

Licensing Committee

Agenda

**Thursday, 16 January 2025 at 6.30 p.m.
Council Chamber - Town Hall, Whitechapel**

Members:

Chair: Councillor Peter Golds

Vice Chair: Councillor Shahaveer Shubo Hussain

Councillor Faroque Ahmed, Councillor Leelu Ahmed, Councillor Musthak Ahmed, Councillor Suluk Ahmed, Councillor Amina Ali, , Councillor Ahmodul Kabir, Councillor Ahmodur Khan, Councillor Abdul Malik, Councillor Ana Miah, Councillor Abdi Mohamed, Councillor Rebaka Sultana and Councillor Bellal Uddin, 1 Vacancy.

[The quorum for this body is 4 voting Members]

Contact for further enquiries:

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



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A Guide to Licensing Committee

The Licensing Committee will determine Licensing policy/procedure (excluding the Council's Statement of Policy) as well as Licensing fees and charges.

The Committee will also establish a Licensing Sub-Committee to consider Licensing matters under the Licensing 2003 Act 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 Committee

Thursday, 16 January 2025

6.30 p.m.

APOLOGIES FOR ABSENCE

1. DECLARATIONS OF INTEREST (PAGES 5 - 6)

Members are reminded to consider the categories of interest 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, please see the attached note from the Monitoring Officer.

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

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

2. MINUTES OF THE PREVIOUS MEETING(S) (PAGES 7 - 12)

To confirm the minutes of the meeting of the Licensing Committee held on 13th June and 22nd October 2024 as an accurate record of the proceedings.

3. ITEMS FOR CONSIDERATION

3.1 Night-Time Economy visits and Enforcement Update for 2023/24 and 2024/25 (October 2024) (Pages 13 - 24)

Next Meeting of the Licensing Committee

Thursday, 3 April 2025 at 6.30 p.m. to be held in Council Chamber - Town Hall, Whitechapel



Agenda Item 1

DECLARATIONS OF INTERESTS AT MEETINGS– NOTE FROM THE MONITORING OFFICER

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

(i) Disclosable Pecuniary Interests (DPI)

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

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

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

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

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

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

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

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

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

Guidance on Predetermination and Bias

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

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

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

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.

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE LICENSING COMMITTEE

HELD AT 7.15 P.M. ON THURSDAY, 13 JUNE 2024

COUNCIL CHAMBER - TOWN HALL, WHITECHAPEL

Members Present in Person:

Councillor Peter Golds (Chair)
Councillor Faroque Ahmed
Councillor Leelu Ahmed
Councillor Musthak Ahmed
Councillor Suluk Ahmed
Councillor Sabina Akhtar
Councillor Shahaveer Shubo (Vice-Chair)
Hussain
Councillor Asma Islam
Councillor Ahmodul Kabir
Councillor Ahmodur Khan
Councillor Rebaka Sultana
Councillor Bellal Uddin

Apologies:

Councillor Ana Miah

Officers Present in Person:

Ibrahim Hussain Licensing Officer
Tom Lewis (Team Leader - Licensing Services)
Jonathan Melnick (Principal Lawyer-Enforcement)
Sean Rovai Principal Consumer Services Officer
Simmi Yesmin (Democratic Services Officer, Committees, Governance)

1. ELECTION OF VICE-CHAIR

The Chair, asked for nominations for the position of Vice-Chair of the Licensing Committee for the municipal year 2024/2025.

Councillor Musthak Ahmed proposed Councillor Suluk Ahmed for the position. This was seconded by Councillor Ahmodur Kabir and Councillor Ahmodur Khan.

Councillor Sabina Akhtar proposed Councillor Shubo Hussain for the position. This was seconded by Councillor Asma Islam.

There were no further nominations.

The Chair called for a vote;

Cllr Suluk Ahmed – 5 votes

Cllr Shubo Hussain - 6 votes

The Licensing Committee;

Resolved

That Councillor Shubo Hussain is elected as Vice-Chair of the Licensing Committee for the municipal year 2024-2025.

2. DECLARATIONS OF INTEREST

There were no declarations of interest made.

3. MINUTES OF THE PREVIOUS MEETING(S)

The minutes of the Licensing Committee held on 18th January was agreed as a correct record.

4. ITEMS FOR CONSIDERATION

4.1 Licensing Committee, Terms of Reference, Membership, and Quorum

The Licensing Committee;

Resolved

1. That the Terms of Reference, Membership and Quorum as set out in Appendices 1 of the report be noted.

4.2 Establishment of Licensing Sub Committees, Terms of Reference & Meeting Dates

Simmi Yesmin, Democratic Services Officer introduced the report and stated that the report set out the Terms of Reference and meeting dates for the Licensing Sub-Committee for the Municipal Year 2024/2025.

Ms Yesmin stated the report sought agreement to establish the Sub Committee and to determine which members of the Licensing Committee are appointed as Licensing Sub Committee Chairs.

Members were asked to either nominate themselves or others for the position. The following Members were put forward to be Chairs for the Licensing Sub-Committees:

- Councillor Peter Golds
- Councillor Shubo Hussain
- Councillor Sabina Akhtar
- Councillor Suluk Ahmed
- Councillor Rebaka Sultana
- Councillor Mushtak Ahmed
- Councillor Leelu Ahmed
- Councillor Asma Islam
- Councillor Ahmodur Kabir

The Licensing Committee;

Resolved

1. That Licensing Sub-Committee's Terms of Reference and Schedule of meetings attached as Appendix 1 to the report be noted.
2. The establishment of Licensing Sub-Committees to determine applications where representations have been made was agreed.
3. Agreed to appoint nine Licensing Sub-Committee Chairs.

4.3 Late Night Levy: Annual Review

Mr Ibrahim Hussain, Licensing Officer introduced the report by highlighting the income received, the expenditures and initiatives funded by the Late Night Levy. He explained that the levy charge was set by Central Government and was based on the rateable value of the premises. It was noted that most premises in Tower Hamlets were rated as band B or C (£768/ £1259).

Mr Hussain explained that in 2022/23 the total estimated budget was £588,000, which gave an estimated surplus of £318,488. This combined the total revenue brought in from the LNL in 2021/22 plus any surplus left over. Due to the large surplus that had built up mainly as a result of the Coronavirus pandemic, a decision was made to introduce additional initiatives in 2023/24 to bring down the surplus. This has worked out with the surplus of £155,602 this year.

Mr Hussain then briefly explained the levy initiatives roles and outcomes as detailed in the report.

In response to questions, Officers explained the how the usage of portable urinal is measured, reactive measures that take place throughout the year and the inspections that are carried out.

Members welcomed the report.

The Licensing Committee;

Resolved

1. The work achieved via the levy revenue, the income received, and the expenditure was noted.

4.4 Prosecutions and Appeals Report

Mr Jonathan Melnick, Principal Lawyer – Enforcement, briefly introduced the report which detailed the completed licensing related prosecutions and appeals for Quarter 4 2022-2023 and Quarters 1-3 2023-2024. It was noted that the London Borough of Tower Hamlets was a Licensing Authority and amongst its functions are requirements to monitor compliance with the licences that it grants, take action against unlicensed premises, and those that breach conditions of licences that have been granted and will be the respondent to any appeal against a decision of the Licensing Committee or Licensing Sub Committee.

It was noted that the report does not only deal with the Licensing Act 2003 matters but also those under the Gambling Act 2005 and Special Treatment Licences granted under the London Local Authorities Act 1991.

The number of prosecutions and appeals over the quarters was noted with a total of nine prosecutions and six appeals. Members acknowledged the efforts made by the Officers at meetings, especially the robust advice given at meetings by Legal Officers.

Members welcomed the report.

The Licensing Committee;

Resolved

1. The report be noted.

The meeting ended at 8.10 p.m.

Chair, Councillor Peter Golds
Licensing Committee

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE LICENSING COMMITTEE

HELD AT 6.00 P.M. ON TUESDAY, 22 OCTOBER 2024

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

Members Present in Person:

Councillor Peter Golds	Island Gardens
Councillor Faroque Ahmed	Whitechapel Ward
Councillor Leelu Ahmed	
Councillor Musthak Ahmed	
Councillor Suluk Ahmed	
Councillor Shahaveer Shubo Hussain	
Councillor Ahmodul Kabir	
Councillor Ana Miah	
Councillor Abdi Mohamed	
Councillor Rebaka Sultana	

Members In Attendance Virtually:

Councillor Sabina Akhtar
Councillor Amina Ali

Apologies:

None

Officers Present in Person:

Tom Lewis	(Team Leader - Licensing Services)
Jonathan Melnick	(Principal Lawyer-Enforcement)
Sean Rovai	Principal Consumer Services Officer
Simmi Yesmin	(Democratic Services Officer, Committees, Governance)

1. DECLARATIONS OF INTEREST

There were no declarations of interest made.

2. ITEMS FOR CONSIDERATION

2.1 Cumulative Impact Assessment Policy 2024 - 2027

Mr Tom Lewis, Service Manager, Regulatory Services introduced the report and explained that a statutory consultation process took place between 31st January and 25th April 2024 as part of the review of the Cumulative Impact Assessments.

Following the consultation, evidence showed that there was a consensus and support for retaining the Brick Lane Cumulative Impact Area and expanding towards the southeastern edge, however the consultation did not support the retaining of the Bethnal Green Cumulative Impact Area.

It was noted that the Cumulative Impact Area (CIAs) seek to help and reduce the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises is having a cumulative impact and leading to problems, which are undermining the licensing objectives.

Mr Lewis informed Members that The Council is statutorily required to review its Cumulative Impact Assessment every 3 years and that this policy would be considered at the next meeting of Full Council in November 2024 for agreement.

In response to questions the following was noted;

- During the consultation some responses referred to an introduction of a CIA in Columbia Road, however there was insufficient evidence in terms of saturation, crime and disorder and nuisance within the Columbia Road area to consider a proposal for a CIA.
- The Consultation process and consultees were noted.
- Officers were encouraged to reach out to neighbouring boroughs, Hackney and Newham in particular, to find out if there have been any Environmental Impact Assessment done near the Hackney Wick area.
- Although a CIA is not justified in the Hackney Wick area, the Council are working with the Metropolitan Police to consider measures to prevent crime and disorder becoming a problem in this area.

The Committee welcomed the report.


The Licensing Committee;

Resolved

1. The report be noted and be put before Full Council on 20th November 2024 for agreement.

The meeting ended at 6.58 p.m.

Chair, Councillor Peter Golds
Licensing Committee

Non-Executive Report of the: Licensing Committee 16 th January 2024	 TOWER HAMLETS
Report of: Tom Lewis, Service Manager, Regulatory Services (Commercial) Directorate of Communities	Classification: Unrestricted
Night-Time Economy visits and Enforcement Update for 2023/24 and 2024/25 (October 2024)	

Originating Officer(s)	Ibrahim Hussain, Licensing Officer – Trading Standards and Licensing Team
Wards affected	All Wards

1. Summary

- 1.1 This report reviews the outcomes of late-night inspections and enforcement in connection with licensed premises undertaken by Regulatory Services (Commercial). These inspections are carried out late at night to premises where intelligence is received alleging a contravention of the Licensing Act 2003. The service also has a programme of enforcement visits that included test purchasing of age restricted products.
- 1.2 These late-night inspections investigate a variety of alleged issues relating to licensed premises, such as:-
 - premises undertaking licensable activities without a licence.
 - premises alleged to be breaching conditions and restrictions detailed in their licence.
 - licensed premises that have failed to pay the annual licence fee and/or Late-Night Levy charge and have had their licence suspended but have been identified as continuing to carry out licensable activities.
 - premises alleged to be undermining one or more of the licensing objectives.
- 1.3 This report is concerned with the enforcement visits undertaken from 1st April 2023 to 1st April 2024, and 1st April 2024 to 31st October 2024 and the outcomes of these visits.

2. Recommendations:

The Licensing Committee is recommended to:-

- 1.4 Note the activity that has been undertaken by Regulatory Services (Commercial) with regards to regulating late night licensed premises.

3 Reasons for Decisions:

- 3.1 This is a noting report to advise the Licensing Committee of the outcome of the inspections.

4 Alternative Options:

- 3.1 We could decide not to carry out any enforcement activity but this could lead to widespread non-compliance.

5. Detailed Report

- 5.1 There are approximately 1,315 licensed premises within the London Borough of Tower Hamlets. Licensed premises include bars, pubs, clubs, restaurants, off-licenses, late night takeaway, and café type premises. Premises undertaking licensable activities must have a licence under the Licensing Act 2003 authorising them to carry out one or more licensable activities. The licence will state the times they are permitted to carry out these licensable activities and may have binding conditions, specific to the individual premises. All such matters detailed on the licence are to ensure the promotion of the four licensing objectives:
 - Prevention of crime and disorder.
 - Public safety,
 - Prevention of public nuisance,
 - Protection of children from harm.

The late-night inspections check on compliance with the Licensing Act 2003, in respect of premises where intelligence received suggests non-compliance.

- 5.2 Where non-compliance is witnessed and a breach of the Licensing Act 2003 is established, appropriate and proportionate action is taken in line with the Council's Enforcement Policy. This action can include:
 - Warning Letters (including onsite report left),
 - Application to review of premises licence,
 - Investigation for prosecution.
- 5.3 Such formal action is a graduated approach, and the type of action will depend on such matters as the compliance history of the premises, the attitude of licensee, and the extent and seriousness of the breach.

- 5.4 As well as formal action as highlighted above these inspections have provided evidence to the Licensing Authority (acting as a responsible authority) to make representations against the granting of applications in respect of the Licensing Act 2003.

Late Night inspection outcomes

- 5.5 In 2023/24 48 inspections were completed, 29 of which were completed by Park Guard who operate the Out of Hours Noise Service. A total of 76 warning letters were sent by the Team during this period. A breakdown by ward of total inspections, warning letters can be found in Appendix 1. As can be seen there have been more warning letters than inspections made this year; this is due to duplications. For example, many of the letters are sent to the licence holders, designated premises supervisor (DPS), and in some cases the premises address, because the DPS and licence holder may not have the same address as the premises.
- 5.6 In 2024/25 (up to October 2024) 91 inspections were completed, 3 of which were carried out by Park Guard. A total of 38 warning letters were sent by the Team during this period. A breakdown by ward of total inspections, warning letters can be found in Appendix 2.

The relatively low number of warning letters (38) compared to the total inspections (91) are due to several factors:

- *Compliance During Inspections:* Many individuals or businesses inspected may have complied immediately, making warning letters unnecessary, though an onsite report would normally have been left at the premises.
 - *Nature of the Cases:* Some inspections might not have revealed significant breaches, or the issues identified were minor and addressed informally without the need for formal warnings. Again, onsite reports would normally have been left at the premises.
 - *Effectiveness of Out of Hours Service:* Park Guard's involvement may have deterred potential breaches, reducing the need for subsequent warnings.
 - *Case Complexity:* Some cases may still be under investigation, delaying the issuance of warning letters within the reported period.
 - *Delays in sending:* The Principal Licensing Officer was taken away from normal duties from quarter 4 of 2023/24 to focus on delivery of a new database. This meant the focus on the team, rightly, was on processing of applications and objecting to applications which failed to promote the licensing objectives.
- 5.7 In 2023/24 4 formal enforcement investigations were opened, and in 2024/25 (October 2024) there were 7 formal enforcement investigations opened. Appendix 3 lists these formal enforcement investigations and the outcomes.

- 5.8 As can be seen from the number of inspections carried out in 2023/24 and 2024/25 (October 2024) are lower than 2022/23, and previous years prior to the pandemic. Ignoring the pandemic years where restrictions prevented many types of enforcement visits, it is worth noting that in the previous years the Team had two additional officers: one funded by Public Health and the other on secondment from Community Safety. This allowed officers to focus on enforcement without adversely affecting processing applications. Furthermore, since the end of 2021 where restrictions associated with the pandemic were lifted, more applicants seem to not be using licensing agents/solicitors to advise them on applications. This has caused additional work for the team either via chasing applicants for additional information, receiving an increase in enquiries about completing applications, and finally making objections to applications.

It would appear that the reason for not using licensing agents or solicitors could be linked to the cost-of-living crisis, which has particularly affected the hospitality business sector. This is particularly so with regard to energy costs, where the commercial sector was not given the same level of government help as domestic customers. This may be one reason for the perceived increase in non-compliance in 2023/24 (mainly in the late night refreshment sector) and likely due to shops wanting to increase their hours of sale to combat the increased costs. However, this cannot all be linked to wilful non-compliance; undoubtedly some is likely to be due to lack of knowledge or mistakes.

Further to this, officer overtime payments have not changed in monetary value since 2018. Though this did not seem to have an effect in 2021, there has since been a more significant increase in inflation. As a result, the number of officers volunteering for out of hours inspections have reduced. Though we have not yet been able to secure an increase in the overtime payments, we have been able to provide more flexibility in the timings of the shifts sometimes allowing them to finish earlier. Hence an increase in inspections can be seen in 2024/24 (October 2024).

- 5.9 Further to the above the Licensing Team objected to 57 out of 196 premises licence and variation of premises licence applications in 2023/24. In 2024/25 (to October 2024) the Licensing Team has objected to 45 out of 94 premises licence and variation of premises licence applications within the borough. This increase in objections is likely attributable to the issues mentioned above in relation to non-licensing professional completing application forms due to costs.

6 EQUALITIES IMPLICATIONS

- 6.1 There are no equalities implications.

7 OTHER STATUTORY IMPLICATIONS

- 7.1 Best Value implications: Ensuring that fees are obtained from regulated commercial activity.
- 7.2 Environmental considerations: There are no environmental implications

- 7.3 Crime reduction: One of the key licensing objectives of the Council ensure that it does not licence premises that are liable to be a source of crime and disorder. The Council supports and assists with crime and disorder reduction by controlling those who manage premises open to members of the public and imposing conditions on relevant premises licences. Illegal activity has been proven to occur at the premises.
- 7.4 Safeguarding: There are no proven safeguarding impacts; however, premises that are managed in this way may employ underage persons or vulnerable adults. Therefore, there may be a positive safeguarding impact. We also identify premises that may be selling to underage customers and are then able to take preventative measures.
- 7.5 Risk Management: The Council will be at risk of legal challenge if its processes are not transparent and evidentially based.

8 COMMENTS OF THE CHIEF FINANCE OFFICER

- 8.1 This report provides an update on the outcomes of late-night inspections to licensed premises, undertaken by the Environmental Regulatory Services during 2023/24 and year to date 2024/25 (up to the end of October 2024). There are no financial implications arising directly from this noting report.
- 8.2 Costs associated with inspections and prosecutions are contained within existing net expenditure budgets totalling £1.6m in 2024/25, which forms part of the overall Communities Directorate. Income arising from licensing fees and enforcement activities contribute towards the cost of managing this service.

9 LEGAL COMMENTS

- 9.1 As this is a noting report, no specific legal considerations arise. The Council, when exercising its functions under the Licensing Act 2003, is required to do so with a view to the promotion of the licensing objectives. These are: the prevention of crime and disorder; the prevention of public nuisance; public safety; the protection of children from harm. Compliance visits and subsequent appropriate enforcement action, such as warnings, licence reviews, or prosecution, ensures that the four licensing objectives are promoted by licensed premises in the borough.
- 9.2 Other relevant legal considerations are contained in the body of the report.
- 9.3 Section 17 of the Crime and Disorder Act 1998 imposes a duty on local authorities to exercise their various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all it reasonably can to prevent in the borough (among other things), crime and disorder (which includes anti-social behaviour and other behaviour which has an adverse effect on the local environment), the misuse of alcohol, and serious violence. Enforcement visits of premises licensed under the Licensing Act 2003 or which are not licensed but need to be so licensed will help to ensure that the authority fulfils its functions under s.17.

9.4 Section 149 of the Equality Act 2010 requires public authorities, when carrying out its functions, to have “due regard” to this duty. This requires the authority to have due regard to the need:

- to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act 2010;
- to advance equality of opportunity between persons sharing a relevant protected characteristic (such as age, race, or disability) and those that do not;
- to foster good relations between persons sharing a relevant protected characteristic and those that do not.

9.5 The duty does not require the authority to achieve a particular result. The duty must be considered at the time that the decision is made and must be conducted with rigour, with an open mind, and not considered to be merely a box-ticking exercise. No specific issues appear to arise as a result of this report.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE.

Appendices

Appendix 1: 2023/24 Table of visits per ward and warning letters per ward

Appendix 2: 2024/25 (to 31st October 2024) Table of visits per ward and warning letters per ward

Appendix 3: Formal Enforcement Investigations 2023/24 and 2024/25 (to October 2024)

Appendix 1

Licensing Visits per ward 2023/24	
Ward	No. of visits
Blackwall and Cubitt Town	1
Bethnal Green East	3
Bow East	10
Bow West	3
Canary Wharf	1
Island Gardens	1
Lansbury	1
Mile End	1
St. Dunstan's	1
Shadwell	2
Spitalfields and Banglatown	13
Bethnal Green West	5
Whitechapel	4
Weavers	3
(blank)	2
Grand Total	48

Warning Letters 2023/24	
Ward	No. of Warning Letters
Blackwall and Cubitt Town	3
Bethnal Green East	2
Bow East	11
Bow West	5
Canary Wharf	3
Island Gardens	1
Mile End	1
Poplar	1
Shadwell	3
St. Katharine's and Wapping	4
Spitalfields and Banglatown	18
Bethnal Green West	6
Whitechapel	10
Weavers	8
(blank)	0
Grand Total	76

Appendix 2

Licensing Visits per ward 2024/25 (October 2024)	
Ward	No. of visits
Bethnal Green East	2
Bromley South	1
Bow East	16
Bow West	3
Canary Wharf	1
Island Gardens	2
Lansbury	1
Limehouse	1
Mile End	2
Shadwell	3
St. Katharine's and Wapping	6
Spitalfields and Banglatown	17
Bethnal Green West	10
Whitechapel	13
Weavers	12
(blank)	1
Grand Total	91

Warning Letters sent 2024/25 (October 2024)	
Ward	No. of Warning Letters
Bethnal Green East	3
Bromley South	2
Bow East	4
Bow West	3
Canary Wharf	3
Island Gardens	3
Lansbury	1
St. Dunstan's	2
St. Katharine's and Wapping	1
Spitalfields and Banglatown	5
Bethnal Green West	1
Whitechapel	8
Weavers	1
(blank)	1
Grand Total	38

Appendix 3

Formal Enforcement Investigations Commenced 2023/2024				
	Offence	Date	Premises Type	Current Action /Results
1.	S.136 Licensing Act 2003 offences (Late Night Refreshment)	14/04/2023	Take Away/Pizza	Test purchase (TP) carried out due to trading without a licence under Licensing Act 2023 S.136 (Late Night Refreshment), a warning letter was sent, and advice was given on how to obtain a licence; later, management changed, and an additional inspection was conducted, but no breach was discovered.
2.	S.136 Licensing Act 2003 offences (Late Night Refreshment)	02/05/2023	Take Away/Pizza	Test purchase (TP) carried out and first warning letter is issued. Breach of trading without a licence. the premises was given the option to apply for a new premises licence. When applied the licensing received and Objection from the Licensing Authority. Licensing Sub-Committee made the decision to granted the premises licence based on the evidence presented at the hearing.
3.	S.136 Licensing Act 2003 offences (Late Night Refreshment)	06/05/2023	Take Away/Pizza	A first-time test purchase (TP) was completed, which was successful since the premises did not have a premises licence under LA 2023 S.136 (LNR). A warning letter was sent out, and instructions on how to obtain a licence were provided. Further inspections indicated no offences. A new premises

				licence application was made, and the Licensing Sub-Committee granted a premises licence with conditions.
4.	S.136 Licensing Act 2003 offences	19/07/2023	Take Away/Pizza	Test purchase (TP) conducted due to trading without a licence under Licensing Act 2023, a warning letter was sent, and advice was given on how to obtain a licence. Additional inspection was conducted, but no breach found, and no application received for a new premises licence.

Formal Enforcement Investigations Commenced 2024/25 to 31st October 2024				
	Offence	Date	Premises Type	Current Action /Results
1.	S.136 Licensing Act 2003 offences (Breach of Conditions)	19/04/2024	Take Away/Pizza	Discontinued after investigation due to insufficient CCTV evidence.
2.	S.136 Licensing Act 2003 offences (Late Night Refreshment)	11/05/2024	Take Away/Pizza	Discontinued following an investigation due to premises closure; now not carrying out any licensable activity; previously was doing late-night refreshment; and is now selling stationary products throughout the day under new ownership.
3.	S.136 Licensing Act 2003 offences (Late Night Refreshment) and sell of illicit tobacco	04/06/2024	Take Away/Pizza	Multiple breaches of Licensing Act 2003, also 1600 cigarettes seized as part of the out of hours visits, with assistance from Trading Standards Officers. The new Trading Standards and Licensing Team is

				considering is investigating for potential formal legal action against the duty holder.
4.	S.136 Licensing Act 2003 offences (Unauthorised sales of alcohol)	14/06/2024	Take Away/Pizza	Discontinued following investigation licence holder in prison and business owner changed, and currently new owner is not carrying out licensable activity. Advice on how to apply for a licence given. No new application received to date.
5.	S.136 Licensing Act 2003 offences (Late Night Refreshment)	26/07/2024	Take Away/Pizza	The successful test was carried out, a warning letter was provided as a first offence, and Licensing Authority considered and give a chance to submit for a new application, which was subsequently done. Yet, the application was refused because one of the ID documents was not able to be supplied.
6.	S.136 Licensing Act 2003 offences (Late Night Refreshment)	21/09/2024	Take Away/Pizza	Under LA 2023 S.136 Late Night Refreshment (LNR), test purchases were undertaken and a warning letter issued. The premises were not prosecuted since the LA offered the opportunity to apply for a new licence. After receiving the warning letter, a new premises application was submitted. Currently, representation has been received from Licensing based on an offence of LA 2003 S.136 (LNR), as well as an objection from

				Environmental Health about noise and a Licensing police dispute based on C&D. A hearing of the Licensing Sub-Committee is due to take place to hear this matter.
7.	S.136 Licensing Act 2003 offences (Late Night Refreshment)	21/09/2024	Take Away/Pizza	The premises are only licensed to serve alcohol until 10:30pm daily. Complaints received trading late night refreshment (LNR) without a licence, warning letter and advice given, as well as part of Dymock visit verbal warning issued to the owner and still violating LA 2003 S.136 LNR therefore test purchase conducted and currently under investigation to proceed with prosecution.