

Licensing Sub Committee

Agenda

**Tuesday, 23 July 2024 at 2.00 p.m.
Committee Room - Tower Hamlets Town Hall,
160 Whitechapel Road, London E1 1BJ**

Contact for further enquiries:

Simmi Yesmin, Democratic Services Officer,

simmi.yesmin@towerhamlets.gov.uk

020 7364 4120

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

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



Public Information

Viewing or Participating in Committee Meetings

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

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

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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, 23 July 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. ITEMS FOR CONSIDERATION

3 .1 Application for a Premises Licence for Boulebar, 7 Frying Pan Alley E1 7HS (Pages 19 - 146)

3 .2 Application for a New Premise Licence for House of Music & Entertainment, 20 Commercial Street, London, E1 6LP (Pages 147 - 220)

3 .3 Application for a Variation of a Premises Licence for (Gopuff), 89 Hemming Street, London, E11 5BW (Pages 221 - 358)



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

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

Next Meeting of the Licensing Sub Committee

Tuesday, 6 August 2024 at 2.00 p.m. to be held in Committee Room - Tower Hamlets Town Hall, 160 Whitechapel Road, London E1 1BJ



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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

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

1. Interpretation

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

2. Composition of Sub-Committee

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

3. Procedure

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

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

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

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

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

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

4. Exclusions

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

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

Guidance for Licensing Sub-Committee Meetings.

(1) Attendance at Meetings.

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

(2) Licensing Sub-Committee Role and Membership.

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

Licensing Sub- Committee Webpages

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

The pages include:

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

(3) Access to Committee Papers.

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

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

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

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

(5) What can be circulated?

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

(6) How will the applications be considered?

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

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

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

(8) Queries on reports.

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

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

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

LICENSING SUB COMMITTEE HEARING PROCEDURE

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

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

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

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

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Agenda Item 3.1

Committee: Licensing Sub-Committee	Date 23 July 24	Classification Unclassified	Report No.	Agenda Item No.
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Report of Tom Lewis Service Manager Regulatory Services (Commercial) Originating Officer: Lavine Miller-Johnson Licensing Officer	Title: Licensing Act 2003 Application for a Premises Licence for Boulebar 7 Frying Pan Alley E1 7HS Ward affected: Spitalfields and Banglatown
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1.0 Summary

Applicant:	Boulebar UK Limited
Name and Address of Premises:	Boulebar 7 Frying Pan Alley London E1 7HS
Licence sought:	Licensing Act 2003 – Premises Licence <ul style="list-style-type: none">• The sale by retail of alcohol (on & off sales)
Representations:	Licensing Authority, Environmental Protection Residents Association

2.0 Recommendations

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

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

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

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

Lavine Miller-Johnson
020 7364 2665

3.0 **Background**

3.1 This is an application for a premises licence for Boulebar 7 Frying Pan Alley E1 7HS

3.2 The applicant has described the premises as:
“Restaurant and pétanque/boules venue with ancillary bar.

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

The sale by retail of alcohol – On & off sales

- *Monday to Thursday from 10:00 hours to 23:30 hours*
- *Friday to Saturday from 10:00 hours to 00:00 hours*
- *Sunday from 10:00 hours to 22:30 hours*

Hours premises are open to the public

- *Monday to Thursday from 10:00 hours to 00:00 hours*
- *Friday to Saturday from 10:00 hours to 00:30 hours*
- *Sunday from 10:00 hours to 23:00 hours*

4.0 **Location and Nature of the premises**

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

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

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

5.0 **Licensing Policy and Government Advice**

5.1 The Council has adopted a licensing policy and this is available from the Licensing Section, and at the hearing. The revised policy came into effect on the 1st November 2023.

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

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

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

6.0 Representations

- 6.1 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 (objectors) have been made by the following:

Licensing Authority (RA)	-Appendix 5
Environmental Protection (RA)	-Appendix 6
Christopher Lloyd (SPIRE)	-Appendix 7

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

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

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

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

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

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

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

1. The provision of licensable activities at the premises shall remain ancillary to the use of the premises as a restaurant and petanque/boules and/or competitive socialising venue.
2. Except for the areas shaded on the licence plan, the supply of alcohol shall be by waiter or waitress service only.
3. The sale of alcohol for consumption off the premises shall only be to persons using the designated external seating.
4. Food and suitable beverages other than alcohol, including drinking water, shall be available during the whole of the permitted hours in all parts of the premises where alcohol is sold or supplied.
5. 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.

6. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises (or immediately contactable) 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.
7. 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,
 - g) Any refusal of the sale of alcohol;
 - h) Any visit by a relevant authority or emergency service.
8. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
9. Loudspeakers shall not be located in the entrance and exit of the premises or outside the building.
- 10 All windows and external doors shall be kept closed after 21:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
11. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.
12. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall not be permitted to take glass containers with them.
13. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
14. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 20 persons at any one time.

15. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
16. 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.
17. 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 shall be available for inspection at the premises by the police or an authorised officer at all times whilst the premises is open.

8.0 Conditions in consultation with the Responsible Authorities

N/A

9.0 Licensing Officer Comments

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

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

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

- 9.2 The new off-sales permission will permit off-sales to be made at a time when the licensed premises are open for the purposes of selling alcohol for consumption on the premises, subject to a cut off time of 11pm or the cut off time of the current licensed hours stated on the licence, whichever is earlier. Measures also temporarily suspend existing licence conditions in so far as they are inconsistent with the new off-sales permission. Further Guidance on this can be found at <https://www.gov.uk/government/publications/guidance-for-temporary-alcohol-licensing-provisions-in-the-business-and-planning-bill>
- 9.3 The Live Music Act removed licensing requirements for the following:

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

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

9.5 Guidance issued under section 182 of the Licensing Act 2003

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

- ❖ The Guidance states: “Where there are objections to an application to extend the hours during which licensable activities are to be carried on and the licensing authority determines that this would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.” (10.14)
 - ❖ Mandatory conditions must be imposed (10.25) and censorship avoided (10.17).
 - ❖ The Guidance states: “It is still permitted to sell alcohol using promotions (as long as they are compatible with any other licensing condition that may be in force), and the relevant person should ensure that the price of the alcohol is not less than the permitted price. Detailed guidance on the use of promotions is given in the guidance document available on the Gov.uk website.” (10.58) Also, “Licensing authorities should not attach standardised blanket conditions promoting fixed prices for alcoholic drinks to premises licences or club licences or club premises certificates in an area.” (10.21)
- 9.6 The Licensing Act 2003 permits children of any age to be on the premises which primarily sells alcohol providing they are accompanied by an adult. It is not necessary to make this a condition.
- 9.7 In all cases the Members should make their decision on the civil burden of proof, that is “the balance of probability.”
- 9.8 In all cases Members should consider whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.
- 9.9 The Government has advised that conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. Conditions cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff and standardised conditions should be avoided where they cannot be shown to be appropriate. (1.16/1.17)
- 9.10 The Council’s Licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.
- 9.11 In **Appendices 8 – 15** Members are given general advice, and also have explanations of the Council’s Licensing Policy, Government advice and other legislation relating to the matters previously identified.
- 10.0 Legal Comments**
- 10.1 The Council’s legal officer will give advice at the hearing.

11.0 Finance Comments

11.1 There are no financial implications in this report.

12.0 Appendices

Appendix 1	A copy of the application
Appendix 2	Site Plan
Appendix 3	Maps of the surrounding area
Appendix 4	Other licensed venues in the area
Appendix 5	Representation from Licensing Authority (RA)
Appendix 6	Representation from Environmental Protection (RA)
Appendix 7	Representation of Christopher Lloyd (SPIRE)
Appendix 8	Home Office concerning relevant, vexatious and frivolous representations
Appendix 9	Licensing Officer comments on noise while the premise is in use
Appendix 10	Licensing Officer comments on access/egress Problems
Appendix 11	Licensing Officer comments on crime and disorder
Appendix 12	Licensing Officer comments on public nuisance
Appendix 13	Tower Hamlets Cumulative Impact Zone
Appendix 14	Planning
Appendix 15	Licensing Policy relating to hours of trading

Appendix 1

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We **Boulebar UK Ltd**

(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Boulebar 7 Frying Pan Alley			
Post town	London	Postcode	E1 7HS

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£123000

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick as appropriate

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

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

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

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

Current residential address if different from premises address			
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

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

Name Boulebar UK Ltd
Address [REDACTED] [REDACTED] [REDACTED]
Registered number (where applicable) 14212667
Description of applicant (for example, partnership, company, unincorporated association etc.) Private limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

<p>Please give a general description of the premises (please read guidance note 1)</p> <p>Restaurant and petanque/boules venue with ancillary bar</p>

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

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

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Mon					
			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Tue					
			<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 6)		
Wed					
Thur					
Fri					
Sat					
Sun					

C

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

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Mon					
Tue					
Wed					
			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur			<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 6)		
Fri					
Sat					
Sun					

E

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

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)			
Mon						
Tue						
Wed					<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)	
Thur						
Fri						
Sat					<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 6)	
Sun						

G

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

H

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

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	10:00	23:30			
Tue	10:00	23:30			
Wed	10:00	23:30			
Thur	10:00	23:30			
Fri	10:00	00:00			
Sat	10:00	00:00			
Sun	10:00	22:30			
			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 (please read guidance note 6)		

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

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

K

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

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	10:00	00:00	<p>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 6)</p>
Tue	10:00	00:00	
Wed	10:00	00:00	
Thur	10:00	00:00	
Fri	10:00	00:30	
Sat	10:00	00:30	
Sun	10:00	23:00	

M

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

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

Please see appended operating schedule of proposed conditions to address all four licensing objectives.

b) The prevention of crime and disorder

See a) above

c) Public safety

See a) above

d) The prevention of public nuisance

See a) above

e) The protection of children from harm

See a) above

Checklist:

Please tick to indicate agreement


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

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

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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> • [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, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	30/04/2024
Capacity	Solicitors on behalf of applicant

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Our ref: BOU.2.1 Ryan Peermamode Thomas & Thomas Partners LLP 38a Monmouth Street			
Post town	London	Postcode	WC2H 9EP
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) <i>rpeeramode@tandtp.com</i>			

Notes for Guidance

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

alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.

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

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

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

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

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

They do this in one of two ways:

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

Home Office online right to work checking service.

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

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

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

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

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

April 2024

**Application for a new Premises Licence
Boulebar 7 Frying Pan Alley**

Premises Description

Restaurant and petanque/boules venue with ancillary bar

Applicant:

Boulebar UK Ltd

PROPOSED DPS: Alec Feakes

Proposed Licensable Activities:

Licensable Activities	Hours
Sale of Alcohol (on & off sales)	Sunday 10:00 to 22:30 Monday to Thursday 10:00 to 23:30 Friday & Saturday 10:00 to 00:00
Opening Hours	Sunday 10:00 to 23:00 Monday to Thursday 10:00 to 00:00 Friday & Saturday 10:00 to 00:30

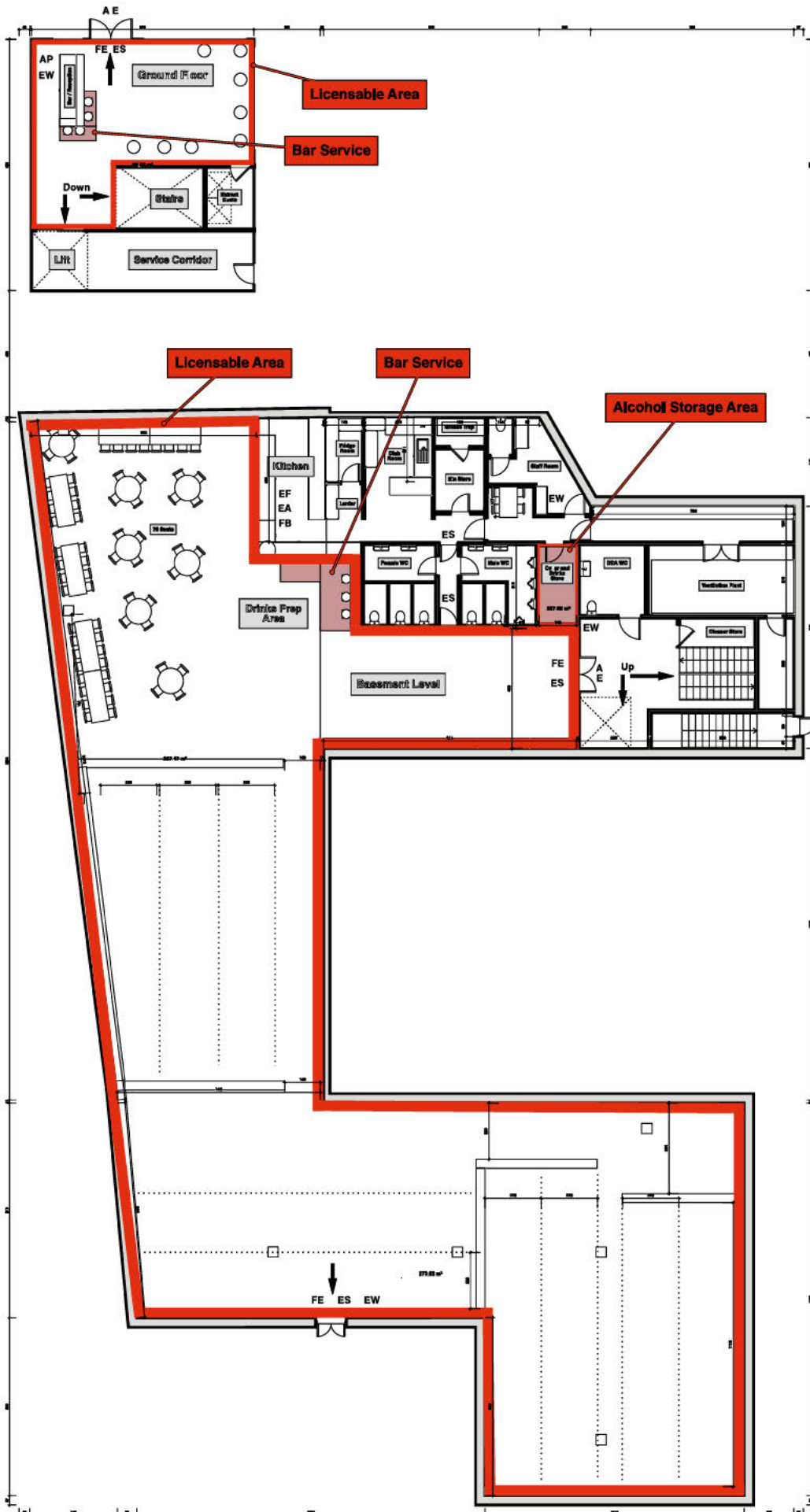
Mandatory Conditions: 1-8

Proposed Conditions:

9. The provision of licensable activities at the premises shall remain ancillary to the use of the premises as a restaurant and petanque/boules and/or competitive socialising venue.
10. Except for the areas shaded on the licence plan, the supply of alcohol shall be by waiter or waitress service only.
11. The sale of alcohol for consumption off the premises shall only be to persons using the designated external seating.
12. Food and suitable beverages other than alcohol, including drinking water, shall be available during the whole of the permitted hours in all parts of the premises where alcohol is sold or supplied.
13. 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.

14. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises (or immediately contactable) 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.
15. 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,
 - g) Any refusal of the sale of alcohol;
 - h) Any visit by a relevant authority or emergency service.
16. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
17. Loudspeakers shall not be located in the entrance and exit of the premises or outside the building.
18. All windows and external doors shall be kept closed after 21:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
19. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.
20. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall not be permitted to take glass containers with them.
21. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
22. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 20 persons at any one time.
23. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
24. 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.
25. 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 shall be available for inspection at the premises by the police or an authorised officer at all times whilst the premises is open.

Appendix 2



**Licensing Act 2003
Premises Plan - Not To Scale**

Drawing Legend

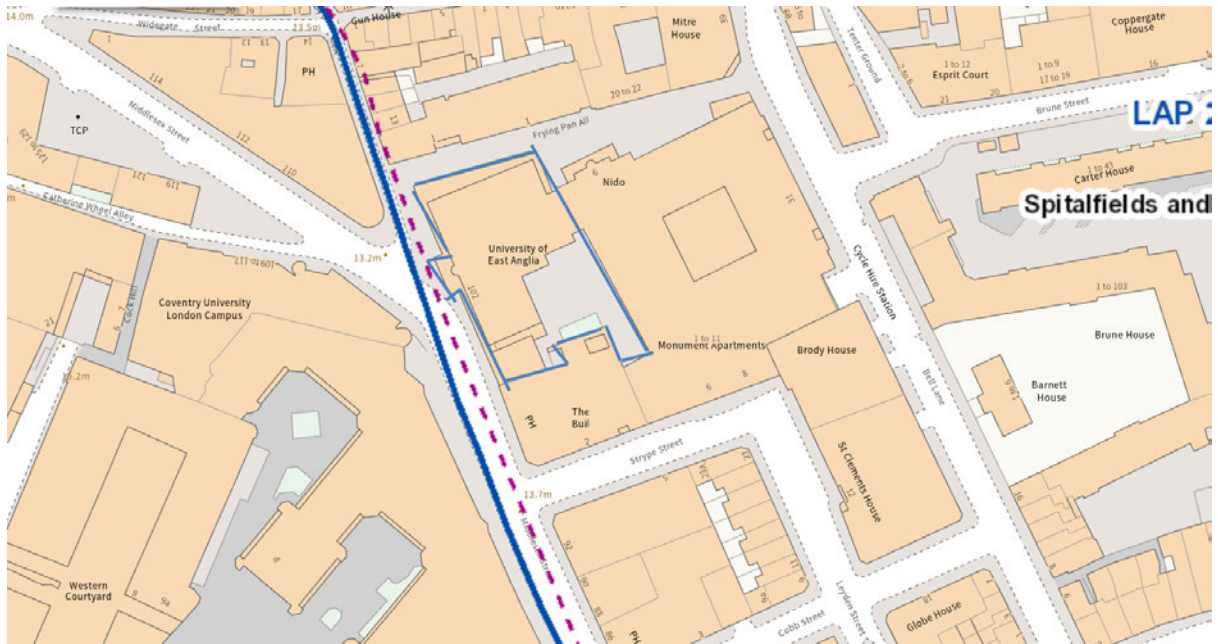
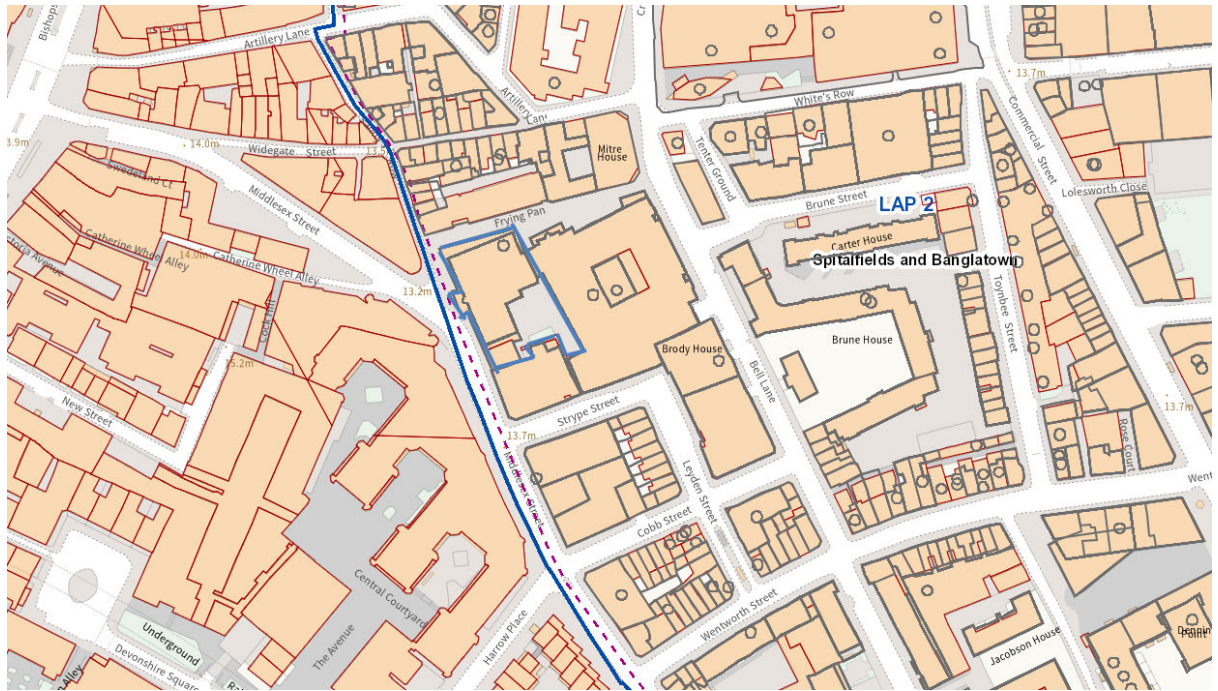
- A** - Access point
- E** - Egress point
- FE** - Fire escape route or point
- EW** - Fire extinguisher (water type)
- EF** - Fire extinguisher (foam type)
- EA** - Fire extinguisher (aqueous foam)
- FB** - Fire blanket
- AP** - Fire alarm indicator panel
- ES** - Fire exit sign

**Boulbar Spitalfields
7 Frying Pan Alley
Drawing number 33.2072.1**

Drawing issued for identification
in making a licence application
only and no other use whatsoever

Appendix 3

7 Frying Pan Alley - Map



Appendix 4

	Licensable activities/times	Opening hours
<p>(Nido Spitalfields) 9 Frying Pan Alley Basement, Ground Floor, 32nd Floor and 33rd Floor London E1 7HS</p>	<p>Sale of alcohol by retail</p> <ul style="list-style-type: none"> Monday to Sunday, from 12:00 hours to 23:30 hours <p>The provision of regulated entertainment - Indoors <u>Films, Live Music, Recorded Music and Performance of dance</u></p> <ul style="list-style-type: none"> Monday to Sunday, from 12:00 hours to 23:30 hours <p>The provision of late night refreshment - Indoors</p> <ul style="list-style-type: none"> Sunday to Wednesday, from 23:00 hours to 23:30 hours Thursday to Saturday, from 23:00 hours to 01:00 hours the following days <p><u>Non-standard timings</u> <u>Live Music and Recorded Music:</u></p> <ul style="list-style-type: none"> May only be played in Zone 9 on the 32nd floor and Zone 10 on the 33rd floor, from 19:30 hours to 22:00 Sunday to Wednesday and from 19:30 hours to 01:00 hours Thursday to Saturday <p><u>Sale of alcohol by retail:</u> Alcohol may be supplied in Zones 6, 7,9,10 and 11 from 12:00 hours to 23:30 hours, Monday to Sunday</p> <p>On sales only</p>	<ul style="list-style-type: none"> Premises are not open to the public. Use of the licensed area to be limited to residents their invited guests, and guests of the Chapter Management Team, or pre-booked events.
<p>The Hummingbird Bakery 11 Frying Pan Alley London E1 7HS</p>	<p>Monday to Sunday from 08:00 hours to 22:30 hours</p> <p>On and off sales</p>	<p>Supply of Alcohol (On & Off Sales)</p> <ul style="list-style-type: none"> Monday to Sunday from 08:00 hours to 22:00 hours
<p>(Electric Star Liverpool Street)</p>	<p><u>Alcohol (on & off sales) and Regulated Entertainment (indoor sporting event, live music,</u></p>	<ul style="list-style-type: none"> Monday to Wednesday from

<p>94 - 98 Middlesex Street</p>	<p><u>performance of dance, facilities for dancing)</u> <u>Live music may be performed in the basement area only.</u></p> <ul style="list-style-type: none"> • Monday to Wednesday from 10:00hrs to 00:00hrs (midnight) • Thursday and Friday from 10:00 hrs to 01:00hrs (the following day) • Saturday from 08:00hrs to 01:00hrs (the following day) • Sunday, 07:00hrs to 00:00hrs <p><u>Recorded music</u> Background amplified music ancillary to the sale of alcohol.</p> <ul style="list-style-type: none"> • Monday to Wednesday from 10:00hrs to 00:30hrs (the following day) • Thursday and Friday from 10:00hrs to 01:30hrs (the following day) • Saturday from 08:00hrs to 01:30hrs (the following day) • Sunday from 07:00hrs to 00:30hrs (the following day) <p><u>Late Night Refreshment</u></p> <ul style="list-style-type: none"> • Monday to Wednesday from 23:00hrs to 00:00hrs (midnight) • Thursday to Saturday from 23:00hrs to 01:00hrs (the following day) • Sunday from 23:00hrs to 00:00hrs (midnight) <p><u>Non-standard time for the above</u> A further additional hour until 01:00 hrs when the following celebration days fall on a Sunday through to a Wednesday: Christmas Eve and Boxing Day, St George's Day, Waitangi Day (6 February), Australia Day (26 January), Anzac Day (25 April), Australian Football League Finals, The Melbourne Cup, Tri - Nations and the London Marathon.</p> <p>St Patrick's Day – to extend the sale of alcohol, late night refreshments and regulated entertainment to 02:00hrs to following day and to remain open till 02:30 hours the following day.</p>	<p>10:00hrs to 00:30hrs (the following day)</p> <ul style="list-style-type: none"> • Thursday and Friday from 10:00hrs to 01:30hrs (the following day) • Saturday from 08:00hrs to 01:30hrs (the following day) • Sunday from 07:00hrs to 00:30hrs (the following day)
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	<p>On no more than 12 occasions per annum, giving the Police 7 days notice of application, and requiring their approval in advance of the event taking place, special events until 02:00hrs.</p> <p>Note: New Year’s 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 23:00hrs on New Year’s Eve and 11:00hrs on New Year’s Day.</p>	
<p>Japanese Restaurant Unit 1, 100 Middlesex Street</p>	<p><u>Sale of alcohol by retail (on sales)</u></p> <ul style="list-style-type: none"> • Monday to Friday 11:30 hours – 23:00 hours • Saturday 2:00 noon – 23:00 hours • Sunday 12:00 noon – 22:30 hours 	<ul style="list-style-type: none"> • Monday to Friday 11:30 hours – 23:30 hours • Saturday 12:00 noon – 23:30 hours • Sunday 12:00 noon – 23:00 hours
<p>Acer Restaurant Middlesex Ltd Unit 1 100 Middlesex Street London E1 7EZ</p>	<p><u>Sale of alcohol (on sales)</u></p> <p>Monday to Friday from 11:30 hours to 23:00 hours Saturday from 12: 00 hours to 23:00 hours Sunday from 12:00 hours to 22:30 hours</p> <p>On sales only</p>	<p>Monday to Friday from 11:30 hours to 23:30 hours</p> <p>Saturday from 12: 00 hours to 23:30 hours</p> <p>Sunday from 12:00 hours to 23:00 hours</p>
<p>Wilde by Staycity Aparthotel 92 Middlesex Street London E1 7EZ</p>	<p><u>Sale of alcohol (on & off sales)</u></p> <p>Monday – Thursday 10:00 hours – 23:30 hours Friday – Saturday 10:00 hours – 00:00 hours Sunday 10:00 hours – 22:30 hours</p> <p>Residents – 24 hours a day</p> <p><u>Provision of Late-Night refreshments</u></p>	<p>Monday – Sunday 06:00 hours – 01:00 hours</p>

	<p>Monday – Thursday 23:00 hours – 23:30 hours Friday – Saturday 23:00 hours – 00:00 hours</p> <p>Residents – 24 hours a day</p> <p><u>Non-Standard Hours</u> New Year’s Eve – 10:00 hours – 00:30 hours (2nd Jan)</p> <p>On and off sales</p>	
<p>(Thai Buddha) 88-90 Middlesex Street</p>	<p><u>Alcohol may be sold or supplied (on sales):</u></p> <ul style="list-style-type: none"> • On weekdays, other than Christmas Day, Good Friday or New Year’s Eve from 10am to 12pm. • On Sundays, other than Christmas Day or New Year’s Eve, and on Good Friday: 12 noon to 11:30pm • On Christmas Day: 12 noon to 11:30pm; • On New Year’s Eve, except on a Sunday, 11 a.m. to midnight; • On New Year’s Eve on a Sunday, 12 noon to 11.30 p.m. • 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>There are no restrictions on the hours during which this premises is open to the public</p>
<p>(Food Court Ltd) 38 Middlesex Street London E1 7EX</p>	<ul style="list-style-type: none"> • Recorded Music (Indoors) Monday to Thursday from 06:00 hours to 23:30 Friday to Saturday 06:00 hours to 00:00 (midnight) Sunday 06:00 hours to 22:30 • Late Night refreshment (Indoors) - Monday to Thursday from 06:00 hours 	<p>Monday to Thursday from 06:00 hours to 23:30 Friday to Saturday 06:00 hours to 00:00 (midnight) Sunday 06:00 hours to 22:30</p>

	<p>to 23:30 Friday to Saturday 06:00 hours to 00:00 (midnight) Sunday 06:00 hours to 22:30</p> <ul style="list-style-type: none"> • Supply of Alcohol (On and off sales) - Monday to Thursday from 06:00 hours to 23:30 Friday to Saturday 06:00 hours to 00:00 (midnight) Sunday 06:00 hours to 22:30 <p>On and off sales</p>	
<p>(3 Mien) 64 Middlesex Street London E1 7EZ</p>	<p>Provision of Recorded Music (indoors): Monday to Friday from 09:00 hours to 22:00 hours Saturday from 17:00 hours to 22:00 hours Sunday from 09:00 hours to 22:00 hours</p> <p>Supply of Alcohol (on and off sales): Monday to Friday from 12:00 hours to 22:00 hours Saturday from 12:00 hours to 22:00 hours Sunday from 12:00 hours to 22:00 hours</p>	<p>Monday to Friday from 08:00 hours to 22:00 hours Saturday from 12:00 hours to 22:00 hours Sunday from 09:00 hour to 22:00 hours</p>
<p>(Travelodge London City) 20 Middlesex Street London E1 7EX</p>	<p><u>The sale by retail of alcohol</u> Monday to Sunday 00:00 hours to 24:00 hours (24 hours per day)</p> <p>Alcohol sales restricted to hotel residents and bona fide guests of hotel residents between 23:00 hours to 10:00 hours (the following day)</p> <p><u>The provision of late night refreshment</u> Monday to Sunday 23:00 hours – 05:00 hours</p> <p>On and off sales (No off sales to be removed from the building)</p>	<p>24 hours per day</p>
<p>(Moo Grill) 40 - 42 Middlesex Street</p>	<p>The sale by retail of alcohol</p> <ul style="list-style-type: none"> • Monday to Sunday, from 09:00 hours to 23:00 hours 	<ul style="list-style-type: none"> • Monday to Sunday, from

<p>London E1 7EX</p>	<p>The provision of regulated entertainment - Indoors <u>(Recorded music only)</u></p> <ul style="list-style-type: none"> Monday to Sunday, from 09:00 hours to 23:00 hours <p>On sales</p>	<p>06:30 hours to 23:00 hours</p>
<p>(The Bell) 50 Middlesex Street London E1 7EX</p>	<p>Monday to Saturday from 10:00 hours to midnight Sunday from 08:00 hours to midnight</p> <p>New Years Eve throughout the night until start of permitted hours on New Years Day</p> <p>On and off sales</p>	<p>Monday to Saturday from 10:00 hours to 01:00 hours</p> <p>Sunday from 08:00 hours to 01:00 hours</p> <p>New Years Eve throughout the night until start of permitted hours on New Years Day</p>

Appendix 5

Communities Directorate
Public Realm

Licensing Authority: licensing@towerhamlets.gov.uk

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

Agent: [REDACTED]

Tel: 020 7364 3986
Email: licensing@towerhamlets.gov.uk

28th May 2024

Your reference
My reference: LIC/168736/CH

www.towerhamlets.gov.uk

Dear Licensing Authority,

Licensing Act 2003

New premises licence application: Boulebar, 7 Frying Pan Alley, London, E1 7HS

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

Special Cumulative Impact Policy for the Brick Lane

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

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

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

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

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

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

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

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

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

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

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

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

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

Licensable activities and times

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

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

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

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

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

The Home Office guidance

Under Section 182 of the Licensing Act2003 (8.42) says:

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

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

Application:

This application describes Boulebar as a restaurant and pétanque/boules venue with ancillary bar.

The following times and activities have been applied for. These fall within our framework hours.

Sale of Alcohol (on & off sales)

Monday – Thursday 10:00 hours – 23:30 hours

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

Sunday 10:00 hours – 22:30 hours

Opening Hours:

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

Friday – Saturday 10:00 hours – 00:30 hours

Sunday 10:00 hours – 23:00 hours

The application covers both the ground floor and basement.

A number of conditions have been proposed which includes that the sale of alcohol will be ancillary to the use of the premises as a restaurant and pétanque/boules venue. The majority of the premises is seating with waiter/waitress service except for bar counter areas on the ground and basement floors (shaded areas on the plan).

The premises application as it stands does not fall into the CIZ exemptions.

The following matters need to be established.

1. The capacity for the premises? How many covers are there for food and the maximum number of customers who can play pétanque/boule at any one time.
2. Is vertical drinking allowed? I imagine that vertical drinking will be taking place whilst playing pétanque/boule. Will it only be allowed for customers engaged in a game?
3. Is having a substantial meal a requirement to playing pétanque/boule?
4. Is the sale of alcohol ancillary to food and also ancillary to playing pétanque? It has been noted on the Boulebar South Bank website that the bottomless brunch does not require pétanque to be played.
5. Where is the external seating area referred to in the application for off sales?

It is noted that a proposed condition states that off sales are for any designated outside seating. It is not known where this will be as there is no external areas shown on the plan. There is no proposed time restraint mentioned for this external area although if it would be controlled by way of a pavement licence application this itself would be restricted to 21:00 hours.

Another condition states 20 persons at a time shall be allowed to temporarily leave and re-enter to smoke/to use the phone but it is felt as this premises is in the CIZ, 20 persons is too great a number and could lead to a disturbance later in the evening.

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

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

If the applicant is unable to prove to the Licensing Sub-Committee, through the implementation of appropriate conditions within the Operating Schedule, that the granting of the application will not undermine the licensing objectives; then the application should be rejected.

Yours faithfully


Corinne Holland
Licensing Officer


Appendix 6

Corinne Holland

From: Nicola Cadzow
Sent: 30 May 2024 09:47
To: Licensing
Cc: [REDACTED] Ryan Peermamode
Subject: MAU REPRESENTATION 168736 Boulebar 7 Frying Pan Alley, London, E1 7HS

Dear Licensing,

I have considered the new premise licence application for Boulebar 7 Frying Pan Alley, London, E1 7HS and the potential impact of public nuisance and measures to prevent noise generated from within the premises and the external area, which could cause disturbance to people in the vicinity, and consideration the premises is in Brick Lane Cumulative Impact Zone.

Whilst the premises is proposing to operate within framework hours, and the applicant is not applying for regulated entertainment, consideration has to be given to the Live Music Act 2012 (and as amended). If the venue is licensed to sell alcohol for consumption on the premises amplified music can take place between the hours of 8am and 11pm seven days a week. Any noise conditions attached to licence with regards to music would not apply during these hours, and particular consideration to the venue being in Brick Lane Cumulative Impact Zone.

Whilst the applicant has a number of noise conditions, condition 22 *“Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 20 persons at any one time”*, The potential of 20 persons in the external area, has the greater potential to cause public nuisance.

Noise Sensitive premises: residential premises in close proximity to the premise including adjacent at 9 Frying Pan Alley.

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

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

CONCLUSION

Environmental Protection does not support the application Boulebar 7 Frying Pan Alley, London, E1 7HS for the following reasons:

- Increased likelihood of public nuisance, particularly when considering use of the external space.
- The premise is in Brick Cumulative Impact Zone

Kind regards

Nicola Cadzow
Environmental Health Officer

[REDACTED]

Appendix 7

24th May 2024

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

Sent via Email

Re: Formal objection to the proposed licencing application for Boulebar Frying Pan Alley, London E1 7HS

Dear Licensing Team

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

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

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

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

Formal Objection

SPIRE raises a formal objection to the proposed application for an alcohol licence for **Boulebar Frying Pan Alley, London E1 7HS** referenced "shop" ("the Premise").

The Premise is located within the CIA in a residential area where new licence applications are meant to be limited if not prohibited.

SPIRE objects fully to the granting of a licence for off-sales of alcohol, the main issue is that alcohol is taken away and consumed off the applicant's premises and given the location close to a densely packed residential area with student accommodation residents have real concerns this would lead to an increase in antisocial behaviour and noise especially as the application is until 23:30 from Sunday to Thursday and until 00:00 on Friday and Saturday.

SPIRE also objects to the proposed on-premises licence being granted past what would normally be expected in a residential area, 23:30 on Sunday through to Thursday and until 00:00 on Friday and Saturday means residents living in the adjacent streets could be hearing people leaving past midnight every day of the week.

In summary SPIRE asks the licensing committee to reject the licence application in its current form on the grounds that any such off-sales licence would inevitably lead to issues of public safety and public nuisance and the proposed extended alcohol times without any safeguards are likely to do the same.

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

Yours sincerely

Christopher Lloyd



Appendix 8

Section 182 Advice by the Home Office Updated on August 2023

Relevant, vexatious and frivolous representations

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

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

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

Appendix 9

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 10

Access and Egress Problems

Such as:

- Disturbance from patrons arriving/leaving the premises on foot
- Disturbance from patrons arriving/leaving the premises by car
- Lack of adequate car parking facilities
- Close proximity to residential properties

Comment

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

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

General Advice

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

The hours of operation also need to be considered.

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

Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. (**See Section 11 of the Licensing Policy**).

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. (**See Section 11.2 of the Licensing Policy**).

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

However, while all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. (**See Section 16.6**)

The Council has adopted a set of framework hours (**See 16.8 of the licensing policy**). This relates to potential disturbance caused by late night trading.

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Pool of Conditions (**See Appendix 3 of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

Licence conditions should not duplicate other legislation (1.16).

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

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

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

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

Appendix 11

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 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

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

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

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

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

Review of Cumulative Impact Assessment - Supporting Evidence

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

This evidence is published on our website:

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

Cumulative Impact Assessments (Brick Lane and Bethnal Green)

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

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

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

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

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

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

- Applications for licences for small premises with a capacity of fifty persons or less who only intend to operate within framework hours, and that;
 - Only have consumption of food (late night refreshment) and drink (alcohol) on the premises only;
 - Only provide Off sales of food (late night refreshment) and drink (alcohol) for delivery (i.e. not for take away); and,
 - Have arrangements to prevent vertical drinking, for example fully seated venues.

- Applications for licences that are not alcohol led (e.g. Hairdressers wanting to provide alcohol to clients during their hair cut/treatments), .

- Applications for licences where the applicant has recently surrendered a licence for another premises of a similar size and providing similar licensable activities in the same CIA Area.

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

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

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

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

Figure One

Brick Lane area:

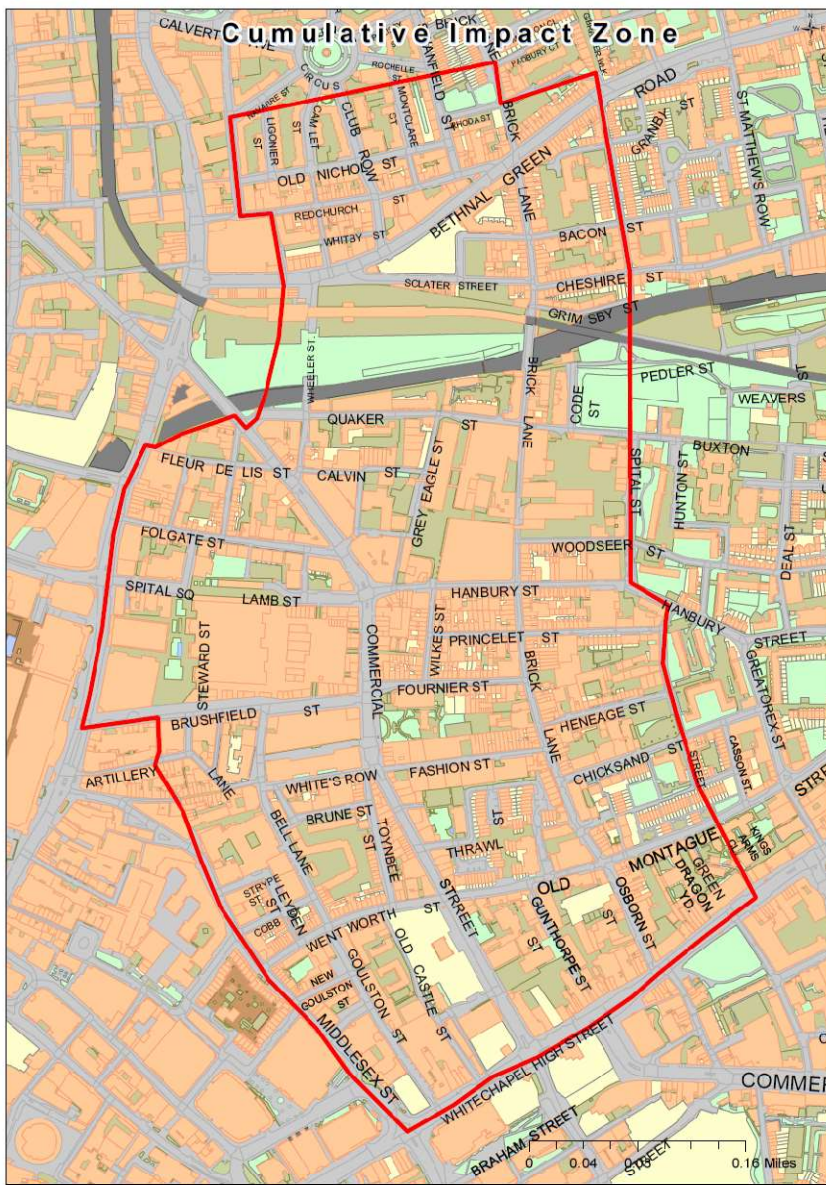
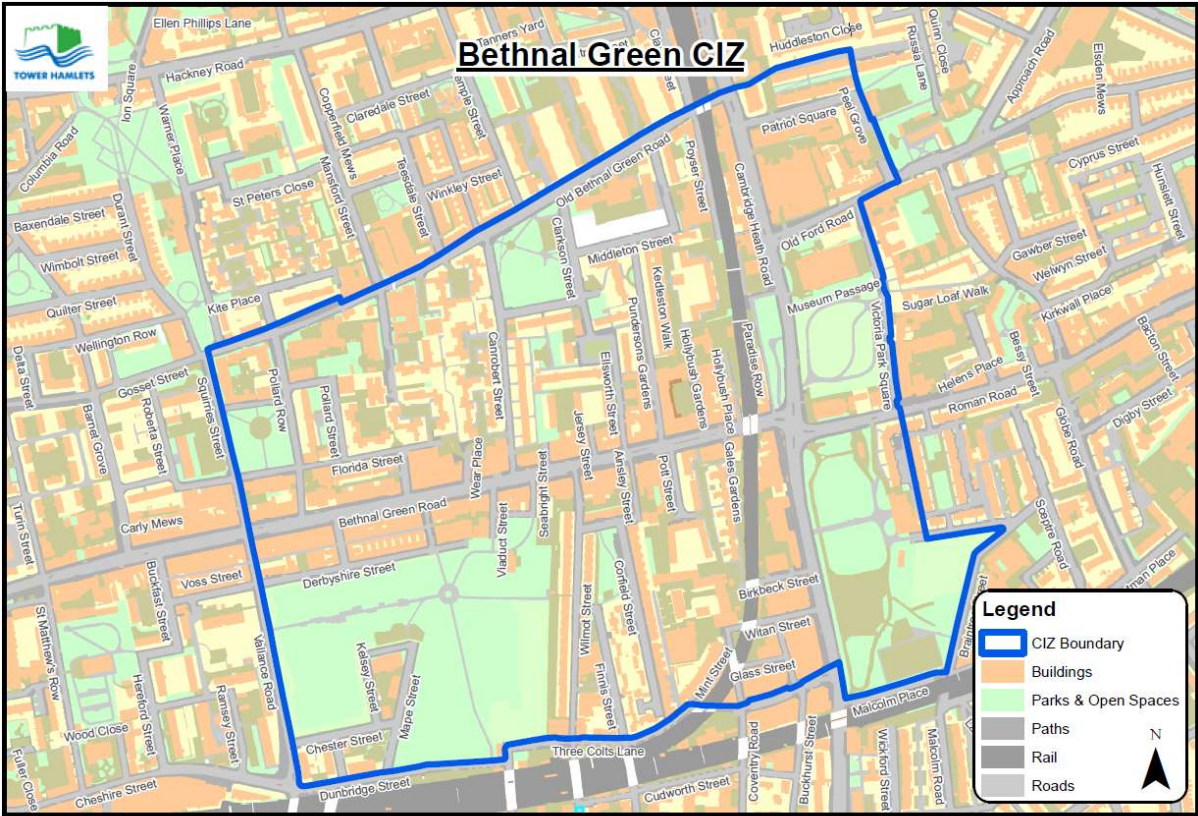


Figure Two:

Bethnal Green Area



Appendix 14

Planning

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

Appendix 15

Licensing Policy Relating to Hours of Trading

All applications have to be considered on their own merits.

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

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

(see 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 16

Appendix 17

Appendix 18

Appendix 19

Appendix 20

Appendix 21

Appendix 22

Appendix 23

Appendix 24

Appendix 25

Appendix 26

Appendix 27

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Appendix 31

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Agenda Item 3.2

Committee: Licensing Sub Committee	Date 23 July 24	Classification Unrestricted	Report No.	Agenda Item No.
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Report of: Tom Lewis Service Manager Regulatory Services (Commercial)	Title: Licensing Act 2003 Application for a new Premise Licence for House of Music & Entertainment, 20 Commercial Street, London, E1 6LP
Originating Officer: Corinne Holland Licensing Officer	Ward affected: Spitalfields & Banglatown

1.0 Summary

Applicant: **House of Music & Entertainment Ltd**

Name and Address of Premises: **House of Music & Entertainment
20 Commercial Street
London
E1 6LP**

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

Objectors: **Licensing Authority
environmental Protection**

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 House of Music & Entertainment, 20 Commercial Street, London, E1 6LP.
- 3.2 The applicant has described the premises as: *A co-working space by day and events space by night. Includes two rentable pop-up retail spaces.*
- 3.3 A copy of the application is shown in **Appendix 1**
- 3.4 The hours applied for are as follows:

Sale of Alcohol (On sales only)

Monday – Saturday 10:00 hours – 23:00 hours

Sunday 10:00 hours – 22:00 hours

Opening times

Monday – Saturday 07:00 hours – 23:30 hours

Sunday 07:00 hours – 22:30 hours

4.0 **Location and Nature of the premises**

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

5.0 **Licensing Policy and Government Advice**

- 5.1 The Council has adopted a licensing policy and this is available from the Licensing Section, and at the hearing. The revised policy came into effect on 1st November 2023.
- 5.2 Relevant Sections of the policy are brought to the attention of Members within the Licensing Officers report.
- 5.3 The Home Secretary has issued Guidance under Section 182 of the Licensing Act 2003. This is available on the Government's website, www.homeoffice.gov.uk. It was last revised in December 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.

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

Licensing Authority	Appendix 6
Environmental Protection	Appendix 7

- 6.8 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)

- 6.9 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
- 6.10 The objections relate to:
- Public nuisance
 - ASB
 - CIZ
- 6.11 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.
- 6.12 There are strict time limits to any representations. The time limits are contained in The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005.
- 6.13 The applicant has offered measures in the operating schedule of the application that address the promotion of the Licensing Objectives. If there were no representations, the Licensing Authority would grant the licence, with conditions consistent with the operating schedule, which are relevant, proportionate and enforceable. Members are asked to consider the schedule and incorporate any conditions as necessary to address the licensing objectives.

7.0 Conditions consistent with Operating Schedule

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. 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 of the Council.
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. Subject to Data Protection guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk/USB Stick for the Police or as practicable. Repair records / invoices shall be kept on site for at least 12 months and be readily available to be viewed by all authorised persons upon request.
4. Any CCTV breakdown or system failure will be notified to the Police and Local Authority immediately & remedied as soon as practicable. Repair records / invoices shall be kept on site for at least 12 months and be readily available to be viewed by all authorised persons upon request.
5. Notices shall be prominently displayed within the premises stating that CCTV is in operation.
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 refusal of the sale of alcohol;
 - h) any visit by a relevant authority or emergency service.
7. No person shall be allowed to leave the premises whilst in the possession of any drinking vessel or open glass bottle, whether empty or containing any beverage.
8. Any person entering the premises who appears to be under the influence of alcohol or drugs shall not be allowed entry to the premises and those who have gained entry will be escorted from the building immediately.
9. The premises shall operate a zero tolerance policy to the supply and use of drugs.
10. An on -site accident book will be in operation to record any accident/ injury incurred on the premises. This document will be retained for inspection by the store for a period of three years.
11. Cigarette bins will be provided to encourage smokers to dispose of their cigarettes in a safe manner.

12. 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.
13. The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of an authorised person' (as defined by Section 13 of the Licensing Act 2003) or the police or an authorised Trading Standards Officer of the Council.
14. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any bar advertising the scheme operated.
15. A written register of refusals will be kept including a description of the people who have been unable to provide required Identification to prove their age. Such records shall be kept for a period of 12 months and will be collected on a daily basis by the Designated Premises Supervisor and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of the Council on demand.
16. Customers shall only consume alcohol which has been purchased from the premises.
17. All staff will be fully trained in their responsibilities with regard to the sale of alcohol, and will be retrained every six months, with recorded training records kept for inspection.
18. All staff members should be checked to ensure they have the right to work in the UK. These checks should be made available upon requests to all responsible authorities. All associated 'entitlement to work' documents:
 - a) must be logged and kept on the premises for the duration of the employment; and
 - b) must be retained for a minimum of 12 months after employment has ceased.

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 8 - 14** Members are given general advice, and also have explanations of the Council's Licensing Policy, Government advice and other legislation relating to the matters previously identified.

10.0 **Legal Comments**

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

11.0 **Finance Comments**

11.1 There are no financial implications in this report.

12.0 **Appendices**

Appendix 1	A copy of the application
Appendix 2	Site Plan
Appendix 3	Maps of the surrounding area
Appendix 4	Photographs of the premises
Appendix 5	Other licensed venues in the area
Appendix 6	LA Representations
Appendix 7	EP Representation
Appendix 8	Section 182 Advice by the DCMS- Relevant, vexatious and frivolous representations
Appendix 9	Licensing Officer comments on public nuisance
Appendix 10	S182 advice on public nuisance
Appendix 11	ASB on leaving the premises
Appendix 12	CIZ
Appendix 13	Licensing Policy relating to hours of trading
Appendix 14	Planning

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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

Other telephone number

Include country code.

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

Is the applicant:

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

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

Applicant Business

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

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

Registration number

Business name

VAT number

Legal status

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

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

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

District

City or town

County or administrative area

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

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

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

Your Address

Address official correspondence should be sent to.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Continued from previous page...

Section 2 of 21

PREMISES DETAILS

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

Premises Address

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

- Address OS map reference Description

Postal Address Of Premises

Building number or name

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

District

City or town

County or administrative area

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.

We are a co-working space by day and events space by night. We also have two rentable pop-up retail spaces at the front of the office. We are a members only club with a strict application process. We will only rent event and pop-up space to other music industry professionals.

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"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>
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

Continued from previous page...

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

Continued from previous page...

Section 18 of 21

LICENSING OBJECTIVES

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

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

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

The premises will operate to a high standard, and will do so should this licence be granted in terms of the sale of alcohol. All staff will be fully trained in their responsibilities with regard to the sale of alcohol, and will be retrained every six months, with recorded training records kept for inspection. The premises will close 30 minutes after the licensing activities have ceased, to allow customers to finish their drinks and leave in a quiet and orderly manner.

b) The prevention of crime and disorder

1. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police. It must be completed within 24 hours of the 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 including date, time and name of staff member
- h) any visit by a relevant authority or emergency service.

2. 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 shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premises is open.

3. All staff members should be checked to ensure they have the right to work in the UK. These checks should be made available upon requests to all responsible authorities. All associated 'entitlement to work' documents:

- a) must be logged and kept on the premises for the duration of the employment; and
- b) must be retained for a minimum of 12 months after employment has ceased.

4. Customers shall only consume alcohol which has been purchased from the premises.

5. The premises shall maintain a comprehensive CCTV system. All entry and exit points must be covered enabling frontal identification of every person entering in a light condition. The CCTV system shall continually record whilst the premises are open. 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 of the Council.

6. A staff member from the premises who is conversant with the operation of the CCTV system shall be in the premises at all times when the premises is 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 and within a maximum of 24 hours of the initial request.

7. Subject to Data Protection guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk/USB Stick for the Police or as practicable. Repair records / invoices shall be kept on site for at least 12 months and be readily available to be viewed by all authorised persons upon request.

8. Any CCTV breakdown or system failure will be notified to the Police and Local Authority immediately & remedied as soon as practicable. Repair records / invoices shall be kept on site for at least 12 months and be readily available to be viewed by all authorised persons upon request.

Continued from previous page...

9. Notices shall be prominently displayed within the premises stating that CCTV is in operation.

10. All alcohol products sold at the premises shall have the relevant UK duty paid label attached.

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

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

13. The premises shall operate a zero tolerance policy to the supply and use of drugs

14. Anyone who appears to be drunk or intoxicated shall not be allowed entry to the premises and those who have gained entry will be escorted from the building immediately.

c) Public safety

Staff will be trained to be alert to any potential danger to customers and react accordingly. If they are unable to quickly defuse the situation without risk to customer or staff, then they are instructed to call the police. All relevant fire procedures are in place for a premises of this size.

An on -site accident book will be in operation to record any accident/ injury incurred on the premises. This document will be retained for inspection by the store for a period of three years.

d) The prevention of public nuisance

Patrons attending the premises will be reminded of their responsibilities to leave the premises quietly.

A smoking policy will be available on site for inspection as required.

Cigarette bins will be provided to encourage smokers to dispose of their cigarettes in a safe manner.

e) The protection of children from harm

The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of an authorised person' (as defined by Section 13 of the Licensing Act 2003) or the police or an authorised Trading Standards Officer of the Council.

Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any bar advertising the scheme operated.

A written register of refusals will be kept including a description of the people who have been unable to provide required Identification to prove their age. Such records shall be kept for a period of 12 months and will be collected on a daily basis by the Designated Premises Supervisor and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of the Council on demand.

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

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 (£)

DECLARATION

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

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

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

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

* Full name

* Capacity

* Date / /
dd mm yyyy

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

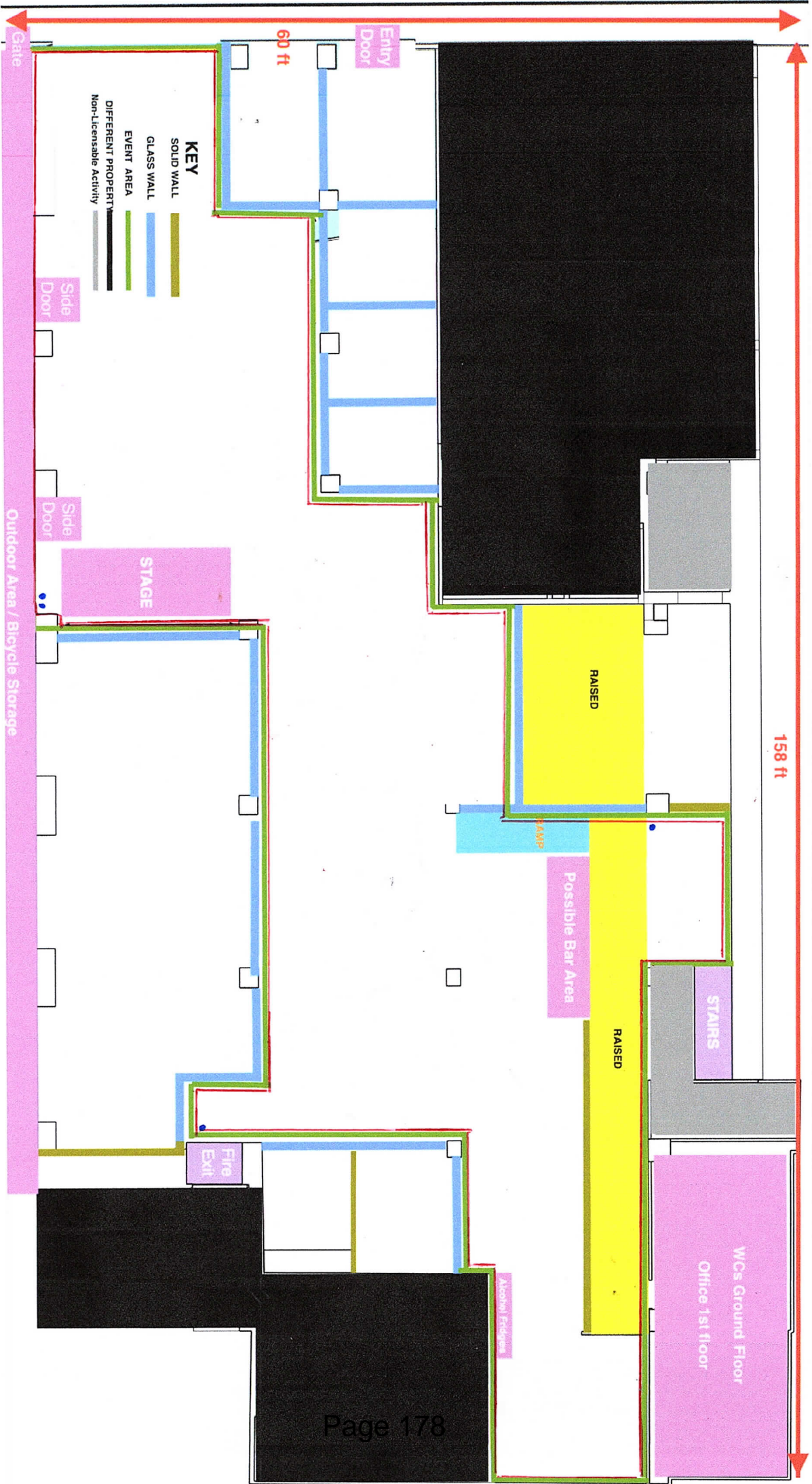
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT 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="sgl:202435"/>
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"/>

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Appendix 2

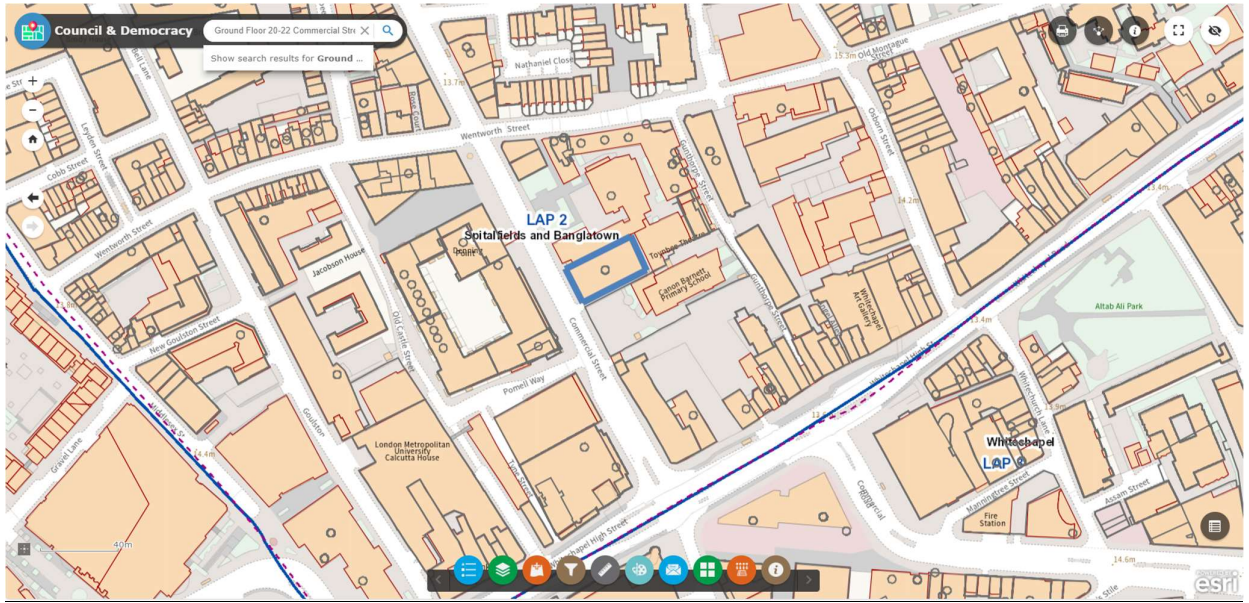
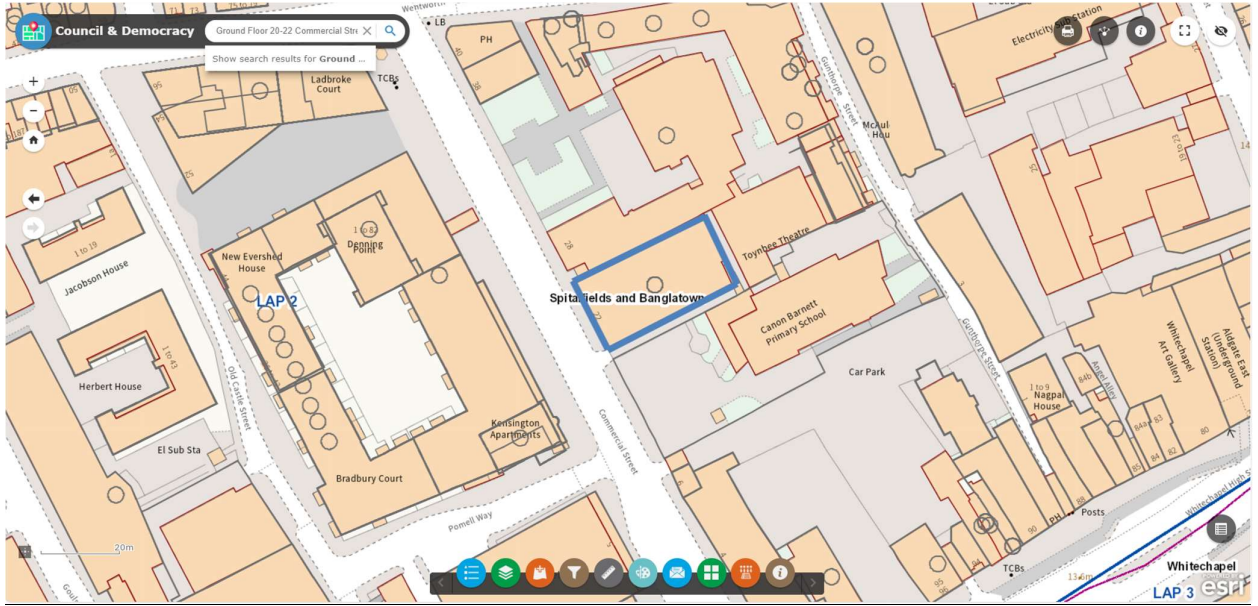


HOUSE OF MUSIC AND ENTERTAINMENT.

LICENSABLE AREA
 FIRE SAFETY CUSTOMERS

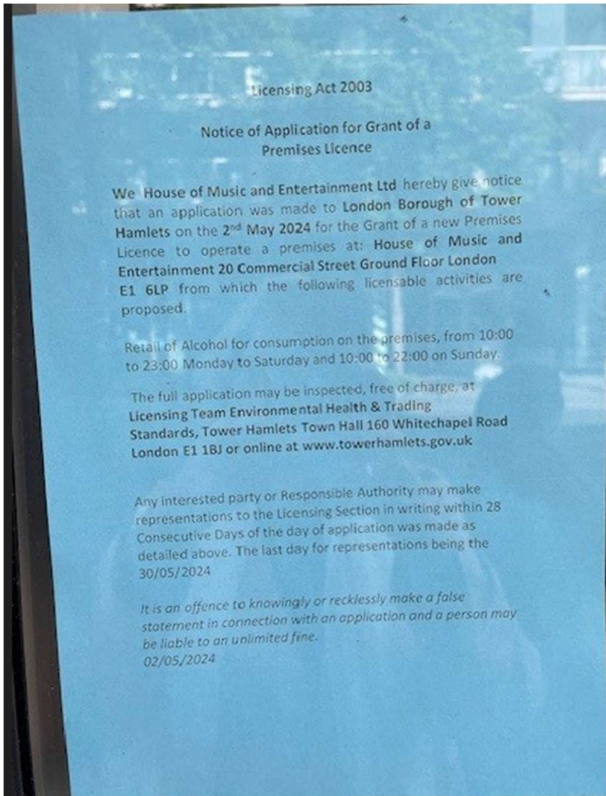
Appendix 3

Maps – 20 Commercial Street



Appendix 4

Photos – 20 Commercial Street







Appendix 5

Nearby Licensed Premises – 20 Commercial Street

<u>Name & address</u>	<u>Licensable activities</u>	<u>Opening Hours</u>
Tesco Metro 3 Commercial Street	<u>Sale of alcohol (off sales)</u> Monday to Sunday from 06:00hrs to 00:00hrs (midnight)	Monday to Sunday from 06:00hrs to 00:00hrs (midnight)
Taesun Ltd 4 Commercial Street	<u>The sale of alcohol (on sales)</u> Monday to Sunday, 11.00am to 23.00pm.	Monday to Sunday, 07.30am to 23.00pm
Wang Wang 4a Commercial Street	<u>Alcohol (off sales)</u> Monday to Saturday from 08:00 hours to 21:00 hours	Monday to Saturday from 08:00 hours to 21:00 hours
Ibis London City Hotel 5 Commercial Street	<u>Alcohol (on & off sales)</u> <ul style="list-style-type: none"> • On Monday to Sunday, 09:00 hrs to midnight <p><u>Non-standard timings</u> New Year's Eve until 03:00 hours the following day</p> <p>For hotel residents and private friends of hotel residents the sale (and supply) of alcohol will not be restricted i.e. 24 hours on each day of the year.</p> <p><u>Late night refreshment</u></p> <ul style="list-style-type: none"> • On Monday to Sunday, 23:00 hrs to 05:00 hrs 	<ul style="list-style-type: none"> • On Monday to Sunday, 00:00 hrs to 24:00 hrs (24 hours)
Classic Football Shirts 17 Commercial Street	<u>Sale of alcohol (On sales)</u> Monday to Saturday from 11:00 hours to 23:00 hours Sunday from 11:00 hours to 22:30 hours	Monday to Saturday from 09:00 hours to 23:30 hours Sunday from 09:00 hours to 23:00 hours
The Culpeper	<u>Supply of Alcohol (on & off sales) and Regulated Entertainment (plays, films,</u>	<ul style="list-style-type: none"> ▪ Monday to Wednesday, from 07:00hrs to 00:30hrs

<p>40 Commercial Street</p>	<p>indoor sporting events, recorded music, performance of dance, provision of facilities for making music and provision of facilities for dancing)</p> <ul style="list-style-type: none"> ▪ Monday to Wednesday, from 07:00hrs to 00:00hrs (midnight) ▪ Thursday to Saturday, from 07:00hrs to 03:00hrs ▪ Sunday, from 10:00hrs to 23:00hrs <p>Live music</p> <ul style="list-style-type: none"> ▪ Monday to Saturday, from 07:00hrs to 23:30hrs ▪ Sunday, from 10:00hrs to 23:00hrs <p>Late Night Refreshment</p> <ul style="list-style-type: none"> ▪ Monday to Wednesday, from 23:00hrs to 00:30hrs ▪ Thursday to Saturday, from 23:00hrs to 04:00hrs ▪ Sunday, from 23:00hrs to 23:30hrs <p><u>Non-standard timings</u> Supply of Alcohol and Regulated Entertainment (plays, films, indoor sporting events, recorded music, performance of dance, provision of facilities for making music and provision of facilities for dancing)</p> <ul style="list-style-type: none"> ▪ Sundays immediately preceding a bank holiday, from 07:00hrs to 03:00hrs ▪ Bank Holiday Mondays, from 07:00hrs to 01:00hrs ▪ St. Valentines Day, St. Patrick's Day, St. Georges Day, Halloween, Christmas Eve and Boxing Day, from 07:00hrs to 03:00hrs ▪ New Year's Eve, from 07:00hrs to 03:00hrs 2nd January 	<ul style="list-style-type: none"> ▪ Thursday to Saturday, from 07:00hrs to 04:00hrs ▪ Sunday, from 10:00 hours to 23:30hrs <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> ▪ Sundays immediately preceding a bank holiday, from 07:00hrs to 04:00hrs ▪ Bank Holiday Mondays, from 07:00hrs to 01:30hrs ▪ St. Valentines Day, St. Patrick's Day, St. Georges Day, Halloween, Christmas Eve and Boxing Day, from 07:00hrs to 04:00hrs <p>New Year's Eve, from 07:00hrs to 03:00hrs 2nd January</p>
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	<p>Late Night Refreshment</p> <ul style="list-style-type: none"> ▪ Sundays immediately preceding a bank holiday, from 23:00hrs to 04:00hrs ▪ Bank Holiday Mondays, from 23:00hrs to 01:30hrs ▪ St. Valentines Day, St. Patrick’s Day, St. Georges Day, Halloween, Christmas Eve and Boxing Day, from 23:00hrs to 04:00hrs ▪ New Year’s Eve, from 23:00hrs to 04:00hrs 2nd January 	
<p>Xian Biang Biang 62 Wentworth Street</p>	<p><u>The sale of alcohol (on sales only)</u> Monday to Sunday from 11:00 hours to 22:30 hours</p>	Monday to Sunday from 11:00 hours to 23:00 hours
<p>Artsadmin Toynbee Studios 28 Commercial Street</p>	<p><u>The sale of alcohol (on sales only)</u> Alcohol</p> <ul style="list-style-type: none"> ▪ Monday to Sunday, from 11:30 hours to 12midnight <p>Regulated entertainment <u>(Plays and films. Live music, recorded music, performance of dance and anything of a similar description. Provision of facilities for making music and provision of facilities for dancing)</u></p> <ul style="list-style-type: none"> ▪ Monday to Sunday, from 10:00 hours to 12midnight 	Monday to Sunday, from 08:30 hours to 12midnight
<p>YUU Kitchen Lt 29 Commercial Street</p>	<p><u>The supply by retail of alcohol (on & off)</u></p> <p>Monday – Thursday 12:00 hours – 23:00 hours Friday – Saturday 12:00 hours – 23:30 hours Sunday 12:00 hours - 22:30 hours Supply of Alcohol in external areas and off sales until 21:30 hours only.</p>	<p>Monday - Thursday 12:00 hours - 23:30 hours Friday – Saturday 12:00 hours - 00:00 hours Sunday 12:00 hours - 23:00 hours Christmas Eve 12:00 hours - 00:00 hours New Year’s Eve 12:00 hours - 02:00 hours</p>

	<p><u>The provision of late night refreshment (indoors)</u></p> <p>Friday – Saturday 23:00 hours - 23:30 hours</p> <p><u>Non- Standard Hours:</u> Christmas Eve – Supply of alcohol and provision of late night refreshment to 00:00 hours (midnight) On New Year’s Eve supply by retail of alcohol and provision of late night refreshment to 01:30 hours</p>	
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Appendix 6



TOWER HAMLETS

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

CC:
Agent - [REDACTED]

Communities Directorate
Public Realm

Head of Regulatory Services
(Commercial): Tom Lewis

Enquiries to: Mohshin Ali

Tel: [REDACTED]

Email: [REDACTED]

www.towerhamlets.gov.uk

23rd May 2024

My reference: LIC/L1U:168769/MA

Dear Sir/Madam,

Licensing Act 2003

New premises licence application: House of Music and Entertainment, 20 Commercial Street Ground Floor, London E1 6LP

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

Special Cumulative Impact Policy for the Brick Lane

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

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

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

This Policy will be strictly applied and where relevant representations are received and it is the view of the Council that the application will be refused. Applicants will need to



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

demonstrate that there are exceptional circumstances and that granting their application will not negatively add to the cumulative effect on the Licensing Objectives within the Brick Lane CIA if they wish to rebut this presumption.

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

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

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

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

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

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

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

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

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

Licensable activities and times

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

where the Licensing Authority will pay particular regard to the likely effect on the local neighbourhood of carrying out the proposed licensable activities during the hours applied for. Applications for hours up to the end of the Framework Hours will not automatically be granted. This policy will be applied only where relevant representations are made. Each case will be considered on its merits.

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

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

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

The Home Office guidance

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

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

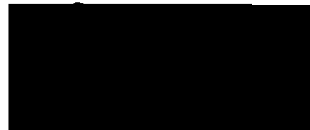
- *the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;*
- *any risk posed to the local area by the applicants' proposed licensable activities; and*
- *any local initiatives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

There is no explicit reference in the application to the premises being within the CIA. On a balance of probability, this Authority is concerned by the addition of another premises selling alcohol, potentially adding to the existing anti-social issues in the area through and access and egress. It is also not clear what the capacity of the premises will be. The addition of alcohol could change the dynamic of customers in high spirits on the already saturated area and therefore potentially undermining the licensing objectives.

The onus is on the applicant to show there are exceptional circumstances as to why their application should be granted and that it will not have a negative cumulative effect on the area. It is their responsibility to rebut the presumption otherwise the licence should be refused. However, if the Sub-Committee is minded to grant a licence then the Licensing Authority ask that the following additional condition are attached:

1. *Signs shall be prominently displayed both inside and outside the premises asking customers to respect local residents and be quiet when leaving the premises.*
2. *Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.*
3. *The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.*
4. *There shall be no "vertical drinking" of alcohol at the premises*
5. *When the designated premise supervisor is not on the premises any or all persons authorised to sell alcohol will be authorised by the designated premises supervisor in writing. This shall be available on request by the Police or any authorised officer.*

Yours faithfully,



**Mohshin Ali - Senior Licensing Officer
Trading Standards & Licensing**

Appendix 7

Corinne Holland

From: Licensing
Sent: 08 May 2024 14:59
To: Corinne Holland
Subject: FW: Premises License Application - House of Music & Entertainment, 20 Commercial Street, London MAU168769

From: Tim Hung <[REDACTED]>
Sent: Wednesday, May 8, 2024 2:17 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Premises License Application - House of Music & Entertainment, 20 Commercial Street, London MAU168769

Dear Licensing,

Hope you are well.

2. Having considered the premises license application for House of Music & Entertainment, 20 Commercial Street, London (MAU168769), 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. Consideration also has to be given to the fact that the premises is within Brick Lane Cumulative Impact Zone.

3. There is insufficient information in the operating schedule of the licence application to show how the applicant will promote the licensing objective for the prevention of public nuisance. There is no consideration of an impact on public nuisance from increase footfall from persons accessing and egressing the premises, patrons outside the premise leaving to smoke etc, particularly when considering the premises is in Brick Lane Cumulative Impact Zone.

4. Noise Sensitive premises: residential premises in close proximity.

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

- Noise breakout from the venue affecting neighbouring residents,
- Access & egress to and from the venue including patrons outside the premises to smoke, whilst the premises is in operation

CONCLUSION

5. Environmental Protection does not support the application for House of Music & Entertainment, 20 Commercial Street, London for the following reasons:

- (1) There is great likelihood of disturbance to residential premises from the impact of additional footfall
- (2) The applicant have not provided sufficient information to show how they will promote the licensing objective for the prevention of public nuisance
- (3) The premises is in Brick Lane Cumulative Impact Zone.

6. If the committee are minded to grant this application I would ask that the following conditions be considered:

- 1 Loudspeakers shall not be located in the entrance lobby or outside the premises building.
2. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 5 persons at any one time.
3. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a public nuisance.

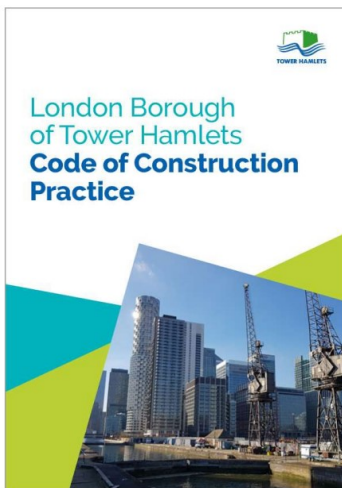
Thanks and best regards,

Name: Tim Hung
Position: Environmental Protection Officer
Noise Team
Communities Directorate
Environmental Health and Trading Standards
4 th Floor Tower Hamlets Town Hall
160 Whitechapel Road
London E1 1BJ


www.towerhamlets.gov.uk

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Construction Code of Practice 2023

- Development with Planning Permission granted and subject to Planning Conditions issued prior to the adoption of the new Code will continue to operate under the conditions for working hours of **Code of Construction Practice 2006**.
Permitted to work Saturdays without s61 Agreement (8am to 1pm only)
- Development granted Planning Approval **after the 26th April 2023** and subject to Planning Conditions 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 26th 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

To apply for all Control of Pollution Act 1974 Section 61 consents, dispensations and variations please apply [here](#).

To check the application status email environmental.protection@towerhamlets.gov.uk and use the FS reference number generated by your application.

Appendix 8

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

Relevant, vexatious and frivolous representations

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

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

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

Appendix 9

Licensing Policy Section 11

Prevention of Public Nuisance

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

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

- 11.6 **Street Furniture** – placing of street furniture, which includes advertising boards, on the highway can cause a public nuisance by way of obstruction or encourage consumption of alcohol on an unlicensed area. The Licensing Authority expects applicants to have ensured that they fully comply with the Councils rules relating to authorisation of obstructions on the highway, and that the required authorisations are obtained prior to submitting a licence application. Where proportionate and appropriate, and its discretion is engaged, the Licensing Authority will impose conditions in relation to street furniture, including on private land.
- 11.7 **Fly Posting** – The Council has experienced problems with "fly posting" in relation to venues that offer entertainment. Fly posting is the unauthorised posting of posters / advertisements etc. Where it considers it proportionate and appropriate, and its discretion is engaged, the Licensing Authority will attach conditions relating to the control of fly posting to ensure that venues clearly prohibit all fly posting in their contract terms with others and they effectively enforce this control.
- 11.8 **Beer Gardens and outside areas** – since the ending of the restrictions imposed during the Coronavirus pandemic, we have seen an increase the use of outside areas. This has also been encouraged by Government under the Business and Planning Act 2020. We want to strike the right balance between allowing businesses to thrive whilst still protecting residents of the borough being unduly disturbed by the night time economy. Hence, we would encourage applicants address this concern in their operating schedule by detailing what mitigating measures they intend adopt to reduce any disturbance the use of the outside area is likely to have on neighbouring residents. Such measures could include:
- limiting the amount of patrons permitted in the outside area, and/or,
 - restricting the use of areas after a certain time,
 - ceasing its use after a certain time.

Where disturbance of residents from outside areas is likely, and where its discretion is engaged, this Licensing Authority may add conditions limiting the numbers of person permitted to use any outside areas, and/or seek to cease the use of any outside areas after 21:00 hours.

- 11.9 **Party Boats** – An increasing number of complaints have been received in London Boroughs that boarder the River Thames in relation to "Party Boats", which use the River. In respect of this we would encourage applicants for Party Boats to consider adopting the "Boat" conditions, listed in our Model Conditions in Appendix 3, where appropriate to promote the Licensing Objective of Prevention of Public Nuisance. Furthermore, where disturbance of residence from these party boats is likely, and where its discretion is engaged, this Licensing Authority may add one or more of the boat conditions from our Model Conditions.

Appendix 10

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

Updated December 2022

Public nuisance

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

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

Appendix 11

Anti-Social Behaviour from Patrons Leaving the Premises

General Advice

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

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

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

Licensing Policy

The policy recognises that other legislation or measures may be more appropriate but also states that licensing laws are “a key aspect of such control and will always be part of an overall approach to the management of the evening and night time economy” (**see Section 5.14 and 5.15 of the Licensing Policy**).

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. (**See Sections 9.2 of the Licensing Policy**)

The Licensing Authority will consider attaching conditions to deter crime and disorder and may be draw from the Model Conditions in **Appendix 3 of the Licensing Policy**. In particular Members may wish to consider (this list is not exhaustive):

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

Cumulative Impact

There is a process by which the Licensing Authority can determine that an area is saturated following representations. However, the process for this involves wide consultation and cannot come from representations about a particular application. **(See Section 20 of the Licensing Policy).**

Police Powers

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

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

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

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

Licence conditions should not duplicate other legislation (1.16).

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

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

Other Legislation

Crime and Disorder Act 1998

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

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

- Anti-Social Behaviour Orders

- Child Curfew Schemes
- Truancy
- Parenting Orders
- Reparation Orders
- Tackling Racism

Appendix 12

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

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

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

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

Review of Cumulative Impact Assessment - Supporting Evidence

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

This evidence is published on our website:

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

Cumulative Impact Assessments (Brick Lane and Bethnal Green)

4. The Licensing Authority is of the view that the number, type and density of premises selling/supplying alcohol for consumption on and off the premises and/or the provision of late night refreshment in the Brick Lane and Bethnal Green Areas (highlighted in Figures One and Two below) is having a cumulative impact on the licensing objectives. Therefore, it is likely that granting further licences would be inconsistent with the authority's duty to promote the licensing objectives. Thus, it has declared a cumulative impact assessment within these areas.
5. The Brick Lane and Bethnal Green CIAs aim to manage the negative cumulative impact of the concentration of licensed premises in these areas and the stresses that the saturation of licensed premises has had on the local amenity, environmental degradation and emergency and regulatory services in managing this impact.
6. The effect of this Special Cumulative Assessment Policy will apply to the following types of applications:
 - New Premises Licences applications,
 - New Club Premises Certificates applications
 - Provisional Statements,
 - Variation of Premises Licences and Club Premises Certificate applications (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity).

However, it will only apply where the application seeks to permit the Licensable activities of:

- the sale or supply of alcohol for consumption on or off the premises, and/or,
- the provision of late night refreshment.

7. **This Policy will be strictly applied and where relevant representations are received and it is the view of the Council that the application will be refused. Applicants will need to demonstrate that there are exceptional circumstances and that granting their application will not negatively add to the cumulative effect on the Licensing Objectives within the Brick Lane and Bethnal Green CIAs if they wish to rebut this presumption.**
8. The Special Cumulative Impact policy creates a rebuttable presumption that where relevant representations are received by one or more of the responsible authorities and/or other persons against applications (Councillors, Members of the Public) within the CIA zones the application will be refused.
9. Where representations have been received in respect to applications within the CIA zones the onus is on the applicant to adequately rebut the presumption.

10. It must be stressed that the presumption created by this special policy does not relieve responsible authorities or other persons of the need to make a representation. If there are no representations, the licensing authority must grant the application in terms that are consistent with the operating schedule submitted in line with their delegated authority.
11. This special policy is not absolute and the Licensing Authority recognises that it has to balance the needs of businesses with local residents. The circumstances of each application will be considered on its merits and the Licensing Authority shall grant applications, when representations are not received. The applicant should demonstrate that the operation of the premises will not add to the cumulative impact on one or more of the following licensing objectives:
 - Prevention of Crime and Disorder;
 - Prevention of Public Nuisance.

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

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

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

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

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

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

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

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

Figure One

Brick Lane area:

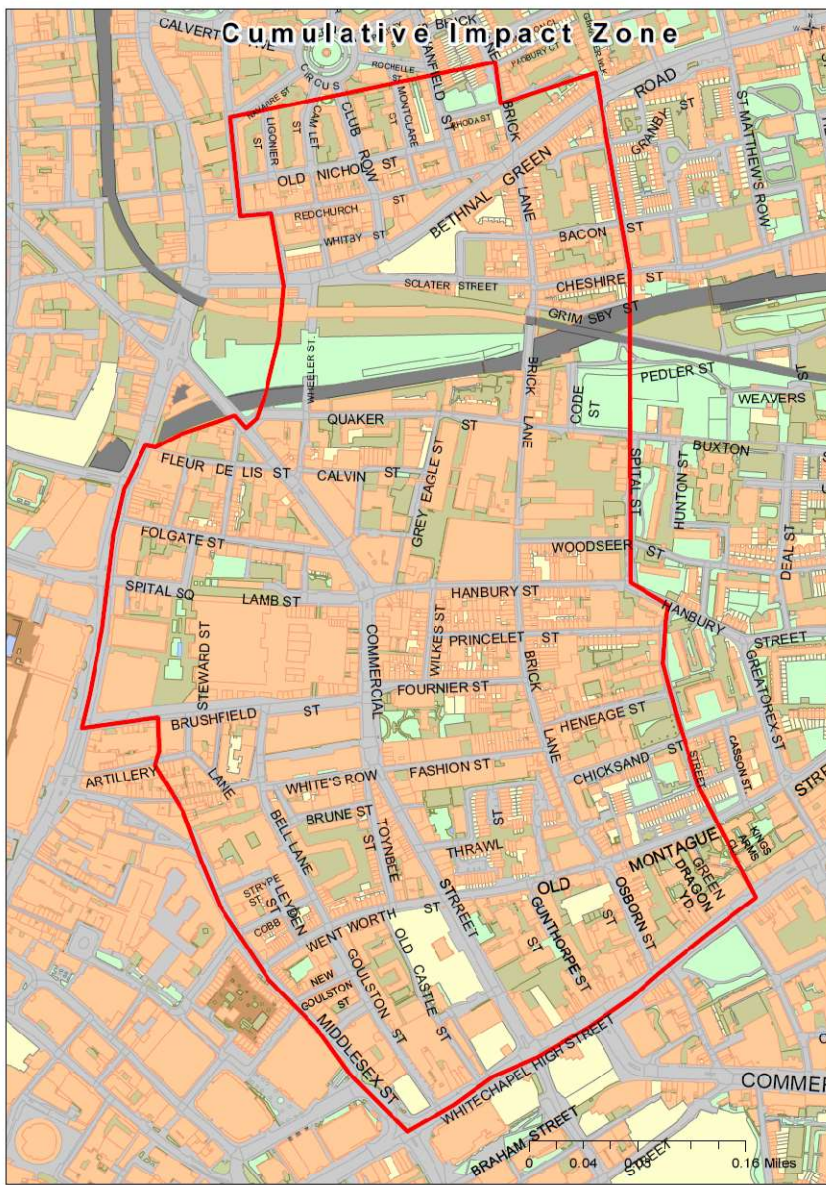
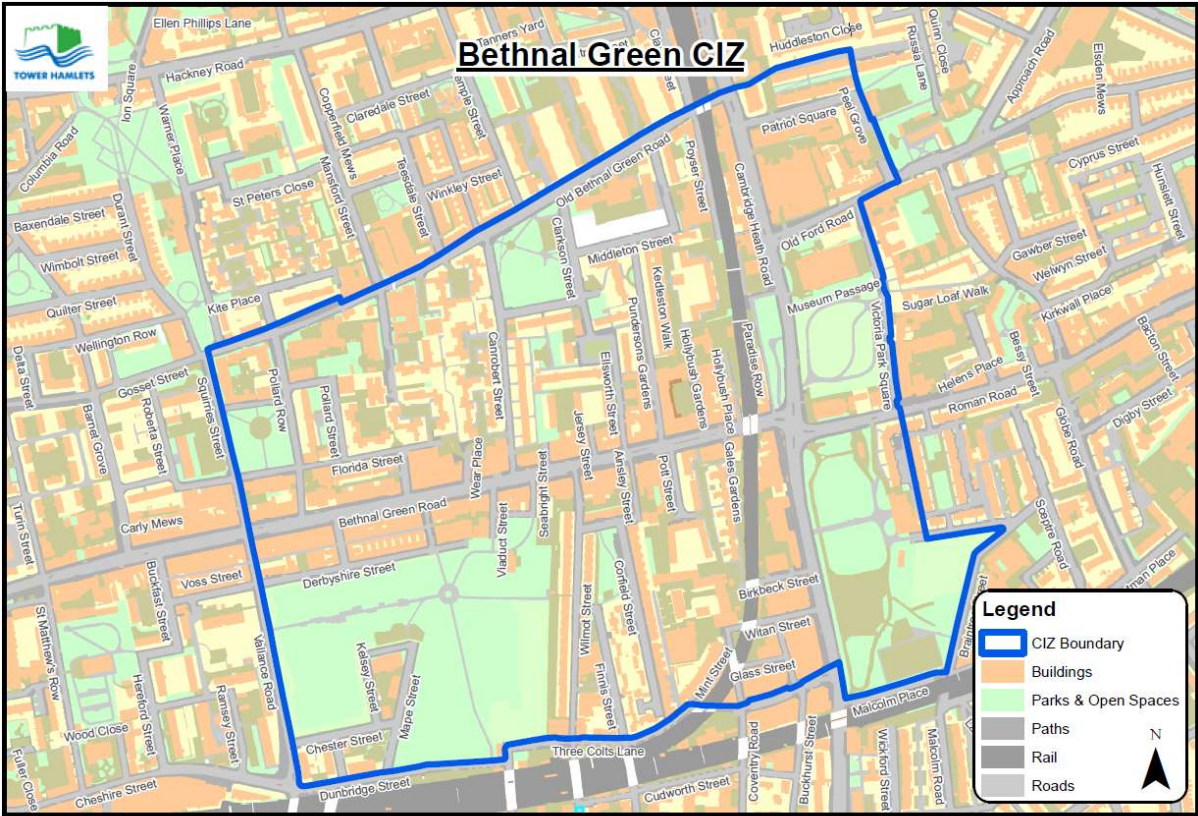


Figure Two:

Bethnal Green Area



Appendix 13

Licensing Policy Relating to Hours of Trading

All applications have to be considered on their own merits.

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

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

(see 16.8 of the Licensing Policy)

In considering the applicability of 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 14

Planning

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

Agenda Item 3.3

/Committee: Licensing Sub-Committee	Date 23 July 24	Classification Unclassified	Report No.	Agenda Item No.
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Report of: Tom Lewis Service Manager of Regulatory Services (Commercial) Originating Officer: Ibrahim Hussain Licensing Officer	Title: Licensing Act 2003 Application for a variation of a Premises Licence for (Gopuff), 89 Hemming Street, London, E11 5BW Ward affected: Spitalfields and Banglatown
---	---

1.0 Summary

Licence holder: **GOBRANDS UK HOLDINGS LTD**

Name and Address of Premises: **Gopuff, 89 Hemming Street, London, E1 5BW**

Licence sought: **Licensing Act 2003 - Variation**

Extension of hours for the sale by the retail of alcohol for consumption off the premises only to 00:00 – 00:00 Monday to Sunday.

Representations: **Residents**

2.0 Recommendations

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

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

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

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

Ibrahim Hussain
020 7364 3329

3.0 **Background**

- 3.1 This is an application for a variation of a variation of a premises licence for (Gopuff), 89 Hemming Street, London, E11 5BW.
- 3.2 A copy of the existing licence (Lic no. 159312) is enclosed as **Appendix 1**. The licensable activities and timings are stated below for information only:

Sale of Alcohol (off sales only)

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

Hours premises are open to the public:

- Monday to Sunday from 00:00 hours – 24:00 hours (24 hours a day)

- 3.3 A copy of the variation application is enclosed as **Appendix 2**. The applicant has described the variation as follows:

“... Extension of hours for the sale by the retail of alcohol for consumption off the premises only to 00:00 – 00:00 Monday to Sunday...”

- 3.4 The licensable activities and timings that have been applied for are:

The sale by retail of alcohol – (Off sales)

- Monday – Sunday 00:00 – 00:00 hours (24 hours)

Hours premises are open to the public:

- Section not completed The sale by retail of alcohol Off sales requested for 24 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 1st November 2023.

- 5.2 Relevant Sections of the policy are brought to the attention of Members within the Licensing Officers report.
- 5.3 The Home Secretary has issued Guidance under Section 182 of the Licensing Act 2003. This is available on the Government’s website, www.homeoffice.gov.uk. It was last revised in December 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 This hearing is required by the Licensing Act 2003, because relevant representations have been made by the following:

Residents' names	Appendix
Anna Arfen	6
Annie Ku	7
Anor Miah	8
Carlo De Stefano	9
Charlo□e Wallace	10
Dominic Burrell	11
Duygu Dewey Baydur	12
El montasir El bakkali	13
Emmanuel Nataf	14
George Rhodes	15
Gurkan Oluc	16
Jaeyun Chung	17
Karen Woo	18
Katarzyna Szeliga	19
Martin Coucke	20
Mathew Armstrong	21
Mehdi Kaddour	22
Merel Theisen	23
Michael McGee	24
Mohammed Tanbir	25

Nicholas Block	26
Nisha Ahmed	27
Razvan Lucanu	28
Roberto Tamsanguan	29
Rory Malone	30
Sarah Clements	31
Sarah McGee	32
Sebastian GOMEZ-ALARCON	33
Shawn Clarke	34
Shushan Davtyan	35
Suhena Begum	36
Tahira Akhtar	37
Xiangjun Wei	38

6.4 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
- public safety
- the protection of children from harm

6.5 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.

6.6 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 *Customer queues will be marked out and managed by stallholders and market managers so they do not obstruct park users.*

7.3 *Clear and conspicuous notices warning of potential criminal activity such as bag theft which may target customers will be displayed.*

7.4 *All alcohol stalls will not be located near any residential buildings thus minimising any noise.*

7.5 *Stall holders will keep a refusal book on their stalls which will log any incidents where alcohol has been refused to be served*

8.0 Conditions in consultation with the responsible authorities/other person

Existing licence ref: M/168019 - Conditions agreed with Environmental Protection (See Appendix 39)

8.1 *Notices shall be prominently displayed at the site requesting Patrons and Stall Staff to respect the needs of local residents and leave the area quietly. This should be enforced by Market Managers.*

8.2 *No noise generated at the Market shall give rise to a nuisance.*

9.0 Licensing Officer Comments

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

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

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

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

- Appendix 1** A copy of the existing licence
- Appendix 2** A copy of the variation application
- Appendix 3** Maps of the venue
- Appendix 4** Photographs showing vicinity of the venue
- Appendix 5** Details of nearest licensed venues
- Appendices 6-38** Representation of resident
- Appendix 39** Applicant's agreement to EP conditions

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Appendix 1



Lic No:
159312

**Gopuff
89 Hemming Street
London
E1 5BW**

Licensable Activities authorised by the licence

The sale by retail of alcohol

See the attached licence for the licence conditions

Signed by

D. R. Tolley
David Tolley
Head of Trading Standards & Environmental Health

Date: 22nd February 2022

Minor Variation 22/5/23

OFFICE USE	Receipt No: 043291	Paid: £89	Date: 3/5/23
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Part A - Format of premises licence

Premises licence number

159312

Part 1 - Premises details

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

(Gopuff)
89 Hemming Street

Post town

London

Post code

E1 5BW

Telephone number

Website – www.gopuff.com

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities

Sale of Alcohol (off sales only)

Monday to Thursday from 06:00 hours to 23:30 hours

Friday and Saturday from 06:00 hours to 00:00 hours (midnight)

Sunday from 06:00 hours to 22:30 hours

The opening hours of the premises

Monday to Sunday from 00:00 hours – 24:00 hours (24 hours a day)

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

Off sales only

Part 2

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

Fancy Delivery UK Limited
48 Hoxton Square
London
N1 6PB

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

Registered Company Number: 12793914

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

Matthew Michelson

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

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence

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.

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 prevent the supply in question; and
- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994

- 3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day

Annex 2 - Conditions consistent with the operating Schedule

Not applicable

Annex 3 - Conditions attached after a hearing by the licensing authority (22/02/22)

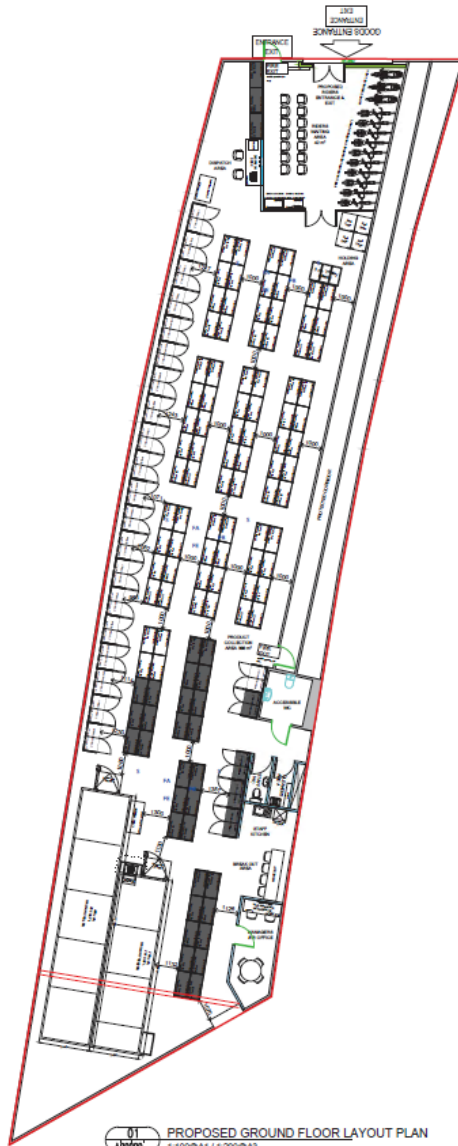
1. All staff will be fully trained in their responsibilities with particular regard to the promotion of the licensing objectives regarding the sale of alcohol, and will be retrained every six months, with recorded training records kept for inspection.
2. Members of the public shall not be allowed on the premises at any time.
3. The licence and premises are to fulfil internet generated sales for delivery and no direct sales shall take place to the general public from the site.
4. A CCTV system is in operation for the warehouse, to provide security and identify any person or persons causing or likely to be causing trouble. All images are stored for a period of 31 days after which they can be erased or saved at the request of the police. All existing security measures will remain in operation. All staff will be fully trained in the operation of the CCTV system to ensure it is operational during all the hours of trade. Images will be made available to the police or authorised licensing officer from the Council on request.
5. A Challenge 25 age verification scheme will be used. ID will be required for deliveries to customers who do not appear to be at least 25 years old. They will be required to prove that they are at least 18 years of age, by way of photographic ID, either a passport or driving licence. The card used for purchase will also be checked against the ID provided. If there is any doubt by staff as to the age of the person or persons taking delivery, then the delivery of alcohol will not be made, and a full refund will be issued. Postal/ carriage deliveries will only be made once a verified payment method has been established, and the customer has confirmed they are 18 years of age or over when making the purchase.
6. No idling of vehicles that are awaiting access to the premises or waiting to pick up a delivery.
7. Alcohol shall only be delivered to a residential or business address and not to a public place.
8. Deliveries will be made by electric vehicles (being electric mopeds or electric bikes) or bicycles or by foot to customers home addresses, wherever possible. Any other vehicle will not be permitted to provide delivery services from the premises at any time an electric vehicle is available.

9. Delivery drivers waiting to collect customers' orders for delivery, shall not be allowed to congregate outside the Premises (save in the event of a fire drill or fire evacuation) and shall be required by the Premises Licence Holder to wait inside the Premises.
10. No deliveries of goods to the premises shall take place between 19:00 hours and 07:00 hours the following day except for fresh bakery delivery.
11. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
12. All potential customers must verify on the payment page of the website that they are at least 18 years of age. If the applicant is in any doubt as to the age of the customer, they will only deliver the alcohol if the owner of the card that made the payment is present at the delivery address for the purpose of age verification. Orders will only be despatched to bona fide addresses.
13. All sales of alcohol for delivery must be paid for by credit card, debit card (pre-paid or otherwise) or electronic payment.
14. Details of the order (including the type, amount of alcohol, name and address of the customer and delivery address if different) must be included with the order. The detail shall be shown on the electronic receipt provided to the customer.
15. All delivery drivers and riders must allow any police or authorised local authority officers to inspect any alcohol.
16. Deliveries only made to those over the age of 18 years.

Annex 4 - Plans

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

07/12/21 – Ground floor Plan No. A00204 110 dated 27.11.21



01 PROPOSED GROUND FLOOR LAYOUT PLAN
1:100 @ A1 / 1:200 @ A3

IMPORTANT: Use safety activities and take place on site
within the work face. The position of fixed fire detection
equipment to be shown for diagrammatic purposes only. If firefighting
equipment is indicated but may be issued subject to the fire risk
assessment carried out under the Regulations before the building
Order 2021 or by agreement with the fire officer.

Bay Type	Quantity
Unizinc Racking (1200 x 600)	80 (113)
Lowe G7 Chiller (1320x640)	14 (17)
True GDM Freezer (1197x759)	7 (8)
Chest Freezer	1
Walk in Chiller (40ft x 8ft)	300ft ²
Walk in Freezer (28ft x 8ft)	200ft ²

Area	m ²	ft ²
Gross Internal Area (GIA)	538	5791
Product Collection Area	388	4176

Revision	Date	By	CHK
1	27.11.21	110	PT

- KEY BUILDING REGS & FIRE SAFETY NOTES:**
- All travel distances have been calculated and comply with Table 2 on page 34 of the Approved Document B, Vol 2.
 - All alterations to the building fire detection system to be designed and installed to BS 5839 pt1.
 - All alterations to the buildings emergency lighting system to comply with BS 5266 pt1.
 - Walls and ceilings in circulation spaces to have class 0 surface spread of flames, with class 1 in other spaces.
 - All new ductwork to be installed as part of requirements stated under part F and to have dampers where penetrating fire rated construction.
 - Once works are complete the owners and users of the building acknowledge their continuing requirement to carry out continual assessment under the RRO.

CDM / H&S - HAZARD WARNING SCHEDULE

LOCATION	HAZARD	EXPOSURE	COMMENTS / ACTION	CONTROL

SCOPIG

gopuff

CUBE

Project Title
UNIT 89 HEMMING STREET
BETHNAL GREEN, LONDON

Drawing Title
PROPOSED GROUND FLOOR
LAYOUT PLAN

Project Number	Drawing Number	Revision
A00204	110	

Drawn	Checked	Scale	Date
110	PT	AS SHOWN	27.11.2021

Part B - Premises licence summary

Premises licence number

159312

Premises details

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

**(Gopuff)
89 Hemming Street**

Post town

London

Post code

E1 5BW

Telephone number

Website – www.gopuff.com

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities

Sale of Alcohol (off sales only)
Monday to Thursday from 06:00 hours to 23:30 hours
Friday and Saturday from 06:00 hours to 00:00 hours (midnight)
Sunday from 06:00 hours to 22:30 hours

The opening hours of the premises

Monday to Sunday from 00:00 hours – 24:00 hours (24 hours a day)

Name, (registered) address of holder of premises licence

Fancy Delivery UK Limited
48 Hoxton Square
London
N1 6PB

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

Off sales only

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

12793914

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Matthew Michelson

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

No restrictions

Appendix 2

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.

I/We GOBRANDS UK HOLDINGS 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 159312
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Gopuff 89 Hemming Street			
Post town	London	Postcode	E1 5BW

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£79,000

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]		
Current postal address if different from premises address	[REDACTED]		
Post town	London	Postcode	[REDACTED]

Part 3 – Variation

Please tick as appropriate
Do you want the proposed variation to have effect as soon as possible? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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)

Extension of hours for the sale by retail of alcohol for consumption off the premises only to 00:00-00:00 Monday to Sunday.

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.

- | Provision of regulated entertainment (Please see guidance note 3) | Please tick all that apply |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |
| Provision of late night refreshment (if ticking yes, fill in box I) | <input type="checkbox"/> |
| Supply of alcohol (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |

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 indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)		
Tue			State any seasonal variations for performing plays (please read guidance note 6)		
Wed			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)		
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (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					
Tue			State any seasonal variations for the exhibition of films (please read guidance note 6)		
Wed					
Thur			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 (please read guidance note 7)		
Fri					
Sat					
Sun					

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			
Wed			
Thur			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)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (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					
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)		
Wed					
Thur			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 (please read guidance note 7)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (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					
Tue			State any seasonal variations for the performance of live music (please read guidance note 6)		
Wed					
Thur			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)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (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					
Tue			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Wed					
Thur			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 (please read guidance note 7)		
Fri					
Sat					
Sun					

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 type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)		
Tue			State any seasonal variations for the performance of dance (please read guidance note 6)		
Wed			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 (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

H

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

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Thur					
Fri			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 (please read guidance note 7)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)					
Mon	00:00	00:00						
Tue	00:00	00:00						
Wed	00:00	00:00						
Thur	00:00	00:00				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 (please read guidance note 7)		
Fri	00:00	00:00						
Sat	00:00	00:00						
Sun	00:00	00:00						

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.

N/A

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)

The premises licence has appropriate conditions to promote the licensing objectives.

b) The prevention of crime and disorder

The premises licence has appropriate conditions to promote the licensing objectives.

c) Public safety

The premises licence has appropriate conditions to promote the licensing objectives.

d) The prevention of public nuisance

The premises licence has appropriate conditions to promote the licensing objectives.

e) The protection of children from harm

The premises licence has appropriate conditions to promote the licensing objectives.

Checklist:

	Please tick to indicate agreement
• I have made or enclosed payment of the fee; or	<input checked="" type="checkbox"/>
• 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.	<input type="checkbox"/>
• I have sent copies of this application and the plan to responsible authorities and others where applicable.	<input checked="" type="checkbox"/>
• I understand that I must now advertise my application.	<input checked="" type="checkbox"/>
• I have enclosed the premises licence or relevant part of it or explanation.	<input checked="" type="checkbox"/>
• I understand that if I do not comply with the above requirements my application will be rejected.	<input checked="" type="checkbox"/>

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	Keystone Law Limited
Date	27/03/2024
Capacity	Solicitors on Behalf of Applicant

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	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

Marcus Lavell

[REDACTED]
[REDACTED]

Post town

[REDACTED]

Post code

[REDACTED]

Telephone number (if any)

[REDACTED]

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

[REDACTED]

Notes for Guidance

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.

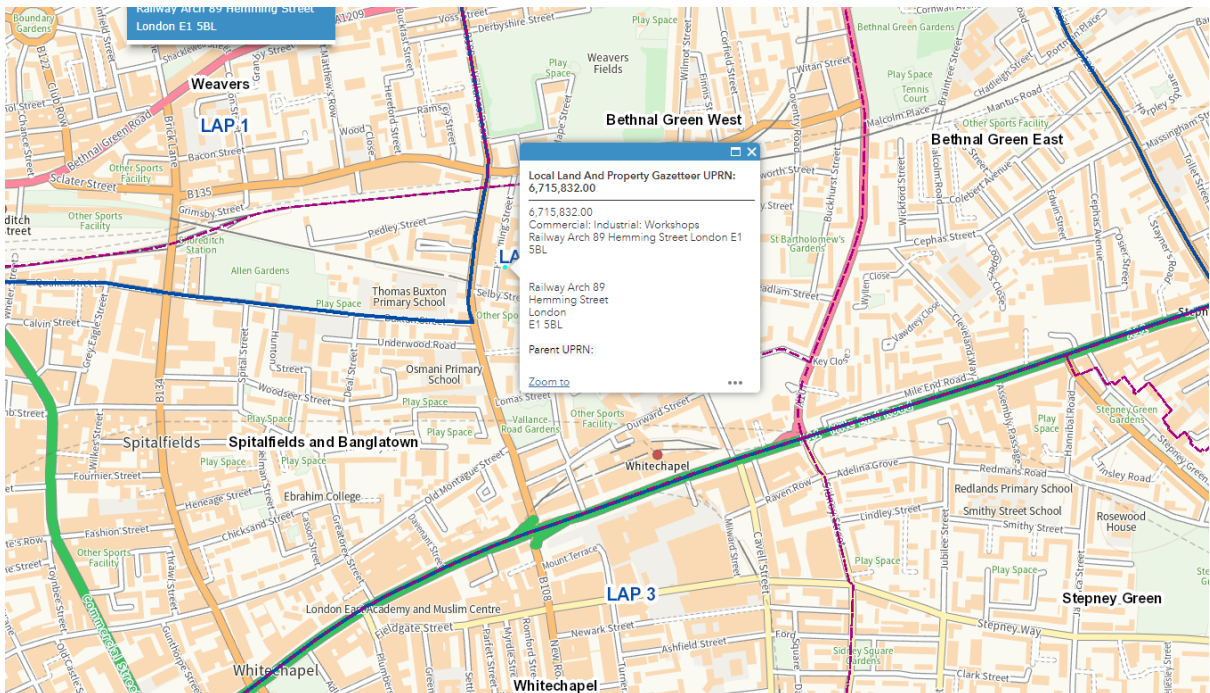
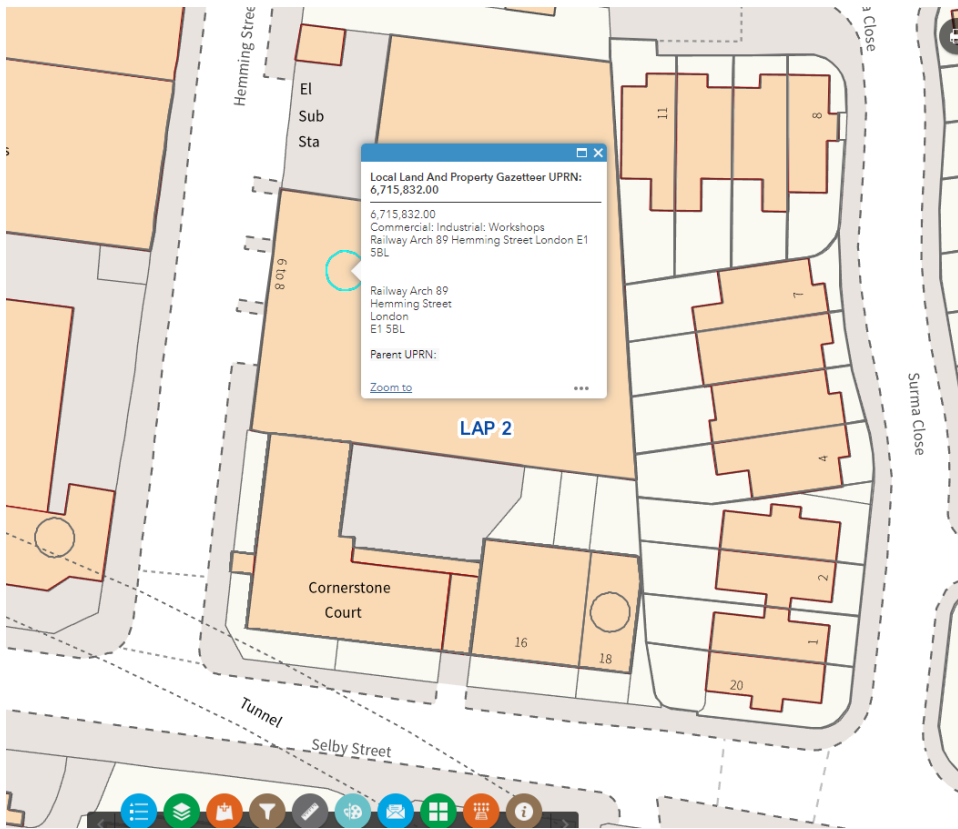
1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing 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;

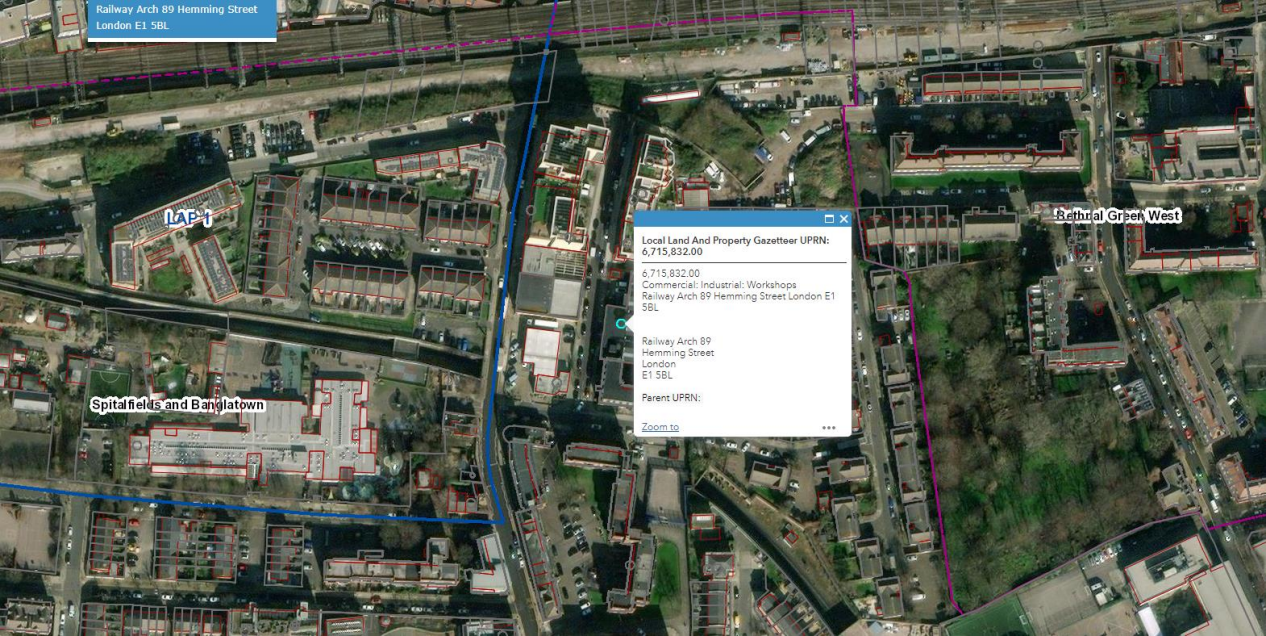
- any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; 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.

Appendix 3

ArcGIS Web Map



ArcGIS Web Map



Appendix 4

Photographs showing vicinity of the venue



Appendix 5

Details of nearest licensed venues

PREMISES	LICENSABLE ACTIVITIES	OPENING HOURS
<p>Asda Service Station 112 Vallance Road</p>	<p><u>The sale by retail of alcohol (off sales)</u> Monday to Sunday 00:00 hours to 24:00 hours (24 hours a day)</p> <p><u>The provision of late night refreshment</u> Monday to Sunday 23:00 hours to 05:00 hours the following day</p>	<ul style="list-style-type: none"> • Monday to Sunday 00:00 hours to 24:00 hours (24 hours a day)
<p>(Breid) Railway Arch 72 Dunbridge Street</p>	<p><u>The Sale of Alcohol (off sales)</u> Monday – Sunday 09:00 hours – 20:00 hours</p>	<ul style="list-style-type: none"> • Monday – Sunday 09:00 hours – 20:00 hours
<p>(Mirza Supermarket Ltd) 70 Dunbridge Street</p>	<p><u>The Sale of Alcohol (off sales)</u> Monday to Sunday, from 07:00 hours to 23:00 hours</p>	<ul style="list-style-type: none"> ▪ Monday to Sunday, from 07:00 hours to 23:00 hours

Appendix 6

Ibrahim Hussain

From: Licensing
Sent: 13 May 2024 10:42
To: Ibrahim Hussain
Subject: FW: Objection to the Application for 24/7 Alcohol License by Gopuff at 89 Hemming Street, E1 5BW

Categories: Purple Category

From: Anna Arfen [REDACTED]
Sent: Saturday, May 11, 2024 11:33 AM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Objection to the Application for 24/7 Alcohol License by Gopuff at 89 Hemming Street, E1 5BW

Dear Licensing Team,

I am writing as a resident of Hemming Street to formally express my opposition to the application for a 24/7 alcohol license by Gopuff, as noted in the public notice posted near the premises and under reference in your records.

I have several concerns about this application. The prospect of delivery vehicles coming and going throughout the night will disrupt the peace of our quiet residential street, adversely affecting the quality of life for all nearby residents. Gopuff started off as e-vehicles operations only. It is my understanding that they have since moved to using non-electric vehicles too. I am not happy as a resident of Hemming street with an additional volume of delivery mopeds operating all night long and couriers hanging out generated by 24/7 alcohol sales.

But what's more worrisome is that Tower Hamlets is already challenged by high crime rates, drug use and anti-social behaviour. Providing yet another channel of round-the-clock access to alcohol purchases would only accelerate these issues, contributing to ASB and crime in our community and leading to safety concerns, particularly late at night.

Given these points, I urge the council to consider the negative impact this license would have on Hemming Street's residents and to the whole local area and to reject this application. I appreciate your attention to my concerns and trust that you will make a decision that prioritizes the well-being and preferences of the community.

Thank you for considering my views.

Sincerely,

Anna Arfen
[REDACTED]

Appendix 7

Ibrahim Hussain

From: Licensing
Sent: 22 May 2024 11:40
To: Ibrahim Hussain
Subject: FW: Objection to Go Puff application at Hemming Street

Categories: Blue Category, Purple Category

From: Annie Ku [REDACTED]
Sent: Tuesday, May 21, 2024 8:29 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Objection to Go Puff application at Hemming Street

To: Licensing Team, Tower Hamlets Council

I wish to object to the application to vary the licence to allow Gopuff to sell alcohol 24 hours a day, 7 days a week, on Hemming St.

Hemming Street is a residential street with more than 150 residential properties in the immediate vicinity of Arch 89. There is already considerable public nuisance caused directly by this premises, both during the day, and in the evening; and by other existing anti-social behaviour problems very close by on Hemming St. Additional licenced hours overnight would add further pressure on our small residential street, by:

- adding increased noise nuisance through increased late night activity inside and outside the premises, especially adding to existing nuisance in the yard area outside Arch 89 caused by Gopuff;
- adding increased disturbance and public nuisance due to additional drivers and delivery couriers continually coming and going from the Gopuff premises to deliver alcohol, as well as waiting, smoking, and chatting outside on the street anticipating orders, idling their engines outside the property, particularly late at night when residents are trying to sleep;
- make worse the existing levels of public nuisance and anti-social behaviour that is taking place late at night on Hemming Street and has been reported to the Council and to the Police;
- require increased goods deliveries to Gopuff during the day to stock the unit for night alcohol purchases, which will add significant pressure on an already congested, and dangerous road that is not suitable for large lorry deliveries. Existing goods deliveries to the premises already idle engines outside the premises whilst they obstruct the road and pavement, parking on – and cracking – the pavement stones, and are an obstruction and danger to adults and children alike. There are already often multiple delivery vehicles unloading goods to Gopuff at the same time, which is unsafe.
- there are many young families who live within this area and the young children already cannot play safely outside where there is so much traffic and antisocial behaviour.
- residents on Hemming Street have witnessed the congregation of delivery drivers and other archway staff at the communal benches of the White + Green development and this has directly caused an overflow of litter, constant smell of cigarettes and weed. This is not pleasant to live amongst. In addition to this, residents have suffered from frequent tailgating into apartment buildings because there are so many people who hang around entrance door. As a result, there have been many parcel thefts and even criminal damage to electronically locked doors, resulting in them being force locked and tripping lift circuits to shut down.

If granted, this variation would undermine the licensing objectives, and is additionally outside the framework hours that Tower Hamlets Council has adopted.

Please reject the application to vary the licence outright.

My name is Pui Cheung Ku and I am a resident at [REDACTED]

Many thanks,
Annie Ku

Appendix 8

Ibrahim Hussain

From: Lavine Miller-Johnson on behalf of Licensing
Sent: 21 May 2024 16:11
To: Ibrahim Hussain
Subject: FW: license to allow Gopuff to sell alcohol 24 hours

Categories: Purple Category

From: Miah . [REDACTED]
Sent: Tuesday, May 21, 2024 2:22 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: license to allow Gopuff to sell alcohol 24 hours

To: Licensing Team, Tower Hamlets Council

I wish to object to the application to vary the license to allow Gopuff to sell alcohol 24 hours a day, 7 days a week, on Hemming St.

Hemming Street is a residential street with more than 150 residential properties in the immediate vicinity of Arch 89. There is already considerable public nuisance caused directly by this premises, both during the day, and in the evening; and by other existing anti-social behaviour problems very close by on Hemming St. Additional licensed hours overnight would add further pressure on our small residential street, by:

- adding increased noise nuisance through increased late night activity inside and outside the premises, especially adding to existing nuisance in the yard area outside Arch 89 caused by Gopuff;
- adding increased disturbance and public nuisance due to additional drivers and delivery couriers continually coming and going from the Gopuff premises to deliver alcohol, as well as waiting, smoking, and chatting outside on the street anticipating orders, idling their engines outside the property, particularly late at night when residents are trying to sleep;
- make worse the existing levels of public nuisance and anti-social behaviour that is taking place late at night on Hemming Street and has been reported to the Council and to the Police;
- require increased goods deliveries to Gopuff during the day to stock the unit for night alcohol purchases, which will add significant pressure on an already congested, and dangerous road that is not suitable for large lorry deliveries. Existing goods deliveries to the premises already idle engines outside the premises whilst they obstruct the road and pavement, parking on – and cracking – the pavement stones, and are an obstruction and danger to adults and children alike. There are already often multiple delivery vehicles unloading goods to Gopuff at the same time, which is unsafe.

If granted, this variation would undermine the licensing objectives, and is additionally outside the framework hours that Tower Hamlets Council has adopted.

Please reject the application to vary the license outright.

Appendix 9

Ibrahim Hussain

From: Lavine Miller-Johnson on behalf of Licensing
Sent: 21 May 2024 16:33
To: Ibrahim Hussain
Subject: FW: GoPuff Licensing

Categories: Purple Category

From: Carlo De Stefano <[REDACTED]>
Sent: Tuesday, May 21, 2024 16:33
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Re: GoPuff Licensing

Dear Licensing Team, Tower Hamlets Council,

Apologies, email subject now included in reference to my email below.

Kind regards

From: Carlo De Stefano <[REDACTED]>
Sent: 21 May 2024 15:55
To: licensing@towerhamlets.gov.uk <licensing@towerhamlets.gov.uk>
Subject:

To Licensing Team, Tower Hamlets Council

I wish to object to the application to vary the license to allow Gopuff to sell alcohol 24 hours a day, 7 days a week, on Hemming St.

Hemming Street is a residential street with more than 150 residential properties in the immediate vicinity of Arch 89. There is already considerable public nuisance caused directly by this premises, both during the day, and in the evening; and by other existing anti-social behaviour problems very close by on Hemming St. Additional licensed hours overnight would add further pressure on our small residential street, by:

- adding increased noise nuisance through increased late night activity inside and outside the premises, especially adding to existing nuisance in the yard area outside Arch 89 caused by Gopuff;
- adding increased disturbance and public nuisance due to additional drivers and delivery couriers continually coming and going from the Gopuff premises to deliver alcohol, as well as waiting, smoking, and chatting outside on the street anticipating orders, idling their engines outside the property, particularly late at night when residents are trying to sleep;
- make worse the existing levels of public nuisance and anti-social behaviour that is taking place late at night on Hemming Street and has been reported to the Council and to the Police;

– require increased goods deliveries to Gopuff during the day to stock the unit for night alcohol purchases, which will add significant pressure on an already congested, and dangerous road that is not suitable for large lorry deliveries. Existing goods deliveries to the premises already idle engines outside the premises whilst they obstruct the road and pavement, parking on – and cracking – the pavement stones, and are an obstruction and danger to adults and children alike. There are already often multiple delivery vehicles unloading goods to Gopuff at the same time, which is unsafe.

If granted, this variation would undermine the licensing objectives, and is additionally outside the framework hours that Tower Hamlets Council has adopted.

Please reject the application to vary the license outright.

Carmine De Stefano



Appendix 10

Ibrahim Hussain

From: Licensing
Sent: 21 May 2024 19:11
To: Ibrahim Hussain
Subject: FW: Gopuff application to sell alcohol 24 hours a day, 7 days a week on Hemming Street

Categories: Purple Category

-----Original Message-----

From: Charlotte Wallace [REDACTED]
Sent: Tuesday, May 21, 2024 6:58 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Gopuff application to sell alcohol 24 hours a day, 7 days a week on Hemming Street

Licensing Team, Tower Hamlets Council

I wish to object to the application to vary the license to allow Gopuff to sell alcohol 24 hours a day, 7 days a week, on Hemming St.

Hemming Street is a residential street with more than 150 residential properties in the immediate vicinity of Arch 89. There is already considerable public nuisance caused directly by this premises, both during the day, and in the evening; and by other existing anti-social behaviour problems very close by on Hemming St. Additional licensed hours overnight would add further pressure on our small residential street, by:

- adding increased noise nuisance through increased late night activity inside and outside the premises, especially adding to existing nuisance in the yard area outside Arch 89 caused by Gopuff;
- adding increased disturbance and public nuisance due to additional drivers and delivery couriers continually coming and going from the Gopuff premises to deliver alcohol, as well as waiting, smoking, and chatting outside on the street anticipating orders, idling their engines outside the property, particularly late at night when residents are trying to sleep;
- make worse the existing levels of public nuisance and anti-social behaviour that is taking place late at night on Hemming Street and has been reported to the Council and to the Police;
- require increased goods deliveries to Gopuff during the day to stock the unit for night alcohol purchases, which will add significant pressure on an already congested, and dangerous road that is not suitable for large lorry deliveries. Existing goods deliveries to the premises already idle engines outside the premises whilst they obstruct the road and pavement, parking on – and cracking – the pavement stones, and are an obstruction and danger to adults and children alike. There are already often multiple delivery vehicles unloading goods to Gopuff at the same time, which is unsafe.

If granted, this variation would undermine the licensing objectives, and is additionally outside the framework hours that Tower Hamlets Council has adopted.

Please reject the application to vary the license outright.

Charlotte Wallace
[REDACTED]

Charlotte



Sent from my iPhone

Appendix 11

Ibrahim Hussain

From: Lavine Miller-Johnson on behalf of Licensing
Sent: 21 May 2024 16:14
To: Ibrahim Hussain
Subject: FW: Objections to the Council about Gopuff applying for a 24/7 license to sell alcohol from the arch on Hemming St

Categories: Purple Category

From: Dominic Burrell [REDACTED]
Sent: Tuesday, May 21, 2024, 16:14 :
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Objections to the Council about Gopuff applying for a 24/7 license to sell alcohol from the arch on Hemming St

Hello there,

I wish to object to the application to vary the license to allow Gopuff to sell alcohol 24 hours a day, 7 days a week, on Hemming St.

Hemming Street is a residential street with more than 150 residential properties in the immediate vicinity of Arch 89. There is already considerable public nuisance caused directly by this premises, both during the day, and in the evening; and by other existing anti-social behaviour problems very close by on Hemming St. Additional licensed hours overnight would add further pressure on our small residential street, by:

– adding increased noise nuisance through increased late night activity inside and outside the premises, especially adding to existing nuisance in the yard area outside Arch 89 caused by Gopuff;

– adding increased disturbance and public nuisance due to additional drivers and delivery couriers continually coming and going from the Gopuff premises to deliver alcohol, as well as waiting, smoking, and chatting outside on the street anticipating orders, idling their engines outside the property, particularly late at night when residents are trying to sleep;

– make worse the existing levels of public nuisance and anti-social behaviour that is taking place late at night on Hemming Street and has been reported to the Council and to the Police;

– require increased goods deliveries to Gopuff during the day to stock the unit for night alcohol purchases, which will add significant pressure on an already congested, and dangerous road that is not suitable for large lorry deliveries. Existing goods deliveries to the premises already idle engines outside the premises whilst they obstruct the road and pavement, parking on – and cracking – the pavement stones, and are an obstruction and danger to adults and children alike. There are already often multiple delivery vehicles unloading goods to Gopuff at the same time, which is unsafe.

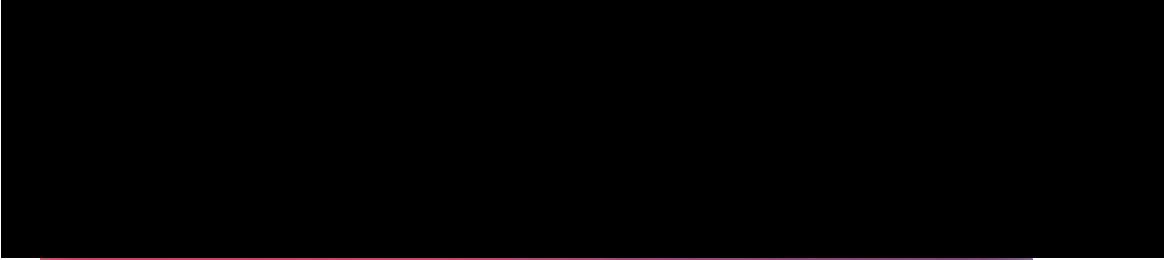
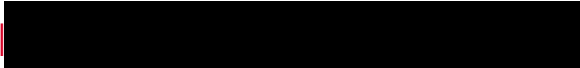
If granted, this variation would undermine the licensing objectives, and is additionally outside the framework hours that Tower Hamlets Council has adopted.

Please reject the application to vary the license outright.

Dominic Burrell



DOMINIC BURRELL



This e-mail is confidential and/or privileged. If you are not the intended recipient of this message please notify us immediately on telephone number [REDACTED] You should not copy, use for any purpose or disclose the contents of this e-mail to any other person.



This e-mail is confidential and/or p [REDACTED] the intended recipient of this message please notify us immediately on telephone numbe [REDACTED] You should not copy, use for any purpose or disclose the contents of this e-mail to any othe [REDACTED].

Appendix 12

Ibrahim Hussain

From: Licensing
Sent: 22 May 2024 11:40
To: Ibrahim Hussain
Subject: FW: Objection - Go Puff

Categories: Blue Category, Purple Category

From: Duygu Dewey Baydur [REDACTED]
Sent: Tuesday, May 21, 2024 9:15 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Objection - Go Puff

To: Licensing Team, Tower Hamlets Council

I wish to object to the application to vary the licence to allow Gopuff to sell alcohol 24 hours a day, 7 days a week, on Hemming St.

Hemming Street is a residential street with more than 150 residential properties in the immediate vicinity of Arch 89. There is already considerable public nuisance caused directly by this premises, both during the day, and in the evening; and by other existing anti-social behaviour problems very close by on Hemming St. Additional licensed hours overnight would add further pressure on our small residential street, by:

- adding increased noise nuisance through increased late night activity inside and outside the premises, especially adding to existing nuisance in the yard area outside Arch 89 caused by Gopuff;
- adding increased disturbance and public nuisance due to additional drivers and delivery couriers continually coming and going from the Gopuff premises to deliver alcohol, as well as waiting, smoking, and chatting outside on the street anticipating orders, idling their engines outside the property, particularly late at night when residents are trying to sleep;
- make worse the existing levels of public nuisance and anti-social behaviour that is taking place late at night on Hemming Street and has been reported to the Council and to the Police;
- require increased goods deliveries to Gopuff during the day to stock the unit for night alcohol purchases, which will add significant pressure on an already congested, and dangerous road that is not suitable for large lorry deliveries. Existing goods deliveries to the premises already idle engines outside the premises whilst they obstruct the road and pavement, parking on – and cracking – the pavement stones, and are an obstruction and danger to adults and children alike. There are already often multiple delivery vehicles unloading goods to Gopuff at the same time, which is unsafe.

If granted, this variation would undermine the licensing objectives, and is additionally outside the framework hours that Tower Hamlets Council has adopted.

Please reject the application to vary the licence outright.

Regards,

Duygu Baydur

[REDACTED]

Sent from my iPhone

Appendix 13

Ibrahim Hussain

From: Licensing
Sent: 20 May 2024 11:36
To: Ibrahim Hussain
Subject: FW: 24-hour retail selling of alcohol to the public

Categories: Purple Category

From: montassir bakkali [REDACTED]
Sent: Monday, May 20, 2024 11:17 AM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Re: 24-hour retail selling of alcohol to the public

[REDACTED]

Sent from [Outlook for iOS](#)

From: Licensing <Licensing@towerhamlets.gov.uk>
Sent: Monday, May 20, 2024 10:54:22 AM
To: 'montassir bakkali' [REDACTED]
Subject: RE: 24-hour retail selling of alcohol to the public

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

Please note when making representation the applicant has the right to view all representations including your details and may contact you during the process to negotiate. If you do not want your details to be public you can make your representation via a third party, such as a resident's group or local Councillor, who can make the representation on your behalf.

The last date to receive a representation is midnight tomorrow (21/5/24).

Kind regards

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

[REDACTED]

www.towerhamlets.gov.uk

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-----Original Message-----

From: montassir bakka [REDACTED]

Sent: Saturday, May 18, 2024 11:54 AM

To: Licensing <Licensing@towerhamlets.gov.uk>

Subject: 24-hour retail selling of alcohol to the public

Gopuff on Hemming street have applied for a 24-hour retail selling of alcohol to the public. We must stop this otherwise Hemming st will become a street full of homeless drunk people and other asb issues. I strongly oppose this due to additional noise but also safety concerns. Yet another source of buying booze at night is not what Tower Hamlets needs, with the current crime levels, ASB and drug use.

Sent from my iPhone

Appendix 14

Ibrahim Hussain

From: Emmanuel Nataf [REDACTED]
Sent: 23 May 2024 13:00
To: Ibrahim Hussain
Subject: Re: Against Gopuff's license extension on Hemming Street

Categories: Green Category, Purple Category

Dear Licensing team,

I'm writing to oppose any license extension given to Gopuff on Hemming Street. As a resident of the street, dark stores and kitchens are the opposite of what the neighborhood needs — we are left with loud (obviously non-electric) scooters polluting our street and no social interaction between residents. It's become a really grim place to live.

Development of quality shops and restaurants should be encouraged to bring back some humanity. Drug dealers and addicts, as well as thieves, are what we have to live with on Hemming Street, making the area terribly unsafe at night. Another place selling alcohol is the opposite of what we need.

Please help us make the area safer, calmer and more human.

Many thanks,

Emmanuel Nataf
[REDACTED]

On Thu, May 23, 2024 at 1:01 PM Ibrahim Hussain [REDACTED] wrote:

Dear Emmanuel

Further to your email making representation against the application, unfortunately we are unable to accept a representation without address details.

If you wish to make a representation please resend your email with your address details.

Please note that the applicant is entitled to a full, un-redacted copy of your representation. They may wish to contact you to mediate an amendment of their application, in order to address your concerns; with a view to you potentially withdrawing your objection. Should you wish to withdraw, please advise in writing to this email address.

Kind regards

Ibrahim Hussain

Licensing Officer

Trading Standard & Licensing

Regulatory Services (Commercial)

4th Floor Tower Hamlets Town Hall

160 Whitechapel Road

London E1 1BJ

[REDACTED]
Licensing Hotline [REDACTED]

Licensing General Email: licensing@towerhamlets.gov.uk

Please visit our web page for application forms and guidance at www.towerhamlets.gov.uk/licensing

www.towerhamlets.gov.uk

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



From: Emmanuel Nata [REDACTED]

Sent: Saturday, May 11,

To: Licensing <Licensing@towerhamlets.gov.uk>

Subject: Against Gopuff's license extension on Hemming Street

Dear Licensing team,

I'm writing to oppose any license extension given to Gopuff on Hemming Street. As a resident of the street, dark stores and kitchens are the opposite of what the neighborhood needs — we are left with loud (obviously non-electric) scooters polluting our street and no social interaction between residents. It's become a really grim place to live.

Development of quality shops and restaurants should be encouraged to bring back some humanity. Drug dealers and addicts, as well as thieves, are what we have to live with on Hemming Street, making the area terribly unsafe at night. Another place selling alcohol is the opposite of what we need.

Please help us make the area safer, calmer and more human.

Many thanks,

Emmanuel

Appendix 15

Ibrahim Hussain

From: Lavine Miller-Johnson on behalf of Licensing
Sent: 21 May 2024 16:08
To: Ibrahim Hussain
Subject: FW: Objection to Gopuff licence

Categories: Purple Category

From: George Rhodes [REDACTED]
Sent: Tuesday, May 21, 2024, 16:08
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Objection to Gopuff licence

To: Licensing Team, Tower Hamlets Council

I wish to object to the application to vary the license to allow Gopuff to sell alcohol 24 hours a day, 7 days a week, on Hemming St.

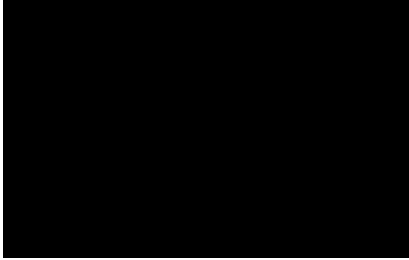
Hemming Street is a residential street with more than 150 residential properties in the immediate vicinity of Arch 89. There is already considerable public nuisance caused directly by this premises, both during the day, and in the evening; and by other existing anti-social behaviour problems very close by on Hemming St. Additional licensed hours overnight would add further pressure on our small residential street, by:

- adding increased noise nuisance through increased late night activity inside and outside the premises, especially adding to existing nuisance in the yard area outside Arch 89 caused by Gopuff;
- adding increased disturbance and public nuisance due to additional drivers and delivery couriers continually coming and going from the Gopuff premises to deliver alcohol, as well as waiting, smoking, and chatting outside on the street anticipating orders, idling their engines outside the property, particularly late at night when residents are trying to sleep;
- make worse the existing levels of public nuisance and anti-social behaviour that is taking place late at night on Hemming Street and has been reported to the Council and to the Police;
- require increased goods deliveries to Gopuff during the day to stock the unit for night alcohol purchases, which will add significant pressure on an already congested, and dangerous road that is not suitable for large lorry deliveries. Existing goods deliveries to the premises already idle engines outside the premises whilst they obstruct the road and pavement, parking on – and cracking – the pavement stones, and are an obstruction and danger to adults and children alike. There are already often multiple delivery vehicles unloading goods to Gopuff at the same time, which is unsafe.

If granted, this variation would undermine the licensing objectives, and is additionally outside the framework hours that Tower Hamlets Council has adopted.

Please reject the application to vary the license outright.

George Rhodes
[REDACTED]



Appendix 16

Ibrahim Hussain

From: Lavine Miller-Johnson on behalf of Licensing
Sent: 21 May 2024 16:16
To: Ibrahim Hussain
Subject: FW: Hemming street, Gopuff 24 /7 Alcohol licensing objection

Categories: Purple Category

From: Gürkan Oluç [REDACTED]
Sent: Tuesday, May 21, 2024 12:46 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Hemming street, Gopuff 24 /7 Alcohol licensing objection

I wish to object to the application to vary the license to allow Gopuff to sell alcohol 24 hours a day, 7 days a week, on Hemming St.

Hemming Street is a residential street with more than 150 residential properties in the immediate vicinity of Arch 89. There is already considerable public nuisance caused directly by this premises, both during the day, and in the evening; and by other existing anti-social behaviour problems very close by on Hemming St. Additional licensed hours overnight would add further pressure on our small residential street, by:

- adding increased noise nuisance through increased late night activity inside and outside the premises, especially adding to existing nuisance in the yard area outside Arch 89 caused by Gopuff;
- adding increased disturbance and public nuisance due to additional drivers and delivery couriers continually coming and going from the Gopuff premises to deliver alcohol, as well as waiting, smoking, and chatting outside on the street anticipating orders, idling their engines outside the property, particularly late at night when residents are trying to sleep;
- make worse the existing levels of public nuisance and anti-social behaviour that is taking place late at night on Hemming Street and has been reported to the Council and to the Police;
- require increased goods deliveries to Gopuff during the day to stock the unit for night alcohol purchases, which will add significant pressure on an already congested, and dangerous road that is not suitable for large lorry deliveries. Existing goods deliveries to the premises already idle engines outside the premises whilst they obstruct the road and pavement, parking on – and cracking – the pavement stones, and are an obstruction and danger to adults and children alike. There are already often multiple delivery vehicles unloading goods to Gopuff at the same time, which is unsafe.

If granted, this variation would undermine the licensing objectives, and is additionally outside the framework hours that Tower Hamlets Council has adopted.

Please reject the application to vary the license outright.

Gurkan Oluç
[REDACTED]

Appendix 17

Ibrahim Hussain

From: Lavine Miller-Johnson on behalf of Licensing
Sent: 21 May 2024 16:14
To: Ibrahim Hussain
Subject: FW: Request to reject Gopuff Application

Categories: Purple Category

-----Original Mes
From: Jae Chung [REDACTED]
Sent: Tuesday, May 21, 2024 12:43 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Request to reject Gopuff Application

To: Licensing Team, Tower Hamlets Council

I wish to object to the application to vary the license to allow Gopuff to sell alcohol 24 hours a day, 7 days a week, on Hemming St.

Hemming Street is a residential street with more than 150 residential properties in the immediate vicinity of Arch 89. There is already considerable public nuisance caused directly by this premises, both during the day, and in the evening; and by other existing anti-social behaviour problems very close by on Hemming St. Additional licensed hours overnight would add further pressure on our small residential street, by:

- adding increased noise nuisance through increased late night activity inside and outside the premises, especially adding to existing nuisance in the yard area outside Arch 89 caused by Gopuff;
- adding increased disturbance and public nuisance due to additional drivers and delivery couriers continually coming and going from the Gopuff premises to deliver alcohol, as well as waiting, smoking, and chatting outside on the street anticipating orders, idling their engines outside the property, particularly late at night when residents are trying to sleep;
- make worse the existing levels of public nuisance and anti-social behaviour that is taking place late at night on Hemming Street and has been reported to the Council and to the Police;
- require increased goods deliveries to Gopuff during the day to stock the unit for night alcohol purchases, which will add significant pressure on an already congested, and dangerous road that is not suitable for large lorry deliveries. Existing goods deliveries to the premises already idle engines outside the premises whilst they obstruct the road and pavement, parking on – and cracking – the pavement stones, and are an obstruction and danger to adults and children alike. There are already often multiple delivery vehicles unloading goods to Gopuff at the same time, which is unsafe.

If granted, this variation would undermine the licensing objectives, and is additionally outside the framework hours that Tower Hamlets Council has adopted.

Please reject the application to vary the license outright.

Kind regards
Jaeyun Chung



Sent from my iPhone

Appendix 18

Ibrahim Hussain

From: Licensing
Sent: 22 May 2024 11:41
To: Ibrahim Hussain
Subject: FW: Objection to Gopuff's application to vary their license to sell alcohol 24 hours

Categories: Purple Category

From: [REDACTED]
Sent: Tuesday, May 21, 2024 10:47 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Objection to Gopuff's application to vary their license to sell alcohol 24 hours

To: Licensing Team, Tower Hamlets Council

I wish to object to the application to vary the license to allow Gopuff to sell alcohol 24 hours a day, 7 days a week, on Hemming St.

Hemming Street is a residential street with more than 150 residential properties in the immediate vicinity of Arch 89. There is already considerable public nuisance caused directly by these premises, both during the day, and in the evening; and by other existing anti-social behaviour problems very close by on Hemming St. Additional licensed hours overnight would add further pressure on our small residential street, by:

- adding increased noise nuisance through increased late night activity inside and outside the premises, especially adding to existing nuisance in the yard area outside Arch 89 caused by Gopuff;
- adding increased disturbance and public nuisance due to additional drivers and delivery couriers continually coming and going from the Gopuff premises to deliver alcohol, as well as waiting, smoking, and chatting outside on the street anticipating orders, idling their engines outside the property, particularly late at night when residents are trying to sleep;
- make worse the existing levels of public nuisance and anti-social behaviour that is taking place late at night on Hemming Street and has been reported to the Council and to the Police;
- require increased goods deliveries to Gopuff during the day to stock the unit for night alcohol purchases, which will add significant pressure on an already congested, and dangerous road that is not suitable for large lorry deliveries. Existing goods deliveries to the premises already idle engines outside the premises whilst they obstruct the road and pavement, parking on – and cracking – the pavement stones, and are an obstruction and danger to adults and children alike. There are already often multiple delivery vehicles unloading goods to Gopuff at the same time, which is unsafe.

If granted, this variation would undermine the licensing objectives, and is additionally outside the framework hours that Tower Hamlets Council has adopted.

Please reject the application to vary the license outright.

Karen Woo
[REDACTED]

Appendix 19

Ibrahim Hussain

From: Lavine Miller-Johnson on behalf of Licensing
Sent: 21 May 2024 16:17
To: Ibrahim Hussain
Subject: FW: Objection to Gopuff application to vary their licence

Categories: Purple Category

From: Kasia Szeliga [REDACTED]
Sent: Tuesday, May 21, 2024 12:50 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Objection to Gopuff application to vary their licence

To: Licensing Team, Tower Hamlets Council

I wish to object to the application to vary the license to allow Gopuff to sell alcohol 24 hours a day, 7 days a week, on Hemming St.

Hemming Street is a residential street with more than 150 residential properties in the immediate vicinity of Arch 89. There is already considerable public nuisance caused directly by this premises, both during the day, and in the evening; and by other existing anti-social behaviour problems very close by on Hemming St. Additional licensed hours overnight would add further pressure on our small residential street, by:

- adding increased noise nuisance through increased late night activity inside and outside the premises, especially adding to existing nuisance in the yard area outside Arch 89 caused by Gopuff;
- adding increased disturbance and public nuisance due to additional drivers and delivery couriers continually coming and going from the Gopuff premises to deliver alcohol, as well as waiting, smoking, and chatting outside on the street anticipating orders, idling their engines outside the property, particularly late at night when residents are trying to sleep;
- make worse the existing levels of public nuisance and anti-social behaviour that is taking place late at night on Hemming Street and has been reported to the Council and to the Police;
- require increased goods deliveries to Gopuff during the day to stock the unit for night alcohol purchases, which will add significant pressure on an already congested, and dangerous road that is not suitable for large lorry deliveries. Existing goods deliveries to the premises already idle engines outside the premises whilst they obstruct the road and pavement, parking on – and cracking – the pavement stones, and are an obstruction and danger to adults and children alike. There are already often multiple delivery vehicles unloading goods to Gopuff at the same time, which is unsafe.

If granted, this variation would undermine the licensing objectives, and is additionally outside the framework hours that Tower Hamlets Council has adopted.

Please reject the application to vary the license outright.

Katarzyna Szeliga



Appendix 20

Ibrahim Hussain

From: Licensing
Sent: 22 May 2024 11:40
To: Ibrahim Hussain
Subject: FW: Objection to Gopuff alcohol licence Hemming Street

Categories: Blue Category, Purple Category

From: Martin Coucke [REDACTED]
Sent: Tuesday, May 21, 2024 7:42 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Objection to Gopuff alcohol licence Hemming Street

Hello

I wish to object to the application to vary the license to allow Gopuff to sell alcohol 24 hours a day, 7 days a week, on Hemming St.

Hemming Street is a residential street with more than 150 residential properties in the immediate vicinity of Arch 89. There is already considerable public nuisance caused directly by this premises, both during the day, and in the evening; and by other existing anti-social behaviour problems very close by on Hemming St. Additional licensed hours overnight would add further pressure on our small residential street, by:

- adding increased noise nuisance through increased late night activity inside and outside the premises, especially adding to existing nuisance in the yard area outside Arch 89 caused by Gopuff;
- adding increased disturbance and public nuisance due to additional drivers and delivery couriers continually coming and going from the Gopuff premises to deliver alcohol, as well as waiting, smoking, and chatting outside on the street anticipating orders, idling their engines outside the property, particularly late at night when residents are trying to sleep;
- make worse the existing levels of public nuisance and anti-social behaviour that is taking place late at night on Hemming Street and has been reported to the Council and to the Police;
- require increased goods deliveries to Gopuff during the day to stock the unit for night alcohol purchases, which will add significant pressure on an already congested, and dangerous road that is not suitable for large lorry deliveries. Existing goods deliveries to the premises already idle engines outside the premises whilst they obstruct the road and pavement, parking on – and cracking – the pavement stones, and are an obstruction and danger to adults and children alike. There are already often multiple delivery vehicles unloading goods to Gopuff at the same time, which is unsafe.

If granted, this variation would undermine the licensing objectives, and is additionally outside the framework hours that Tower Hamlets Council has adopted.

Please reject the application to vary the license outright.

Best,
Martin Coucke
[REDACTED]

Appendix 21

Ibrahim Hussain

From: Lavine Miller-Johnson on behalf of Licensing
Sent: 21 May 2024 16:17
To: Ibrahim Hussain
Subject: FW: Objection to Amendment of Gopuff License - Hemming Street, E1

Categories: Purple Category

-----Original Message-----

From: Matthew Armstrong [REDACTED]
Sent: Tuesday, May 21, 2024 12:48 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Objection to Amendment of Gopuff License - Hemming Street, E1

To: Licensing Team, Tower Hamlets Council

I wish to object to the application to vary the license to allow Gopuff to sell alcohol 24 hours a day, 7 days a week, on Hemming St.

Hemming Street is a residential street with more than 150 residential properties in the immediate vicinity of Arch 89. There is already considerable public nuisance caused directly by this premises, both during the day, and in the evening; and by other existing anti-social behaviour problems very close by on Hemming St. Additional licensed hours overnight would add further pressure on our small residential street, by:

- adding increased noise nuisance through increased late night activity inside and outside the premises, especially adding to existing nuisance in the yard area outside Arch 89 caused by Gopuff;
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- make worse the existing levels of public nuisance and anti-social behaviour that is taking place late at night on Hemming Street and has been reported to the Council and to the Police;
- require increased goods deliveries to Gopuff during the day to stock the unit for night alcohol purchases, which will add significant pressure on an already congested, and dangerous road that is not suitable for large lorry deliveries. Existing goods deliveries to the premises already idle engines outside the premises whilst they obstruct the road and pavement, parking on – and cracking – the pavement stones, and are an obstruction and danger to adults and children alike. There are already often multiple delivery vehicles unloading goods to Gopuff at the same time, which is unsafe.

If granted, this variation would undermine the licensing objectives, and is additionally outside the framework hours that Tower Hamlets Council has adopted.

Please reject the application to vary the license outright.

Regards,
Matthew Armstrong



Appendix 22

Ibrahim Hussain

From: Lavine Miller-Johnson on behalf of Licensing
Sent: 21 May 2024 16:13
To: Ibrahim Hussain
Subject: FW: Objecting Gopuff licensing

Categories: Purple Category

From: Mehdi Kaddour [REDACTED]
Sent: Tuesday, May 21, 2024 12:46 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Objecting Gopuff licensing

Licensing Team, Tower Hamlets Council I wish to object to the application to vary the license to allow Gopuff to sell alcohol 24 hours a day, 7 days a week, on Hemming St. Hemming Street is a residential street with more than 150 residential properties in the immediate vicinity of Arch 89. There is already considerable public nuisance caused directly by this premises, both during the day, and in the evening; and by other existing anti-social behaviour problems very close by on Hemming St. Additional licensed hours overnight would add further pressure on our small residential street, by: – adding increased noise nuisance through increased late night activity inside and outside the premises, especially adding to existing nuisance in the yard area outside Arch 89 caused by Gopuff; – adding increased disturbance and public nuisance due to additional drivers and delivery couriers continually coming and going from the Gopuff premises to deliver alcohol, as well as waiting, smoking, and chatting outside on the street anticipating orders, idling their engines outside the property, particularly late at night when residents are trying to sleep; – make worse the existing levels of public nuisance and anti-social behaviour that is taking place late at night on Hemming Street and has been reported to the Council and to the Police; – require increased goods deliveries to Gopuff during the day to stock the unit for night alcohol purchases, which will add significant pressure on an already congested, and dangerous road that is not suitable for large lorry deliveries. Existing goods deliveries to the premises already idle engines outside the premises whilst they obstruct the road and pavement, parking on – and cracking – the pavement stones, and are an obstruction and danger to adults and children alike. There are already often multiple delivery vehicles unloading goods to Gopuff at the same time, which is unsafe. If granted, this variation would undermine the licensing objectives, and is additionally outside the framework hours that Tower Hamlets Council has adopted. Please reject the application to vary the license outright.

Mehdi Kaddour
[REDACTED]

Appendix 23

Ibrahim Hussain

From: Lavine Miller-Johnson on behalf of Licensing
Sent: 21 May 2024 16:51
To: Ibrahim Hussain
Subject: FW: Objection Gopuff alcohol licence

Categories: Purple Category

-----Original Message
From: Merel Theise [REDACTED]
Sent: Tuesday, May 21, 2024 4:40 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Objection Gopuff alcohol licence

To: Licensing Team, Tower Hamlets Council

I wish to object to the application to vary the license to allow Gopuff to sell alcohol 24 hours a day, 7 days a week, on Hemming St.

Hemming Street is a residential street with more than 150 residential properties in the immediate vicinity of Arch 89. There is already considerable public nuisance caused directly by this premises, both during the day, and in the evening; and by other existing anti-social behaviour problems very close by on Hemming St. Additional licensed hours overnight would add further pressure on our small residential street, by:

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- make worse the existing levels of public nuisance and anti-social behaviour that is taking place late at night on Hemming Street and has been reported to the Council and to the Police;
- require increased goods deliveries to Gopuff during the day to stock the unit for night alcohol purchases, which will add significant pressure on an already congested, and dangerous road that is not suitable for large lorry deliveries. Existing goods deliveries to the premises already idle engines outside the premises whilst they obstruct the road and pavement, parking on – and cracking – the pavement stones, and are an obstruction and danger to adults and children alike. There are already often multiple delivery vehicles unloading goods to Gopuff at the same time, which is unsafe.

If granted, this variation would undermine the licensing objectives, and is additionally outside the framework hours that Tower Hamlets Council has adopted.

Please reject the application to vary the license outright.

Kind regards,
Merel Theisen



Appendix 24

Ibrahim Hussain

From: Licensing
Sent: 21 May 2024 18:29
To: Ibrahim Hussain
Subject: FW: GoPuff Alcohol License Hemming St.

Categories: Purple Category

-----Original Message-----

From: Michael McGee [REDACTED]
Sent: Tuesday, May 21, 2024 6:19 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: GoPuff Alcohol License Hemming St.

To: Licensing Team, Tower Hamlets Council

I wish to object to the application to vary the license to allow Gopuff to sell alcohol 24 hours a day, 7 days a week, on Hemming St.

Hemming Street is a residential street with more than 150 residential properties in the immediate vicinity of Arch 89. There is already considerable public nuisance caused directly by this premises, both during the day, and in the evening; and by other existing anti-social behaviour problems very close by on Hemming St. Additional licensed hours overnight would add further pressure on our small residential street, by:

- adding increased noise nuisance through increased late night activity inside and outside the premises, especially adding to existing nuisance in the yard area outside Arch 89 caused by Gopuff;
- adding increased disturbance and public nuisance due to additional drivers and delivery couriers continually coming and going from the Gopuff premises to deliver alcohol, as well as waiting, smoking, and chatting outside on the street anticipating orders, idling their engines outside the property, particularly late at night when residents are trying to sleep;
- make worse the existing levels of public nuisance and anti-social behaviour that is taking place late at night on Hemming Street and has been reported to the Council and to the Police;
- require increased goods deliveries to Gopuff during the day to stock the unit for night alcohol purchases, which will add significant pressure on an already congested, and dangerous road that is not suitable for large lorry deliveries. Existing goods deliveries to the premises already idle engines outside the premises whilst they obstruct the road and pavement, parking on – and cracking – the pavement stones, and are an obstruction and danger to adults and children alike. There are already often multiple delivery vehicles unloading goods to Gopuff at the same time, which is unsafe.

If granted, this variation would undermine the licensing objectives, and is additionally outside the framework hours that Tower Hamlets Council has adopted.

Please reject the application to vary the license outright.

Thank you,

Michael McGee
[REDACTED]

Sent from my iPhone

Appendix 25

Ibrahim Hussain

From: Licensing
Sent: 13 May 2024 10:47
To: Ibrahim Hussain
Subject: FW: Oppose to License 24-hrs alcohol sales at Gopuff 89 Hemming st E1 5BW

Categories: Purple Category

-----Original Message-----

From: Mohammed Tanbir [REDACTED]
Sent: Saturday, May 11, 2024 12:59 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Oppose to License 24-hrs alcohol sales at Gopuff 89 Hemming st E1 5BW

Dear Licensing Team,

I am a resident of Hemming Street and have lived in the local area for over 30-years. I have seen the different levels of ASB that affect the living conditions of local residents due to drug misuse and alcohol related ASB.

I strongly oppose to the extension of license applied by Gopuff who currently operate sales of food items that cause so much noise and gathering of their delivery riders.

Sadly we have some benches on Hemming street that were placed as part of the new development of 4-blocks of apartments. This already brings a huge amount of ASB to the area. Over the last 4-years many hundreds of complaints have been made by residents to both the police and Council.

We have also tried to remove the benches by request to the council but nothing has been done.

Given all the facts all the residents on Hemming St and surrounding streets strongly oppose to the extended license being issued to Gopuff at 89 Hemming street.

This will bring heavy traffic footfall and nuisance & ASB behavior which will affect the lives of residents who live on Hemming street and surrounding streets. This will not only ruin the peace on Hemming street but this will bring a huge amount of alcohol related crime in the borough. The council and police are already struggling to address the issues and this will only add to the increased list of problems.

I hope that this will be very carefully scrutinized and carefully thought through process for the sake of the residents of Tower hamlets.

Respectfully submitted.

Kind Regards

Mohammed Tanbir
[REDACTED]

Appendix 26

Ibrahim Hussain

From: Licensing
Sent: 21 May 2024 18:29
To: Ibrahim Hussain
Subject: FW: Go Puff License

Categories: Purple Category

From: nicholas bloc [REDACTED]
Sent: Tuesday, May 21, 2024 6:27 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Go Puff License

To: Licensing Team, Tower Hamlets Council

I wish to object to the application to vary the license to allow Gopuff to sell alcohol 24 hours a day, 7 days a week, on Hemming St.

Hemming Street is a residential street with more than 150 residential properties in the immediate vicinity of Arch 89. There is already considerable public nuisance caused directly by this premises, both during the day, and in the evening; and by other existing anti-social behaviour problems very close by on Hemming St. Additional licensed hours overnight would add further pressure on our small residential street, by:

- adding increased noise nuisance through increased late night activity inside and outside the premises, especially adding to existing nuisance in the yard area outside Arch 89 caused by Gopuff;
- adding increased disturbance and public nuisance due to additional drivers and delivery couriers continually coming and going from the Gopuff premises to deliver alcohol, as well as waiting, smoking, and chatting outside on the street anticipating orders, idling their engines outside the property, particularly late at night when residents are trying to sleep;
- make worse the existing levels of public nuisance and anti-social behaviour that is taking place late at night on Hemming Street and has been reported to the Council and to the Police;
- require increased goods deliveries to Gopuff during the day to stock the unit for night alcohol purchases, which will add significant pressure on an already congested, and dangerous road that is not suitable for large lorry deliveries. Existing goods deliveries to the premises already idle engines outside the premises whilst they obstruct the road and pavement, parking on – and cracking – the pavement stones, and are an obstruction and danger to adults and children alike. There are already often multiple delivery vehicles unloading goods to Gopuff at the same time, which is unsafe.

If granted, this variation would undermine the licensing objectives, and is additionally outside the framework hours that Tower Hamlets Council has adopted.

Please reject the application to vary the license outright.

Sincerely,

Nicholas Block

Appendix 27

Ibrahim Hussain

From: Lavine Miller-Johnson on behalf of Licensing
Sent: 21 May 2024 16:36
To: Ibrahim Hussain
Subject: FW: Licensing Team, Tower Hamlets Council

Importance: High

Categories: Purple Category

From: AHMED, Russel (ROYAL FREE LONDON NHS FOUNDATION TRUST) [REDACTED]

Sent: Tuesday, May 21, 2024 3:45 PM

To: Licensing <Licensing@towerhamlets.gov.uk>

Cc: [REDACTED]

Subject: Licensing team, tower hamlets council

Importance: High

To: Licensing Team, Tower Hamlets Council

I wish to object to the application to vary the license to allow Gopuff to sell alcohol 24 hours a day, 7 days a week, on Hemming St.

Hemming Street is a residential street with more than 150 residential properties in the immediate vicinity of Arch 89. There is already considerable public nuisance caused directly by this premises, both during the day, and in the evening; and by other existing anti-social behaviour problems very close by on Hemming St. Additional licensed hours overnight would add further pressure on our small residential street, by:

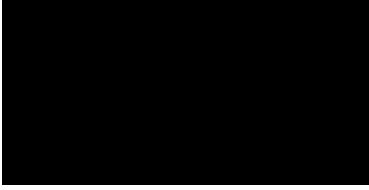
- Adding increased noise nuisance through increased late night activity inside and outside the premises, especially adding to existing nuisance in the yard area outside Arch 89 caused by Gopuff.
- Adding increased disturbance and public nuisance due to additional drivers and delivery couriers continually coming and going from the Gopuff premises to deliver alcohol, as well as waiting, smoking, and chatting outside on the street anticipating orders, idling their engines outside the property, particularly late at night when residents are trying to sleep.
- Make worse the existing levels of public nuisance and anti-social behaviour that is taking place late at night on Hemming Street and has been reported to the Council and to the Police.
- Require increased goods deliveries to Gopuff during the day to stock the unit for night alcohol purchases, which will add significant pressure on an already congested, and dangerous road that is not suitable for large lorry deliveries. Existing goods deliveries to the premises already idle engines outside the premises whilst they obstruct the road and pavement, parking on – and cracking – the pavement stones, and are an obstruction and danger to adults and children alike. There are already often multiple delivery vehicles unloading goods to Gopuff at the same time, which is unsafe.

If granted, this variation would undermine the licensing objectives, and is additionally outside the framework hours that Tower Hamlets Council has adopted.

Please reject the application to vary the license outright. If you have any further questions, please do not hesitate to contact me.

Kind regards.

Nisha Ahmed



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- i) inform the sender that you have received the message in error before deleting it; and
 - ii) do not disclose, copy or distribute information in this e-mail or take any action in relation to its content (to do so is strictly prohibited and may be unlawful).
- Thank you for your co-operation.

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Appendix 28

Ibrahim Hussain

From: Lavine Miller-Johnson on behalf of Licensing
Sent: 21 May 2024 16:32
To: Ibrahim Hussain
Subject: FW: Gopuff to sell alcohol 24 hours a day, 7 days a week

Categories: Purple Category

From: Lucanu Razva [REDACTED]
Sent: Tuesday, May 21, 2024 4:19 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Gopuff to sell alcohol 24 hours a day, 7 days a week

To: Licensing Team, Tower Hamlets Council

I wish to object to the application to vary the license to allow Gopuff to sell alcohol 24 hours a day, 7 days a week, on Hemming St.

Hemming Street is a residential street with more than 150 residential properties in the immediate vicinity of Arch 89. There is already considerable public nuisance caused directly by this premises, both during the day, and in the evening; and by other existing anti-social behaviour problems very close by on Hemming St. Additional licensed hours overnight would add further pressure on our small residential street, by:

- adding increased noise nuisance through increased late night activity inside and outside the premises, especially adding to existing nuisance in the yard area outside Arch 89 caused by Gopuff;
- adding increased disturbance and public nuisance due to additional drivers and delivery couriers continually coming and going from the Gopuff premises to deliver alcohol, as well as waiting, smoking, and chatting outside on the street anticipating orders, idling their engines outside the property, particularly late at night when residents are trying to sleep;
- make worse the existing levels of public nuisance and anti-social behaviour that is taking place late at night on Hemming Street and has been reported to the Council and to the Police;
- require increased goods deliveries to Gopuff during the day to stock the unit for night alcohol purchases, which will add significant pressure on an already congested, and dangerous road that is not suitable for large lorry deliveries. Existing goods deliveries to the premises already idle engines outside the premises whilst they obstruct the road and pavement, parking on – and cracking – the pavement stones, and are an obstruction and danger to adults and children alike. There are already often multiple delivery vehicles unloading goods to Gopuff at the same time, which is unsafe.

If granted, this variation would undermine the licensing objectives, and is additionally outside the framework hours that Tower Hamlets Council has adopted.

Please reject the application to vary the license outright.

Razvan Lucanu
[REDACTED]

Appendix 29

Ibrahim Hussain

From: Licensing
Sent: 22 May 2024 11:40
To: Ibrahim Hussain
Subject: FW: Objection Go Puff

Categories: Purple Category

From: Roberto Tamsanguan [REDACTED]
Sent: Tuesday, May 21, 2024 9:19 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Objection Go Puff

I wish to object to the application to vary the licence to allow Gopuff to sell alcohol 24 hours a day, 7 days a week, on Hemming St.

Hemming Street is a residential street with more than 150 residential properties in the immediate vicinity of Arch 89. There is already considerable public nuisance caused directly by this premises, both during the day, and in the evening; and by other existing anti-social behaviour problems very close by on Hemming St. Additional licensed hours overnight would add further pressure on our small residential street, by:

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- adding increased disturbance and public nuisance due to additional drivers and delivery couriers continually coming and going from the Gopuff premises to deliver alcohol, as well as waiting, smoking, and chatting outside on the street anticipating orders, idling their engines outside the property, particularly late at night when residents are trying to sleep;
- make worse the existing levels of public nuisance and anti-social behaviour that is taking place late at night on Hemming Street and has been reported to the Council and to the Police;
- require increased goods deliveries to Gopuff during the day to stock the unit for night alcohol purchases, which will add significant pressure on an already congested, and dangerous road that is not suitable for large lorry deliveries. Existing goods deliveries to the premises already idle engines outside the premises whilst they obstruct the road and pavement, parking on – and cracking – the pavement stones, and are an obstruction and danger to adults and children alike. There are already often multiple delivery vehicles unloading goods to Gopuff at the same time, which is unsafe.

If granted, this variation would undermine the licensing objectives, and is additionally outside the framework hours that Tower Hamlets Council has adopted.

Please reject the application to vary the licence outright.

Many thanks

[REDACTED]

Appendix 30

Ibrahim Hussain

From: Licensing
Sent: 22 May 2024 11:41
To: Ibrahim Hussain
Subject: FW: GOBRANDS UK HOLDINGS LTD (Gopuff) – Hemming St, E1 5BW
Attachments: Untitled document.pdf

Categories: Purple Category

From: Rory Malone [REDACTED]
Sent: Wednesday, May 22, 2024 12:00 AM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: GOBRANDS UK HOLDINGS LTD (Gopuff) – Hemming St, E1 5BW

To Licensing, Tower Hamlets Council

As a local resident, I object to the application by GOBRANDS UK HOLDINGS LTD, who trade as Gopuff from arch 89, Hemming St, London, E1 5BW, to extend their licenced activities to permit the sale of alcohol (off sales) Monday to Sunday 24 hours per day.

I wish to attend any Licensing Sub-Committee Hearing on this case, and speak on behalf of myself, and other local residents.

Our residential building, Rigel House on Hemming Street is adjacent to the licenced premises. In our building there are 7 floors of bedrooms (including children's bedrooms) overlooking arch 89. To be clear, this is overlooking the only entrance/egress from the premises used by Gopuff.

The applicant is already failing to meet the council's licensing objectives, and since the applicant was granted their license following the Licensing Sub-Committee Hearing on 22nd February 2022, the applicant has failed to uphold existing conditions imposed by the council upon them.

[Evidence to support this - attached as pdf](#)

Yours sincerely,

Rory Malone

[REDACTED]

Appendix 31

Ibrahim Hussain

From: Lavine Miller-Johnson on behalf of Licensing
Sent: 21 May 2024 16:09
To: Ibrahim Hussain
Subject: FW: Objection

Categories: Purple Category

-----Original Message-----

From: [REDACTED]
Sent: Tuesday, May 21, 2024 1:35 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Objection

To: Licensing Team, Tower Hamlets Council

I wish to object to the application to vary the license to allow Gopuff to sell alcohol 24 hours a day, 7 days a week, on Hemming St.

Hemming Street is a residential street with more than 150 residential properties in the immediate vicinity of Arch 89. There is already considerable public nuisance caused directly by this premises, both during the day, and in the evening; and by other existing anti-social behaviour problems very close by on Hemming St. Additional licensed hours overnight would add further pressure on our small residential street, by:

- adding increased noise nuisance through increased late night activity inside and outside the premises, especially adding to existing nuisance in the yard area outside Arch 89 caused by Gopuff;
- adding increased disturbance and public nuisance due to additional drivers and delivery couriers continually coming and going from the Gopuff premises to deliver alcohol, as well as waiting, smoking, and chatting outside on the street anticipating orders, idling their engines outside the property, particularly late at night when residents are trying to sleep;
- make worse the existing levels of public nuisance and anti-social behaviour that is taking place late at night on Hemming Street and has been reported to the Council and to the Police;
- require increased goods deliveries to Gopuff during the day to stock the unit for night alcohol purchases, which will add significant pressure on an already congested, and dangerous road that is not suitable for large lorry deliveries. Existing goods deliveries to the premises already idle engines outside the premises whilst they obstruct the road and pavement, parking on – and cracking – the pavement stones, and are an obstruction and danger to adults and children alike. There are already often multiple delivery vehicles unloading goods to Gopuff at the same time, which is unsafe.

If granted, this variation would undermine the licensing objectives, and is additionally outside the framework hours that Tower Hamlets Council has adopted.

Please reject the application to vary the license outright.



Appendix 32

Ibrahim Hussain

From: Licensing
Sent: 13 May 2024 10:47
To: Ibrahim Hussain
Subject: FW: GoPuff 89 Hemming St

Categories: Purple Category

-----Original Message-----

From: Sarah McGee [REDACTED]
Sent: Saturday, May 11, 2024 12:26 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: GoPuff 89 Hemming St

Hello,

As a resident of 18 Hemming Street, we are strongly against the option for 24-hr operation. The neighbourhood does not need any further traffic (motorbike, car or cycle) or people with little care to the surrounding area. Children are on this street, including my own, and our flat overlooks GoPuff. We have drivers that drive on pavements with no care of pedestrians. They have idling trucks for hours as they unload product creating a lot of noise and pollution — creating further disruption. Creating an option for 24 hr sales increases the amount of people round the clock on a street that does not need it. More importantly, at present the drivers should not congregate outside and they often do — this is absolutely not needed throughout the night.

Please take this into consideration — the Council approved a 144 unit build making the area residential. Please be mindful of the people who have bought these properties, making this their home — thinking it is a safe and healthy place for their families.

Thank you,
Sarah McGee

[REDACTED]

Sent from my iPhone

Appendix 33

Ibrahim Hussain

From: Lavine Miller-Johnson on behalf of Licensing
Sent: 21 May 2024 16:15
To: Ibrahim Hussain
Subject: FW: Gopuff Hemming Street

Categories: Purple Category

-----Original Message-----

From: Sebastian Gomez-Alarcon [REDACTED]
Sent: Tuesday, May 21, 2024 12:36 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Gopuff Hemming Street

To: Licensing Team, Tower Hamlets Council

I wish to object to the application to vary the licence to allow Gopuff to sell alcohol 24 hours a day, 7 days a week, on Hemming St.

Hemming Street is a residential street with more than 150 residential properties in the immediate vicinity of Arch 89. There is already considerable public nuisance caused directly by this premises, both during the day, and in the evening; and by other existing anti-social behaviour problems very close by on Hemming St. Additional licenced hours overnight would add further pressure on our small residential street, by:

- adding increased noise nuisance through increased late night activity inside and outside the premises, especially adding to existing nuisance in the yard area outside Arch 89 caused by Gopuff;
- adding increased disturbance and public nuisance due to additional drivers and delivery couriers continually coming and going from the Gopuff premises to deliver alcohol, as well as waiting, smoking, and chatting outside on the street anticipating orders, idling their engines outside the property, particularly late at night when residents are trying to sleep;
- make worse the existing levels of public nuisance and anti-social behaviour that is taking place late at night on Hemming Street and has been reported to the Council and to the Police;
- require increased goods deliveries to Gopuff during the day to stock the unit for night alcohol purchases, which will add significant pressure on an already congested, and dangerous road that is not suitable for large lorry deliveries. Existing goods deliveries to the premises already idle engines outside the premises whilst they obstruct the road and pavement, parking on – and cracking – the pavement stones, and are an obstruction and danger to adults and children alike. There are already often multiple delivery vehicles unloading goods to Gopuff at the same time, which is unsafe.

If granted, this variation would undermine the licensing objectives, and is additionally outside the framework hours that Tower Hamlets Council has adopted.

Please reject the application to vary the licence outright.

Sebastian GOMEZ-ALARCON



Sent from my MobilePhone

Appendix 34

Ibrahim Hussain

From: Licensing
Sent: 22 May 2024 11:40
To: Ibrahim Hussain
Subject: FW: Go Puff Objection

Categories: Purple Category

From: Shawn Clarke [REDACTED]
Sent: Tuesday, May 21, 2024 9:26 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Go Puff Objection

To: Licensing Team, Tower Hamlets Council

I wish to object to the application to vary the license to allow Gopuff to sell alcohol 24 hours a day, 7 days a week, on Hemming St.

Hemming Street is a residential street with more than 150 residential properties in the immediate vicinity of Arch 89. There is already considerable public nuisance caused directly by this premises, both during the day, and in the evening; and by other existing anti-social behaviour problems very close by on Hemming St. Additional licensed hours overnight would add further pressure on our small residential street, by:

- adding increased noise nuisance through increased late night activity inside and outside the premises, especially adding to existing nuisance in the yard area outside Arch 89 caused by Gopuff;
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- make worse the existing levels of public nuisance and anti-social behaviour that is taking place late at night on Hemming Street and has been reported to the Council and to the Police;
- require increased goods deliveries to Gopuff during the day to stock the unit for night alcohol purchases, which will add significant pressure on an already congested, and dangerous road that is not suitable for large lorry deliveries. Existing goods deliveries to the premises already idle engines outside the premises whilst they obstruct the road and pavement, parking on – and cracking – the pavement stones, and are an obstruction and danger to adults and children alike. There are already often multiple delivery vehicles unloading goods to Gopuff at the same time, which is unsafe.

If granted, this variation would undermine the licensing objectives, and is additionally outside the framework hours that Tower Hamlets Council has adopted.

Please reject the application to vary the license outright.

Best,

Shawn Clarke

[REDACTED]



Appendix 35

Ibrahim Hussain

From: Licensing
Sent: 22 May 2024 11:40
To: Ibrahim Hussain
Subject: FW: Objection for Gopuff alcohol selling license

Categories: Purple Category

From: Shushan Davtyan [REDACTED]
Sent: Tuesday, May 21, 2024 9:19 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Objection for Gopuff alcohol selling license

To: Licensing Team, Tower Hamlets Council
From: Shushan Davtyan
[REDACTED]

I wish to object to the application to vary the license to allow Gopuff to sell alcohol 24 hours a day, 7 days a week, on Hemming St.

We already have anti social behaviour, drug selling and drug taking in the neighbourhood. And I believe granting alcohol selling license will worsen the situation.

Hemming Street is a residential street with more than 150 residential properties in the immediate vicinity of Arch 89. There is already considerable public nuisance caused directly by this premises, both during the day, and in the evening; and by other existing anti-social behaviour problems very close by on Hemming St. Additional licensed hours overnight would add further pressure on our small residential street, by:

- adding increased noise nuisance through increased late night activity inside and outside the premises, especially adding to existing nuisance in the yard area outside Arch 89 caused by Gopuff;

- adding increased disturbance and public nuisance due to additional drivers and delivery couriers continually coming and going from the Gopuff premises to deliver alcohol, as well as waiting, smoking, and chatting outside on the street anticipating orders, idling their engines outside the property, particularly late at night when residents are trying to sleep;

- make worse the existing levels of public nuisance and anti-social behaviour that is taking place late at night on Hemming Street and has been reported to the Council and to the Police;

- require increased goods deliveries to Gopuff during the day to stock the unit for night alcohol purchases, which will add significant pressure on an already congested, and dangerous road that is not suitable for large lorry deliveries. Existing goods deliveries to the premises already idle engines outside the premises whilst they obstruct the road and pavement, parking on – and cracking – the pavement stones, and are an obstruction and danger to adults and children alike. There are already often multiple delivery vehicles unloading goods to Gopuff at the same time, which is unsafe.

If granted, this variation would undermine the licensing objectives, and is additionally outside the framework hours that Tower Hamlets Council has adopted.

Please reject the application to vary the license outright and help us build a safer neighbourhood.

--

Best Regards,

Appendix 36

Ibrahim Hussain

From: Lavine Miller-Johnson on behalf of Licensing
Sent: 21 May 2024 16:34
To: Ibrahim Hussain
Subject: FW: Go Puff application to sell alcohol 24/7 objection Hemming Street

Categories: Purple Category

-----Original Message

From: Suhena Begum [REDACTED]
Sent: Tuesday, May 21, 2024 3:36 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Go Puff application to sell alcohol 24/7 objection Hemming Street

To: Licensing Team, Tower Hamlets Council

I wish to object to the application to vary the license to allow Gopuff to sell alcohol 24 hours a day, 7 days a week, on Hemming St.

Hemming Street is a residential street with more than 150 residential properties in the immediate vicinity of Arch 89. There is already considerable public nuisance caused directly by this premises, both during the day, and in the evening; and by other existing anti-social behaviour problems very close by on Hemming St. Additional licensed hours overnight would add further pressure on our small residential street, by:

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- make worse the existing levels of public nuisance and anti-social behaviour that is taking place late at night on Hemming Street and has been reported to the Council and to the Police;
- require increased goods deliveries to Gopuff during the day to stock the unit for night alcohol purchases, which will add significant pressure on an already congested, and dangerous road that is not suitable for large lorry deliveries. Existing goods deliveries to the premises already idle engines outside the premises whilst they obstruct the road and pavement, parking on – and cracking – the pavement stones, and are an obstruction and danger to adults and children alike. There are already often multiple delivery vehicles unloading goods to Gopuff at the same time, which is unsafe.

If granted, this variation would undermine the licensing objectives, and is additionally outside the framework hours that Tower Hamlets Council has adopted.

Please reject the application to vary the license outright.

Kind regards,

Appendix 37

Ibrahim Hussain

From: Lavine Miller-Johnson on behalf of Licensing
Sent: 21 May 2024 16:10
To: Ibrahim Hussain
Subject: FW: URGENT REQUEST

Categories: Purple Category

-----Original M
From: T Akhtar [REDACTED]
Sent: Tuesday, May 21, 2024 2:21 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: URGENT REQUEST

To the Licensing Team, Tower Hamlets Council

I wish to object to the application to vary the license to allow Gopuff to sell alcohol 24 hours a day, 7 days a week, on Hemming St.

Hemming Street is a residential street with more than 150 residential properties in the immediate vicinity of Arch 89. There is already considerable public nuisance caused directly by this premises, both during the day, and in the evening; and by other existing anti-social behaviour problems very close by on Hemming St. Additional licensed hours overnight would add further pressure on our small residential street, by:

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- make worse the existing levels of public nuisance and anti-social behaviour that is taking place late at night on Hemming Street and has been reported to the Council and to the Police;
- require increased goods deliveries to Gopuff during the day to stock the unit for night alcohol purchases, which will add significant pressure on an already congested, and dangerous road that is not suitable for large lorry deliveries. Existing goods deliveries to the premises already idle engines outside the premises whilst they obstruct the road and pavement, parking on – and cracking – the pavement stones, and are an obstruction and danger to adults and children alike. There are already often multiple delivery vehicles unloading goods to Gopuff at the same time, which is unsafe.

If granted, this variation would undermine the licensing objectives, and is additionally outside the framework hours that Tower Hamlets Council has adopted.

Please reject the application to vary the license outright.

Yours sincerely,

Tahira Akhtar



Sent from my iPhone

Appendix 38

Ibrahim Hussain

From: Lavine Miller-Johnson on behalf of Licensing
Sent: 21 May 2024 16:08
To: Ibrahim Hussain
Subject: FW: Objection to Gopuff 24/7 alcohol licenses

Categories: Purple Category

From: Brenda Wei [REDACTED]
Sent: Tuesday, May 21, 2024 1:31 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Objection to Gopuff 24/7 alcohol licenses

To: Licensing Team, Tower Hamlets Council

I wish to object to the application to vary the license to allow Gopuff to sell alcohol 24 hours a day, 7 days a week, on Hemming St.

Hemming Street is a residential street with more than 150 residential properties in the immediate vicinity of Arch 89. There is already considerable public nuisance caused directly by this premises, both during the day, and in the evening; and by other existing anti-social behaviour problems very close by on Hemming St. Additional licensed hours overnight would add further pressure on our small residential street, by:

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If granted, this variation would undermine the licensing objectives, and is additionally outside the framework hours that Tower Hamlets Council has adopted.

Please reject the application to vary the license outright.

Xiangjun Wei
[REDACTED]

Appendix 39

Ibrahim Hussain

From: Nicola Cadzow
Sent: 15 April 2024 15:37
To: Licensing
Cc: [REDACTED]
Subject: 168019 Variation of premises licence application for Gopuff 89 Hemming Street, London

Good afternoon Licensing,

I have no objections to the variation of premises license application for Gopuff 89 Hemming Street, London, ref 168019, with conditions as per existing licence.

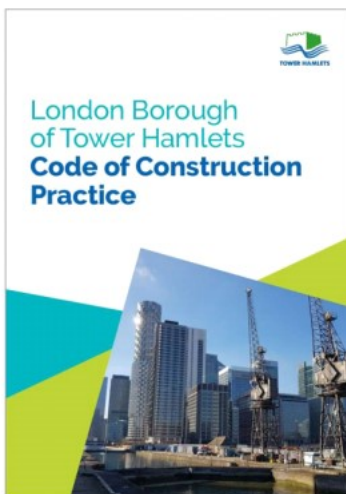
Kind regards

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

[REDACTED]
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 **Code of Construction Practice 2006**.
Permitted to work Saturdays without s61 Agreement (8am to 1pm only)
- Development granted Planning Approval **after the 26th 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 26th 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

To apply for all Control of Pollution Act 1974 Section 61 consents, dispensations and variations please apply [here](#).

To check the application status email environmental.protection@towerhamlets.gov.uk and use the FS reference number generated by your application.

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