

**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE LICENSING SUB COMMITTEE**

**HELD AT 6.30 P.M. ON THURSDAY, 19 SEPTEMBER 2024**

**COUNCIL CHAMBER - TOWN HALL, WHITECHAPEL**

**Members Present in Person:**

Councillor Peter Golds  
Councillor Ahmodul Kabir  
Councillor Rebaka Sultana

**Apologies:**

None

**Others Present in Person:**

Qari Azimi	Item 4.1
Matthew Butt	Item 4.2
Lisa Inzani	Item 4.2
Felix Faulkner	Item 4.2
Jonathan Edwards	Item 4.2
Toby Wareham	Item 4.2
Mick Blair	Item 4.2
Salma Belgada	Item 4.2
Torben Andersen	Item 4.2
Petras Tuerijonas	Item 4.2
Levi Rijper	Item 4.2
Sebastian Fernandez	Item 4.2

**Officers Present in Person:**

Jonathan Melnick	(Principal Lawyer-Enforcement)
Mohshin Ali	(Senior Licensing Officer)
Corinne Holland	(Licensing Officer)
Nicola Cadzow	(Environmental Health Officer)
Simmi Yesmin	(Democratic Services Officer, Committees, Governance)

**1. DECLARATIONS OF INTEREST**

There were no declarations of interest.

## 2. RULES OF PROCEDURE

The rules of procedure were noted.

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

The minutes of the meetings held on 23<sup>rd</sup> July and 6<sup>th</sup> August 2024 were agreed and approved as a correct record.

## 4. ITEMS FOR CONSIDERATION

### 4.1 Application for a Variation of a premises licence for (Perfetto Pizza), 391 Cambridge Heath Road, London, E2 9RA

At the request of the Chair, Ms Corrine Holland, Licensing Officer introduced the report which detailed an application by Qari Azimi to vary the premises licence held in respect of Perfetto Pizza, 391 Cambridge Heath Road, London, E2 9RA (“the Premises”). The current licence authorises the provision of late night refreshment from 23:00 hours to 01:00 hours the following morning from Thursday to Sunday. The application sought authorisation to provide late night refreshment seven days per week from 23:00 hours to 05:00 hours.

It was noted that the application received representations against it from the Licensing Authority and from the Environmental Health Team. These were predominantly based upon the Premises’ location within the Bethnal Green Cumulative Impact Zone (CIZ) and that the applicant had not rebutted the presumption against the grant of the licence. The responsible authorities asserted that the application would negatively impact upon the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance.

The Sub-Committee was informed that the applicant had reached an agreement with the police as to the hours and conditions. This was that the Premises would provide late night refreshment from 23:00 hours to 03:00 hours Monday to Sunday and that from 01:00 hours to 03:00 hours the provision of late night refreshment would be by delivery only.

At the request of the Chair, Mr Qari Azimi, applicant, explained that the reason for the variation was to ensure that the business was viable. There was a great deal of competition with other businesses, some of which were permitted to stay open later, such as the Wild Bean Café at 319 Cambridge Heath Road, and Best Kebab 503 Cambridge Heath Road. Mr Azimi further explained that the business was a family-run business, there was no regulated entertainment and had CCTV camera system in operation. It was also noted that there were no complaints from residents about their operation to date.

Members then heard from Mr Mohshin Ali, who addressed the Sub-Committee on behalf of the Licensing Authority. He told the Sub-Committee that there had been an allegation in October 2023 of the Premises opening

beyond their permitted hours. A warning letter was sent and a visit carried out on 16<sup>th</sup> October 2023. That visit showed the Premises was closed after 01:00 hours. The application made no mention of the Cumulative Impact Zone (CIZ) and the onus was on the applicant to show that they would not add to the problems within the CIZ. He submitted that the Sub-Committee had heard nothing about the promotion of the licensing objectives, merely the need for licensed hours. He asked that if the Sub-Committee was minded to grant the application, it should be with reduced hours.

Members also heard from Ms Nicola Cadzow on behalf of Environmental Protection who echoed Mr. Ali's concerns. She noted that although there had been agreement with the police, the applicant had not spoken to her. There were no additional conditions being proposed and she was mindful of the Premises' location, with flats above and to either side. She suggested that if the Sub-Committee were minded to grant the application, a condition should be imposed prohibiting the idling of engines and other steps to be taken to mitigate the risk of noise nuisance from delivery drivers.

In response to questions from Members the following was noted;

- The applicant confirmed he was aware of the CIZ. They'd had the licence for a year for four days a week and had not caused any problems as a consequence and the allegation of operating outside of permitted hours was false.
- The applicant confirmed that they used their own delivery drivers and did not use third-party delivery drivers.
- That no loud music was played at the shop and the extra hours would make a big difference to the business.
- That several similar neighbouring businesses had closed and if they did not get extra hours, they would be forced to close too.
- The applicant reiterated the lack of complaints from residents and informed the Sub-Committee that due to a problem with the advertisement of the application, it had been advertised for two months. If they had caused problems, they would have expected there to have been representations against the application from their neighbours.
- The applicant further confirmed that they used their own vehicles, which included a hybrid car, and so noise was not a problem. The applicant also asserted that new motorcycles tended not to be noisy.
- The Premises were located on a main road so there was already noise from other vehicles.
- The applicant confirmed, following a question from the legal adviser, that they would be agreeable to a condition that deliveries after 01:00 hours would not be by motorcycle. If the Sub-Committee wished to reduce the hours midweek to 01:00 hours, the applicant would also accept this, but he asked that the Sub-Committee not to do so.

Concluding remarks were made by all parties.

### Decision

This application engages the licensing objective of the prevention of public nuisance. The Sub-Committee noted that the burden of proving that there would be no negative impact upon the CIZ falls upon the applicant. The Sub-Committee had regard to the Council's policy, which provided non-exhaustive examples of applications that might be exceptional. However, each case was to be decided on its own merits.

The Sub-Committee noted that the allegation of trading outside of permitted hours was unsubstantiated and, when officers visited about two weeks later, the Premises were not found to be trading outside of their hours. The allegation was denied by the applicant and the Sub-Committee accepted that this was insufficient evidence of any breaches.

The Sub-Committee noted further that the applicant had been trading under the current licence, four days per week, and that there was no evidence that their operation undermined the licensing objectives. Were that to be the case, the Sub-Committee would have expected there to be more information in the representations or that local residents, who are often best placed to provide such evidence, would have made representations. There was no such information and the Sub-Committee accepted that this went some way towards evidencing the fact that the applicant could operate without undermining the licensing objectives.

The Sub-Committee noted further that the police had no apparent concerns with respect to the licensing objective of the prevention of crime and disorder if the applicant were to be permitted to operate to 03:00 hours. This had been further addressed by the agreed condition that from 01:00 hours, only delivery would be permitted. As patrons would not be able to attend in person, the Sub-Committee noted that this mitigated the risk of additional public nuisance or crime and disorder. In the event that the operation of the Premises causes future problems, the possibility of a licence review by a resident or a responsible authority is available.

The applicant also confirmed that they did not use third-party delivery drivers, The Sub-Committee is familiar with the problems that can arise from such use, such as noise nuisance from groups of drivers hanging around, especially in the small hours. In these circumstances, the Sub-Committee considers it appropriate and proportionate to impose a condition restricting the use of third-party delivery drivers. Equally appropriate is a condition restricting the use of petrol motorcycles for deliveries after 01:00 hours. Whilst the applicant asserted that modern motorcycles are quieter, the Sub-Committee is all too familiar with the loudness of some of these vehicles. The transient noise from one driving down the road in the early hours is of a different nature to the noise generated by such idling outside the premises and from the engine noise when they leave the Premises. The Sub-Committee also considered it appropriate and proportionate to impose a condition requiring the licence holder to ensure that delivery vehicles are not left with their engines idling and to ensure that notices are placed in the Premises to remind delivery staff of this.

Accordingly, the Sub Committee unanimously;

**RESOLVED**

That the application for a variation of the premises licence for **Perfetto Pizza, 391 Cambridge Heath Road, London E2 9RA** be **GRANTED** subject to the following conditions:

**Late night refreshment**

Monday to Sunday 23:00 hours to 03:00 hours

**Conditions**

1. From 01:00 hours until 03:00 hours, all sales shall be by way of delivery only.
2. There shall be no deliveries made by third-party delivery drivers.
3. Deliveries made after 01:00 hours shall not be made by use of petrol engine motorcycles or mopeds.
4. The premises licence holder shall ensure that delivery drivers do not leave their vehicles parked with engines idling.
5. The premises licence holder shall ensure that notices are placed in a prominent position within the premises reminding delivery drivers to switch off engines whilst waiting.

**4.2 Application for a New Premise Licence for The Pickle Factory, 11-14 The Oval, London, E2 9DT**

At the request of the Chair, Ms Corrine Holland, Licensing Officer introduced the report which detailed an application licence to be held in respect of The Pickle Factory, 11-14 The Oval, London, E2 9DT (“the Premises”). The application sought authorisation for licensable activities as follows:

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

Monday to Wednesday	12:00 hours to 23:00 hours
Thursday	12:00 hours to 03:30 hours
Friday and Saturday	12:00 hours to 05:00 hours
Sunday	12:00 hours to 02:00 hours

**Regulated entertainment (Films, live and recorded music – indoors and outdoors)**

Monday to Wednesday	12:00 hours to 00:00 hours
Thursday	12:00 hours to 04:30 hours
Friday and Saturday	12:00 hours to 06:00 hours
Sunday	12:00 hours to 03:00 hours

**The provision of late night refreshment (indoors and outdoors)**

Monday to Wednesday	23:00 hours to 00:00 hours
Thursday	23:00 hours to 04:30 hours
Friday and Saturday	23:00 hours to 06:00 hours
Sunday	23:00 hours to 03:00 hours

The opening hours mirrored the hours for the provision of regulated entertainment.

The application attracted a number of representations against it. These were from the Environmental Health and from local residents. These were broadly concerned with the licensing objectives of the prevention of public nuisance and the prevention of crime and disorder. The representation from the Noise Service was withdrawn in advance of the hearing, the applicant and the authority having reached agreement about a number of matters.

It was also noted that there were a number of representations in support of the application. These were also from local residents as well as charitable organisations and industry bodies.

At the request of the Chair, Mr Matthew Butt KC, applicant's representative, confirmed that the venue had its challenges but that this was also an opportunity for the Premises to undergo substantial refurbishment and for the licence to be improved. He mentioned that there was already an existing licence in operation for the venue, which applied in respect of 14 The Oval. This meant that the venue already traded and could continue to trade, albeit with a reduced capacity. The proposed application would address existing issues such that the licence, if granted, would allow the Premises to trade with a larger capacity and mitigate existing issues.

Mr. Butt referred to his written submissions in the second supplemental pack. He explained that the venue had been trading for around nine years and emphasised that there was no connection between the applicant and the Oval Space or the management of Oval Space. He explained that the venues were completely different with respect to their management, operation style, clientele, etc.

Mr. Butt explained the refurbishment plans and drew the Sub-Committee's attention to the computer designs of the layout in the first supplemental agenda pack. The investment would cost around £1.7m and would allow the fabric of the building to be brought up to a modern standard and allow for appropriate noise attenuation measures to be implemented.

Mr. Butt told the Sub-Committee that the Premises did not merely benefit customers, but that they were part of the community and had been for some time. The importance of music and dancing venues were recognised in the Council's Statement of Licensing Policy. The letters of support included letters from charities and other groups.

He also stated that there were no crime and disorder issues associated with the Premises. Mr. Butt drew attention to the fact that the police had not made a representation, which would be expected if there was a connection between

the Premises and the Oval Space. The residents' concerns about low-level anti-social behaviour (ASB) were unconnected with the Premises and there was no evidence to suggest that barbecues, graffiti and public urination were in any way linked to the Premises. SIA staff would be in place and this would help to mitigate ASB.

Dispersal would be addressed through policies and SIA staff. The Premises would have two bars and there would be a staggered closing of each. Two to three SIA staff would be deployed on the Oval to assist with orderly dispersal and this would be a condition of the licence.

Mr. Butt addressed the potential for noise nuisance. He accepted that there was a limited number of complaints about noise and that there was no history of enforcement action. However, it was accepted that measures were needed to address noise and an acoustic expert had been appointed to advise on the necessary measures. A significant amount of work was proposed and Mr. Butt outlined some of those measures, such as infilling of redundant doors and windows. Movement between the two parts of the venue, which could also lead to noise breakout, had also been considered and mitigation proposed. Further, the courtyard was subject to conditions and would be acoustically sealed. It was expected that all the works would mean that sound levels after would be lower than current background levels measured at the nearest residential premises. In addition, a noise limiter condition had been proposed.

Mr. Butt reminded the Sub-Committee that if these measures failed, the residents retained the right to review the licence. He submitted that the application, if granted, would ultimately benefit everyone within the area.

Members then heard from some of those making representations against the application. Firstly from Fr. Petras Tverijonas, who told the Sub-Committee that the Oval Space had given a great deal of problems to local residents. Whilst it was accepted that there was no connection between the two premises, there was concern that those issues could be repeated. There was no objection to a licence being granted to 23:00 hours, but a later licence was not acceptable and that it would give rise to a great deal of noise disturbance when patrons dispersed.

Fr. Petras Tverijonas explained that the noise from the Premises had not been a problem until relatively recently. One problem was that when loud music was played in a venue, when patrons left their voices would inevitably be raised. He referred to the fact that 500 new flats were proposed to be built in the area and he was very concerned about the possibility of future problems.

Ms. Levi Rijper also addressed the Sub-Committee. Her primary concern was that of noise disturbance, particularly from the courtyard area. Noise from it echoed about and disturbed her sleep and that of others. She did not consider that the proposed noise reduction measures would assist.

Mr. Sebastian Fernandez spoke to his representation. His view was that the works would not allow for residents to get a night's sleep, particularly given

that new flats would be getting built. He informed the Sub-Committee that the acoustic bridge allowing movement between the two parts of the Premises would address noise issues but not vibration issues. He told the Sub-Committee that there were several WhatsApp messages between him and the venue, although these were not in the papers, and that the extension sought was unsustainable.

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

- It was confirmed that the existing licence would be surrendered if the application was granted.
- Fr. Petras Tverijonas confirmed that he had not had contact with the management of the Premises although there had been several meetings with the Oval Space. That the Premises had only started to become more problematic in the last couple of years and that so far it was still bearable.
- That Oval Space had relied upon external promoters and had links to gangs; the Pickle Factory did not.
- That the applicant had taken over about eighteen months ago and intended to refurbish the Premises. If that could not happen, however, then the likelihood was that the applicant would move on and the Premises would not be improved.
- More detail about dispersal and patron control was noted.

Mr. Andersen, the acoustic expert, was asked by the Legal Adviser if he could address the concern raised by Mr. Fernandez about the acoustic bridge and the fact that it would not address vibration. He explained that noise from within the courtyard would be predominantly from patrons, which would not give rise to vibration. Vibration would usually arise from low-frequency noise and would be controlled by the use of the sound limiter. In addition, other measures would be deployed to assist with that, such as the use of anti-vibration speaker mounts and sound insulation measures. Mr. Butt also confirmed, following a question from the Legal Adviser, that the applicant would be willing for Mr. Andersen's proposed noise mitigation measures to be added as conditions to the licence.

Concluding remarks were made by all parties.

### Decision

This application engages the licensing objectives of the prevention of public nuisance and, to a lesser extent, the prevention of crime and disorder. The Sub-Committee had read the papers and noted the various representations made for and against, as well as the written and oral submissions of those attending. The issues surrounding crime and disorder appeared to largely relate to the problems arising from the operation of the Oval Space at 29-32 The Oval. This Committee was eminently familiar with the impact that venue had on the local community. It is perhaps notable that although it closed some time ago and that the Pickle Factory has been operating for a number of years, many of the representations referenced the Oval Space and the fear of this venue becoming a similar problem. Some representations appeared to



have been made in the mistaken belief that this was a new application at 29-32 The Oval. The Sub-Committee noted the concerns that there were links between the venues; however, there was no evidence of that and, had there been, the Sub-Committee would have expected there to have been a robust representation against the application by the Police for that very reason.

It is therefore notable that the police, who the s.182 Guidance says should be the authority's main source of advice on crime and disorder, did not make any representation. The Sub-Committee noted the concerns raised of low-level ASB and barbecues. However, none of this was suggested to be linked in any way to the Premises. The Sub-Committee accepted that the application could, if granted, have a positive effect on the area through the deployment of SIA staff. The Sub-Committee understood and acknowledged the concerns of the local residents about the possibility of another badly-run, dangerous premises operating in this area; however, it was not satisfied, given the history of this venue as a whole, that this would be a likely outcome of granting this licence.

The main area of concern was that of public nuisance. Again, it was notable that despite having been operating for some years, the representations against the application were rather generic in nature. It was accepted by Mr. Butt that there were some noise breakout issues, and the Sub-Committee took account of Rev. Gucevicus' oral representation that they had started to notice noise issues from the Premises over about the last two years, but that these were bearable. That provided an indication that the issues were capable of resolution.

The Sub-Committee took into account the fact that the Premises, or part of them, were already licensed. Although the new licence sought would allow for a greater capacity, the changes to the hours for licensable activity were not substantial. The terminal hour for alcohol, for example, had not changed; further, there was a four-hour reduction on Sunday morning. Regulated entertainment generally sought an additional hour per day Monday to Thursday. There was no change to the terminal hour on Friday and Saturday. The hours for Sunday were also made far clearer. The greatest change was to late night refreshment, but as the provision of hot food within a venue, particularly late at night, can be beneficial, the Sub-Committee did not consider this to be problematic. Those hours had been extended, but were clearly allied to the hours of other activities.

The proposed noise mitigation measures were extensive. These included: the use of sound limiters internally and in the courtyard; the provision of an absorptive barrier in the courtyard and within the "bridge" connecting the two parts of the Premises; the restrictions on numbers in the courtyard as well as the use of the courtyard at all after 22:00 hours; the restrictions on the use of the external area to the front after 23:00 hours. All of these and the other conditions were, in the Sub-Committee's view, likely to mitigate any additional impact of granting the application.

The fact that there is an existing licence carries great weight in the context of this application. Firstly, the applicant has a track record of operating without undermining the licensing objectives. There has been no review of the

existing licence by any responsible authority or resident. Secondly, and of greater importance, is that the Premises will remain licensed regardless of the Sub-Committee's decision. If this application were to be granted, there will be substantial investment into the Premises, particularly with regard to noise mitigation, and that would ultimately be a benefit to the entire area. If not, the current licence will continue and any opportunity to address those noise issues will likely be lost.

The options open to the Sub-Committee are to grant the application (with or without amendments to the operating schedule), to remove a licensable activity from the scope of the licence, or to refuse the application. The option of refusing to specify the proposed designated premises supervisor was not available, as there had been no relevant representation from the police as required in that regard. In reality, the issue was whether the application was to be granted with such amendments and conditions as the Sub-Committee saw fit or to refuse the application. The Premises are not located in a cumulative impact zone and so the presumption is in favour of granting the application. It is only if the Sub-Committee is satisfied that the licensing objectives will be undermined to such an extent that the impact cannot be mitigated, even with amendments and conditions, that the application should be refused.

Having regard to all the representations both against and in support, the Sub-Committee considered it to be far better for there to be a new licence, with updated and robust conditions, and which would reduce any impact upon the licensing objectives, particularly that of public nuisance. The imposition of the various conditions relating to public nuisance in particular, and an additional condition requiring the specified noise mitigation measures proposed by Mr. Andersen in his report, meant that the Premises could not operate under this licence until all that work was done. If, as a result, the operation of the Premises caused problems for the local community, the option of a review would always remain. In reaching this decision, the Sub-Committee has had regard to the s.182 Guidance, particularly paragraphs 9.42 to 9.44 and 10.8 to 10.10, and to the Council's Statement of Licensing Policy 2023-2028, particularly section 16.

The Sub-Committee also considered it appropriate and proportionate to impose a condition requiring the surrender of the existing licence before licensable activity takes place under the new licence. This would provide clarity to enforcing authorities, staff and to the public as to which licence was in operation.

Accordingly, the Sub Committee unanimously;

**RESOLVED**

That the application for a new premises licence for The Pickle Factory, 11-14 The Oval, London E2 9DT be **GRANTED subject to the following conditions:**

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

Monday to Wednesday	12:00 hours to 23:00 hours
Thursday	12:00 hours to 03:30 hours

Friday and Saturday	12:00 hours to 05:00 hours
Sunday	12:00 hours to 02:00 hours

**Regulated entertainment (Films, live and recorded music – indoors and outdoors)**

Monday to Wednesday	12:00 hours to 00:00 hours
Thursday	12:00 hours to 04:30 hours
Friday and Saturday	12:00 hours to 06:00 hours
Sunday	12:00 hours to 03:00 hours

**The provision of late night refreshment (indoors and outdoors)**

Monday to Wednesday	23:00 hours to 00:00 hours
Thursday	23:00 hours to 04:30 hours
Friday and Saturday	23:00 hours to 06:00 hours
Sunday	12:00 hours to 03:00 hours

**Conditions**

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
2. The CCTV system serving the premises shall:
  - a. be maintained fully operational and in good working order at all times;
  - b. make and retain clear images that include the points of sale of alcohol and facial images of the purchasers of the alcohol; and
  - c. show an accurate date and time that the images were made.
3. 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.
4. An incident log shall be kept at the premises and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following:
  - a. all crimes reported to the venue;
  - b. all ejections of patrons;
  - c. any complaints received concerning crime and disorder
  - d. any incidents of disorder;
  - e. all seizures of drugs or offensive weapons;

- f. any faults in the CCTV system, searching equipment or scanning equipment;
  - g. any refusal of the sale of alcohol;
  - h. any visit by a relevant authority or emergency service.
5. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:
  - a. the police (and, where appropriate, the London Ambulance Service) are called without delay;
  - b. all measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
  - c. the crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
  - d. such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.
6. When the designated premises supervisor is not on the premises any or all persons authorised to sell alcohol will be authorised by the designated premises supervisor in writing. This shall be available on request by the Police or any authorised officer.
7. When regulated entertainment takes place the premises will risk assess the event and ensure the appropriate number of SIA door supervisors are in place for the event with a minimum of 1 SIA door supervisor per 100 people (a female door supervisor to be appointed as required).
8. Where SIA registered door supervisors are used at the premises, a record must be kept of their SIA registration number and the dates and times they are on duty.
9. The premises will operate a written Search Policy of which all SIA security members of staff shall be provided a copy of before their first shift, and a record will be kept.
10. A written entry policy shall be in place and implemented at the premises to move customers into the premises in such a way as to cause minimum disturbance or nuisance to neighbours. The policy shall include details on queue management to ensure any queue to enter the premises is managed effectively and supervised by door staff to ensure that there is no public nuisance or obstruction to the public highway.
11. There must be at the premises a lockable drugs box to which no member of staff, save the DPS, Security Manager, General Manager and Duty Manager shall have access. All controlled drugs (or items suspected to be controlled drugs or contain controlled drugs) found at the premises must be placed in this box as soon as practicable. Whenever this box is emptied, all of its contents must be given to the Police for appropriate disposal.

12. The venue will conduct a comprehensive in-house risk assessment for all promoted events, The risk assessment shall demonstrate any measures to be put place to mitigate any identified risks, together with the rationale applied. A copy of all risk assessments shall be retained on the premises for 1 year and made available for immediate inspection by police or responsible authorities upon request.
13. A diary of events shall be sent to Tower Hamlets Police Licensing and Environmental Health on a monthly basis.
14. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 654.
15. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
16. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
17. 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.
18. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
19. A written dispersal policy shall be in place and implemented at the premises to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours.
20. A 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.

21. Each bar shall keep a record 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.
22. All staff whose duties include the serving of alcohol must be trained in the requirements of this scheme including the importance of recording any refusals.
23. All staff whose responsibilities include the retail sale of alcohol shall receive training about the prevention of underage sales on induction and then every six months thereafter. This training shall be recorded and the records to be available on request to the Police or any authorised officer. The training to include:
  - a. the operation of the challenge 25 scheme;
  - b. types of acceptable ID;
  - c. the method of recording challenges;
  - d. the likely consequences of making an underage sale;
  - e. refusing sales to persons who appear to be drunk;
  - f. proxy sales.
24. Collections of waste or recycling materials (including bottles) or deliveries to and from the premises shall take place between 08:00 – 22:00 Monday to Saturday and 09:00 – 12:00 (midday) on Sundays.
25. A barricade is to be used outside the entrance to the venue when events are on to facilitate the effective queuing of people wishing to gain entry. 1m space will be kept for pedestrians at all times.
26. The licence holder will be a member of the local Pub Watch scheme and will send a representative to all meetings.
27. All flat surfaces in the toilet areas shall be removed or covered over to prevent and deter drug use. Toilet seat covers shall be removed from all toilets.
28. Prominent notices will be placed throughout the venue asking customers to mind their property and report any suspicious incidents.
29. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas or outside the premises between 22:00 hours and 08:00 hours on the following day.
30. Events that finish past the terminal time for public transport to have a travel plan put in place to ensure that customers can leave without causing nuisance to local residents.
31. A security policy shall be agreed with Tower Hamlets Police Licensing.

32. All windows and external doors shall be kept closed after 23:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
33. The premises shall adopt the Central East Police Licensing Drugs Policy.
34. The premises shall have a welfare policy that will show how venue staff will manage customers who become vulnerable through intoxication or drugs, such a policy will include but is not limited to the use of dedicated "welfare officers" at peak times who will be easily identifiable, to customers, their role will be to monitor the welfare of customers, including identifying any customers who may be at risk of becoming overly intoxicated and liaising with management/security staff to assist them where necessary. staff training on customer welfare such as "WAVE" and availability of free water to customers. The policy must be written, reviewed yearly, and made available to Police upon request.
35. Where indicated by the event risk assessment, welfare staff will be deployed to the event. The welfare staff will be easily identifiable to customers, their role will be to monitor the welfare of customers, including identifying any customers who may be at risk of becoming overly intoxicated or otherwise vulnerable and liaising with management/security staff to assist them where necessary. All welfare interventions and outcomes to be logged in the welfare log.
36. All front of house staff shall complete welfare and vulnerability awareness training as part of their induction process to work at the premises). This training shall be documented and repeated /refreshed at six-monthly intervals.
37. Persons under the age of 18 shall not be permitted on the premises after 21:00 hours
38. There shall be no admittance or re-admittance to the premises 1 hour before the terminal hour of the proposed event except for patrons permitted to temporarily leave the premises to smoke.
39. There will be no more than 110 persons in the courtyard at any one time.
40. The noise limiter set in the courtyard is agreed determined by and to the satisfaction of an authorised officer within Environmental Health with so as to ensure that no noise nuisance is caused to local residents or businesses. The operation panel of the noise limiter shall then be secured by a key or password to the satisfaction of officers from Environmental Health and access shall only be by persons authorised by the Premises Licence Holder. The limiter shall not be altered without prior agreement with Environmental Health. No alteration or modification to any existing sound system(s) should be affected without prior agreement of an authorised Officer of Environmental Health. No additional sound generating equipment shall be used on the premise without being routed through the sound limiter device.

41. The external area to the front of the premises shall not be used after 23:00 hours, except for patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, and shall be limited to 30 persons at any one time.
42. Notices shall be prominently displayed at all exits, and within the external courtyard, requesting patrons to respect the needs of local residents and business when in the external courtyard, and when leaving the area, to do so quietly.
43. Regulated entertainment in the courtyard will cease at 22.00 hours.
44. The noise mitigation measures proposed by RBA Acoustics in section 7 of their report dated 1<sup>st</sup> August 2024 (Ref: 13126.RP01.LEAR.3), set out below, shall be implemented prior to licensable activity taking place under this licence:

#### Pickle 2

- Replace existing fire door to the front of the building with a door set capable of achieving an acoustic rating of 45 dB  $R_w$ , as well as any new doors proposed to the front of the building.
- Upgrade fire doors on the rear façade to a door set capable of achieving an acoustic rating of 45 dB  $R_w$
- Infill all windows/doors on the rear façade that are not in use with blockwork or similar.
- Ensure that doors to the airlocked link connecting Pickle 1 & Pickle 2 are not propped open and are kept shut by default. Doors to airlock to have a minimum acoustic rating of 30 dB  $R_w$ .
- Introduction of an absorptive soffit lining to the airlock.

#### Pickle 1

- Replace the existing glazing and doorset on the front façade of the building with secondary glazing, capable of achieving a minimum performance of 50 dB  $R_w$ , as well as ensuring any new doorsets on this façade are capable of achieving an acoustic rating of 45 dB  $R_w$
- Upgrade fire door on the rear façade to a door set capable of achieving an acoustic rating of 45 dB  $R_w$
- Infill all windows/doors on the rear façade that are not in use with blockwork or similar.
- Infill the rooflights with concrete or a layer of glazing (glazing minimum 12mm), **or**, introduce an independent suspended ceiling throughout.
- Ensure that doors to the airlocked link connecting Pickle 1 & Pickle 2 are not propped open in order to prevent noise breakout. Doors to airlock to have an acoustic rating of 30 dB  $R_w$ .
- Introduction of an absorptive soffit lining to the airlock.

#### Courtyard

- Fully enclose the courtyard with an absorptive barrier spanning the full height of both buildings. A 3D render of the proposed barrier in the courtyard is shown in Figure 4 of Appendix C.
- Folding doors into the courtyard must be of a high performance, capable of achieving a minimum acoustic rating of  $R_w$  45dB, with a



sound reduction index of at least 30dB in the 63 & 125 Hz octave bands.

- All glazing to the courtyard must be high performance secondary glazing capable of achieving an acoustic rating of  $R_w$  50dB or better.

45. Licensable activity shall not be carried out under this licence until such time as the existing premises licence held in respect of 14 The Oval (ref: 156449) has been surrendered to the licensing authority.

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

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

- Quiz Room, 19-25 Bell Lane, London, E1 7LA
- Tea Garden, 138 Whitechapel Road 1E1 1JE
- The Bourbon/Kisses from Nonna) 387 Roman Road, London E3 5QR
- Z & H One Rice Ltd, 46 Brick Lane, E1
- The Cave Basement Algha Group Ltd, 83 Smeed Road, London, E3 2NR
- Knave of Clubs, 1 Club Row, London E1
- 5 Newfoundland Place E14 4BH
- 10 Newfoundland Place, London, E14 4BH
- Osteria Angelina, RU10, 1 Nicholl's & Clarke Yard, London E1 6SH

The meeting ended at 9.30 p.m.

Chair, Councillor Peter Golds  
Licensing Sub Committee