town**

London

**Post code**

E9 5EN

**Telephone number**

[REDACTED]

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

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

The times the licence authorises the carrying out of licensable activities

The supply of alcohol (on sales only)

- Sunday to Wednesday from 12:00hrs (midday) to 00:00hrs (midnight)
- Thursday from 12:00hrs (midday) 02:00hrs (the following day)
- Friday to Saturday from 12:00hrs (midday) to 03:00hrs (the following day)

The provision of regulated entertainment in the form of plays (indoors), films (indoors), performances of dance (indoors)

- Monday to Sunday from 12:00hrs (midday) to 23:00hrs

The provision of regulated entertainment in the form of live music (indoors), recorded music (indoors)

- Sunday to Wednesday from 18:00hrs to 00:00hrs (midnight)
- Thursday from 18:00hrs to 02:00hrs (the following day)
- Friday to Saturday from 18:00hrs to 03:00hrs (the following day)

The provision of late night refreshment

- Sunday to Wednesday from 23:00hrs to 00:00hrs (midnight)
- Thursday from 23:00hrs to 02:00hrs (the following day)
- Friday to Saturday from 23:00hrs to 03:00hrs (the following day)

Non-Standard Times (supply of alcohol, late night refreshment and recorded music)

- 40 nights per year opening times and licensable activities extended until 6am

The opening hours of the premises

- Sunday to Wednesday from 12:00hrs (midday) to 00:00hrs (midnight)
- Thursday from 12:00hrs (midday) to 02:00hrs (the following day)
- Friday to Saturday from 18:00hrs to 03:00hrs (the following day)

Non-Standard Times

- 40 nights per year opening times and licensable activities extended until 6am

Name, (registered) address of holder of premises licence

The Yard Theatre Ltd  
Unit 2a Queen's Yard  
White Post Lane  
London, E9 5EN

Where the licence authorises supplies of alcohol

On sales only

Registered company number

7664276

Designated premises supervisor

Ashleigh Wheeler

State whether access to the premises by children is restricted or prohibited

Children under the age of 16 are not allowed in the bar unaccompanied by an adult. No person under the age of 18 is allowed into the building after 00:00hrs (midnight).

# Appendix 3

## Application Summary

### Premises Details

**Shadow (The Yard Theatre) Unit 2a Queens Yard White Post Lane London E9 5EN**

**Applicant:** HATTON GARDEN PROPERTIES LIMITED

**Registered Address:** *Quadrant House, Floor 6, 4 Thomas More Square, London, E1W 1YW*

**Companies House Number:** 05883958

**Premises Address:** Shadow (The Yard Theatre) Unit 2a Queens Yard White Post Lane London E9 5EN

**VOA:** £ 39,250

**DPS:** Rodney Charles Evans

#### Application Description:

The application is for a shadow licence under the same terms, plans and conditions as the granted licence 19537.

#### Proposed Hours & Activities:

Sale of Alcohol <b>On Sales</b>	Sunday to Wednesday 12:00 to 00:00 Thursdays 12:00 to 02:00 Friday to Saturday 12:00 to 03:00
Performance of Plays. Films and Performance of Dance	Monday to Sunday 12:00 to 23:00
Live Music and Recorded Music	Sunday to Wednesday 18:00 to 00:00 Thursday 18:00 to 02:00 Friday to Saturday 18:00 to 03:00
Late Night Refreshment	Sunday to Wednesday 23:00 to 00:00 Thursday 23:00 to 02:00 Friday to Saturday 23:00 to 03:00
Opening Hours	Sunday to Wednesday 12:00 to 00:00  Thursday 12:00 to 02:00  Friday to Saturday 18:00 to 03:00
Non-standard hours	<b>Non-Standard Times (supply of alcohol, late night refreshment and recorded music only)</b> 40 nights per year opening times and licensable activities extended until 6am

#### Proposed Conditions as attached to licence numbered 19537:

Annex 2 - Conditions consistent with the operating Schedule

1. When planning late-running ticketed events the Premises Licence Holder (PLH) will send a 696 Risk Assessment (3 weeks prior) to the Metropolitan Police, including details of audience numbers, promoters and DJs. The PLH also send post-event summary emails when required;



#### Security plan:

2. When running a late-night music event at maximum bar capacity (250 people) the PLH will employ 4 security staff in total to cover the following areas: 2 security (1 male 1 female) at the front gate to check incoming people for any dangerous or illegal items and keep track of numbers with a clicker. One security member is to be stationed in the garden area immediately in front of the shutter entrance to monitor behaviour and noise on the exterior of the building, and to act as the communication link between the outside and inside staff. The last security person is to be stationed as a floating observer inside the bar area;
3. At the end of the night the roles of the 2 security at the front gate become that of stewards to help people into taxis, or direct them to the night bus stops. The inside security person is to support the cloakroom staff and monitor the cloakroom queue, and the remaining security person is to help round up any leftover patrons who have yet to leave. The PLH will have a walkie-talkie system in place between security staff at the front gate and the Bar and Venue Manager;
4. For small scale ticketed DJ events for no more than 50 people that is not promoted by an external promoter, the PLH will have SIA security staff and the number of these staff will be based on a risk assessment compiled by PLH;
5. All non DJ events are to have security based on the risk assessments completed by the PLH.
6. The CCTV is to cover the outdoor area of The Yard, the entrance to the bar and members of the public being served at the bar.

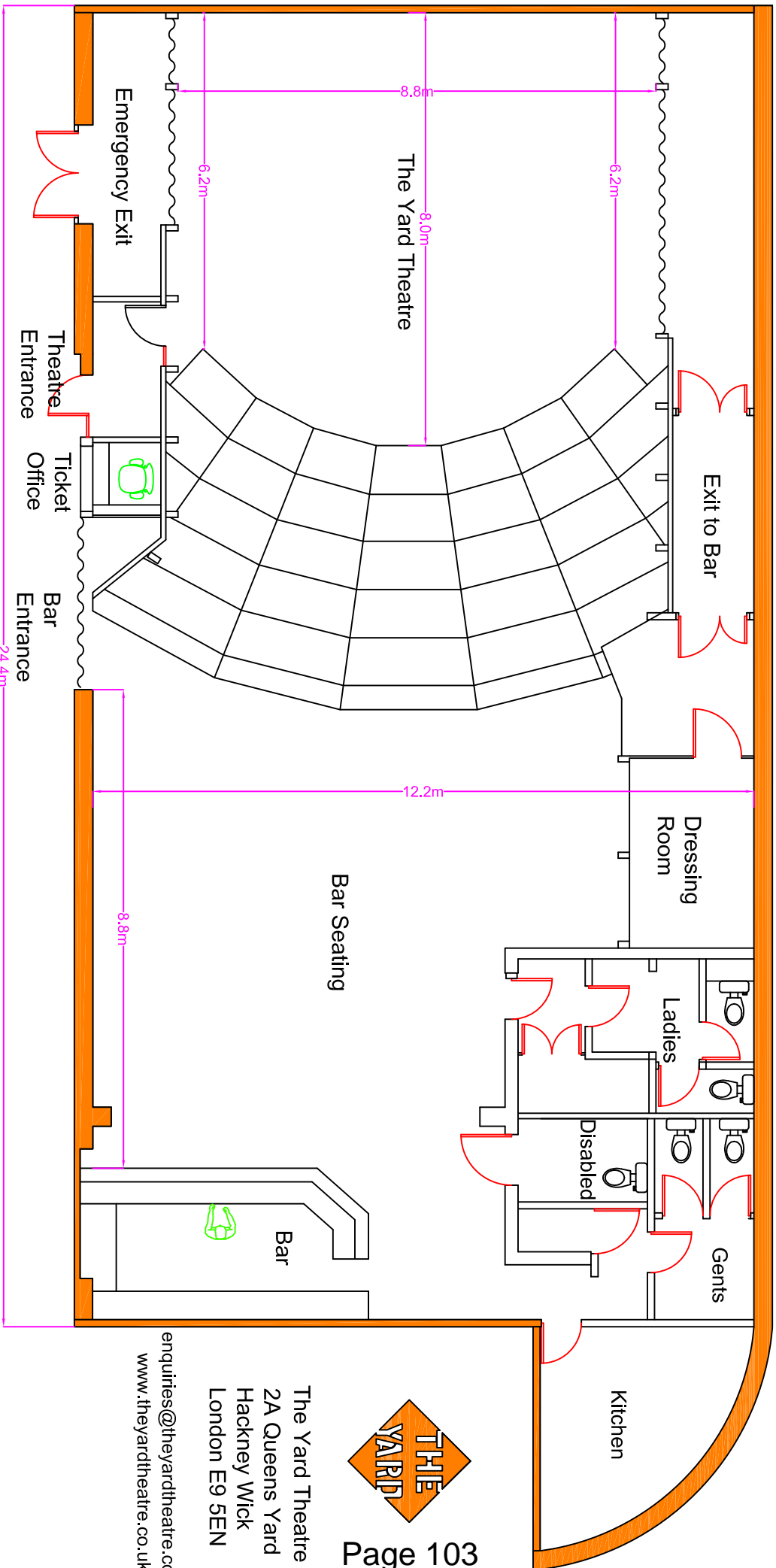
#### Drugs policy:

7. The premises is to have a lockable box on-site for the safe storage of any suspected drugs that have been seized. If any staff member witnesses persons taking or distributing drugs on the premises, they are to be instructed to fetch a member of the security staff to detain the suspect and confiscate the item while the Police are called. The details are to be recorded in an incident book, with the date, name of the supervisor on shift, the name and number of the security guard present and a description of the seized item. The Yard's Bar and Venue Manager will arrange a time for Police to collect the confiscated substance from the premises; prior to this the box is to be locked away securely with the substance sealed in a freezer bag;
8. Any lost property found at The Yard is to be logged in the incident report book and kept locked away securely. If the PLH does not manage to locate the owner after one month, the item will be taken to Bow police station.
9. All staff supervisors and event managers are to be aware of capacity limits in the theatre and bar areas and security staff are to be tasked with keeping track of numbers with clickers. All Yard staff are to be trained in evacuation procedure and location of fire extinguishers;
10. On late-night events The Yard is to serve drinks in plastic glasses only. During usual opening hours, The Yard is to use toughened glass for drinks;

#### Transport plan:

11. The premises is to have an established relationship with several local minicab firms. Hired security staff are to double as stewards at the end of the night to help get people into cabs;

12. During late-night music events a soundproofing curtain is to be used across the shutter opening;
13. Security staff are to act as marshals to keep noise down and move people towards their transport home;
14. When planning an event that runs outside of our usual hours, the PLH is to contact the closest neighbouring businesses in writing at least a fortnight before the event itself with details of start and end times;
15. The Yard bar is to operate a Challenge 21 policy. All people entering the building for a late night event are asked for identification at the front gate. All late-night music events have an 18years+ age restriction and no person under the age of 18 is allowed into the building after 00:00hrs (midnight);
16. Children under the age of 16 are not allowed in the bar unaccompanied by an adult.

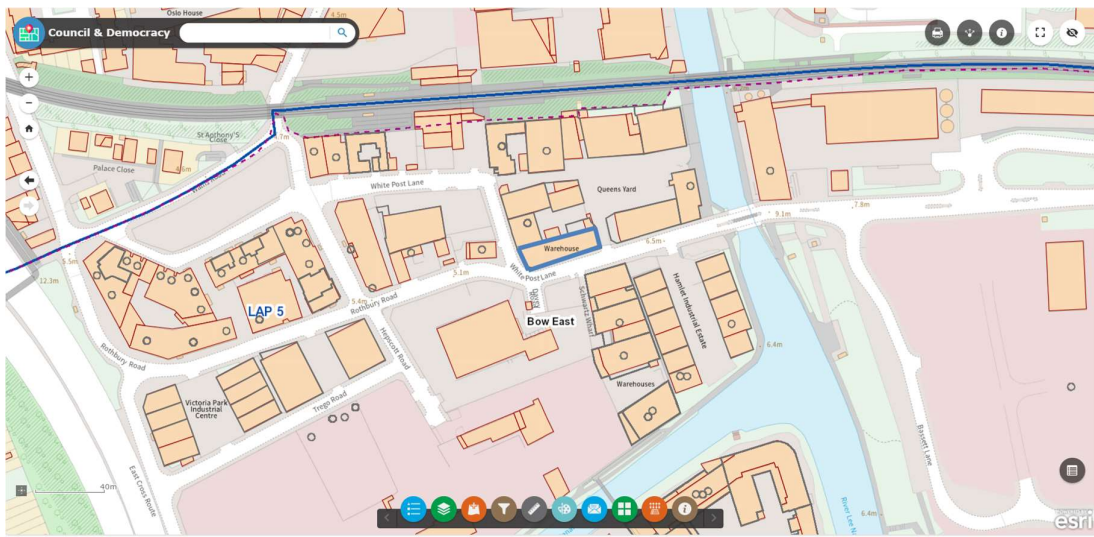
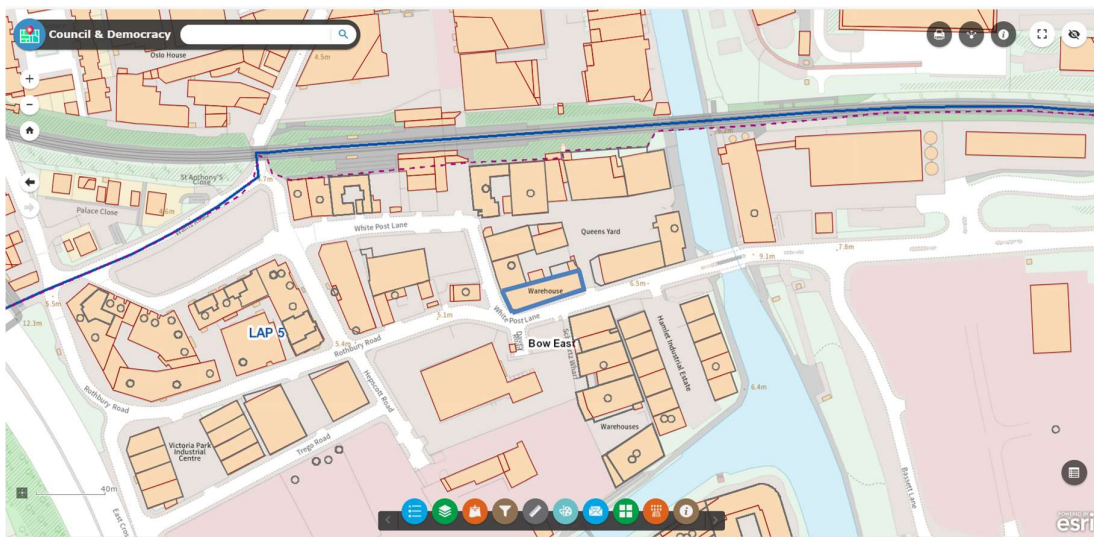
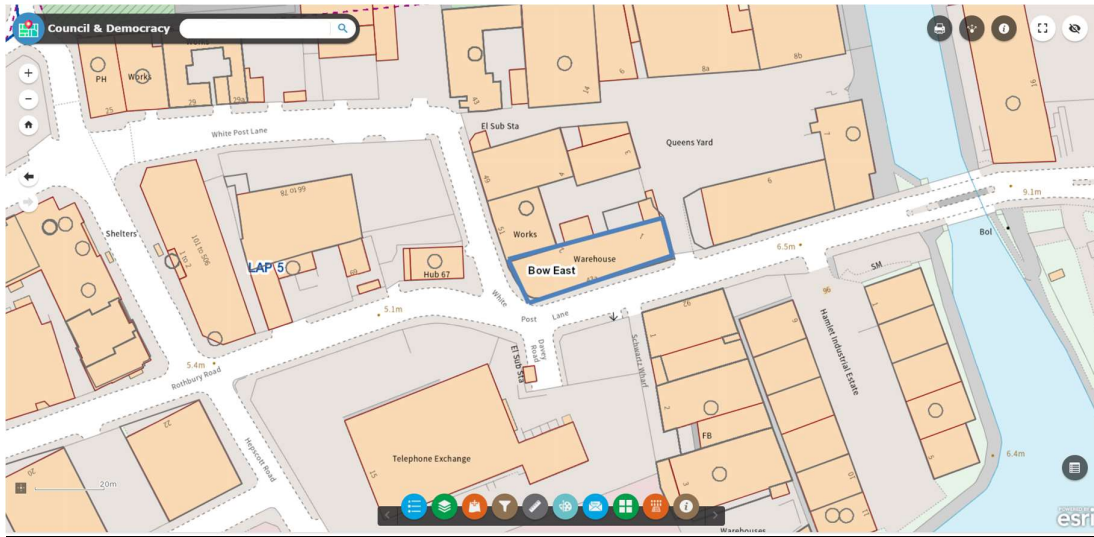


The Yard Theatre  
 2A Queens Yard  
 Hackney Wick  
 London E9 5EN

enquiries@theyardtheatre.co.uk  
 www.theyardtheatre.co.uk

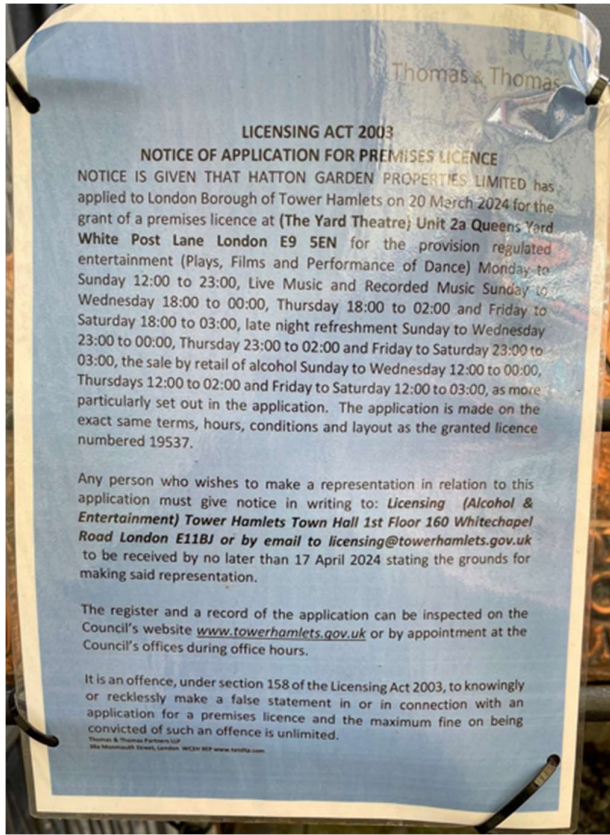
# Appendix 4

# Unit 2a Queens Yard, 43 White Post Lane

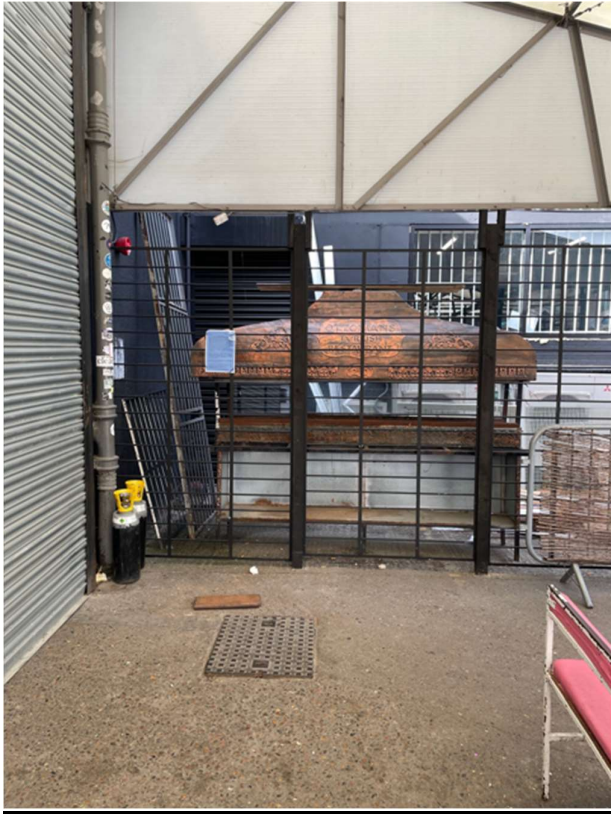


# Appendix 5

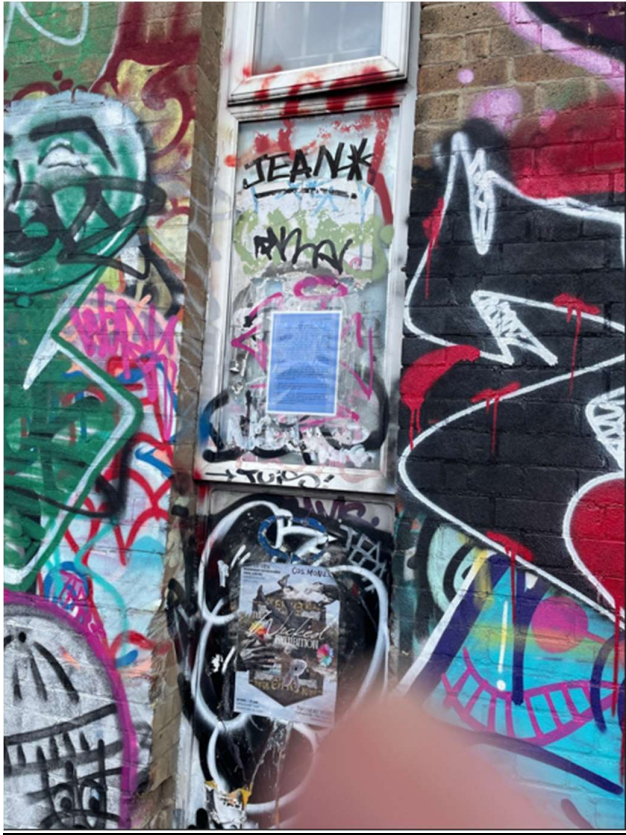
## Photos – Unit 2a Queens Yard











# Appendix 6

Premises	Licensable Activities	Opening Hours
<b>Fabwick)</b> Unit 4a, Queens Yard	<u><b>The sale by retail of alcohol</b></u> (off sales) Monday to Sunday from 08:00 hours to 00:00 hours	Monday to Sunday from 08:00 hours to 00:00 hours (Delivery only licence- No public access )
<b>(The Yard            Theatre)</b> 2a Queens Yard	<u><b>The supply of alcohol (on            sales only)</b></u> <ul style="list-style-type: none"> <li>• Sunday to Wednesday              from 12:00hrs (midday)              to 00:00hrs (midnight)</li> <li>• Thursday from 12:00hrs              (midday) 02:00hrs (the              following day)</li> <li>• Friday to Saturday from              12:00hrs (midday) to              03:00hrs (the following              day)</li> </ul> <p><u>The provision of regulated  entertainment in the form of  plays (indoors), films (indoors),  performances of dance  (indoors)</u></p> <ul style="list-style-type: none"> <li>• Monday to Sunday from              12:00hrs (midday) to              23:00hrs</li> </ul> <p><u>The provision of regulated  entertainment in the form of live  music (indoors), recorded music  (indoors)</u></p> <ul style="list-style-type: none"> <li>• Sunday to Wednesday              from 18:00hrs to              00:00hrs (midnight)</li> <li>• Thursday from 18:00hrs              to 02:00hrs (the following              day)</li> <li>• Friday to Saturday from              18:00hrs to 03:00hrs              (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> </ul>	<ul style="list-style-type: none"> <li>• Sunday to Wednesday              from 12:00hrs (midday) to              00:00hrs (midnight)</li> <li>• Thursday from 12:00hrs              (midday) to 02:00hrs (the              following day)</li> <li>• Friday to Saturday from              18:00hrs to 03:00hrs              (the following day)</li> </ul> <p><u>Non-Standard Times</u></p> <ul style="list-style-type: none"> <li>• 40 nights per year              opening times and              licensable activities              extended until 6am</li> </ul>

	<ul style="list-style-type: none"> <li>• Thursday from 23:00hrs to 02:00hrs (the following day)</li> <li>• Friday to Saturday from 23:00hrs to 03:00hrs (the following day)</li> </ul> <p><u>Non-Standard Times (supply of alcohol, late night refreshment and recorded music only)</u></p> <ul style="list-style-type: none"> <li>• 40 nights per year opening times and licensable activities extended until 6am</li> </ul>	
<p><b>(Old Street Brewery)</b> Unit 1, Queens Yard</p>	<p><b><u>The sale by retail of alcohol – On and off sales</u></b></p> <ul style="list-style-type: none"> <li>• Monday to Sunday, from 10:00 hrs to 00:00 hrs (midnight)</li> </ul> <p><b>The provision of late night refreshments – Indoors and outdoors</b></p> <ul style="list-style-type: none"> <li>• Sunday to Wednesday, from 23:00 hrs to 23:30 hrs</li> <li>• Thursday to Saturday, from 23:00 hrs to 00:00 hrs (midnight)</li> </ul> <p><b>The provision of regulated entertainment – Indoors and outdoors</b> <u>(Recorded Music only)</u></p> <ul style="list-style-type: none"> <li>• Sunday to Wednesday, from 10:00 hrs to 00:00 hrs (midnight)</li> <li>• Thursday to Saturday, from 12:00 hrs to 00:30 hrs the following day</li> </ul>	<ul style="list-style-type: none"> <li>• Sunday to Wednesday, from 10:00 hrs to 00:00 hrs (midnight)</li> <li>• Thursday to Saturday, from 10:00 hrs to 00:30 hrs the following day</li> </ul>
<p><b>(Colour Factory)</b> Unit 8a, Queens Yard</p>	<p><b><u>The sale by retail of alcohol (on &amp; off sales)</u></b></p> <ul style="list-style-type: none"> <li>• Monday to Thursday 09:00 hours to 23:00 hours</li> </ul>	<ul style="list-style-type: none"> <li>• Monday to Thursday 09:00 hours to 23:30 hours</li> <li>• Friday &amp; Saturday 09:00 hours to 04:00 hours</li> </ul>

	<ul style="list-style-type: none"> <li>• Friday &amp; Saturday 09:00 hours to 03:30 hours the following day</li> <li>• Sunday 09:00 hours to 00:00 hours (midnight)</li> </ul> <p><b>The provision of late-night refreshment – Indoors and outdoors</b></p> <ul style="list-style-type: none"> <li>• Friday and Saturday, from 23:00 hours to 02:00 hours the following day</li> </ul> <p><b>The provision of regulated entertainment</b> <u>(Plays, Performances of Dance) – indoors</u></p> <ul style="list-style-type: none"> <li>• Monday to Thursday 09:00 hours to 23:30 hours</li> <li>• Friday &amp; Saturday 09:00 hours to 04:00 hours (the following day)</li> <li>• Sunday, from 09:00 hours to 00:00 hours (midnight)</li> </ul> <p><u>(Films) - indoors</u></p> <ul style="list-style-type: none"> <li>• Monday to Thursday 09:00 hours to 23:30 hours</li> <li>• Friday &amp; Saturday, from 09:00 hours to 04:00 hours the following day</li> </ul>	<p>(the following day)</p> <ul style="list-style-type: none"> <li>• Sunday, from 09:00 hours to 00:00 hours (midnight)</li> </ul> <p><u>Non-standard timings:</u> For the 20 occasions per year for Live music, recorded Music, later night refreshment until 02:30 am, closing at 03:00 am, including the New Year’s Eve closing at 04:00 am that the Police and Environmental Health are informed of each of these events at least 10 working days before they occur, so that they may consider each event, and if there is any reason to believe that the Licensing Objectives will not be met, have the right to refuse an event.</p>
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	<ul style="list-style-type: none"> <li>• Sunday 09:00 hours to 00:00 hours (midnight)</li> </ul> <p><u>(Indoor Sporting Event)</u></p> <ul style="list-style-type: none"> <li>• Monday to Thursday, from 09:00 hours to 23:30 hours</li> <li>• Friday &amp; Saturday 09:00 hours to 04:00 hours (the following day)</li> <li>• Sunday, from 09:00 hours to 00:00 hours (midnight)</li> </ul> <p><u>Live Music &amp; Recorded Music (indoors &amp; outdoors) – Live music cease 23:00 hours outside)</u></p> <ul style="list-style-type: none"> <li>• Monday to Thursday 09:00 hours to 23:30 hours</li> <li>• Friday &amp; Saturday 09:00 hours to 04:00 hours (the following day)</li> <li>• Sunday 09:00 hours to 00:00 hours (midnight)</li> </ul> <p><u>Anything of a similar description to Live Music, Recorded Music or Performance of Dance – indoors and outdoors</u></p> <ul style="list-style-type: none"> <li>• Monday to Thursday 09:00 hours to 23:30 hours</li> <li>• Friday &amp; Saturday 09:00 hours to 04:00 hours (the following day)</li> <li>• Sunday, from 09:00 hours to 00:00 hours (midnight)</li> </ul>	
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	<p><u>Non-standard timings:</u></p> <ul style="list-style-type: none"> <li>For the 20 occasions per year for <u>Live music</u>, <u>recorded Music</u>, <u>late night refreshment</u> until 02:30 hours the following day, closing at 03:00 hours the following day, including the New Year's Eve closing at 04:00 hours the following day that the Police and Environmental Health are informed of each of these events at least 10 working days before they occur, so that they may consider each event, and if there is any reason to believe that the Licensing Objectives will not be met, have the right to refuse an event.</li> </ul>	
<p><b>(Howling Hops)</b> Unit 9 Queens Yard</p>	<p><b><u>The Supply of Alcohol (both on and off premises)</u></b></p> <ul style="list-style-type: none"> <li>Sunday to Thursday from 12:00hrs (midday) to 23:00hrs</li> <li>Friday to Saturday from 12:00hrs (Midday) to 01:30hrs</li> </ul> <p><b><u>Provision of Regulated Entertainment:</u></b> <u>Plays, Films, Indoor Sporting Events, Live Music (indoors), Recorded Music (indoors), Performance of Dance, Anything of a similar Description</u></p> <ul style="list-style-type: none"> <li>Sunday to Thursday from 12:00hrs (midday) to 23:00hrs</li> <li>Friday and Saturday from 12:00hrs (midday) to 01:30hrs</li> </ul> <p><b><u>The Provision of Late Night Refreshments</u></b></p>	<ul style="list-style-type: none"> <li>Sunday to Thursday from 12:00hrs to 23:30hrs</li> <li>Friday to Saturday from 12:00hrs to 02:00hrs (the following day)</li> </ul>

	<ul style="list-style-type: none"> <li>• Friday and Saturday 23:00hrs – 0200hrs</li> <li>•</li> </ul>	
<p><b>(Crate Bar &amp; Pizzeria)</b> White Building Unit ,7 Queens Yard</p>	<p><b>Sale by retail of alcohol (on and off sales)</b></p> <ul style="list-style-type: none"> <li>• Monday to Wednesday, from 09:00 hours to 23:30 hours</li> <li>• Thursday to Sunday, from 09:00 hours to 01:30 hours the following days</li> </ul> <p><b>The provision of late night refreshment – Indoors</b></p> <ul style="list-style-type: none"> <li>• Monday to Wednesday, from 23:00 hours to 23:30 hours</li> <li>• Thursday to Sunday, from 23:00 hours to 01:30 hours the following days</li> </ul> <p><b>The provision of regulated entertainment – Indoors and outdoors</b> <b>Plays, Films,</b></p> <ul style="list-style-type: none"> <li>• Monday to Wednesday, from 09:00 hours to 00:00 hours (midnight)</li> <li>• Thursday to Sunday, from 09:00 hours to 02:00 hours the following days</li> </ul> <p><b>Live Music, recorded music (outside only until 21:00 hours)</b></p> <ul style="list-style-type: none"> <li>• Monday to Wednesday, from 09:00 hours to 00:00 hours (midnight)</li> <li>• Thursday to Sunday, from 09:00 hours to 02:00 hours the following days</li> </ul> <p><b>Performance of dance</b></p>	<ul style="list-style-type: none"> <li>• Monday to Wednesday, from 09:00 hours to 00:00 hours (midnight)</li> <li>• Thursday to Sunday, from 09:00 hours to 02:00 hours the following days</li> </ul>



	<ul style="list-style-type: none"> <li>Monday to Wednesday, from 09:00 hours to 23:30 hours</li> <li>Thursday to Sunday, from 09:00 hours to 01:30 hours the following days</li> </ul>	
<b>(Alfred Leroy) Crate Brewery The White Building Unit 7 Queens Yard</b>	<p><b><u>The on sale of alcohol (on sales)</u></b>  Monday to Thursday, 07.00am to 23.00pm.  Friday and Saturday, 07.00am to midnight.  Sunday, 07.00am to 22.30pm.</p> <p><b><u>Late night refreshment,</u></b>  Friday and Saturday, 23.00pm to 00.30am the next day.</p> <p><b><u>The exhibition of films,</u></b>  Monday to Sunday, 12noon to 22.00pm.</p>	Monday to Thursday, 07.00am to 23.30pm. Friday and Saturday, 07.00am to 00.30am the next day. Sunday, 07.00am to 23.00pm.
<b>(Wicked Fish) Queens Yard</b>	<p><b><u>The sale by retail of alcohol</u></b>  (on sales only)</p> <p>Monday to Sunday 12:00 – 23:00 hours</p> <p><b><u>Late Night Refreshment</u></b>  Sunday to Thursday from 23:00 -01:00 HRS  Friday to Saturday from 23:00 - 04:00 HRS</p> <p><b><u>Non-standard timing</u></b>  Christmas Eve and New Year’s Eve  Christmas Eve and Christmas Day 23:00 hours to 05:00 hours  New Years Eve 23:00 hours to 05:00 hours (the day following),  New Year’s Day 23:00 hours to 05:00 hours</p>	<p>Sunday – Thursday from 06:00 hours to 01:30 hours  Friday -Saturday from 06:00 hours to 04:30 hours</p> <p><b><u>Non-standard timing</u></b>  Christmas Eve and Christmas Day 23:00 hours to 05:00 hours  New Years Eve 23:00 hours to 05:00 hours (the day following),  New Year’s Day 23:00 hours to 05:00 hours</p>

<p><b>(HWK3 Limited)</b> Unit 8 29 White Post Lane</p>	<p><b><u>Supply of alcohol (Indoors &amp; Outdoors)</u></b> Monday to Thursday from 11:30 hours to 23:30 hours Friday to Saturday from 11:30 hours to 00:00 hours Sunday from 11:30 hours to 22:30 hours</p> <p><b><u>Non-standard timings</u></b> Until 01:30 on the evening preceding a Bank Holiday. Until 4am on New Years Eve, until 01:30 on New Year's Day.</p> <p><b><u>Regulated Entertainment Plays &amp; Recorded Music (Indoors &amp; Outdoors)</u></b> Monday to Thursday from 11:30 hours to 23:30 hours Friday to Saturday from 11:30 hours to 00:00 hours Sunday from 11:30 hours to 22:30 hours</p> <p><b><u>Non-standard timings</u></b> Until 01:30 on the evening preceding a Bank Holiday. Until 4am on New Years Eve, until 01:30 on New Year's Day.</p>	<p>Monday to Thursday from 11:30 hours to 23:00 hours Friday to Saturday from 11:30 to 23:30 hours Sunday from 11:30 to 22:00 hours</p> <p><b><u>Non-standard timings</u></b> Until 01:30 on the evening preceding a Bank Holiday. Until 4am on New Year's Eve, until 01:30 on New Year's Day</p>
<p><b>(Civic State)</b> Unit 2-3 66-78 White Post Lane</p>	<p><b><u>Supply of alcohol (on and off sales)</u></b> Monday to Sunday from 10:00 hours to 23:59 hours</p> <p><b><u>Provisions of regulated entertainment</u></b> consisting of Provisions Plays, films, performance of dance (indoors/outdoors) Monday to Sunday from 10:00 hours to 23:59</p> <p><b><u>Provision of Live and Recorded Music</u></b> (indoors/outdoors) Monday to Sunday from 10:00 hours to 22:00 hours</p>	<p>Monday to Sunday from 06:00 hours to 23:59</p>

<p><b>(Lord Napier)</b> 25 White Post Lane</p>	<p><b><u>The provision of regulated entertainment</u></b> (recorded music):</p> <ul style="list-style-type: none"> <li>• Sunday to Thursday from 10:00 hours to 00:00 hours (Midnight)</li> <li>• Friday and Saturday from 10:00 hours to 01:30 hours</li> </ul> <p><b><u>The provision of late night refreshment:</u></b></p> <ul style="list-style-type: none"> <li>• Sunday to Thursday from 23:00 hours to 00:00 hours (Midnight)</li> <li>• Friday and Saturday from 23:00 hours to 01:30 hours</li> </ul> <p><b><u>The sale by retail of alcohol – (on and off sales):</u></b></p> <ul style="list-style-type: none"> <li>• Sunday to Thursday from 10:00 hours to 00:00 hours (Midnight) Friday to Saturday 10:00 hours to 01:30 hours</li> </ul>	<p><b>The opening hours of the premises:</b></p> <ul style="list-style-type: none"> <li>• Sunday to Thursday from 10:00 hours to 00:30 hours</li> <li>• Friday and Saturday from 10:00 hour to 02:00 hours</li> </ul> <p><b>Non Standard Timings:</b> Until 02:00 on Bank Holiday Sundays and Easter Thursday. Until 04:30 on New Years Eve and 02:00 on New Year's Day.</p>
<p><b>(All My Friends)</b> Unit 1, Hamlet Industrial Estate 96 White Post Lane</p>	<p><b><u>Regulated Entertainment – Recorded Music (indoors)</u></b> Sunday to Wednesday from 23:00 hours to 00:00 hours Thursday from 23:00 hours to 01:00 hours Friday to Saturday from 23:00 hours to 02:00 hours</p> <p><b><u>Late Night Refreshment (indoors &amp; Outdoors)</u></b> Sunday to Wednesday from 23:00 hours to 00:00 hours Thursday from 23:00 hours to 01:00 hours Friday to Saturday from 23:00 hours to 02:00 hours</p> <p><b><u>The sale by retail of alcohol (on &amp; off)</u></b></p>	<p>Sunday to Wednesday from 07:00 hours to 00:00 hours Thursday from 07:00 hours to 01:00 hours Friday to Saturday from 07:00 hours to 02:00 hours</p>

	<p>Sunday to Wednesday from 08:00 hours to 23:30 hours  Thursday from 08:00 hours to 00:30 hours  Friday to Saturday from 08:00 hours to 01:30 hours</p>	
<p><b>(Greenhouse)</b>  <b>Unit 1</b>  <b>Hamlet Industrial Estate</b>  <b>96 White Post Lane</b></p>	<p><b><u>Regulated Entertainment in the form of live music (indoors)</u></b></p> <ul style="list-style-type: none"> <li>From Monday to Saturday from 18:00hrs to 23:00hrs</li> <li>Sunday from 08:00hrs to 23:00hrs</li> </ul> <p><b><u>Regulated Entertainment in the form of recorded music (indoors)</u></b></p> <ul style="list-style-type: none"> <li>From Monday to Sunday from 18:00hrs to 23:00hrs</li> </ul> <p><b><u>The Supply of alcohol (both on and off premises)</u></b></p> <ul style="list-style-type: none"> <li>From Monday to Sunday from 08:00hrs to 23:00hrs</li> </ul>	<p>Monday to Sunday from 07:00hrs to 23:30hrs</p>
<p><b>(Whitepost Cafe)</b>  Schwartz Wharf  92 White Post Lane</p>	<p><b><u>The sale by retail of alcohol - on sales</u></b>  Monday to Thursday from 11:00hrs to 23:00hrs  Friday from 11:00hrs to 00:00hrs (midnight)  Saturday from 11:00hrs to 01:00hrs (the following day)  Sunday from 11:00hrs to 22:00hrs</p> <p><b><u>The sale by retail of alcohol - off sales</u></b>  Monday to Sunday from 11:00hrs to 21:00hrs</p> <p><b><u>The Provision of Late Night Refreshment (indoors):</u></b>  Friday from 23:00hrs to 00:00hrs (midnight)</p>	<p>Monday to Thursday from 11:00hrs to 23:30hrs  Friday from 11:00hrs to 00:30hrs (the following day)  Saturday from 11:00hrs to 01:30hrs (the following day)  Sunday from 11:00hrs to 22:30hrs</p> <p><b>Non-standard times:</b>  Sundays before Bank Holidays 11:00hrs to 01:00hrs (the following day)  New Year's Eve 11:00hrs to 09:00hrs (the following day)  Morning British Standard Time commences to allow clock going back on hour</p>

	<p>Saturday from 23:00hrs to 00:00hrs (midnight)</p> <p><b><u>The Provision of Regulated Entertainment in the form of Recorded Music indoors):</u></b>  Monday to Thursday from 11:00hrs to 23:00hrs  Friday from 11:00hrs to 00:00hrs (midnight)  Saturday from 11:00hrs to 01:00hrs (the following day)  Sunday from 11:00hrs to 22:00hrs</p> <p><b>Non-standard times:</b>  Sundays before Bank Holidays 11:00hrs to 01:00hrs (the following day)  New Year's Eve 11:00hrs to 09:00hrs (the following day)  Morning British Standard Time commences to allow clock going back on hour</p>	
<p><b>(Run the Booze)</b>  Unit 3-4,  Hamlet Industrial Estate  96 White Post Lane</p>	<p><b><u>The sale of alcohol (off sales)</u></b>  Monday – Thursday 12:00 hours – 00:00 hours (midnight)  Friday - Saturday 12:00 hours – 02:00 hours  Sunday 12:00 hours – 23:00 hours</p> <p><b><u>Provision of Late Night Refreshments (indoors &amp; outdoors)</u></b>  Monday – Thursday 23:00 hours – 00:00 hrs (midnight)  Friday – Saturday 23:00 hours – 02:00 hours</p>	<p><b>No public access</b></p>
<p><b>(Skeeters Ax Throwing)</b>  Hamlet Industrial Estate  96 White Post Lane</p>	<p><b><u>The sale by retail of alcohol – On and off sales</u></b></p> <ul style="list-style-type: none"> <li>• (Monday, no licensable activities)</li> <li>• Tuesday to Friday, from 14:00 hrs to 22:00 hrs</li> <li>• Saturday, from 10:00 hrs to 22:00 hrs</li> </ul>	<ul style="list-style-type: none"> <li>• (Monday, no licensable activities)</li> <li>• Tuesday to Friday, from 14:00 hrs to 22:00 hrs</li> <li>• Saturday and Sunday, from 10:00 hrs to 22:00 hrs</li> </ul>

	<ul style="list-style-type: none"> <li>• Sunday, from 10:00 hrs to 21:00 hrs</li> </ul> <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> <li>• Day proceeding a bank holiday, from 10:00 hrs to 22:00 hrs</li> </ul>	<p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> <li>• Day proceeding a bank holiday, from 10:00 hrs to 22:00 hrs</li> </ul>
<p><b>(Burnt Umber Brasserie and Deli)</b> 2 Hepscott Road</p>	<p><b><u>The sale by retail of alcohol (on &amp; off sales)</u></b></p> <ul style="list-style-type: none"> <li>• Monday to Sunday, from 07:00 hrs to 23:00 hrs</li> </ul>	<ul style="list-style-type: none"> <li>• Monday to Sunday, from 07:00 hrs to 23:00 hrs</li> </ul>

# Appendix 7

Subject – LICENCE APPLICATION REPRESENTATION – THE YARD THEATRE

Dear Tower Hamlets Licensing (Alcohol & Entertainment)

I am writing to place an objection to the new licence applied for by Hatton Garden Properties Limited at (The Yard Theatre) Unit 2a Queens Yard White Post Lane London E9 5EN.

My objection is on the grounds of Public Nuisance, Public Safety, & Crime & Disorder.

I am a Hackney Wick Resident and would like to strongly object to the addition of another venue adding another new 156 late night finishes past 12pm (52 until 2am and 104 to 3am) to the already ridiculous nuisance caused late at night collectively by the Queens Yard Businesses. The sound from the existing queens yard already INCREASES in volume from 22:00 hours to as late as 04:00 compared to the relative background daytime readings. Why add more noise nuisance to the torture we already endure from Queens Yard?

The premises already has a licence with much earlier weekend finish times as shown in the notice, it is unreasonable to consider that this new licence be granted when it is so far outside of the core hours in the Tower Hamlets Licensing Policy and is in an area that has a regular weekend history of crime and disorder, the worst of which recently was a fatal stabbing in White Post Lane.

Adding more people to queens yard late at night massively increases the danger of drunkenness and assault in the area with urinating in the streets and littering, altogether based on my experience of living locally this application can only be seen as a bad thing and should be rejected by the council. They already have a licence and many days of extensions with temporary events, let that be enough.

Yours,

Dara MacMichael

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



# Appendix 8

## Corinne Holland

---

**From:** Jomard kurdi [REDACTED] >  
**Sent:** 17 April 2024 23:40  
**To:** Licensing  
**Subject:** Subject – LICENCE APPLICATION REPRESENTATION – THE YARD THEATRE

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

Dear Tower Hamlets Licensing (Alcohol & Entertainment)

I am writing to place an objection to the new licence applied for by Hatton Garden Properties Limited at (The Yard Theatre) Unit 2a Queens Yard White Post Lane London E9 5EN.

My objection is on the grounds of Public Nuisance, Public Safety, & Crime & Disorder.

I am a Hackney Wick Resident and business owner and would like to strongly object to the addition of another venue adding another new 156 late night finishes past 12pm (52 until 2am and 104 to 3am) to the already ridiculous nuisance caused late at night collectively by the Queens Yard Businesses. The sound from the existing queens yard already INCREASES in volume from 22:00 hours to as late as 04:00 compared to the relative background daytime readings. Why add more noise nuisance to the torture we already endure from Queens Yard?

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Adding more people to queens yard late at night massively increases the danger of drunkenness and assault in the area with urinating in the streets and littering, altogether based on my experience of living locally this application can only be seen as a bad thing and should be rejected by the council. They already have a licence and many days of extensions with temporary events, let that be enough.

Yours,

Jomard Kurdi  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

# Appendix 9

## Corinne Holland

---

**From:** Lady Lucie [REDACTED] >  
**Sent:** 17 April 2024 22:53  
**To:** Licensing  
**Subject:** Objection to licence

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

Subject – LICENCE APPLICATION REPRESENTATION – THE YARD THEATRE

Dear Tower Hamlets Licensing (Alcohol & Entertainment)

I am writing to place an objection to the new licence applied for by Hatton Garden Properties Limited at (The Yard Theatre) Unit 2a Queens Yard White Post Lane London E9 5EN.

My objection is on the grounds of Public Nuisance, Public Safety, & Crime & Disorder.

I am a Hackney Wick Resident and business owner and would like to strongly object to the addition of another venue adding another new 156 late night finishes past 12pm (52 until 2am and 104 to 3am) to the already ridiculous nuisance caused late at night collectively by the Queens Yard Businesses. The sound from the existing queens yard already INCREASES in volume from 22:00 hours to as late as 04:00 compared to the relative background daytime readings. Why add more noise nuisance to the torture we already endure from Queens Yard?

The premises already has a licence with much earlier weekend finish times as shown in the notice, it is unreasonable to consider that this new licence be granted when it is so far outside of the core hours in the Tower Hamlets Licensing Policy and is in an area that has a regular weekend history of crime and disorder, the worst of which recently was a fatal stabbing in White Post Lane.

Adding more people to queens yard late at night massively increases the danger of drunkenness and assault in the area with urinating in the streets and littering, altogether based on my experience of living locally this application can only be seen as a bad thing and should be rejected by the council. They already have a licence and many days of extensions with temporary events, let that be enough.

My other concern is if noise pollution. There is current building works opposite the venue and which start work at 8am Monday though to Saturday. The noisiest parts of the building works are allowed from 8am-10am (then spread throughout the day in 2 hours on / 2 hours off) the noise wakes me up every morning. The venue applying for the licence has an old warehouse roof so there is no soundproofing and I can hear the music from the venue in my house. So if the licence is allowed to the time proposed and it keeps me awake I'll have only 6 hours quiet time to sleep on Thursday night and 5 hours quiet time to sleep on Friday night. I think 8 hours at night is a reasonable amount of time to not have any sound pollution.

Yours  
Miss Lucie Ashworth

[REDACTED]

# Appendix 10

**Corinne Holland**

---

**From:** Licensing  
**Sent:** 30 April 2024 13:47  
**To:** Licensing  
**Subject:** Licence application - Yard Theatre, Unit 2a, Queens Yard, 43 White Post Lane - M/167866

Dear Resident

The Licensing Authority has been asked to forward the following email, from the agent acting for the applicant, for this licence application to which you have made a representation.

If you decide to withdraw your representation, can you please let me know as soon as possible.

If you have any queries to the agent his contact details are at the bottom of this email.

\*\*\*\*\*  
\*\*\*\*\*

Dear Sir or Madam

We hope that this email finds you well.

We act for the applicant of the Queen’s Yard Theatre shadow licence. The London Borough of Tower Hamlets licensing authority have provided us with a copy of your representation in respect of our client’s application. Thank you for taking the time to comment on our client’s proposals.

Our client is the owner of the Queen’s Yard Theatre building and the landlord of the current Queen’s Yard Theatre operator. The application is for a “shadow licence” in respect of the existing Queen’s Yard Theatre on exactly the same terms as the existing premises licence. For the avoidance of any doubt, there is no intention to authorise a new licensed venue or increase the hours of the existing the existing theatre. The application simply proposes a licence to be held by our client that mirrors the terms of the Queen’s Yard Theatre existing licence.

Shadow licences are an increasingly common mechanism for proactive landlords to help manage their assets which include buildings left to licence tenants. To reiterate, the proposals will not result in a new licence venue in your area nor any extension to hours or relaxation of conditions.

Thank you for your consideration of this email, which we hope has helped to address the concerns that you have raised.

Please do not hesitate to contact us if you have any queries arising or would like to discuss your concerns further.

Best wishes  
Jack

**Jack Spiegler**  
**Partner**

Thomas & Thomas Partners LLP  
38a Monmouth Street  
London WC2H 9EP



E: [REDACTED]

W: <https://www.tandtp.com/home.html>

Kind regards

**Corinne Holland**

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

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

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# Appendix 11



**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 12

## 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 13

# 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 14

## 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 15

# 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 16

## 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 17

## **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 frame work hours to any particular application regard should be had to the following

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

### **(See 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 18

## **Planning**

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



# Agenda Item 4.2

Committee: <b>Licensing Sub Committee</b>	Date 18 June 2024	Classification <b>Unrestricted</b>	Report No.	Agenda Item No.
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Report of: <b>Tom Lewis</b> <b>Service Manager</b> <b>Regulatory Services (Commercial)</b>	Title: <b>Licensing Act 2003 Application for a new Premise, We Are Bard Books 341-343 Roman Road London E3 5QR</b>
Originating Officer: <b>Lavine Miller-Johnson</b> <b>Licensing Officer</b>	Ward affected: <b>Bow West</b>

## 1.0 Summary

Applicant: **Oranges & Lemons Hospitality Consultants LTD (Vicki Kerr)**

Name and **We Are Bard Books**

Address of Premises: **341-343 Roman Road London E3 5QR**

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

Objectors: **Residents**

## 2.0 Recommendations

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

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

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

File  
Section 182 Guidance  
LBTH Licensing Policy

Lavine Miller-Johnson  
020 7364 2665

### 3.0 **Background**

- 3.1 This is an application for a new Premise Licence for We Are Bard Books 341-343 Roman Road London E3 5QR
- 3.2 The applicant has described the premises as: *Bookshop and bar primarily functioning as a bookshop during the day, it will also function as a hub for the community, hosting book clubs, book swaps, author readings and book launches; art exhibitions, creative masterclasses, and providing a local space for friends to enjoy a drink without having to go to a pub.*
- 3.3 A copy of the application is shown in **Appendix 1**
- 3.4 The hours applied for are as follows:

#### **Sale of Alcohol (on and off sales)**

Monday to Saturday 11:00 hours to 23:00 hours

Sunday from 11:00 hours to 22:30 hours

#### **Opening Hours**

Monday to Saturday from 09:00 hours to 23:00 hours

Sunday from 10:00 hours to 22:30 hours

- 3.5 The site plan of the venue is included as **Appendix 2**

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

- 4.1 Maps showing the vicinity are included as **Appendix 3**.
- 4.2 Photographs of the premises are included in **Appendix 4**.
- 4.3 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 August 2023.
- 5.4 Relevant Sections of this advice are brought to Members attention within the Licensing Officers report. Members should note however, than in some

areas Tower Hamlets, after a proper consideration of local circumstances, has not followed the Government's advice, or has developed it further.

**6.0 Representations**

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

***A number of the representations were the same so I have included one copy to save duplication***

• Paul Elford	<b>Appendix 6</b>
• Dr Cabot	<b>Appendix 7</b>

- 6.9 All of the responsible authorities have been consulted about this application. They are as follows:
  - The Licensing Authority
  - The Metropolitan Police
  - The LFEPA (the London Fire and Emergency Planning Authority).
  - Planning

- Health and Safety
- Noise (Environmental Health)
- Trading Standards
- Child Protection
- Public Health
- Home office (Immigration Enforcement)

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

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

6.11 The objections relate to:

- Public nuisance
- Crime & Disorder
- Public Safety

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 personal licence holder shall be on duty from 19:00 to close on Friday and Saturday evenings
2. Last orders will be called 15 minutes prior to closing time to allow adequate “drink up” time

3. An incident book shall be kept at the premises, and made available to the police or authorised council officers, which will record:
  - any crimes reported
  - lost property
  - any incidents of disorder
4. All staff will be trained on induction and be given refresher training every six months. Written training records will be kept for each staff member and be produced to police & authorised council officers on request.
5. Training will include identifying persons under 25, making a challenge, acceptable proof of age & checking it, making & recording a refusal, avoiding conflict & responsible alcohol retailing.
6. Customers carrying open or sealed bottles or glasses will not be admitted to the premises at any time.
7. Crime prevention notices are displayed warning customers of the possibility of crime which may target them, e.g. “Bags should not be left unattended”, “Watch out for Pickpockets”.
8. Prominent, clear and legible notices to be clearly displayed at exit reminding patrons:
  - To respect the needs of local residents and to leave the premises and the area quietly without loitering outside the premises or in the vicinity.
  - That no drinks, bottles, or glasses may be removed from the premises.
9. The area outside of the premises shall be kept tidy at all times and be swept at close
10. Noise from the premises will be maintained at a level that will not be audible at the façade of any neighbouring premises.
11. Doors and windows to be kept closed when regulated entertainment is taking place.
12. Garden area to be closed at 22:00 with any customers remaining asked to move inside.
13. The playing of live or recorded music in garden will not be permitted after 20:00.
14. No deliveries will be received or rubbish removed (including bottles or glass) between 20:00 and 07:00.
15. A contact phone number will be provided to all neighbouring residents to contact the business with any concerns.

16. No inappropriate content (books, music, art or otherwise) to be accessible to anyone under the age of 18.
17. Separate children's book area to provide a safe space for parents and children to read books or relax.
18. A challenge 25 age verification scheme will be used with only a valid photographic ID accepted as proof of age.
19. No person under the age of 18 will be allowed to consume alcohol on the premises at any time.
20. All staff will be trained on induction and be given refresher training every six months. Written training records will be kept for each staff member and be produced to police & authorised council officers on request.
21. Training will include identifying persons under 25, making a challenge, acceptable proof of age & checking it, making & recording a refusal, avoiding conflict & responsible alcohol retailing

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

Conditions Agreed with the Police:

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. When the designated premise supervisor is not on the premises any or all persons authorised to sell alcohol will be authorised by the designated premises supervisor in writing. This shall be available on request by the Police or any authorised officer

4. An incident log shall be kept at the premises and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any

incident and will record the following:

- a) all crimes reported to the venue.
- b) all ejections of patrons.
- c) any complaints received concerning crime and disorder
- d) any incidents of disorder.
- e) any faults in the CCTV system,
- f) any refusal of the sale of alcohol.
- g) any visit by a relevant authority or emergency service.

5. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

## 9.0 Licensing Officer Comments

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

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

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

9.3 Guidance issued under section 182 of the Licensing Act 2003

- ❖ As stated in the guidance it is “provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act.” It is a key medium for promoting best practice, ensuring consistent application and promoting fairness equal treatment and proportionality (1.7).
- ❖ Also “as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons. Departure from this Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.” Therefore licensing authorities will need to give full reasons for their actions (1.9).
- ❖ Also Members should note “A Licensing Authority may depart from its own policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the licensing objectives.” (1.12)
- ❖ Also, “The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives.” Therefore, conditions may not be imposed for the purpose other than promoting the licensing objectives and in some cases no additional conditions will be appropriate. (10.8)
- ❖ Necessary conditions should emerge from a risk assessment by the applicant, which should then be reflected in the operating schedule (10.4).
- ❖ The Guidance states: “Where there are objections to an application to extend the hours during which licensable activities are to be carried on and the licensing authority determines that this would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.” (10.14)
- ❖ Mandatory conditions must be imposed (10.25) and censorship avoided (10.17).
- ❖ The Guidance states: “It is still permitted to sell alcohol using promotions (as long as they are compatible with any other licensing condition that may be in force), and the relevant person should ensure that the price of the alcohol is not less than the permitted price. Detailed guidance on the use of promotions is given in the guidance document available on the Gov.uk website.” (10.58)



- ❖ Also, “Licensing authorities should not attach standardised blanket conditions promoting fixed prices for alcoholic drinks to premises licences or club licences or club premises certificates in an area.” (10.21)

9.4 The Licensing Act 2003 permits children of any age to be on the premises which primarily sell alcohol providing they are accompanied by an adult. It is not necessary to make this a condition.

9.5 In all cases the Members should make their decision on the civil burden of proof, that is “the balance of probability.”

9.6 In all cases Members should consider whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.

9.7 The Government has advised that conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. Conditions cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff and standardised conditions should be avoided where they cannot be shown to be appropriate. (1.16/1.17)

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

9.9 In **Appendices 10-17** Members are given general advice, and also have explanations of the Council’s Licensing Policy, Government advice and other legislation relating to the matters previously identified.

#### 10.0 **Legal Comments**

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

#### 11.0 **Finance Comments**

11.1 There are no financial implications in this report.

## 12.0 Appendices

<b>Appendix 1</b>	Copy of the application
<b>Appendix 2</b>	Site Plan
<b>Appendix 3</b>	Maps of the surrounding area
<b>Appendix 4</b>	Photographs of the premises
<b>Appendix 5</b>	Other licensed venues in the area
<b>Appendix 6-7</b>	Resident Representation
<b>Appendix 8</b>	Applicant & Objectors mediation of conditions to be proposed
<b>Appendix 9</b>	Police conditions agreed
<b>Appendix 10</b>	Section 182 Advice by the DCMS- Relevant, vexatious and frivolous representations
<b>Appendix 11</b>	Licensing Officer comments on public nuisance
<b>Appendix 12</b>	S182 advice on public nuisance
<b>Appendix 13</b>	Noise whilst the premise is in use
<b>Appendix 14</b>	Licensing Officers comments on crime and disorder
<b>Appendix 15</b>	S182 advice on crim and disorder
<b>Appendix 16</b>	Licensing Policy relating to hours of trading
<b>Appendix 17</b>	Planning

# Appendix 1

\* required information

**Section 1 of 21**

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

System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference	We Are Bard Books	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes
  No

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

**Applicant Details**

* First name	Vicki
* Family name	Kerr
* E-mail	[REDACTED]
Main telephone number	[REDACTED]
Other telephone number	

Include country code.

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

Are you:

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

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

**Applicant Business**

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

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

Registration number	13812281
Business name	ORANGES & LEMONS HOSPITALITY CONSULTANTS LTD
VAT number	- none
Legal status	Private Limited Company

If your business is registered, use its registered name.

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

*Continued from previous page...*

Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 21**

**PREMISES DETAILS**

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

**Premises Address**

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

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

**Section 3 of 21**

**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

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

**Confirm The Following**

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

Director of Ltd 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?  01 /  05 /  2024  
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.

Bookshop and bar on Roman Road high street. Primarily functioning as a bookshop during the day, it will also function as a hub for the local community, hosting bookclubs, book swaps, author readings and book launches; art exhibitions, creative masterclasses, and provide a local space for friends to enjoy a drink without having to go to a pub.

*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

### Section 12 of 21

#### PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?



Continued from previous page...

**Section 13 of 21**

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

[See guidance on regulated entertainment](#)

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

- Yes  No

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

- Yes  No

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

- Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start  End

Start  End

Will the sale of alcohol be for consumption:

- On the premises     Off the premises     Both

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

State any seasonal variations

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

n/a

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.

n/a

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  /  /

Continued from previous page...

**Enter the contact's address**

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>
Personal Licence number (if known)	<input type="text"/>
Issuing licensing authority (if known)	<input type="text"/>

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

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

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

Reference number for consent form (if known)

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

**Section 16 of 21**

**ADULT ENTERTAINMENT**

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

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

N/A

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

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

Continued from previous page...

TUESDAY

Start  End

Start  End

WEDNESDAY

Start  End

Start  End

THURSDAY

Start  End

Start  End

FRIDAY

Start  End

Start  End

SATURDAY

Start  End

Start  End

SUNDAY

Start  End

Start  End

State any seasonal variations

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

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.

n/a

**Section 18 of 21**

**LICENSING OBJECTIVES**

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

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



**Continued from previous page...**

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

We will operate our business in a responsible manner and actively promote the licensing objectives at all times.

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

- A personal licence holder shall be on duty from 19:00 to close on Friday and Saturday evenings
- Last orders will be called 15 minutes prior to closing time to allow adequate "drink up" time
- An incident book shall be kept at the premises, and made available to the police or authorised council officers, which will record:
  - any crimes reported
  - lost property
  - any incidents of disorder
- All staff will be trained on induction and be given refresher training every six months. Written training records will be kept for each staff member and be produced to police & authorised council officers on request. Training will include identifying persons under 25, making a challenge, acceptable proof of age & checking it, making & recording a refusal, avoiding conflict & responsible alcohol retailing.
- Customers carrying open or sealed bottles or glasses will not be admitted to the premises at any time
- Crime prevention notices are displayed warning customers of the possibility of crime which may target them, e.g. "Bags should not be left unattended", "Watch out for Pickpockets".

**c) Public safety**

- Lighting adequate
- A trained first aider on site at all times
- All electrical equipment maintained and checked annually
- Gas boiler checked and maintained annually
- Premises have current and suitable PLI
- Free drinking water will be available at all times when the premises is open to the public

**FIRE SAFETY**

- Fire risk assessment conducted and reviewed on a 6 monthly basis
- Capacities measured in conjunction with local fire brigade and management system put in place to ensure it is adhered to / ticketed events not to be over-sold
- All steps and stair edges to be appropriately highlighted
- Fire drill and emergency lighting checks actioned weekly

**d) The prevention of public nuisance**

- Prominent, clear and legible notices to be clearly displayed at exit reminding patrons:
  - ... to respect the needs of local residents and to leave the premises and the area quietly without loitering outside the premises or in the vicinity
  - ... that no drinks, bottles or glasses may be removed from the premises
- The area outside of the premises shall be kept tidy at all times and be swept at close
- Noise from the premises will be maintained at a level that will not be audible at the façade of any neighbouring premises
- Doors and windows to be kept closed when regulated entertainment is taking place
- Garden area to be closed at 22:00 with any customers remaining asked to move inside
- The playing of live or recorded music in garden will not be permitted after 20:00
- No deliveries will be received or rubbish removed (including bottles or glass) between 20:00 and 07:00
- A contact phone number will be provided to all neighbouring residents to contact the business with any concerns

*Continued from previous page...*

e) The protection of children from harm

- No inappropriate content (books, music, art or otherwise) to be accessible to anyone under the age of 18.
- Separate children's book area to provide a safe space for parents and children to read books or relax
- A challenge 25 age verification scheme will be used with only a valid photographic ID accepted as proof of age
- No person under the age of 18 will be allowed to consume alcohol on the premises at any time
- All staff will be trained on induction and be given refresher training every six months. Written training records will be kept for each staff member and be produced to police & authorised council officers on request. Training will include identifying persons under 25, making a challenge, acceptable proof of age & checking it, making & recording a refusal, avoiding conflict & responsible alcohol retailing

**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 please visit <https://www.towerhamlets.gov.uk/latenightlevy>

Continued from previous page...

\* Fee amount (£)

315.00

## DECLARATION

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

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

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

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

\* Full name

Vicki Shenkin Kerr

\* Capacity

director

\* Date

14 / 03 / 2024  
dd mm yyyy

Add another signatory

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

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

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

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

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

**OFFICE USE ONLY**

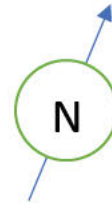
Applicant reference number	<input type="text" value="We Are Bard Books"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation 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

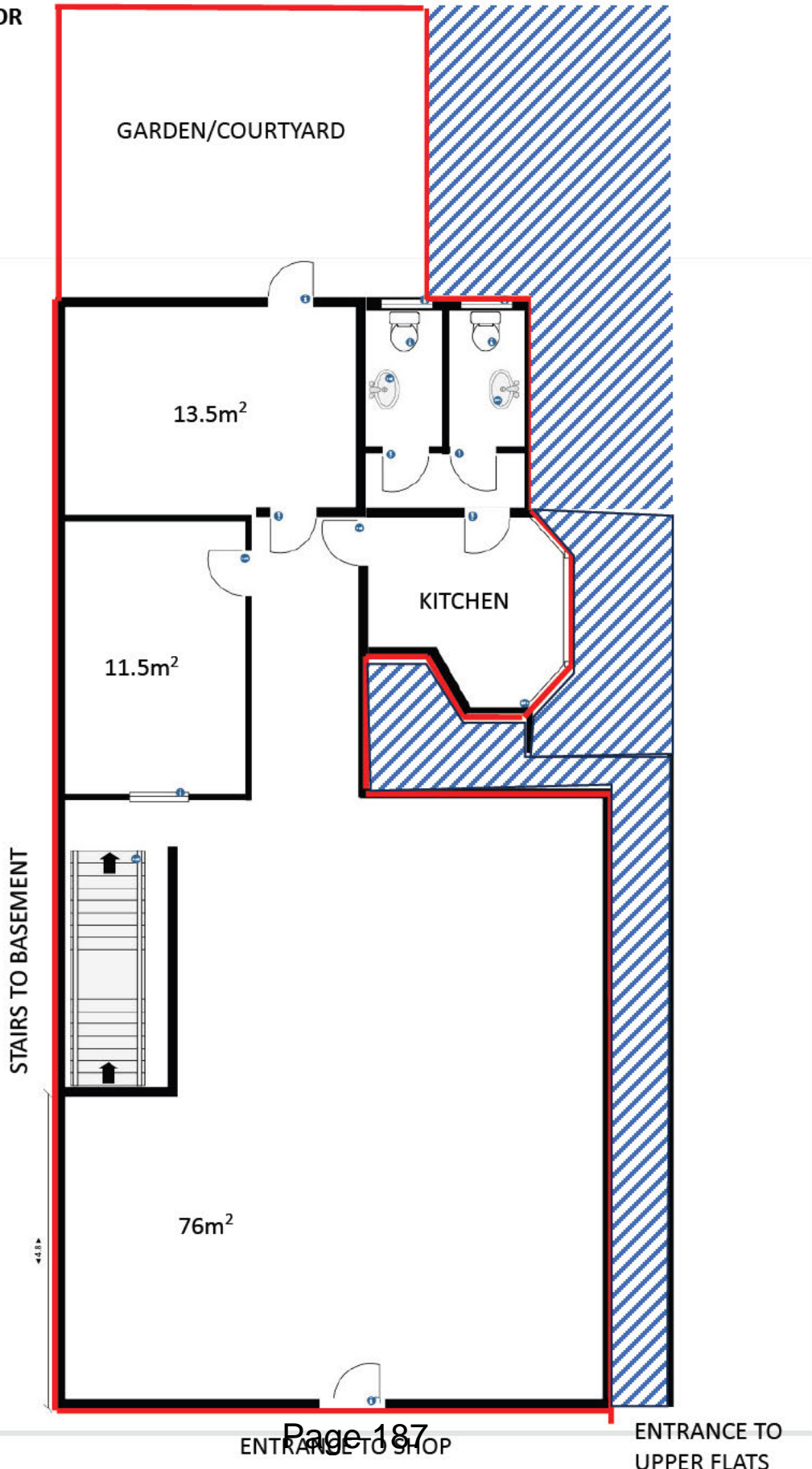


341-343 ROMAN ROAD, E3 5QR  
Approx. gross internal area 189.42m<sup>2</sup>

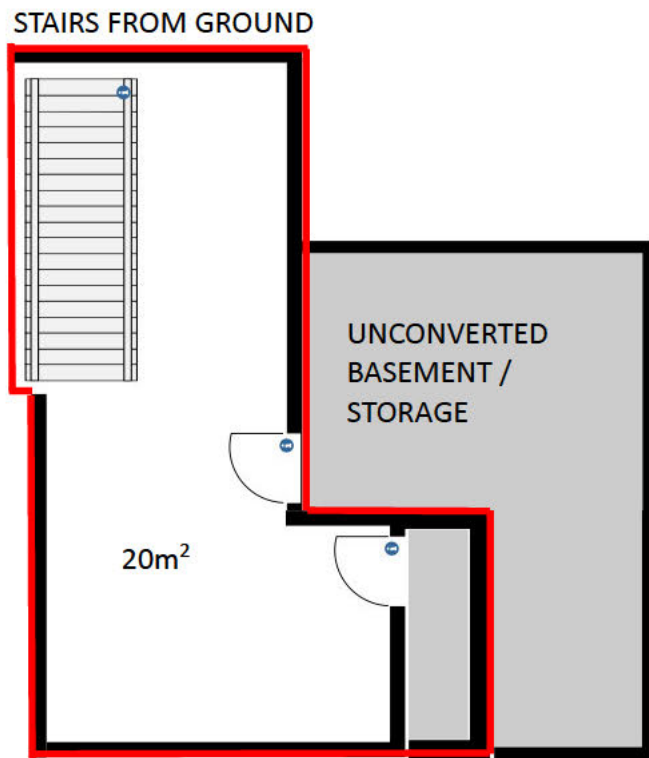


GROUND FLOOR

**KEY:**  
**RED LINE:**  
LICENSABLE  
AREA  
  
**GREY SHADING:**  
UNCOVERED /  
LOW LEVEL  
STORAGE  
  
**STRIPES:**  
NEIGHBOURS'  
SPACE / NOT-  
LICENSED



**BASEMENT (grey unconverted)**





# Appendix 3

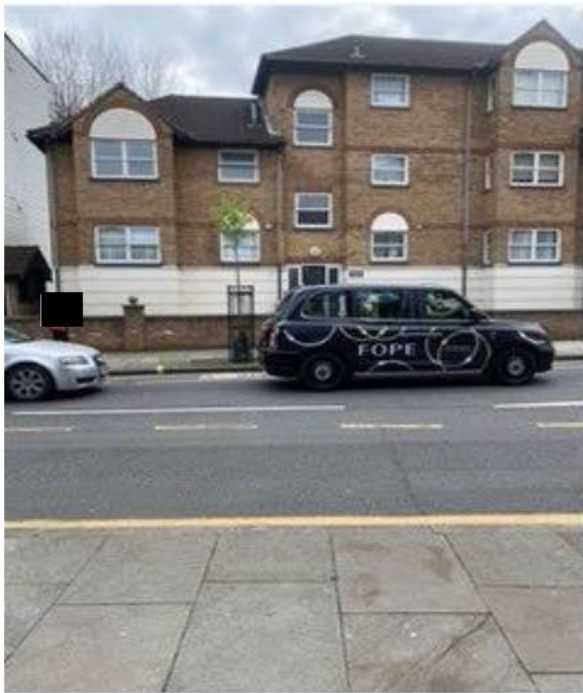
### 341-343 Roman Road – Maps of the area



# Appendix 4



341-343 Roman Road – Images of the premises



# Appendix 5

### Nearest licensed venues

<b>Premises Name</b>	<b>Licensable Activities</b>	<b>Opening Hours</b>
(Singh Supermarket) 37 Roman Road London E2 0HU	The sale by retail of alcohol  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  <b>Off sales</b>	Monday to Sunday open 24 hours a day
(Jenny's Food and Wine) 351 Roman Road London E3 5QR	The sale by retail of alcohol  Monday to Sunday from 07:00hrs to 22:00 hrs  <b>Off sales</b>	Monday to Sunday from 07:00hrs to 22:00 hrs
(Roman Road PFC) 89 Roman Road London E2 0QN	The provision of late night refreshment – Indoors  Sunday to Thursday from 23:00 hrs to 00:00 hrs (Midnight) Friday and Saturday from 23:00 hrs to 01:00 hrs (the following day)	Sunday to Thursday from 06:00 hrs to 00:00 hrs (Midnight) Friday and Saturday from 06:00 hrs to 01:00 hrs (the following day)
Cagdas Food Centre) 606 - 608 Roman Road London E3 2RW	The sale by retail sale of alcohol  Monday to Thursday, from 06:00 hours to 00:00 hours (midnight) Friday and Saturday, from 06:00 hours to 00:30 hours the following day  Sunday, from 06:00 hours to 00:00 hours (midnight)  <b>Off sales</b>	Monday to Sunday, from 06:00 hours to 01:00 hours the following day
(Greedy Fish and Chips) 150 Roman Road London E2 0RY	Sale of Alcohol (on & off sales) Monday to Thursday from 12:00hrs (midday) to 23:00hrs Friday to Saturday from 12:00hrs to 00:00hrs (midnight) Sunday from 12:00hrs (midday) to 22:30hrs	Monday to Thursday from 12:00hrs (midday) to 00:00hrs (midnight) Friday & Saturday from 12:00hrs to 01:00hrs (the following day)

	<p>The Provision of Late Night Refreshments (indoors)</p> <p>Friday from 23:00hrs to 00:00hrs (midnight) Saturday from 23:00hrs to 00:30hrs (the following day)</p> <p><b>On sales</b></p>	<p>Sunday from 12:00hrs (midday) to 23:30hrs</p>
<p>(Mum Likes Thai Food) 107 Roman Road London E2 OQN</p>	<p>Alcohol may be sold or supplied:</p> <p>(1) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 11am to midnight. (2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12 noon to 11:30pm (3) On Christmas Day: 12 noon to 11:30pm; (4) On New Year's Eve, except on a Sunday, 11 a.m. to midnight; (5) On New Year's Eve on a Sunday, 12 noon to 11.30 p.m. (6) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).</p> <p>The provision of late night refreshment Monday to Saturday, from 11pm to midnight Sunday, from 11pm to 11:30pm</p> <p><b>On sales</b></p>	<p>There are no restrictions on the hours during which this premises is open to the public</p>
<p>(TFX International) 124 – 128 Roman Road Bethnal Green London E2 ORN</p>	<p>The sale by retail of alcohol</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, 8 a.m. to 11 p.m.</p>	<p>There are no restrictions on the hours during which this premises is open to the public</p>

	<p>b. On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m.</p> <p>c. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.</p> <p>d. On Good Friday, 8 a.m. to 10.30 p.m.</p> <p>Off sales</p>	
<p>(Premier) 162 Roman Road Bethnal Green London E2 0RY</p>	<p>Retail sale of alcohol</p> <p>Monday to Sunday 06:00 hours to 00:00 hours (midnight)</p> <p><b>Off sales</b></p>	<p>Monday to Sunday from 06:00 hours to 00:00 hours (midnight)</p>
<p>(TJ's Local Supermarket  209 Roman Road London E2 0QY</p>	<p>The sale by retail of alcohol</p> <p>Monday to Sunday, from 07:00 hours to 02:00 hours (the following day)</p> <p><b>Off sales</b></p>	<p>Monday to Sunday, from 07:00 hours to 02:00 hours (the following day)</p>
<p>(Star Grill) 131a Roman Road London E2 0QN</p>	<p>The provision of late night refreshment</p> <p>Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday until 01:00 hours the following day</p>	<p>Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday from 23:00 hours until 01:00 hours the following day</p>



<p>(West Nine Food &amp; Wine) 132 Roman Road London E2 0RN</p>	<p>Retail sale of alcohol</p> <p>Alcohol shall not be sold or supplied except during permitted hours.</p> <p>In this condition, permitted hours means:</p> <p>a. On weekdays, other than Christmas Day, 8 a.m. to 11 p.m.</p> <p>b. On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m.</p> <p>c. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.</p> <p>d. On Good Friday, 8 a.m. to 10.30 p.m.</p> <p>See Mandatory conditions for drinking up time</p> <p><b>Off sales</b></p>	<p>There are no restrictions on the hours during which this premises is open to the public</p>
<p>(Simply Fresh) 201-203 Roman Road London E2 0QY</p>	<p>The sale by retail of alcohol</p> <p>Monday to Sunday, 07.00am to 24.00pm (Midnight).</p> <p><b>Off sales</b></p>	<p>Monday to Sunday, 07.00am to 24.00pm (Midnight).</p>
<p>(Roman Road News) 134-136 Roman Road London E2 0RN</p>	<p>The sale by retail of alcohol</p> <p>Monday to Sunday from 07:00 hours to midnight</p> <p><b>Off sales</b></p>	<p>Monday to Sunday from 05:00 hours to midnight</p>
<p>(Old Friends Public House) 129 Roman Road London E2 0QN</p>	<p>The sale by retail of alcohol</p> <p><b>On sales</b></p> <p>Alcohol shall not be sold or supplied except during permitted hours.</p> <p>In this condition, permitted hours means:</p> <p>a. On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 11 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>There are no restrictions on the hours during which this premises is open to the public</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</p> <p>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.</p> <p><b>Off sales</b> 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, 8 a.m. to 11 p.m.</p> <p>b. On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m.</p> <p>c. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.</p> <p>d. On Good Friday, 8 a.m. to 10.30 p.m.</p>	
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	<b>on and off sales</b>	
<b>(Palmers Restaurant)</b> 238 Roman Road London E2 0RY	Monday to Friday 12:00 hours to 23:00 hours Saturday and Sunday from 11:00 hours to 23:00 hours  <b>On and off sales</b>	Monday to Friday 12:00 hours to 23:00 hours Saturday and Sunday from 11:00 hours to 23:00 hours
<b>Angel &amp; Crown</b> 170 Roman Road London E2 0RY	<b>The sale by retail of alcohol (on and off sales)</b> <ul style="list-style-type: none"> <li>• Sunday to Thursday, from 12:00 hrs to 23:30 hrs</li> <li>• Friday and Saturday, from 10:00 hrs to 00:30 hrs the following day</li> </ul> <u>The sale by retail of alcohol (non standard timings):</u> <ul style="list-style-type: none"> <li>• All bank holiday weekends, from 12:00 hrs to 02:00 hrs the following day</li> <li>• New Years Eve, from 12:00 hrs to 02:00 hrs the following day</li> </ul> <b>The provision of regulated entertainment - Indoors (Recorded music)</b> <ul style="list-style-type: none"> <li>• Sunday to Thursday, from 23:00 hrs to 23:30 hrs</li> <li>• Friday and Saturday, from 23:00 hrs to 00:30 hrs the following day</li> </ul> <u>The provision of recorded music (non standard timings):</u> <ul style="list-style-type: none"> <li>• All bank holiday weekends, from 23:00 hrs to 02:00 hrs the following day</li> <li>• New Years Eve 23:00hrs to 02:00 hrs the following day</li> </ul>	<ul style="list-style-type: none"> <li>• Sunday to Thursday, from 07:00 hrs 00:00 hrs (midnight)</li> <li>• Friday and Saturday, from 07:00 hrs to 01:00 hrs the following day</li> </ul> <u>Hours premises are open to the public (Non standard timings)</u> <ul style="list-style-type: none"> <li>• All bank holiday weekends, from 07:00 hrs to 02:30 hrs the following day</li> </ul> New Years Eve, from 07:00 hrs to 02:30 hrs the following day

	<p><b>The provision of late night refreshment – Indoors and outdoors</b></p> <ul style="list-style-type: none"> <li>• Sunday to Thursday, from 23:00 hrs to 23:30 hrs the following day</li> <li>• Friday and Saturday, from 23:00 hrs to 00:30 hrs the following day</li> </ul> <p><u>The provision of late night refreshment (non standard timings):</u></p> <ul style="list-style-type: none"> <li>• All bank holiday weekends, from 23:00 hrs to 02:00 hrs the following day</li> </ul> <p>New Years Eve, from 23:00 hrs to 02:00 hrs the following day</p>	
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# Appendix 6

**Mr Paul Elford**

**9 April 2024**

Dear Tower Hamlets Licensing Team,

**Re: We Are Bard Books, 341-343 Roman Road, London E3 5QR – Objection to Application for a Premises Licence**

My name is Paul Elford and I live at [REDACTED] and have done so for 40 years.

I would like to object to the application for a premises licence at 341-343 Roman Road on the grounds of the prevention of public nuisance.

I do not object to the overall granting of a licence, which I welcome, but some of what is proposed currently is unacceptable to me.

I am aware that the premises was previously licensed as The Chesterfield. When that application was granted, it was granted with a series of appropriate and proportionate conditions designed to protect against public nuisance being caused by the external courtyard/garden. This is the area of the premises that I am most concerned with as it abuts residential gardens.

Those conditions were:

- Loudspeakers shall not be located in the garden area;
- Windows and doors to the garden area shall be kept closed after 19:00 hours.
- The garden area shall not be used after 19:00 hours and all tables and chairs shall be rendered unusable by 19:00 hours.

I would ask that the applicant considers agreeing to these conditions and if they cannot, that the licensing sub-committee impose them as they did previously.

To support my objection I supply a top down plan showing the external courtyard of the premises and its proximity to residential gardens and properties.

If use of the garden is not controlled by way of conditions then public nuisance to myself and my neighbours is inevitable. The noise from customers smoking and drinking outside will reverberate off the hard surface of the sidewall of St Barnabas church causing a

canyon effect down Kenilworth Road disturbing any residents including those with young children and health issues.

Another problem that arose when the premises operated as The Chesterfield and that I would like to see controlled as part of this application is the supervision of children in the external area.

What happened previously is that children were left to their own devices in the external area and they would throw gravel and stones from the courtyard into my/my neighbours' gardens. This was very annoying and disruptive, but it was also quite dangerous as the gravel/stones could easily have caused injury to people and pets. A requirement that children be supervised at all times, particularly in the external area would be helpful.

The only other point that I wish to make in relation to the application is that whilst this iteration of the premises says selling alcohol will be part of being a bookstore and community space, there is nothing to stop all of that being done away with and the venue trading as a different kind of bar. The deregulation of live and recorded music means that music that can be quite loud and intrusive can be played without that being apparent on the face of the licence. It might be helpful if:

- a) there is a requirement on the licence that sales of alcohol be ancillary to the primary use of the premises as described by the applicant; and
- b) any music system to be functionally limited so that music cannot be played at a level that will disturb.

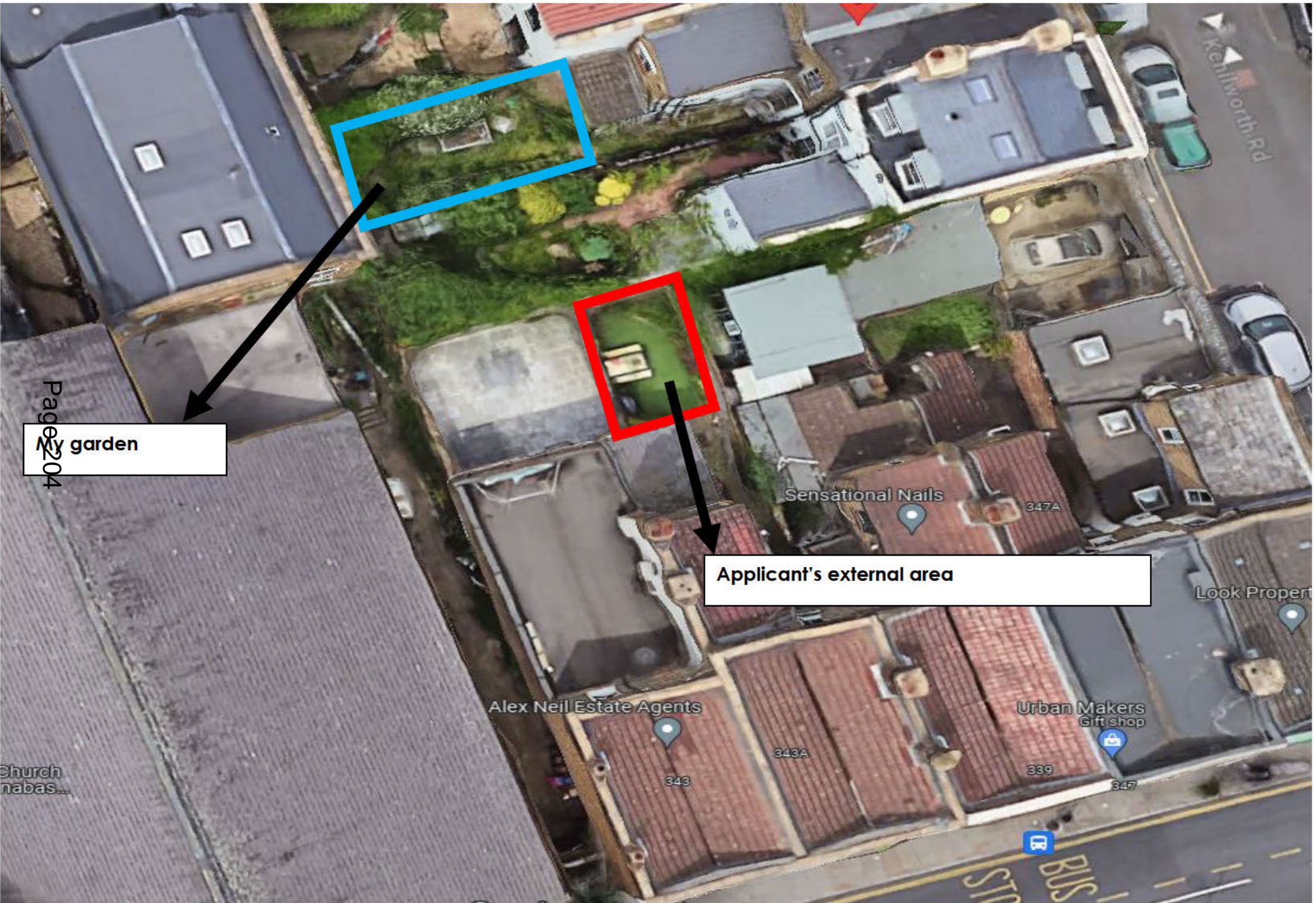
I wish the applicant all the best but do ask that these minor changes be made to the licence before it is granted.

Yours faithfully,

A black rectangular redaction box covering the signature of Paul Elford.

**Paul Elford**





Page 2 of 4  
garden

Applicant's external area

Church nabas...

Alex Neil Estate Agents

Sensational Nails

Urban Makers Gift shop

Look Property

Alex Neilworth Rd

BUS STOP



# Appendix 7

Dr. Ricardo Cabot

11/04/24

To whom it may concern.

I write in relation to the proposed new premises licence application for We Are Bard Books situated at 341-343 Roman Road.

I am a local resident of the area and currently reside at [REDACTED] My property backs on to the premises and my garden shares a fence with the proposed outside area.

I have considered the application in detail and whilst I do not object to the proposal in its entirety, I do have concerns that the application does not go far enough to mitigate issues around public nuisance.

I therefore make this representation against the application on the grounds of the prevention of public nuisance.

As you will know, the premises previously had the benefit of a licence when operating as The Chesterfield. This licence was subject to a number of conditions to manage and control the use of the outside area and I would like to request that these conditions be placed on any new licence issued by the Council should you deem it appropriate to grant the same.

The conditions that I refer to are as follows:

1. Loudspeakers shall not be located in the garden area.
2. Windows and doors to the garden area shall be kept closed after 19:00 hours.
3. The garden area shall not be used after 19:00 hours and all tables and chairs shall be rendered unusable by 19:00 hours.

I acknowledge that the operation style of We Are Bard Books is very different to that of The Chesterfield and the intention is that the premises will be utilised as more of a community space and bookstore, something I personally welcome to the area. However, there is nothing within the operating schedule to support this proposal and to stop the premises reverting back into a pub/bar style operation. This causes me great concern.

One final point that I wish to raise is somewhat unusual and bespoke to the design of the outside area. When the premises operated as The Chesterfield, my

neighbours and I experienced severe problems with children throwing stones over the fence into our properties. This is not only dangerous but could potentially cause substantial damage. I appreciate that history may not repeat itself and I do not want to hamper the enjoyment of children and families utilising the outside space but to ensure this does not become a problem again, I propose an additional condition around the supervision of children when they are using the external area.

I welcome discussions with the applicant around my representation and suggested conditions set out above.



Dr. Ricardo Cabot

# Appendix 8

## Lavine Miller-Johnson

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**From:** Licensing  
**Subject:** FW: We Are Bard Books, 341-343 Roman Road, London E3 - Application for a Premises Licence

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**From:** Luke Elford <[REDACTED]>  
**Sent:** Wednesday, June 5, 2024 12:44 PM  
**To:** Lavine Miller-Johnson <[REDACTED]>; vicki Shenkin Kerr <[REDACTED]>  
**Cc:** Licensing <Licensing@towerhamlets.gov.uk>; Simmi Yesmin <[REDACTED]>  
**Subject:** We Are Bard Books, 341-343 Roman Road, London E3 - Application for a Premises Licence

Dear Vicki,

I write further to previous correspondence regarding the above and in particular your email to Lavine (cc'd) of 20/05/24 (timed 11:55), which you forwarded to me on 21/05/24.

I have spoken with my father and Dr. Cabot.

We are prepared to agree that the garden area may close at 8pm.

We have reviewed the conditions in your email. Generally speaking, they are fine, however, we make some minor amendments/suggestions for you to consider in advance of the hearing. Please see attached.

I have spent a little time modifying the statements made in your application (section 18) into enforceable conditions, which I hope is useful both to you and the licensing authority. I would like to hope they are all acceptable to you as you have proposed them as part of your operating schedule.

I have reduced the proposed hours for the sale of alcohol by 15 minutes (from 23:00 to 22:45 and 22:30 to 22:15) respectively on the basis that you proposed that last orders would be called 15 minutes prior to closing. This codifies that on the face of any licence.

The other conditions turn the statements made in boxes a) to e) of section 18 into conditions, save where those statements are purely aspirational e.g. "*We will operate our business in a responsible manner and actively promote the licensing objectives at all times.*" I note that you have offered that "*No person under the age of 18 will be allowed to consume alcohol on the premises at any time.*" That actually goes against the legislation, which permits consumption by persons under the age of 18 in specific circumstances. I suspect you wished to make clear you do not intend to benefit from those, but better safe than sorry.

We suggest that a personal licence holder be at the premises from 19:00 daily rather than on Friday and Saturday only. This will, we suggest, ensure promotion of the licensing objectives in the evening and during more sensitive hours.

I have added a condition clarifying that the garden area is to be closed between 20:00 and 09:00 the day following.

I have also added a condition that you will start asking customers to move inside the premises from 19:30. This, we think, is sensible so that the garden area is ready to close at 20:00, rather than emptying it at that time. We think that is a fair compromise.

I also notice that you are applying for off-sales, but that no information is given in the application about how, or how they will be managed. We propose a condition that off-sales be in sealed containers and that they should not be consumed immediately outside the premises. This is a very standard condition and, we hope, acceptable.

We have dropped our request that the premises not operate as a bar or public house. You have assured us that it will not and that licensable activities will be ancillary to the use of the premises as a bookstore. We are prepared to take you at your word. If it becomes apparent that you are running a bar or pub, we may need to revisit the issue. In any event, we note that the planning permission for the Premises is A3 (now Class E) and use as a pub or drinking establishment would not be permitted in any event.

We also presume you are aware of the restricted hours of operation of this premises (see planning permission PA/15/01915/NC) in that the premises may only operate as follows:

07:30 to 18:00 Mondays to Friday  
08:00 to 18:00 Saturday  
08:00 to 18:00 Sundays and Bank Holidays

We presume that you will be making a full planning application to Tower Hamlets before making use of any later hours that may be granted under the premises licence.

I would like to think that all of the above/attached is relatively straightforward and that we will be able to find agreement in advance of the hearing scheduled for 18 June. In the event that we are unable, I am asking that this email and attachment be inserted into any agenda papers for that hearing and I copy in Simmi Yesmin from Democratic Services to ensure that happens.

Please let me know if you have any questions.

Kind regards,

Luke Elford  
For and on behalf of Paul Elford and Dr. Ricardo Cabot

## **We Are Bard Books**

**341-343 Roman Road, London E3 5QR**

### **Sales of Alcohol (on and off-sales):**

<b>Day:</b>	<b>From:</b>	<b>To:</b>
Monday	11:00	22:45
Tuesday	11:00	22:45
Wednesday	11:00	22:45
Thursday	11:00	22:45
Friday	11:00	22:45
Saturday	11:00	22:45
Sunday	11:00	22:15

**No non-standard timings or seasonal variations**

### **Opening Hours:**

<b>Day:</b>	<b>From:</b>	<b>To:</b>
Monday	11:00	23:00
Tuesday	11:00	23:00
Wednesday	11:00	23:00
Thursday	11:00	23:00
Friday	11:00	23:00
Saturday	11:00	23:00
Sunday	11:00	22:30

**No non-standard timings or seasonal variations**

### **Conditions:**

1. The provision of Licensable Activities at the Premises shall be ancillary to operation of the Premises as a bookstore.
2. A direct telephone number for the manager on duty at the Premises shall be publicly available at all times the Premises is open. The telephone number shall be displayed in the window of the Premises and on the Premises' website/social media (if any).
3. A Personal Licence Holder shall be on duty at the Premises from 19:00 until close **daily**.



4. An incident book shall be kept at the Premises, and made available to police and authorised council officers, which will record:
  - a. Any crimes reported;
  - b. Lost property; and
  - c. Any incidents of disorder.
5. All staff will be trained on induction and given refresher training every six months. Written training records will be kept for each staff member and produced to police and authorised council officers on request.
6. Staff training will include:
  - a. Identifying and challenging persons under 25;
  - b. Acceptable proof of age;
  - c. Recording refused sales of alcohol;
  - d. Conflict management; and
  - e. Responsible alcohol retailing.
7. Customers carrying open or sealed bottles or glasses will not be admitted to the Premises at any time.
8. The Premises Licence Holder will display crime prevention notices reminding customers of the possibility of crime at the Premises e.g. "Bags should not be left unattended" and "Watch out for pickpockets."
9. A Fire Risk Assessment for the Premises will be conducted every 6 months, and the Premises Licence Holder shall review the risk assessment.
10. The number of persons admitted to the Premises at any one time (including staff) shall not exceed the number specified in the Fire Risk Assessment.
11. All steps and stair edges shall be appropriately highlighted.
12. The Premises Licence Holder shall conduct a fire drill and emergency lighting checks weekly.
13. Prominent, clear, and legible notices to be clearly displayed at exit reminding customers to respect the needs of residents and to leave the premises and area quietly without loitering outside the premises or in the vicinity.



14. Prominent, clear, and legible notices to be clearly displayed at exit reminding customers that no drinks, bottles, or glasses may be removed from the Premises.
15. The Premises Licence Holder shall ensure that the area outside the Premises on Roman Road shall be kept tidy at all times and swept at close of business.
16. The Premises Licence Holder will ensure that noise from the Premises will be maintained at a level that is not audible at the façade of any residential premises.
17. Any children using the garden area (shown shaded green on the licensing plan) shall be supervised by an adult at all times.
18. Loudspeakers shall not be located in the garden area (shown shaded green on the licensing plan).
19. Notices shall be prominently displayed in the garden area (shown shaded green on the licensing plan) reminding customers and staff to respect residents and to use the area quietly.
20. Save for access/egress in the event of an emergency, all windows and doors to the garden area (shown shaded green on the licensing plan) shall be kept closed from 20:00 daily.
21. No noise generated on the Premises, or by any associated plant or equipment, shall emanate from the Premises which gives rise to a nuisance.
22. No waste or recycling, including bottles, shall be moved, removed from, or placed in the garden area (shown shaded green on the plans) between 20:00 and 09:00 the following morning.
23. The garden area (shown shaded green on the plans) shall be closed between 20:00 and 09:00 the following morning.
24. The Premises Licence Holder shall ask customers using the garden area (shown shaded green on the plans) to start moving inside the Premises at 19:30 daily.
25. No deliveries shall be received at the Premises or rubbish removed from the Premises (including bottles and glass) between 20:00 and 07:00 the following morning.

26. The Premises Licence Holder shall ensure that no inappropriate content (books, music, art, or otherwise) is accessible to persons under 18 at the Premises.
27. The Premises Licence Holder shall provide a separate children's book area for parents and children.
28. The Premises Licence Holder shall operate a Challenge 25 proof of age scheme at the Premises with the only acceptable forms of identification being recognised photographic identification cards, such as driving licences, passports, or proof of age cards bearing the PASS hologram.
29. Off-sales of alcohol shall be in sealed containers only and shall not be consumed immediately outside the Premises.

FOR AGREEMENT BY APPLICANT

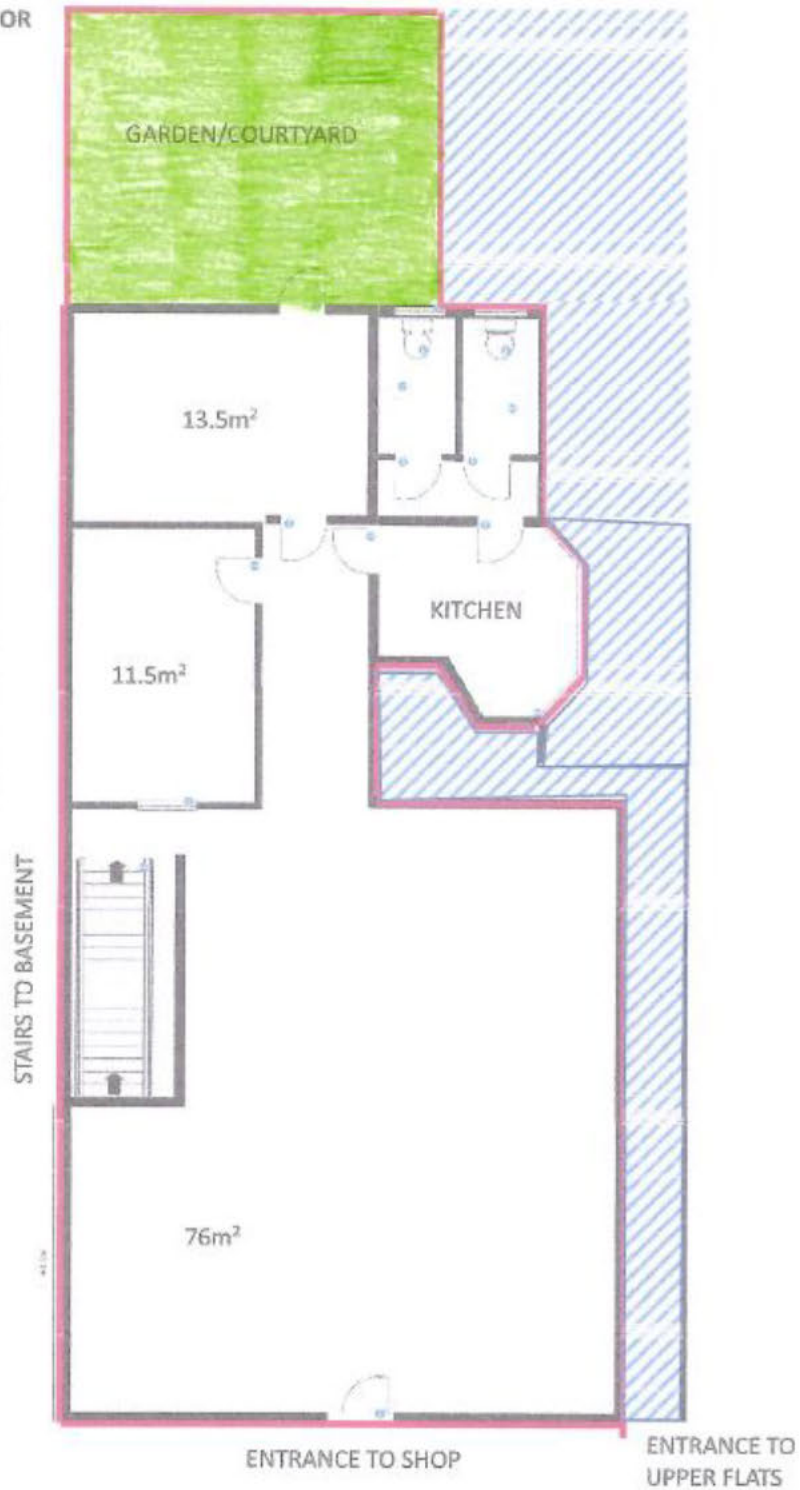
# Licensing Plan

341-343 ROMAN ROAD, E3 5QR  
Approx. gross internal area 189.42m<sup>2</sup>

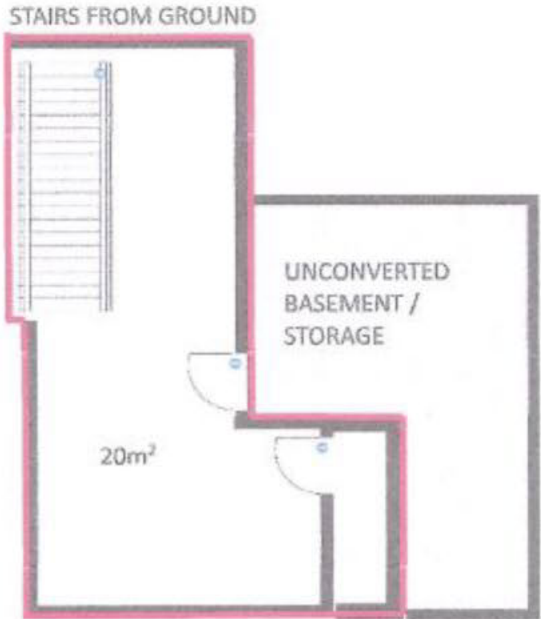


GROUND FLOOR

KEY:  
**RED LINE:**  
LICENSABLE  
AREA  
  
UNCOVERED /  
LOW LEVEL  
STORAGE  
  
STRIPES:  
NEIGHBOURS'  
SPACE / NOT-  
LICENSED



BASEMENT (grey unconverted)



FOR AGREEMENT

## Lavine Miller-Johnson

---

**Subject:** FW: New Premises Licence - 341-343 Roman Road London E3 5QR - MA 167570

---

**From:** Vicki Shenkin Kerr [REDACTED] >

**Sent:** Monday, May 20, 2024 11:55 AM

**To:** Lavine Miller-Johnson [REDACTED]

**Subject:** Re: New Premises Licence - 341-343 Roman Road London E3 5QR - MA 167570

Hi Lavine,

Just so you know, I have offered the following conditions to the neighbours to address their official objections, and would like to officially amend my application to reflect these please:

1. Any children using the garden area shall be supervised by an adult at all times.
2. Loudspeakers shall not be located in the garden area.
3. Notices shall be prominently displayed in the garden area reminding customers and staff to respect residents and to use the area quietly.
4. The garden area shall not be used after 20:00 daily
5. Save for access/egress in the event of an emergency, all windows and doors to the garden area shall be kept closed from 20:00 daily.

These actively address their official objections as per the letters sent to me on the 16th April 2024.

In addition, they have since requested the following which I am happy to agree to and add to the premises license:

1. The provision of Licensable Activities at the Premises shall be ancillary to the main operation of the Premises as a bookstore.
2. No noise generated on the Premises, or by any associated plant or equipment, shall emanate from the Premises which gives rise to a nuisance.
3. A direct telephone number for the manager on duty at the Premises shall be publicly available at all times the Premises is open. The telephone number shall be displayed in the window of the Premises and on the Premises' website/social media (if any).
4. No waste or recycling, including bottles, shall be moved, removed from, or placed in the garden area (shown shaded green on the plans) between 20:00 and 09:00 the following morning.

I will follow up with their representatives to confirm this. They are yet to accept these terms, so we may still need to take this in front of a committee, but thought it was important to keep you apprised of the situation.

Vicki

# Appendix 9



## Lavine Miller-Johnson

---

**From:** MARK.J.Perry [REDACTED]  
**Sent:** 05 April 2024 15:38  
**To:** vickishenkin [REDACTED]  
**Cc:** Licensing  
**Subject:** RE: Premises License Application Bard Books - 341 - 343 Roman Rd

Hi Vicki,

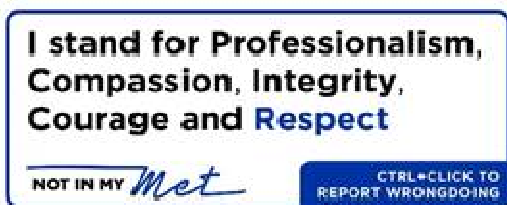
Thanks for agreeing conditions. Tower Hamlets Council please see below conditions agreed with the applicant.

Kind Regards

Mark



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



---

**From:** Vicki Shenkin Kerr <[REDACTED]>  
**Sent:** 05 April 2024 13:15  
**To:** Perry Mark J - CE-CU <[REDACTED]>  
**Subject:** Re: Premises License Application Bard Books - 341 - 343 Roman Rd

Hi Mark, not a problem. Happy to agree the conditions detailed below.

Thanks,

Vicki

On 5 Apr 2024, at 12:29, [MARK.J \[REDACTED\]](#) wrote:

Hi Vicki,

Good to speak to you, sorry to bother you when you are with your family. As discussed I have no objection to your application in principle but would like the following conditions added to the license. Most of them you have in the application, we have some particular wording we like to use.

If these are ok please e-mail me and let me know and I will inform Tower Hamlets Council Licensing that we have agreed terms.

**1.** The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.

**2.** A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

**3.** When the designated premise supervisor is not on the premises any or all persons authorised to sell alcohol will be authorised by the designated premises supervisor in writing. This shall be available on request by the Police or any authorised officer

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

- a) all crimes reported to the venue.
- b) all ejections of patrons.



c) any complaints received concerning crime and disorder

d) any incidents of disorder.

e) any faults in the CCTV system,

f) any refusal of the sale of alcohol.

g) any visit by a relevant authority or emergency service.

5. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

Kind Regards

Mark

<image001.jpg>

<image002.png>

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



<image003.png>

<image004.png>

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# Appendix 10

**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 11

## 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 12



# 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 13

## 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 14

## 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 15

# 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 16

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

All applications have to be considered on their own merits.

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

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

### **(see 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 17



## **Planning**

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

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# Agenda Item 4.3

/Committee: <b>Licensing Sub-Committee</b>	Date 18 June 2024	Classification <b>Unclassified</b>	Report No.	Agenda Item No.
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Report of: <b>Tom Lewis</b> <b>Service Manager of Regulatory Services (Commercial)</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 (Studio Spaces Ltd / E1), 110 Pennington Street, London E1W 2BB</b>  Ward affected: <b>St. Katherine's and Wapping</b>
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## 1.0 Summary

Licence holder:	<b>Studio Spaces Limited</b>
Name and Address of Premises:	<b>(Studio Spaces Limited / E1) 110 Pennington Street London E1W 2BB</b>
Licence sought:	<b>Licensing Act 2003 - variation</b> <ul style="list-style-type: none"> <li>• <b>To extend the times of licensable activities</b></li> <li>• <b>Amend the plan of the premises</b></li> </ul>
Representations:	<b>Licensing Authority (RA) Environmental Protection</b>

## 2.0 Recommendations

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

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

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

### 3.0 Background

3.1 This is an application for a variation of a variation of a premises licence for (Studio Spaces Ltd / E1), 110 Pennington Street, London E1W 2BB.

3.2 A copy of the existing licence (Lic no. 148556) is enclosed as **Appendix 1**. The licensable activities and timings are stated below for information only:

#### ***The sale by retail of alcohol – On sales only***

- *Sunday to Thursday, from 08.00 hours to 00.00 hours (midnight)*
- *Friday and Saturday, from 08.00 hours to 07.00 hours the following day*

#### ***The provision of late night refreshments - Indoors***

- *Sunday to Thursday, from 23.00 hours to 00.00 hours (midnight)*
- *Friday and Saturday, from 23.00 hours to 07.00 hours the following day*

#### ***Provision for Regulated Entertainment - Indoors***

*(Plays and Films, Live Music, Recorded Music, Performance of Dance and Anything of a Similar Description.)*

- *Sunday to Thursday, from 06:00 hours to 00:00 hours (midnight)*
- *Friday and Saturday, from 06.00 hours to 07.00 hours the following day*

#### ***Non-standard timings***

- *Licensable activities, from the beginning of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day and on all days preceding a Bank Holiday until 07:00hrs the next day.*

#### ***Conditions for Garden area (outdoor space)***

##### ***The sale by retail of alcohol***

- *Monday to Sunday 08:00 hours to 20:30 hours with half an hour drink up time until 21:00 hours.*

##### ***The provision of regulated entertainment – Outdoors***

*Recorded music outdoors for garden area only*

- *Monday to Sunday 08:00 hours to 21:00 hours*

##### ***Photographic Studio***

*A small indoor photographic studio area 120 meter squared to operate as per the existing hours permitted on the premises licence.*

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

- *Sunday to Thursday, from 06:00hrs to 00:30hrs (the following day)*
- *Friday and Saturday, from 06.00 hours to 07.00 hours the following day*

***The opening hours of the outdoor space***

- *Monday to Sunday from 08:00 hours to 21:30 hours.*

**Non-standard timings**

*Licensable activities, from the beginning of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day and on all days preceding a Bank Holiday until 07:30hrs the next day.*

- 3.3 A copy of the variation application is enclosed as **Appendix 2**. The applicant has described the variation as follows:  
*"To extend hours for all activities on Sunday into Monday mornings only. Amend layout plan at Annex to reflect a minor amendment to the internal part of the premises".*

- 3.4 Although there are different hours stated on the application form to what is on the licence, the applicant has confirmed the only licensable activities and timings that have been applied for are:

***The sale by retail of alcohol – On sales only***

- *Monday, from 00:00 hours to 07:00 hours*

***The provision of late night refreshments - Indoors***

- *Monday, from 00:00 hours to 05:00 hours*

***Provision for Regulated Entertainment - Indoors***

*(Plays and Films, Live Music, Recorded Music, Performance of Dance and Anything of a Similar Description.)*

- *Monday, from 00:00 hours to 06:00 hours*

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

- *Monday, from 00:00 hours to 07:00 hours*

**4.0 Location and Nature of the premises**

- 4.1 Maps of the venue are included as **Appendix 3**.

- 4.2 Photographs showing the vicinity are included as **Appendix 4**.

- 4.3 Details of the nearest licensed venues 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 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 December 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 This hearing is required by the Licensing Act 2003, because relevant representations have been made by the following:
  - Licensing Authority (RA Objector) - **(Appendix 6)**
  - Environmental Protection - **(Appendix 7)**
- 6.4 Since the representations were made, the agent acting on behalf of the licence holder has been in communication with the relevant parties. However at the time of writing this report, no agreement had been reached between them.
- 6.5 Essentially, the relevant parties oppose the application because the applicant has not explained how within the context of the application, they will meet all of the above the licensing objective(s).
  - the prevention of crime and disorder
  - the prevention of public nuisance
- 6.6 All of the responsible authorities have been consulted about this application. In addition the application has been advertised in a local newspaper and by a blue public notice at the premises.

6.7 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**

7.1 As per the conditions on the existing premises licence (See **Appendix 1**):

7.2 *When the licence holder intends to use the venue for any licensable activities between 00:00 – 06:00 on the day following Sunday into Monday a minimum of 14 days prior notice shall be given to the Licensing Officers at Tower Hamlets Police Service. Event specific risk assessment and plans shall then be made available to authorised officers on request*

#### 8.0 **Conditions in consultation with the responsible authorities/other person**

8.1 None

#### 9.0 **Licensing Officer Comments**

9.1 The Business & Planning Act 2020 came into force on Wednesday 22nd July 2020 and provides a temporary permission for businesses that have a premises licence that permits them to sell alcohol in regards to the ability to sell alcohol as an off sale, i.e. for consumption off the premises. The permission will end on 30th September 2022 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.

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>

- 9.2 In all cases the Members should make their decision on the civil burden of proof, that is “the balance of probability.”
- 9.3 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.
- 9.4 Members must consider all the evidence and then decide from the following alternatives:
- Grant the application as applied for
  - Grant the application with modifications (adjust hours and conditions)
  - Refuse

#### **10.0 Licensing Policy and Home Office Advice**

- 10.1 The Council’s licensing policy and the Home Office Guidance will be available at the hearing.

#### **11.0 Legal Comments**

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

#### **12.0 Finance Comments**

- 12.1 There are no financial implications in this report.



### 13.0 Appendices

<b>Appendix 1</b>	A copy of the existing licence
<b>Appendix 2</b>	A copy of the variation application
<b>Appendix 3</b>	Maps of the venue
<b>Appendix 4</b>	Photographs showing vicinity of the venue
<b>Appendix 5</b>	Details of nearest licensed venues
<b>Appendix 6</b>	Representation of Licensing Authority (RA
<b>Appendix 7</b>	Representation of Environmental Protection

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# Appendix 1



Lic No:  
148556

**(Studio Spaces Ltd)**  
110 Pennington Street  
London  
E1W 2BB

**Licensable Activities authorised by the licence**  
  
The sale by retail of alcohol  
The provision of regulated entertainment  
The provision of late night refreshment

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

**Signed by**

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

**Date: 19<sup>th</sup> December 2011**

- **Variation - 1<sup>st</sup> August 2017**
- **Variation - 30<sup>th</sup> November 2018**
- **Variation following sub-committee hearing – 5<sup>th</sup> December 2020**
- **Minor Variation - 22<sup>nd</sup> November 2021**
- **Variation - granted on 1<sup>st</sup> August 2022 (following hearing on 26<sup>th</sup> July 2022)**

OFFICE USE	Receipt No: 012187	Paid: £315.00	Date: 14/04/2022
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**Part A - Format of premises licence**

Premises licence number

148556

**Part 1 - Premises details**

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

**(Studio Spaces Ltd)**  
110 Pennington Street

**Post town**

London

**Post code**

E1W 2BB

**Telephone number**

None

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

Not applicable

**Licensable activities authorised by the licence**

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

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

#### **The sale by retail of alcohol – On sales only**

- Sunday to Thursday, from 08.00 hours to 00.00 hours (midnight)
- Friday and Saturday, from 08.00 hours to 07.00 hours the following day

#### **The provision of late night refreshments - Indoors**

- Sunday to Thursday, from 23.00 hours to 00.00 hours (midnight)
- Friday and Saturday, from 23.00 hours to 07.00 hours the following day

#### **Provision for Regulated Entertainment - Indoors**

(Plays and Films, Live Music, Recorded Music, Performance of Dance and Anything of a Similar Description.

- Sunday to Thursday, from 06:00 hours to 00:00 hours (midnight)
- Friday and Saturday, from 06.00 hours to 07.00 hours the following day

#### **Non-standard timings**

- Licensable activities, from the beginning of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day and on all days preceding a Bank Holiday until 07:00hrs the next day.

#### **Conditions for Garden area (outdoor space)**

##### **The sale by retail of alcohol**

- Monday to Sunday 08:00 hours to 20:30 hours with half an hour drink up time until 21:00 hours.

##### **The provision of regulated entertainment – Outdoors**

Recorded music outdoors for garden area only

- Monday to Sunday 08:00 hours to 21:00 hours

##### **Photographic Studio**

- A small indoor photographic studio area 120 meter squared to operate as per the existing hours permitted on the premises licence.

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

- Sunday to Thursday, from 06:00hrs to 00:30hrs (the following day)
- Friday and Saturday, from 06.00 hours to 07.00 hours the following day

### **The opening hours of the outdoor space**

- Monday to Sunday from 08:00 hours to 21:30 hours.

#### **Non-standard timings**

- Licensable activities, from the beginning of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day and on all days preceding a Bank Holiday until 07:30hrs the next day.

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

On sales only

## **Part 2**

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

Studio Spaces Limited  
19-20 Bourne Court  
Southend Road  
Woodford Green  
Essex  
IG8 8HD

**Tel:**

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

Limited Company: 06742938

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

Jack Oliver Henr

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**

**Personal licence number:**

**issuing authority:**

## Annex 1 - Mandatory conditions

No supply of alcohol may be made under the premises licence-

- a) at a time where there is no designated premises supervisor in respect of the premises licence, or
- b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended

1.

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

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



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

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

**Security:**

Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, such individuals must be licensed with the Security Industry Authority.

This does not apply to premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001, (premises with premises licences authorising plays or films), or

in respect of premises in relation to-

any occasion mentioned in paragraph 8(3)(b) or (c) of Schedule 2 (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or any occasion within paragraph 8(3)(d) of Schedule 2 (occasions prescribed by regulations under that Act) unless the Licence specifically states otherwise.

Security activity means an activity to which paragraph 2(1)(a) of Schedule 2 of the Private Security Industry Act 2001 of that schedule applies, and

Paragraph 8(5) of Schedule 2 (interpreting of references to an occasion) applies as it applies in relation to paragraph 8 of Schedule 2 of the Private Security Industry Act 2001

**Films:**

Where the exhibition of films is authorised, the admission of children to the exhibition of any film must be to be restricted as follows:

If the London Borough of Tower Hamlets Licensing Section has issued a particular notification of restriction to the licence holder, that restriction  
Otherwise the recommendation of the film classification body.

Children means persons aged under 18 and “film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (currently the British Board of Film Classification)

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

- 1) During the hours of operation there shall be no noise nuisance audible from the premises within 1metre from the façade of the nearest noise sensitive residential premises;
- 2) Signs shall be displayed to inform all customers that the premises operate a zero tolerance drugs policy;
- 3) The premises shall comply with the dispersal policy;
- 4) Any outside promoters seeking to use the venue for a mainstream disco/nightclub event shall require prior approval from the Licensing Officer at Tower Hamlets Police Service;
- 5) The premises shall provide a free phone linked to a licensed taxi firm for use by customers at the premises;
- 6) The premises shall cease the use of such taxi firms where they breach any of the below rules more than once:
  - a) Use the horn after 23:00 hours (except in an emergency) when collecting/delivering persons to the premises.
  - b) Leave their vehicles to collect patrons from the premises.
  - c) Double park their vehicles outside the premises.

Where rules are breached by APP based taxi firms (or ones not appointed by the premises) the licence holder will report breaches of a) and c) to TFL providing the registration and where available the taxi licence number.

Premises must designate a pick spot for taxi's to minimise the impact of any noise on residents.

- 7) The premises shall use all reasonable endeavours to prevent the use of unlicensed taxis by patrons leaving the premises;
- 8) The premises shall maintain and provide the details of a contact number for any local residents living within 100metres of the premises;
- 9) The premises shall discourage any attempt by organisers, artist or users of the premises to advertise by fly posting or using illegal placards;
- 10) Children aged 14 and under shall be permitted to the premises if accompanied by an adult;
- 11) Signs shall be displayed stating that any person who appears to be under the age of 21 shall be required to provide appropriate proof of age;
- 12) The premises shall ensure consideration of given whether there should be an age restriction to music, dance, exhibitions, publication, multimedia, education and research projects being shown at the premises;
- 13) Signage shall be displayed asking patrons to leave the premises quietly;
- 14) CCTV. The CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum of 31days. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity. There must also be someone on the premises, who can download the images and present them immediately on request by a police officer or other responsible authority;
- 15) Use of incident book and refusal book to be followed as per the new security plan and ejection policy, entry policy, drug policy and dispersal policy mentioned in conditions 19-22.
- 16) A record shall be kept detailing all refused sales of alcohol. The record must include the date and time of the refused sale, the name of the member of staff who refused the sale, and the reason for the refusal, and what the outcome was, i.e. if left with friends, taxi called etc. The record shall be available for inspection at the premises by a police or Authorised Council Officer all times whilst the premises is open.
- 17) All persons entering or re-entering the premises shall be searched by a SIA licensed member of staff while monitored by the premises CCTV system. The search shall include a metal detecting search using an arch or wand, followed by a physical search, and a full bag search.

- 18)The premises must have a detailed documented security plan that must include an ejections policy, which must be made available to police upon request.
- 19)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.
- 20)A written entry policy shall be in place and implemented at the premises to move customers into the premises in such a way as to cause minimum disturbance or nuisance to neighbours. The policy shall include details on queue management to ensure any queue to enter the premises the premises is managed effectively and supervised by door staff to ensure that there is no public nuisance or obstruction to the public highway.
- 21)A written egress policy shall be in place and implemented at the premises to move customers into the premises in such a way as to cause minimum disturbance or nuisance to neighbours. The policy shall include details on queue management to ensure any queue to enter the premises is managed effectively and supervised by door staff to ensure that there is no public nuisance or obstruction to the public highway.
- 22)The premises shall adopt the Central East Police Licensing Drugs Policy.
- 23)The premises will carry out a risk assessment into all artists and promoters appearing at the venue.
- a) The purpose of this is to identify any risks and measures that can be put in place to mitigate against them.
  - b) Research will include but is not limited to contacting venues they have appeared recently and looking at their social media sites.
  - c) Mitigating measures will include but is not limited to SIA numbers, male and female SIA ratio, SIA placement.
  - d) This risk assessment, including all identified risks and mitigating measures taken, must be a documented and made available to Police upon request
  - e) This shall also apply to any queer/fetish/kink events taking place on the premises.
- 24)The premises shall use an ID scanner that uses photographic identification documents such as ID cards, passports etc, all persons entering the premises where regulated entertainment is provided, and or after 8pm shall have their ID scanned by this device. Weddings, film productions, photo shoots, product launches and corporate events shall be excluded from the requirements of this condition provided that the venue has a list of those attending the premises for such events.

- 25) The premises security, egress, dispersal plans and searching policy as well as searching effectiveness shall be reviewed every 6 months and the results made available to Police upon request.
- 26) A Cloakroom shall be in operation when events including regulated entertainment are taking place.
- 27) A Toilet attendant shall be in operation in all toilets when events which include regulated entertainment are taking place, or when internal risk assessments require it. This attendant must report any sightings or suspicion of drug use or dealing to a member of security immediately via radio link.
- 28) The customers leaving the venue will be guided via security staff from the venue to direct customer down Pennington Street and up Chigwell Hill and on to The Highway. The egress of these customers from the venue along this route this route must be managed effectively by venue Security Staff to minimise noise from the customers and deter NOx Sellers

**Annex 3 - Conditions attached after a hearing by the licensing authority**  
Attached since 5<sup>th</sup> December 2020

Conditions as per Operating Schedule for garden area

1. Staff training will be given in responsible sales of alcohol and health & safety regulations.
2. Regular monitoring of all area of the premises shall take place by management.
3. Notices asking customers to leave quietly shall be displayed
4. 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.
5. 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.
6. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
  7. A minimum of 1 SIA licensed door supervisors per 100 customers shall be on duty at the premises at all times whilst it is open for business.
  8. 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.
  9. 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.
  10. All drinking vessels used in the venue shall be polycarbonate. All drinks in glass bottles are to be decanted into polycarbonate containers or polycarbonate carafes prior to being served. Customers shall not be permitted to leave their table carrying any such glass bottles or drink directly from the bottle.
  11. 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.

12. Sound system for outside use to be controlled by sound limiter and all music noise to be inaudible at residential premises.

Conditions attached following the Licensing sub-committee hearing of 26<sup>th</sup> July 2022

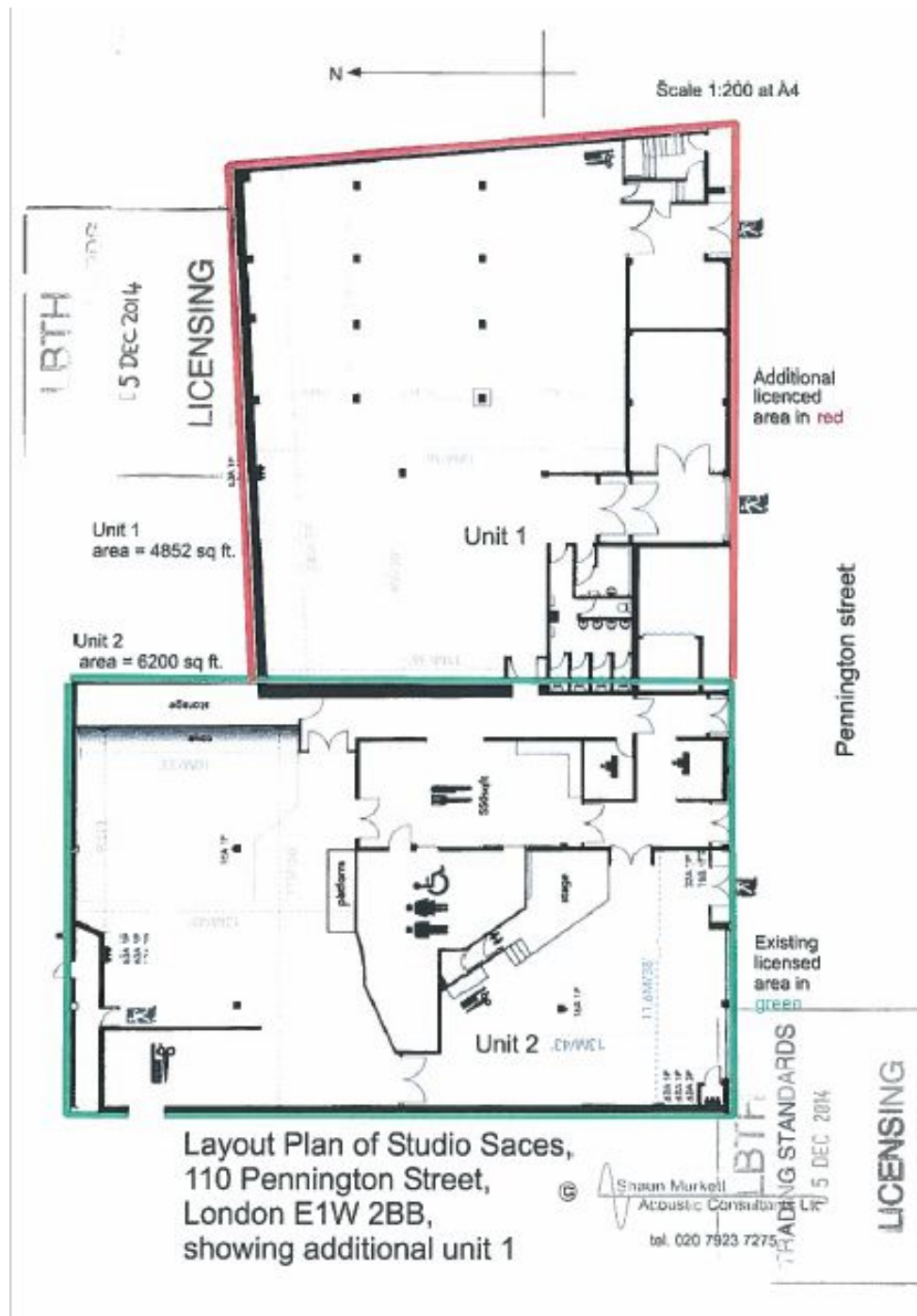
13. The premises licence holder shall implement, maintain and comply with a wellbeing and safeguarding policy for queer, kink and fetish events.
  - a. The premises licence holder shall ensure that any external promotor putting on queer/fetish/kink events is aware of and complies with this policy.
  - b. A copy of the policy will be made available to the Licensing Authority and Police upon written request.
  - c. Any updates to the policy shall be communicated to the Local Authority and Police within seven days of such updates.
14. Any queer/kink/fetish events being promoted at the premises shall operate a members-only policy by the promoter.



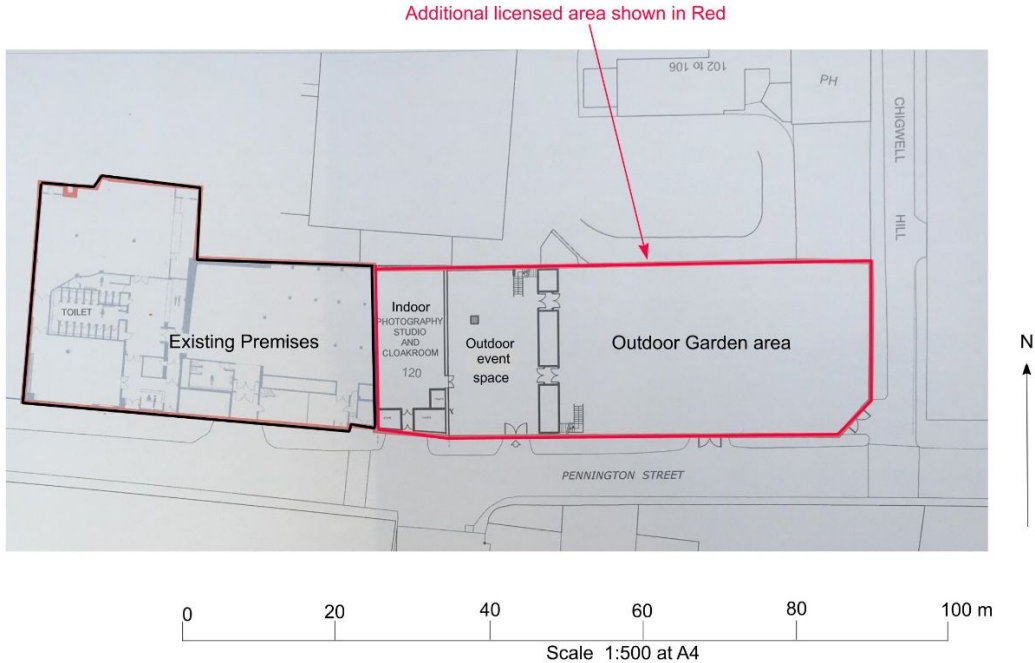
## Annex 4 - Plans

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

5<sup>th</sup> December 2014 - Ground Floor (*Units 1 and 2*)



9<sup>th</sup> July 2020 – Plan of the outdoor licensed garden area, including new layout for indoor photographic studio



Proposed Layout plan of total premises area, with new additional area to licence, including indoor photography studio and outside space "E1 Garden", at 110 Pennington Street E1W 2BB.

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Acoustic Consultants Ltd.  
www.shaumurrell-acoustics.co.uk  
June 2020



**Part B - Premises licence summary**

**Premises licence number**

148556

**Premises details**

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

**(Studio Spaces Ltd)**  
110 Pennington Street

**Post town**

London

**Post code**

E1W 2BB

**Telephone number**

None

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

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

The times the licence authorises the carrying out of licensable activities

**The sale by retail of alcohol – On sales only**

- Sunday to Thursday, from 08.00 hours to 00.00 hours (midnight)
- Friday and Saturday, from 08.00 hours to 07.00 hours the following day

**The provision of late night refreshments - Indoors**

- Sunday to Thursday, from 23.00 hours to 00.00 hours (midnight)
- Friday and Saturday, from 23.00 hours to 07.00 hours the following day

**Provision for Regulated Entertainment - Indoors**

(Plays and Films, Live Music, Recorded Music, Performance of Dance and Anything of a Similar Description.)

- Sunday to Thursday, from 06:00 hours to 00:00 hours (midnight)
- Friday and Saturday, from 06.00 hours to 07.00 hours the following day

<p><b><u>Non-standard timings</u></b></p> <ul style="list-style-type: none"> <li>Licensable activities, from the beginning of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day and on all days preceding a Bank Holiday until 07:00hrs the next day.</li> </ul> <p><b><u>Conditions for Garden area (outdoor space)</u></b></p> <p><b>The sale by retail of alcohol</b></p> <ul style="list-style-type: none"> <li>Monday to Sunday 08:00 hours to 20:30 hours with half an hour drink up time until 21:00 hours.</li> </ul> <p><b>The provision of regulated entertainment – Outdoors</b>  <u>Recorded music outdoors for garden area only</u></p> <ul style="list-style-type: none"> <li>Monday to Sunday 08:00 hours to 21:00 hours</li> </ul> <p><b><u>Photographic Studio</u></b></p> <ul style="list-style-type: none"> <li>A small indoor photographic studio area 120 meter squared to operate as per the existing hours permitted on the premises licence.</li> </ul>
---

The opening hours of the premises

<ul style="list-style-type: none"> <li>Sunday to Thursday, from 06:00hrs to 00:30hrs (the following day)</li> <li>Friday and Saturday, from 06.00 hours to 07.00 hours the following day</li> </ul> <p><b>The opening hours of the outdoor space</b></p> <ul style="list-style-type: none"> <li>Monday to Sunday from 08:00 hours to 21:30 hours.</li> </ul> <p><b><u>Non-standard timings</u></b></p> <ul style="list-style-type: none"> <li>Licensable activities, from the beginning of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day and on all days preceding a Bank Holiday until 07:30hrs the next day.</li> </ul>
---

Name, (registered) address of holder of premises licence	Studio Spaces Limited 19-20 Bourne Court Southend Road Woodford Green IG8 8HD
Where the licence authorises supplies of alcohol	On sales only
Registered company number	Limited Company: 06742938
Name of designated premises supervisor	Jack Oliver Henry
State whether access to the premises by children is restricted or prohibited	Children aged 14 and under shall be permitted to the premises if accompanied by an adult

# Appendix 2

## Mohshin Ali

---

**From:** Niall Forde Forde [REDACTED]  
**Sent:** 05 April 2024 13:12  
**To:** Kathy Driver  
**Cc:** PublicHealth Licensing; FSR-AdminSupport@london-fire.gov.uk; alcohol@homeoffice.gov.uk; CEMailbox-.TowerHamletsLicensing@met.police.uk; Mohshin Ali; Development Control; Trading Standards; Health and Safety; Licensing-Child Protection; Environmental Protection; Licensing (Studio Spaces Ltd/E1) , 110 Pennington Street London E1W 2BB  
**Subject:** E1 Variation Application0505.pdf; PenningtonSt110.pdf  
**Attachments:**  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Kathy,

Please find updated copy of our application in respect of the current variation application for your files.

As clearly stated the application is only to amend the trading hours on Sunday and a slight amendment to layout plan.

As you had noted start time for existing trading hours had been incorrectly listed during the week as 6am and not 8am as per the existing licence.

Current licence attached again for ease of access.

Regards

Niall Forde

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

**From:** niall.forde [REDACTED]  
**To:** licensing@towerhamlets.gov.uk; Trading.Standards@towerhamlets.gov.uk; FSR-AdminSupport@london-fire.gov.uk; development.control@towerhamlets.gov.uk; Environmental.Protection@towerhamlets.gov.uk; Licensing-ChildProtection@towerhamlets.gov.uk; Healthand.Safety@towerhamlets.gov.uk; alcohol@homeoffice.gov.uk; PublicHealthLicensing@towerhamlets.gov.uk; CEMailbox-.TowerHamletsLicensing@met.police.uk  
**Cc:** Mohshin.Ali [REDACTED]  
**Sent:** Friday, March 15th 2024, 15:10  
**Subject:** (Studio Spaces Ltd/E1) , 110 Pennington Street London E1W 2BB

Dear interested parties,

Due to an admin mistake on the notice that displayed the old licensing office address please find a copy of re - submitted variation application for E1.

The new last date for representations is now the 12th April 2024.

The only amendment to the previous application is the hour break for the sale of alcohol on Friday's and Saturday's is re-instated and the request for alcohol on Sunday into Monday is also reflected in these hours.

The application, plans and the current premises licence are attached as one PDF.

We have been advised and we fully accept that where a responsible authority has made a representation to the initial submission that will be carried over to this application, save for where the said authority may wish make any slight amendments to contents already submitted.

If anyone has any questions or would like a site visit in the mean time please do not hesitate to contact me to arrange.

Regards

Niall Forde

Licensing Consultant



## Mohshin Ali

---

**From:** Niall Forde Forde [REDACTED]  
**Sent:** 05 April 2024 09:08  
**To:** Kathy Driver  
**Cc:** Mohshin Ali  
**Subject:** Re: Studio Spaces Variation 110 Pennington Street, E1W

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

Dear Kathy,

I can confirm that the application is to only amend the hours on Sunday ( small amendment to layout plan ) and that the garden hours will remain as per the current licence.

I will amend the main PDF for your files and forward to all parties for their records.

I am in the process of doing a full response to both the existing representations you will have this by Monday so you will have time to amend existing representations if necessary.

This submission will include current acoustic survey and dispersal plans.

E1 does also operate a direct residents whats app group to respond to their concerns.

They have also hosted a number of events on temporary event notices on Sunday's without complaints.

Can you confirm is we've received any resident represents to the application as we have effectively been under consultation for 7 weeks now with the re-advertising.

The application is give them flexibility as temporary event notice on Sunday mean they have to restrict numbers permitted.

If at the end of the consultation period the application does have residential comments the premises would consider additional conditions to restrict number of Sunday extensions in line with temporary event limits if agreement could be reached with your department and the EHO without the need for a Licensing Commitee hearing.

Regards

Niall

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

From: Kathy.Driver [REDACTED]  
To: niall.forde [REDACTED] Cc: Mohshin.Ali [REDACTED]  
Sent: Thursday, April 4th 2024, 16:57  
Subject: Studio Spaces Variation 110 Pennington Street, E1W



I refer to your application for variation, I note that the application states the variation is to extend the hours for all activities on Sunday into Mondays mornings only and is advertised as such, however the Alcohol hours stated in the application do not correspond to the hours stated in the licence, as highlighted below

supply of alcohol (Application):

Alcohol hours as per licence:

Monday 08:00 to midnight	Monday 08:00 to midnight
Tuesday to Thursday 06:00 to midnight	Tuesday to Thursday 08:00 to midnight
Friday 06:00 to 07:00 hours the following day	Friday 08:00 to 07:00 hours the following day
Saturday 08:00 to 07:00 hours the following day	Saturday 08:00 to 07:00 hours the following day
Sunday 08:00 to 07:00 the following day	Sunday 08:00 to Midnight

Can you confirm if this is an error on the application or that your intention is to extend the sale of alcohol start times from 06:00 hours?

Also can you clarify if the alcohol hours for the garden area outside are to remain as per the licence.

Kind Regards,

**Kathy Driver**

Principal Licensing Officer  
Licensing & Safety Team  
Communities Directorate  
London Borough of Tower Hamlets  
Tower Hamlets Town Hall  
160 Whitechapel Road  
London E1 1BJ



Licensing Hotline **020 7364 5008**

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

**Please visit our web page for application forms and guidance at [www.towerhamlets.gov.uk/licensing](http://www.towerhamlets.gov.uk/licensing)**

**Making a payment please go to: [www.towerhamlets.gov.uk/pay](http://www.towerhamlets.gov.uk/pay)**

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

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**Application to vary a premises licence under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**



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

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

We Studio Spaces LTD

*(Insert name(s) of applicant)*

**being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below**

**Premises licence number**

148556

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description  
110 Pennington Street

Post town London

Postcode

E1W 2BB

Telephone number at premises (if any)

Non-domestic rateable value of premises

£

**Part 2 – Applicant details**

Daytime contact telephone number

E-mail address (optional)

Current postal address if different from premises address

Post town

Postcode

**Part 3 - Variation**

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?  Yes  No

If not, from what date do you want the variation to take effect? DD MM YYYY  

--	--	--	--	--	--	--	--

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)  Yes  No

**Please describe briefly the nature of the proposed variation** (Please see guidance note 2)

To extend hours for all activities on Sunday into Monday mornings only

Amend layout plan at Annex to reflect a minor amendment to the site drawings.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

#### Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

- | <b>Provision of regulated entertainment (Please see guidance note 3)</b>                                    | <b>Please tick all that apply</b>   |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A)  | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B)  | <input checked="" 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 checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)   | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G)  | <input checked="" 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

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon	06:00	00:00			
			State any seasonal variations for performing plays (please read guidance note 6)		
Tue	06:00	00:00			
			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 (please read guidance note 7)		
Wed	06:00	00:00			
			Licensable activities, from the beginning of permitted hours on New Year’s Eve to the end of permitted hours on New Year’s Day and on all days preceding a Bank Holiday until 07:30hrs the next day.		
Thur	06:00	00:00			
Fri	06:00	00:00			
	00:00	06:00			
Sat	06:00	00:00			
	00:00	06:00			
Sun	06:00	00:00			
	00:00	06:00			

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon	06:00	00:00			
Tue	06:00	00:00			
			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Wed	06:00	00:00			
Thur	06:00	00:00			
			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri	06:00	00:00			
	00:00	06:00	Licensable activities, from the beginning of permitted hours on New Year’s Eve to the end of permitted hours on New Year’s Day and on all days preceding a Bank Holiday until 07:30hrs the next day.		
Sat	06:00	00:00			
	00:00	06:00			
Sun	06:00	00:00			
	00:00	06:00			

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 6)
Tue			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)
Wed			
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Wed			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					



E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon	06:00	00:00			
			State any seasonal variations for the performance of live music (please read guidance note 6)		
Tue	06:00	00:00			
			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 (please read guidance note 7)		
Wed	06:00	00:00			
			Licensable activities, from the beginning of permitted hours on New Year’s Eve to the end of permitted hours on New Year’s Day and on all days preceding a Bank Holiday until 07:30hrs the next day.		
Thur	06:00	00:00			
Fri	06:00	00:00			
	00:00	06:00			
Sat	06:00	00:00			
	00:00	06:00			
Sun	06:00	00:00			
	00:00	06:00			

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon	06:00	00:00			
			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Tue	06:00	00:00			
			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Wed	06:00	00:00			
			Licensable activities, from the beginning of permitted hours on New Year’s Eve to the end of permitted hours on New Year’s Day and on all days preceding a Bank Holiday until 07:30hrs the next day.		
Thur	06:00	00:00			
Fri	06:00	00:00			
	00:00	06:00			
Sat	06:00	00:00			
	00:00	06:00			
Sun	06:00	00:00			
	00:00	06:00			

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	06:00	00:00	<b>Please give further details here</b> (please read guidance note 5)	Both	<input type="checkbox"/>
Tue	06:00	00:00			
Wed	06:00	00:00	<b>State any seasonal variations for the performance of dance</b> (please read guidance note 6)		
Thur	06:00	00:00			
Fri	06:00	00:00	<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 7) Licensable activities, from the beginning of permitted hours on New Year’s Eve to the end of permitted hours on New Year’s Day and on all days preceding a Bank Holiday until 07:30hrs the next day.		
	00:00	06:00			
Sat	06:00	00:00			
	00:00	06:00			
Sun	06:00	00:00			
	00:00	06:00			

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Mon	06:00	00:00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	06:00	00:00	<b><u>Please give further details here</u></b> (please read guidance note 5)		
Wed	06:00	00:00	<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 6)		
Thur	06:00	00:00	<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 7) Licensable activities, from the beginning of permitted hours on New Year’s Eve to the end of permitted hours on New Year’s Day and on all days preceding a Bank Holiday until 07:30hrs the next day.		
Fri	06:00	00:00			
	00:00	06:00			
Sat	06:00	00:00			
	00:00	06:00			
Sun	06:00	00:00			
	00:00	00:00			

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 5)		
Mon	23:00	00:00			
Tue	23:00	00:00	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 6)		
Wed	23:00	00:00			
Thur	23:00	00:00	<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 7) Licensable activities, from the beginning of permitted hours on New Year’s Eve to the end of permitted hours on New Year’s Day and on all days preceding a Bank Holiday until 0500 hours the next day.		
Fri	23:00	05:00			
Sat	23:00	05:00			
Sun	23:00	05:00			

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 6)  <b><u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7) Licensable activities, from the beginning of permitted hours on New Year’s Eve to the end of permitted hours on New Year’s Day and on all days preceding a Bank Holiday until 07:30hrs the next day.		
Mon	08:00	00:00			
Tue	08:00	00:00			
Wed	08:00	00:00			
Thur	08:00	00:00			
Fri	08:00	00:00			
	00:00	07:00			
Sat	08:00	00:00			
	00:00	07:00			
Sun	08:00	00:00			
	00:00	07:00			

K

<p><b>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</b> (please read guidance note 10).          Not applicable</p>
--

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 6)
Day	Start	Finish	
Mon	06:00	00:00	
	00:00	00:30	
Tue	06:00	00:00	
	00:00	00:30	
Wed	06:00	00:00	
	00:00	00:30	
Thur	06:00	00:00	
	00:00	00:30	
Fri	06:00	00:00	
	00:00	06:00	
Sat	06:00	00:00	
	00:00	06:00	
Sun	06:00	00:00	
	00:00	06:00	

**Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list** (please read guidance note 7)  
 Licensable activities, from the beginning of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day and on all days preceding a Bank Holiday until 07:30hrs the next day.

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

None all current conditions shall remain on the licence.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.



**M** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)**

As per existing licence

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

When the licence holder intends to use the venue for any licensable activities between 00:00 – 06:00 on the day following Sunday into Monday a minimum of 14 days prior notice shall be given to the Licensing Officers at Tower Hamlets Police Service. Event specific risk assessment and plans shall then be made available to authorised officers on request

**c) Public safety**

As per existing licence

**d) The prevention of public nuisance**

As per existing licence

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

As per existing licence

Checklist:

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

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


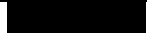
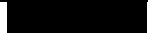

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	8 February 2024
Capacity	Authorised licensing agent

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent** (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

<b>Contact name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 15)			
Niall Forde			
			
<b>Post town</b>		<b>Post code</b>	
<b>Telephone number (if any)</b>			

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

### Notes for Guidance

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

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

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

12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

**K A L I F A**  
 Tel.: 07365802695 Email: ghn2426@gmail.com

Client: Studio Space

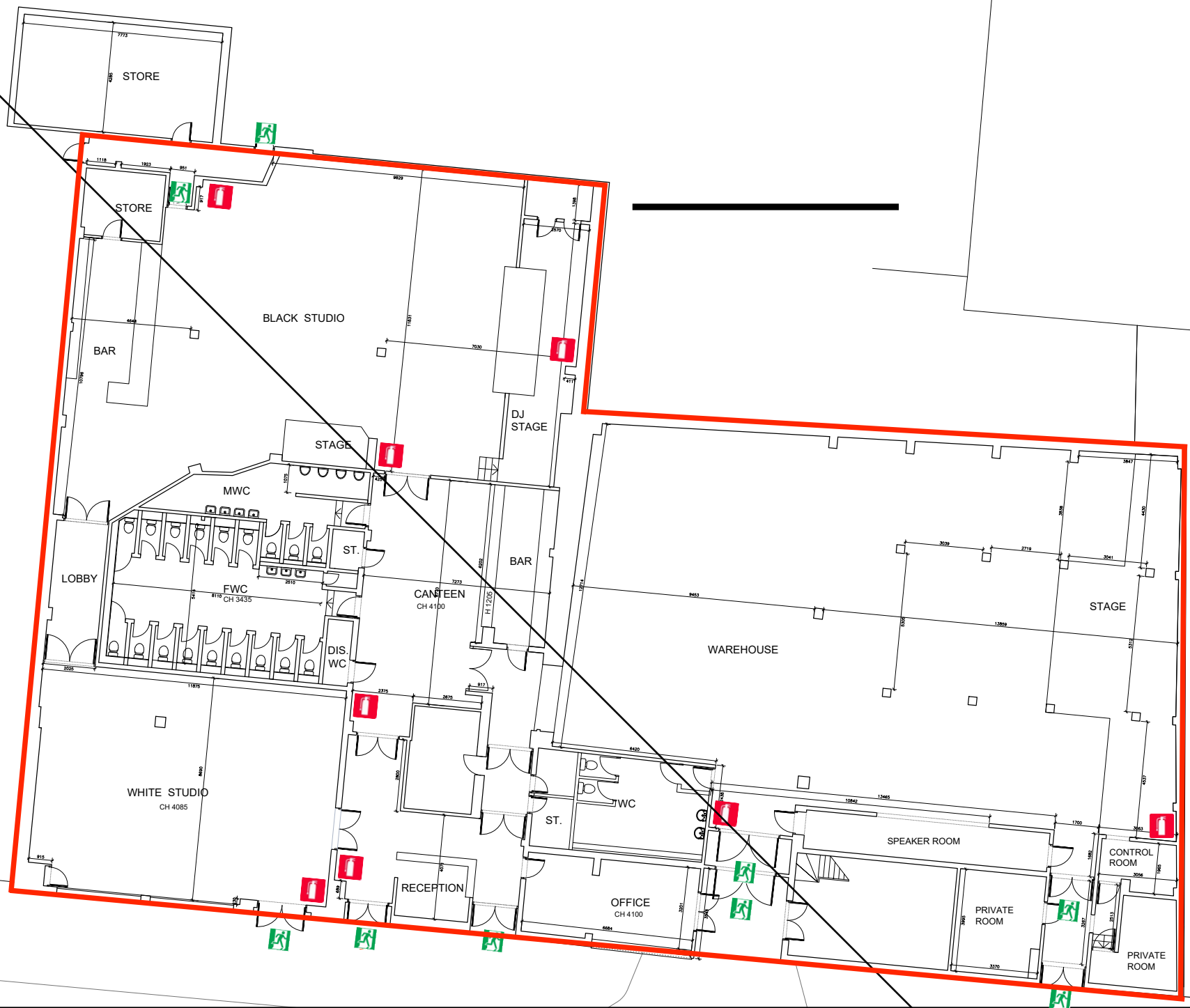
Project Title: 60\_70 The Highway E1W 2BF

Drawing Title: Existing Floor Plan

By: HK	Date: Jan. 2024	Project No: 2005
Drawing No: 2005.EX.01	Revision: A	Scale: 1:100@A2

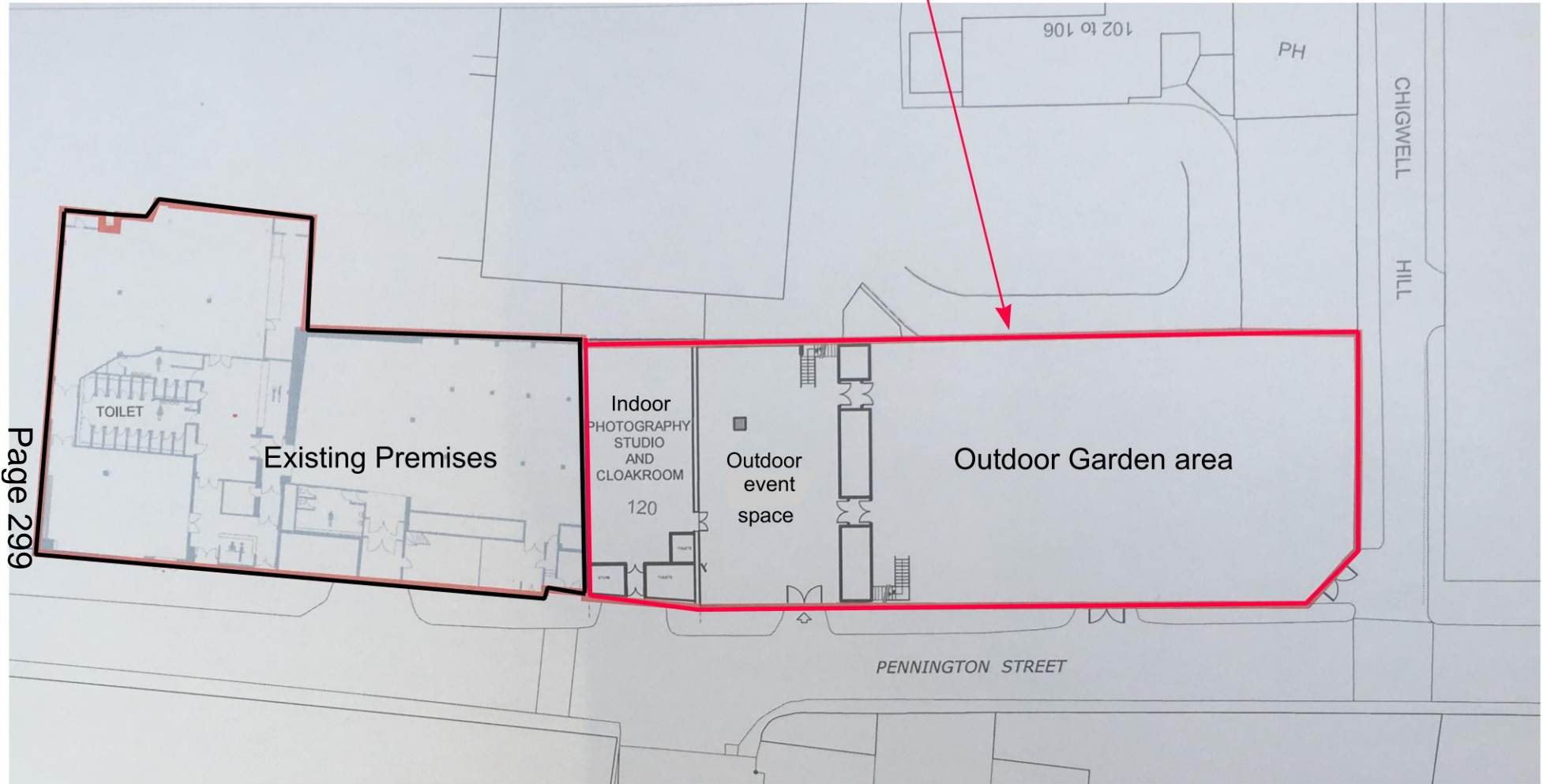


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120

Additional licensed area shown in Red



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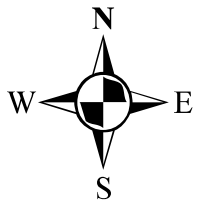


Scale 1:500 at A4

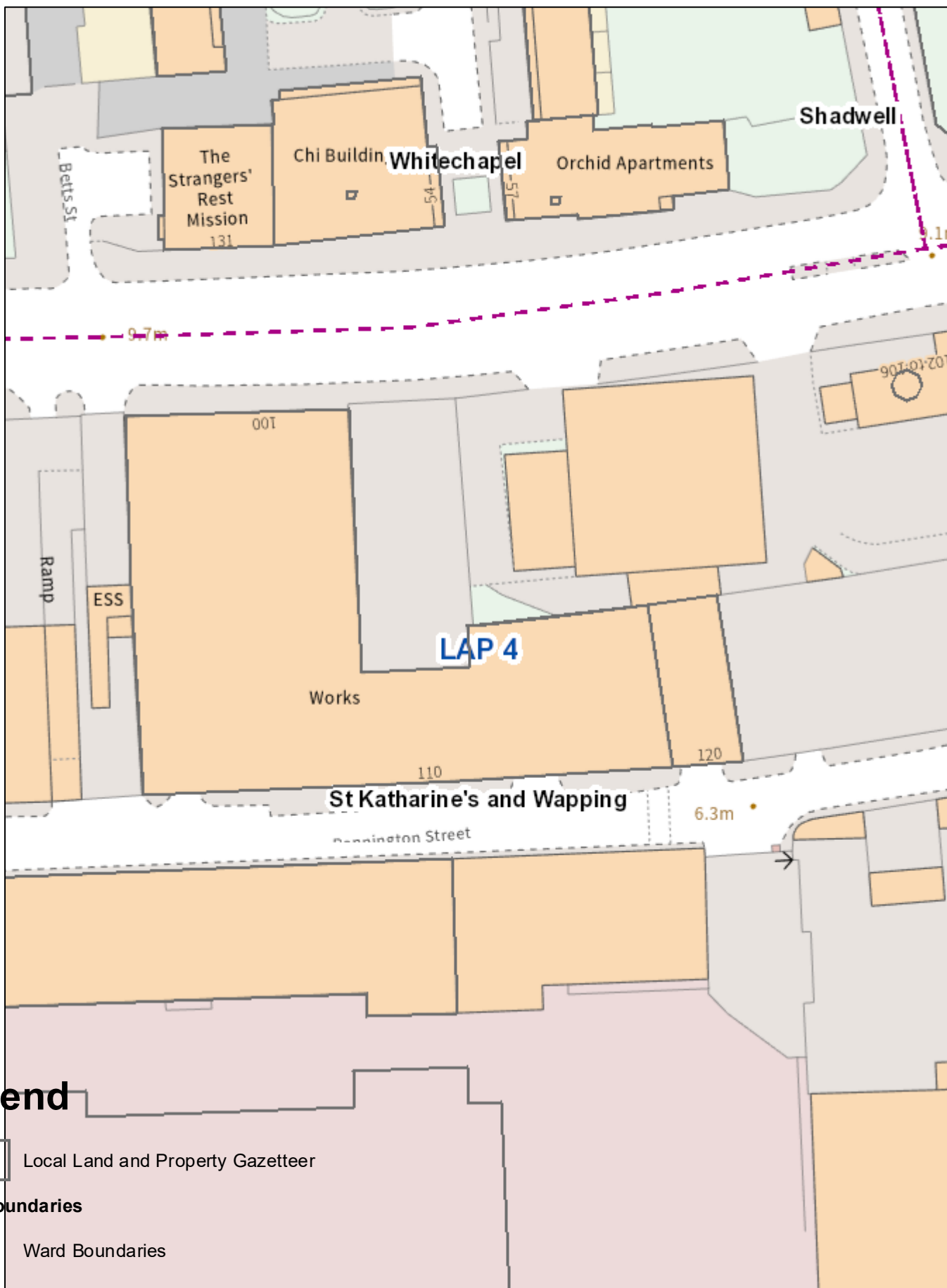
Proposed Layout plan of total premises area, with new additional area to licence, including indoor photography studio and outside space "E1 Garden", at 110 Pennington Street E1W 2BB.

# Appendix 3







# 110 Penn



## Legend

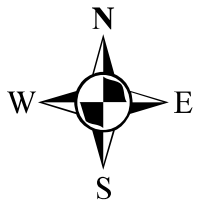
 Local Land and Property Gazetteer

### Ward Boundaries

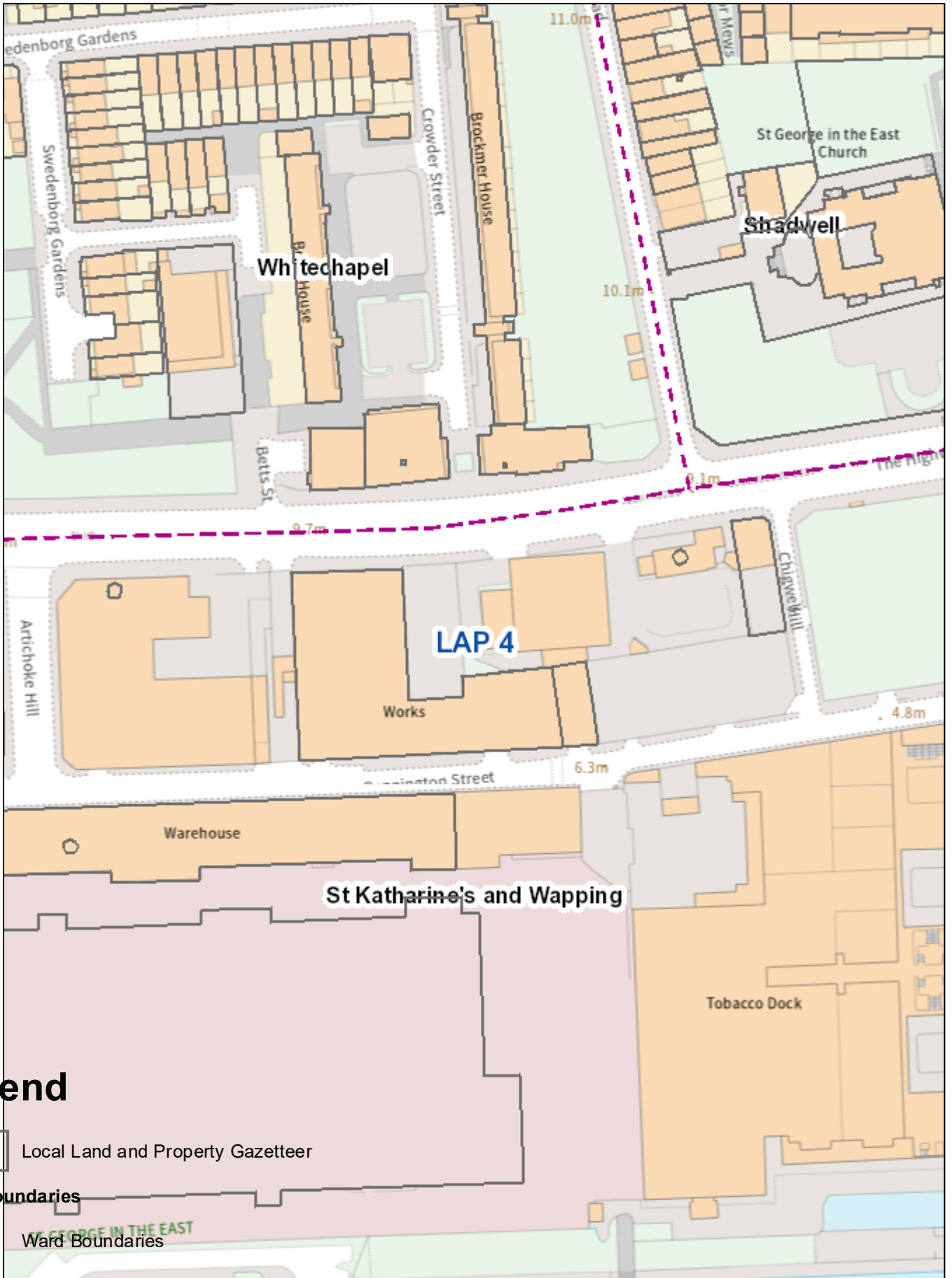
 Ward Boundaries

### LAP Boundaries

 LAP Boundaries



# 110 Penn



## Legend

Local Land and Property Gazetteer

### Ward Boundaries

Ward Boundaries

### LAP Boundaries

LAP Boundaries

# Appendix 4

Premises photos: (Studio Spaces Ltd / E1), 110 Pennington Street, London E1W 2BB





Premises photos: (Studio Spaces Ltd / E1), 110 Pennington Street, London E1W 2BB



Premises photos: (Studio Spaces Ltd / E1), 110 Pennington Street, London E1W 2BB



**Premises photos: (Studio Spaces Ltd / E1), 110 Pennington Street, London  
E1W 2BB**



# Appendix 5



Name and address	Licensable activities and hours	Opening hours
<p><b>(Great Chef London Limited)</b>  <b>Unit 301</b>  <b>110 Pennington Street</b>  <b>London</b>  <b>E1W 2BB</b></p>	<p><u>The Supply of Alcohol (off sales only)</u></p> <ul style="list-style-type: none"> <li>Monday to Sunday from 11:30hrs to 23:30hrs</li> </ul> <p><u>The provision of Late Night Refreshment</u></p> <ul style="list-style-type: none"> <li>Monday to Sunday from 23:00hrs to 23:30hrs</li> </ul>	<p>Monday to Sunday from 11:30hrs to 23:30hrs</p> <p>Premises not open to public, online deliveries only</p>
<p><b>(Tobacco Dock)</b>  <b>50 Porters Walk</b>  <b>London</b>  <b>E1W 2SF</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 10:00hours to 00:30hours (the following day)</li> <li>Dock Street Bar only Wednesday to Friday 12 noon to 23:00 hours (see condition 3)</li> <li>The sale of alcohol for a pre-booked event so notified in accordance with condition 2 on Level 10 and 11 between 12 noon and 2300</li> <li>The sale of alcohol to the public on Level 9,10 and 11 of the car park labelled on the plan between the hours of 12noon and 2300 Thursday to Sunday.</li> </ul> <p><b>The Provision of Late Night Refreshments - Indoors</b></p> <ul style="list-style-type: none"> <li>Monday to Sunday from 23:00hours to 01:00hours (the following day)</li> </ul> <p><b>The Provision of Regulated Entertainment - Indoors</b>  <u>(Live music, recorded music, performance of dance and anything of a similar description)</u></p> <ul style="list-style-type: none"> <li>Monday to Sunday from 10:00hours to 01:00hours (the following day)</li> </ul> <p><u>Non-Standard Timing</u></p> <ul style="list-style-type: none"> <li>All Licensable activities until 02:00 hours (the following day) for a maximum 15 occasions in a calendar year</li> </ul>	<p>Monday to Sunday from 08:00hours to 01:30hours (the following day)</p> <p><u>Non-Standard Timing</u>  Until 02:30 hours (the following day) for a maximum 15 occasions in a calendar year</p>

# Appendix 6

## Mohshin Ali

---

**From:** Licensing  
**Sent:** 22 March 2024 16:48  
**To:** Mohshin Ali  
**Subject:** FW: 167641 MAU Representation Variation of Premises Licence Unit 2, 110 Pennington Street, E1W 2BB

---

**From:** Yale Sherlock [REDACTED]  
**Sent:** Friday, March 22, 2024 4:19 PM  
**To:** Licensing <Licensing@towerhamlets.gov.uk>  
**Cc:** jack [REDACTED]  
**Subject:** 167641 MAU Representation Variation of Premises Licence Unit 2, 110 Pennington Street, E1W 2BB

Dear Licensing,

Having considered the Variation of Premises Licence application for Unit 2, 110 Pennington Street, E1W 2BB, 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.

It must be noted that the Council's framework hours (i.e. when premises are open) are:

- **Monday to Thursday 0600 hours to 2330 hours; and**
- **Friday & Saturday 0600 hours to midnight**
- **Sunday 0600 hours to 2230 hours.**

The applicant is proposing licensable activity: **plays, films, live music, recorded music, performances of dance and supply of alcohol:**

- **Monday to Thursday until 00:00 hours (extension of half an hour on framework hours)**
- **Friday & Saturday until 06:00 hours (extension of six hours on framework hours)**
- **Sunday until 06:00 hours (extension of seven and a half hours on framework hours)**

**Noise Sensitive premises:** residential premises at London Dock

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 patron entering and leaving the venue affecting neighbouring residents.
- The hours of operation (inclusive of proposals)

## **CONCLUSION**

Environmental Protection **does not** support the application for 110 Pennington Street, E1W 2BB for the following reasons:

- (1) Great likelihood of disturbance to residential premises at the noise sensitive hours sought.

Kind regards

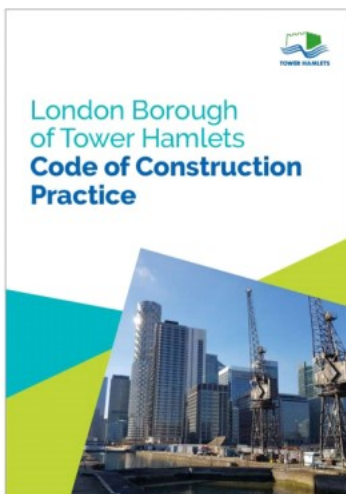
### **Yale Sherlock**

Environmental Protection Noise 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)

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### **Construction Code of Practice 2023**

- Development with Planning Permission granted and subject to Planning Conditions is adoption of the new Code will continue to operate under the conditions for working hours of **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](#).**

To check the application status, please email [environmental.protection@towerhamlets.gov.uk](mailto:environmental.protection@towerhamlets.gov.uk) and use the FS-Case reference number generated by your application.

# Appendix 7



Communities Directorate  
Public Realm  
**Environmental Health & Trading Standards**

Head Of Service David Tolley

Town Hall  
160 Whitechapel Road  
London  
E1 1BJ

Tel [REDACTED]  
Enquiries to Kathy Driver  
Email [REDACTED]

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

London Borough Tower Hamlets  
Licensing Authority  
Town Hall  
160 Whitechapel Road  
London  
E1 1BJ

12<sup>th</sup> April 2024

My reference: P/PR/EHTS/LIC/

Dear Sir/Madam,

**Licensing Act 2003**  
**Re: 110 Pennington Street, London E1W 2BB**

I am writing in my capacity as Licensing Authority in relation to the premises licence application for the above address and wish to make representation on the grounds of prevention of public nuisance and crime and disorder.

I have been advised by the applicants agent the application seeks to extend the hours for the sale of alcohol on Sunday only with minor change to the layout. All other hours remain as per their current licence.

The Licensing Authority framework hours are:

- 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

This Licensing Authority wishes to object to this application as we feel the premises is likely to increase anti social behaviour and crime and disorder in the area.

The extension of the Sunday hours into the Monday morning effectively allows licensable activities to operate continuously from Friday 06:00 hours through to midnight on Monday night. The sale of alcohol hours would only be an hour between the hours of 7am and 8am in the morning.

Although there is a volunteered a condition, for when the premises is operated on a Sunday into a Monday, you will inform the licensing police with a minimum of 14

days notice, there has not been the offer of any veto of the event if not agreed by the Police.

The Licensing Authority feels that, if granted, there is a likelihood of an increased disturbance and anti-social behaviour to local residents as they will have three nights every week where trading can continue through the day and night. With the current hours of trading ceasing at midnight on a Sunday this gives residents a period of quiet in the nights of a normal working week. Whichever direction you leave Studio Spaces, either by car or on foot, a number of residential premises have to be passed. Patrons in high spirits are, on the balance of probability, are likely to cause a disturbance to residents, especially on Sunday night when residents are trying to get a good night sleep for their start to working week.

Unfortunately, the premises, like many late night premises, attracts drug dealers and NOX sellers to hang around outside the venue and operate close to residential premises to sell drugs/NOX to attendees. Therefore trading all night on a Sunday evening as well is likely to increase this issue.

Complaints have been received stating they are blocking the highway during operation with customers queuing and an incident recently where CS gas was thrown over into the venue, the venue reported this to Police and have since put measures in place to prevent it occurring again, however having additional events and longer operation, are these incidents going happen more frequently.

For clarity we have no objection to the change in site plan.

In Conclusion, we feel that extending the hours of operation into Monday will increase the disturbance to local residents in the area.

Yours sincerely,



**Kathy Driver**  
**Principal Licensing Officer**

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