



Licensing Sub Committee

Agenda

**Thursday, 19 September 2024 at 6.30 p.m.
Council Chamber - Town Hall, Whitechapel**

Contact for further enquiries:

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



Public Information

Viewing or Participating in Committee Meetings

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

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

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A Guide to Licensing Sub Committee

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

Public Engagement

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

London Borough of Tower Hamlets

Licensing Sub Committee

Thursday, 19 September 2024

6.30 p.m.

APOLOGIES FOR ABSENCE

To receive any apologies for absence.

1. DECLARATIONS OF INTEREST (PAGES 7 - 8)

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

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

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

2. RULES OF PROCEDURE (PAGES 9 - 18)

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

3. MINUTES OF THE PREVIOUS MEETING(S) (PAGES 19 - 32)

To confirm as a correct record the minutes of the Licensing Sub-Committee held on 23rd July and 6th August 2024.

4. ITEMS FOR CONSIDERATION

4 .1 Application for a Variation of a premises licence for (Perfetto Pizza), 391 Cambridge Heath Road, London, E2 9RA (Pages 33 - 120)

4 .2 Application for a New Premise Licence for The Pickle Factory, 11-14 The Oval, London, E2 9DT (Pages 121 - 284)



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

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

Next Meeting of the Licensing Sub Committee

Tuesday, 24 September 2024 at 6.30 p.m. to be held in Council Chamber - Town Hall, Whitechapel



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Agenda Item 1

DECLARATIONS OF INTERESTS AT MEETINGS– NOTE FROM THE MONITORING OFFICER

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

(i) Disclosable Pecuniary Interests (DPI)

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

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

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

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

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

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

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

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

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

Guidance on Predetermination and Bias

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

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

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

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

APPENDIX A: Definition of a Disclosable Pecuniary Interest

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

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

TOWER HAMLETS



LICENSING COMMITTEE

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

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

MINUTES OF THE LICENSING SUB COMMITTEE

HELD AT 2.00 P.M. ON TUESDAY, 23 JULY 2024

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

Members Present in Person:

Councillor Suluk Ahmed
(Chair)
Councillor Ahmodur Khan
Councillor Bellal Uddin

Apologies:

None

Others Present in Person:

Jack Spiegler	(Item 3.1)
Rich Willing	(Item 3.1)
Alec Feakes	(Item 3.1)
Sandy Crichley	(Item 3.1)
Stewart Gibson	(Item 3.2)
Sarah Freeman	(Item 3.2)
Andy Allen	(Item 3.2)
Onuoha Olere	(Item 3.1 & 3.2)
Marcus Lavell	(Item 3.3)
Matthew Michelson	(Item 3.3)
Katarzyna Szeliga	(Item 3.3)
Rory Malone	(Item 3.3)

Officers Present in Person:

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

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. RULES OF PROCEDURE

The rules of procedure were noted.

3. ITEMS FOR CONSIDERATION

3.1 Application for a Premises Licence for Boulebar, 7 Frying Pan Alley E1 7HS

At the request of the Chair, Mr Ibrahim Hussain, Licensing Officer introduced the report for a new premises licence to be held in respect of Boulebar, 7 Frying Pan Alley, London, E1 7HS (“the Premises”). The application sought authorisation for the sale by retail of alcohol from 10:00 hours every day and ending at 23:30 hours Monday to Thursday, midnight on Friday and Saturday, and 22:30 hours on Sunday. The premises would close to the public thirty minutes after the terminal hour for licensable activity.

The application attracted representations against it from SPIRE, the Licensing Authority, and the Environmental Health service. All the representations referred to the Premises’ location within the Brick Lane Cumulative Impact Zone (CIZ) and were particularly concerned as to the potential to adversely impact on the CIZ. The Licensing Authority, in particular, raised a number of pertinent points in the initial representation, which required clarification.

At the request of the Chair, The Sub-Committee heard from Mr Jack Spiegler on behalf of the applicant. He explained that the Premises focused on “competitive socialising” and food and was not alcohol-led. He explained that a number of conditions that had been agreed. These include the sale of alcohol being ancillary to games (condition 1) and that a condition had been agreed with SPIRE that would, in effect, make the licence personal to the applicant. Mr. Spiegler explained that the sale of alcohol would be by waiter/waitress service with the exception of a couple of very small areas as shown on the plan.

Mr. Spiegler told the Sub-Committee that noise from the Premises would not be a problem. It was previously a gym and therefore was equipped to insulate noise, as well as this it was noted that all activity would be taking place in the basement area. This had previously been very well-insulated and so noise breakout would not arise. The nearest noise-sensitive premises were located at 9 Frying Pan Alley. This was student accommodation with its own bar, operating to a later hour than what had been applied for by the Applicant at the Premises, and again meant that there would be no impact on the CIZ. He referred to the fact that the police had not made a representation nor had any other residents. The primary concern was the CIZ and he suggested that there were several reasons why the Premises would be an exception:

The policy was focused on the type of venue, predominantly clubs and bars with loud music and late hours, the premises would be a high-quality restaurant with a food offering and unlikely to add to the CIZ;

It was noted that alcohol would be by waiter/waitress service. The only people standing and drinking would be those playing games; the policy was concerned with high-volume drinking establishments with nothing else taking place; The Premises would operate to framework hours; There would be no off-sales except for the external seating area and that area would not be used after 21:00 hours.

At the request of the Chair, Ms. Corinne Holland, Licensing Officer told the Sub-Committee that she was concerned about the potential impact on the CIZ. That the Premises did not fall within a possible exception. There were some 70 or 80 covers with a potential for around 200 people in the Premises at any one time. If the venue is pre-booked there could be as many as 300 people and therefore alcohol would not be served as ancillary to food.

Ms. Holland noted that it did allow for vertical drinking but accepted that it was only likely to be when people were playing a game. In her view, the Premises was likely to add to anti-social behaviour within the area and the onus was on the applicant to rebut that presumption.

She also queried the legality of the condition agreed with SPIRE that restricted the transferability of the licence.

Mr. Onuha Olere, Environmental Health Officer addressed his representation briefly as stated on page 70 of the agenda. He was particularly concerned with the possible maximum number of smokers outside at any one time.

Members then heard from Ms. Sandy Crichley, who addressed the Sub-Committee on behalf of SPIRE. She welcomed the engagement that the applicant had had with SPIRE and their willingness to accommodate their concerns. Their main concern had been the possibility of the business turning into something very different and the agreed conditions and operating schedule mitigated that. She therefore formally withdrew SPIRE's representation at the meeting.

In response to questions the following was noted;

- Mr. Spiegler emphasised the exceptions in the policy were possible exceptions and the policy allowed for others.
- On a busy day there might be approximately around 200 guests at the premises.
- With respect to a pre-booked event, this would be subject to a fire risk assessment and would only be for private events. These would only be occasionally.
- That there were various conditions that could not allow the Premises to turn into a bar or some other type of more problematic venue.
- That the operating schedule in the application had focused on the CIZ.
- There were concerns around vertical drinking and the possibility of patrons being able to leave with drinks. Mr. Spiegler explained that the ground floor would always be manned and patrons would be unable to leave with drinks.

- With respect to smokers, it was asked that the number remain at twenty, however it was accepted that this was something that could be amended if the Sub-Committee saw fit to do so.
- Mr. Spiegler also confirmed that the shading on the alcohol storage area was incorrect and that his client could submit an amended plan if required.

Concluding remarks were made by both parties.

Decision

This application engages the licensing objective of the prevention of public nuisance. The Premises are within a CIZ and therefore it falls to the applicant to rebut the presumption in favour of refusal.

The Sub-Committee noted that the possible exceptions stated within the policy are non-exhaustive. The capacity was noted and the Sub-Committee accepted Ms. Holland's concerns in that regard. However, the venue would not be alcohol-led, would have a substantial food offering, and that vertical drinking would be very limited.

The operating schedule and the agreed conditions had clearly had the CIZ in mind. The Sub-Committee accepted that the possibility of noise breakout from the Premises was minimal, given its former use as a gym. In addition, the conditions meant that the nature of the venue could not change without a variation of the licence being sought.

The Sub-Committee noted Ms. Holland's concerns about the condition agreed with SPIRE which potentially makes the licence personal to the applicant. Whilst that would ultimately be a matter for a court to determine, the condition had been agreed between the parties and would remain on the licence. It also demonstrated to the Sub-Committee the applicant's willingness to work with residents and the community.

The Sub-Committee noted the lack of representations from the police or other residents although this is merely neutral at best. However, the Sub-Committee did give weight to the fact that SPIRE had withdrawn its representation. Given the number of residents that they represent, this was a relevant factor in the assessment of whether or not the Premises would be likely to add to the problems within the CIZ.

The Sub-Committee accepted also that the nearest noise-sensitive premises are the student accommodation next door, with its own bar, which again potentially mitigated against the impact.

The Sub-Committee was concerned about the potential impact of as many as twenty people smoking or making calls outside after 21:00 hours and possibly as late as midnight on a Friday or Saturday. The Sub-Committee considered that after 21:00 hours, an appropriate maximum number for the external area

(which the Sub-Committee was told was shared with the student accommodation) was 10 persons.

With respect to the alcohol storage area, which is incorrectly shaded on the plan, the Sub-Committee considered that this could be addressed by way of an amendment to the condition to make clear that alcohol shall not be provided to patrons within the alcohol storage area.

Accordingly, the Sub Committee unanimously;

RESOLVED

That the application for a new premises licence for Boulebar, 7 Frying Pan Alley, London, E1 7HS be **GRANTED subject to the following conditions:**

Sale by retail of alcohol

Monday to Thursday	10:00 hours to 23:30 hours
Friday and Saturday	10:00 hours to 00:00 hours
Sunday	10:00 hours to 22:30 hours

Hours the premises are open to the public

Monday to Thursday	10:00 hours to 00:00 hours
Friday and Saturday	10:00 hours to 00:30 hours
Sunday	10:00 hours to 23:00 hours

Conditions

1. The provision of licensable activities at the premises shall remain ancillary to the use of the premises as a restaurant and pétanque/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. Patrons shall not be supplied with or permitted to consume alcohol within the shaded area marked "alcohol storage area."
3. The sale of alcohol for consumption off the premises shall only be to persons using the designated external seating until 21:00 hours. There shall be no supply of alcohol for consumption off the premises after 21:00 hours or for consumption beyond the designated external seating area at any time.
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. After 21:00 hours, the maximum permitted number shall be 10 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.
18. Licensable activities may only be provided under this premises licence at such times that Boulebar UK Ltd. or a group company related to Boulebar UK Ltd. is the premises licence holder.

3.2 Application for a New Premise Licence for House of Music & Entertainment, 20 Commercial Street, London, E1 6LP

At the request of the Chair, Ms Corinne Holland, Licensing Officer introduced the report for a new premises licence to be held in respect of House of Music & Entertainment, 20 Commercial Street, London, E1 6LP ("the Premises"). The application sought the sale by retail of alcohol for consumption on the Premises from 10:00 hours to 23:00 hours Monday to Saturday and from 10:00 hours to 22:00 hours on Sundays. The opening times were proposed to be 07:00 to 23:30 Monday to Saturday and 07:00 hours to 22:30 hours on Sundays.

The application attracted representations against it from the Licensing Authority and the Environmental Health Service. These representations were based on the fact that the Premises were located in the Brick Lane Cumulative Impact Zone (CIZ) and the risk of the Premises adding to the problems in the CIZ. The representations suggested that the applicant had failed to provide evidence that rebutted the presumption of refusal.

At the request of the Chair, The Sub-Committee heard from Mr. Stewart Gibson on behalf of the applicant. He said the application could be treated as an exception to the CIZ. There would be no admittance to the general public. It would be for members only or, if hired out, for pre-booked event guests only.

He stated that the licence would be active only when events took place. There was a double entry door and people needed a key fob for entry. Alcohol would be ancillary to an event and regulated entertainment had not been applied for. Only acoustic music would be played and he therefore submitted that these sufficed to rebut the presumption against refusal.

With respect to the objection from the Environmental Health Service, Mr. Gibson stated that there would be no amplified music and acoustic music would only be performed if part of an event. Only five persons would be permitted to leave to smoke at any one time. The type of events proposed were creative, industry-focused networking events. The maximum capacity would be 100 persons.

At the request of the Chair, Mr Ibrahim Hussain addressed the Sub-Committee on behalf of the Licensing Authority. They objected on the basis that the applicant had not rebutted the presumption against grant and they had concerns over the capacity. Conditions had been proposed, in the event the Sub-Committee was minded to grant, some of which had been agreed by the applicant.

Mr. Onuha Olere addressed the Sub-Committee on behalf of the Environmental Health Service. Their representation too was concerned with the policy and the potential impact of another licensed premises on the area, including footfall as people leave.

In response to questions the following was noted;

- The applicant confirmed that the retail spaces were not included within the area in which licensable activity could take place.
- The applicant explained that their members were people who contracted to use the Premises as a pop-up office space and could hire it as part of their membership.
- The events would be run by the Premises and staffed by them.
- It was clarified that the business was mainly office use by day and examples of the types of events proposed were included in the supplemental reports pack and would include training or networking events.
- Mr. Gibson and his client, Mr. Allen, clarified the name of the Premises and that their client base was people working in the independent music industry. Further, the name of the Premises could be abbreviated to HOME, which explained the ethos behind the business.
- Mr. Olere confirmed to members that the conditions proposed did not indicate that thought had been given to the CIZ. For example, the conditions referring to public nuisance seemed to be concerned with smoking.

The Legal Adviser asked further questions for clarification, namely with respect to the number of events they anticipate to hold each week and the proposed hours, given that the application, if granted, would allow the sale of alcohol every day. Ms. Freeman suggested that they expected one or two events and suggested that the Sub-Committee could limit this to four per week. Similarly, it was unclear why the sale of alcohol had been proposed from 10:00 hours if the main use during the day was as office space. Mr. Freeman stated that they did not particularly need the sale of alcohol during the day

and that it was mostly from the afternoon onwards that it would be more beneficial.

Concluding remarks were made by both parties.

Decision

This application engages the licensing objective of the prevention of public nuisance. The Premises' location within a CIZ requires the applicant to rebut the presumption against grant (paragraph 7 of the CIZ policy statement). The Policy sets out possible exceptions to the CIZ. These include small premises (less than fifty persons) operating within framework hours, for consumption on the premises only and with arrangements to prevent vertical drinking, or applications for licences that are not alcohol led. The possible exceptions are non-exhaustive and the mere fact that an applicant falls within them does not guarantee that an application will be granted. The fact that premises may be well run, for example, is not a possible exception since this is the standard expected of all licensed premises.

The Premises do not fall into a stated exception, given the capacity of up to 100 persons. The Sub-Committee noted that the applicant did not appear to have given any real thought to the CIZ in its operating schedule. The conditions proposed were entirely generic and did not appear to take the CIZ into account in any way. Whilst it was said that the Premises would not be alcohol-led, the Sub-Committee was of the view that it would be; the applicant did not intend to have any licensed events during the day, when the main business operation of use as office space would take place. The intention was to mainly use the licence after working hours, for networking events and similar, where drinking and conversation would be the inevitable focus.

The sale of alcohol and its consumption would not be ancillary to any other activity. Further, the Sub-Committee understood this to mean that vertical drinking was likely, if not inevitable. This was accepted by the applicant's agent in his response to the responsible authorities at page 19 of the supplemental agenda pack. Adding music to the mix, albeit acoustic (and thus not regulated) was more likely to lead to increased drinking and intoxication. This led to a greater risk of people leaving the venue at the end of an evening, potentially intoxicated, and adding to the impact within the CIZ, whether as a result of causing noise disturbance or anti-social behaviour or remaining within the area.

The Sub-Committee was also not satisfied that the applicant had demonstrated that they properly understood the CIZ or the challenges of operating within one. That went to the faith that the Sub-Committee could have in the applicant being able to properly promote the licensing objectives within the CIZ.

Mr. Gibson pointed to the lack of representations from residents. That did not add weight to rebutting the presumption; it could be no more than a neutral point.

The Sub-Committee noted the suggestion that the Premises would not operate as a bar and would not utilise the licence on a daily basis. However, this only came about during questions from our legal adviser, which then begged the question of why they had applied for a licence which, if granted, would allow them to operate every day. Further, when asked about this and having said the number of likely events would be one or two per week, the applicant suggested that if the Sub-Committee was minded to grant it would be content with four such events per week, which suggested it might wish to run events as frequently as possible.

The Sub-Committee was given information about membership of the Premises. However, this seemed to be relevant more to the office use than to the use for events, which could certainly be hired out to external parties (see page 17 of the supplemental agenda pack). The Sub-Committee accepted that there would be a guest list and that people would be unable to simply walk in and buy alcohol but that was not, in Members' view, sufficient to rebut the presumption. Further, paragraph 11.4 of the Policy reinforces that a strong view will be taken of applications where the intended use has a higher likelihood of causing public nuisance. This is particularly so where the application is for premises within a CIZ. The Sub-Committee understood there to be residential premises in close proximity to the venue.

The Sub-Committee noted the conditions proposed by the responsible authorities that had been agreed by the applicant as well as those which had not, including one requiring alcohol to be served with a table meal. It accepted that such a condition would be inappropriate. However, those which had been agreed were not sufficient to justify treating this application as an exception. The fact that some could not be agreed, such as the condition restricting vertical drinking, reinforced to the Sub-Committee that the main focus would be on alcohol consumption. Even if not operating as a bar, which would reduce that potential impact, the fact remained that the application was for a venue that was focused on alcohol and music.

Having had regard to the application and the representations, the Sub-Committee was not persuaded that the applicant had rebutted the presumption against granting this application, for the reasons set out above. The application is therefore refused.

Accordingly, the Sub Committee unanimously;

RESOLVED

That the application for a new premises licence for House of Music & Entertainment, 20 Commercial Street, London, E1 6LP be **REFUSED**.

3.3 Application for a Variation of a Premises Licence for (Gopuff), 89 Hemming Street, London, E11 5BW

This item was adjourned and will be considered at the Licensing Sub Committee meeting on 24th September 2024.

4. EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003

There were no decision deadlines to extend.

The meeting ended at 5.00 p.m.

Chair, Councillor Suluk Ahmed
Licensing Sub Committee

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LONDON BOROUGH OF TOWER HAMLETS
MINUTES OF THE LICENSING SUB COMMITTEE
HELD AT 2.30 P.M. ON TUESDAY, 6 AUGUST 2024
COUNCIL CHAMBER - TOWN HALL, WHITECHAPEL

Members Present in Person:

Councillor Peter Golds
Councillor Ana Miah
Councillor Sabina Akhtar

Apologies:

None

Others Present in Person:

Qari Azimi (Item 4.1)
Tim Hung (Environmental Health Officer – Item 4.1)

Officers Present in Person:

Mohshin Ali (Senior Licensing Officer)
Corinne Holland (Licensing Officer)
Simmi Yesmin (Democratic Services Officer, Committees, Governance)

1. DECLARATIONS OF INTEREST

There were no declarations of interest made.

2. RULES OF PROCEDURE

The rules of procedure were noted.

3. MINUTES OF THE PREVIOUS MEETING(S)

The minutes of the Licensing Sub Committees held on 18th & 25th June and 9th & 18th July 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**

This application was adjourned and will be considered at the Licensing Sub Committee on 19th September 2024.

5. EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003

The following application decision deadlines were extended to 30th November 2024;

- The Pickle Factory, 11-14 The Oval, London, E2 9DT
- The Widow's Son, 75 Devon's Road, London E3 3PJ
- Montgomery Square, Canary Wharf London E14 5JJ
- Noisy Oyster, RU12, 2 Nicholls Clarke Yard, London, E1 6SH
- Solid Floor Ltd, 7a Ezra Street, London E2 7RH
- Quiz Room, 19-25 Bell Lane, London, E1 7LA
- Rotunda Cafe, Island Gardens, Saunders Ness Rd, London, E14 3EA

The meeting ended at 2.45 p.m.

Chair, Councillor Peter Golds
Licensing Sub Committee

Agenda Item 4.1

Committee: Licensing Sub-Committee	Date 19 September 2024	Classification Unclassified	Report No.	Agenda Item No.
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Report of: Tom Lewis Service Manager Regulated Services (Commercial) Originating Officer: Corinne Holland Licensing Officer	Title: Licensing Act 2003 Application for a variation of a premises licence for (Perfetto Pizza), 391 Cambridge Heath Road, London, E2 9RA Ward affected: Bethnal Green West
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1.0 Summary

Licence holder: **Qari Azimi**

Name and Address of Premises: **Perfetto Pizza**
391 Cambridge Heath Road
London
E2 9RA

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

- **Extend the times for late- night refreshments**

Representations: **Licensing Authority / Environmental Protection**

2.0 Recommendations

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

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

Brief description of "background paper"	Tick if copy supplied for register	If not supplied, name and telephone number of holder
<ul style="list-style-type: none"> • Guidance Issued under Section 182 of the Licensing Act 2003 • Tower Hamlets Licensing Policy • File 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>Corinne Holland 020 7364 3986</p>

3.0 **Background**

- 3.1 This is an application for a variation of a premises licence for Perfetto Pizza, 391 Cambridge Heath Road, London, E2 9RA.
- 3.2 A copy of the existing licence is enclosed as **Appendix 1**. The licensable activities and timings are as follows:

The provision of late-night refreshments

- *Thursday – Sunday 23:00 hours – 01:00 hours*

The opening hours of the premises

- *Monday – Wednesday 11:00 hours – 23:00 hours*
- *Thursday – Sunday 11:00 hours – 01:00 hours*

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

“To extend the hours to 5.00am Monday – Sunday”

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

The provision of late-night refreshments

- *Monday – Sunday 23:00 hours – 05:00 hours*

The opening hours of the premises

- *Monday – Sunday 11:00 hours – 05:00 hours*

The hours under consideration have been reduced in agreement with the police to the following:

Monday – Sunday 23:00 – 03:00 hours
Between 01:00 hours – 03:00 hours delivery only

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 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, 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 10**.
- 6.7 All the representations in this report have been considered by the relevant officer (Team Leader Licensing & Safety) and determined to have met the requirements of the Licensing Act 2003.
- 6.8 This hearing is required by the Licensing Act 2003, because relevant representations have been made by the following:
- Licensing Authority - **(Appendix 6)**
 - Environmental Protection - **(Appendix 7)**

- An email from the applicants agent to the Responsible Authorities is included in - **Appendix 8**

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

- The Licensing Authority
- The Metropolitan Police
- London Fire Brigade
- Planning Department
- Health and Safety
- Environmental Protection
- 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 objections that relate to the following licensing objectives are relevant:

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

6.11 Essentially, the relevant parties oppose the application because the applicant has not explained how within the context of the application they will meet the licensing objective(s), particularly 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**

7.1 No additional conditions.

8.0 Agreements made with Responsible Authorities

- Hours agreed with the police – **Appendix 9**

9.0 Licensing Officer Comments

9.1 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 (See 6.2). 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.

9.2 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)

- 9.3 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.
- 9.4 In all cases the Members should make their decision on the civil burden of proof, that is “the balance of probability.”
- 9.5 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.
- 9.6 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)
- 9.7 The Council’s Licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.
- 10.0 In **Appendices 10 - 16** 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.

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
Appendix 6	Representation of LA
Appendix 7	Representation of EP
Appendix 8	Agents mediation
Appendix 9	Agreements made with the police
Appendix 10	Home Office concerning relevant, vexatious and frivolous representations
Appendix 11	Licensing Officer comments on noise while the premise is in use
Appendix 12	Licensing Officer comments on access/egress
Appendix 13	ASB on leaving
Appendix 14	CIZ
Appendix 15	Planning
Appendix 16	Licensing Policy relating to hours of trading

Appendix 1



**Lic No:
159807**

**Perfetto Pizza
Ground Floor
391 Cambridge Heath Road
London
E2 9RA**

Licensable Activities authorised by the licence

The provision of late-night refreshment

See the attached licence for the licence conditions

Signed by

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

Date: 25th July 2023

OFFICE USE	Receipt No: 052758	Paid £190:	Date: 19/5/2023
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Part A - Format of premises licence

Premises licence number

159807

Part 1 - Premises details

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

**Perfetto Pizza
Ground Floor
391 Cambridge Heath Road**

Post town

London

Post code

E2 9RA

Telephone number

Email

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The provision of late night refreshment

The times the licence authorises the carrying out of licensable activities

Thursday to Sunday 23:00 hours to 01:00 hours

The opening hours of the premises

Monday- Wednesday from 11:00 hours to 23:00 hours

Thursday – Sunday from 11:00 hours to 01:00 hours

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

Not applicable

Part 2

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

Qari Azimi

[REDACTED]

[REDACTED]

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

N/A

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

N/A

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

N/A

Annex 2 - Conditions consistent with the operating Schedule

Annex 3 - Conditions attached after a hearing by the licensing authority (Hearing date 25th July 2023)

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

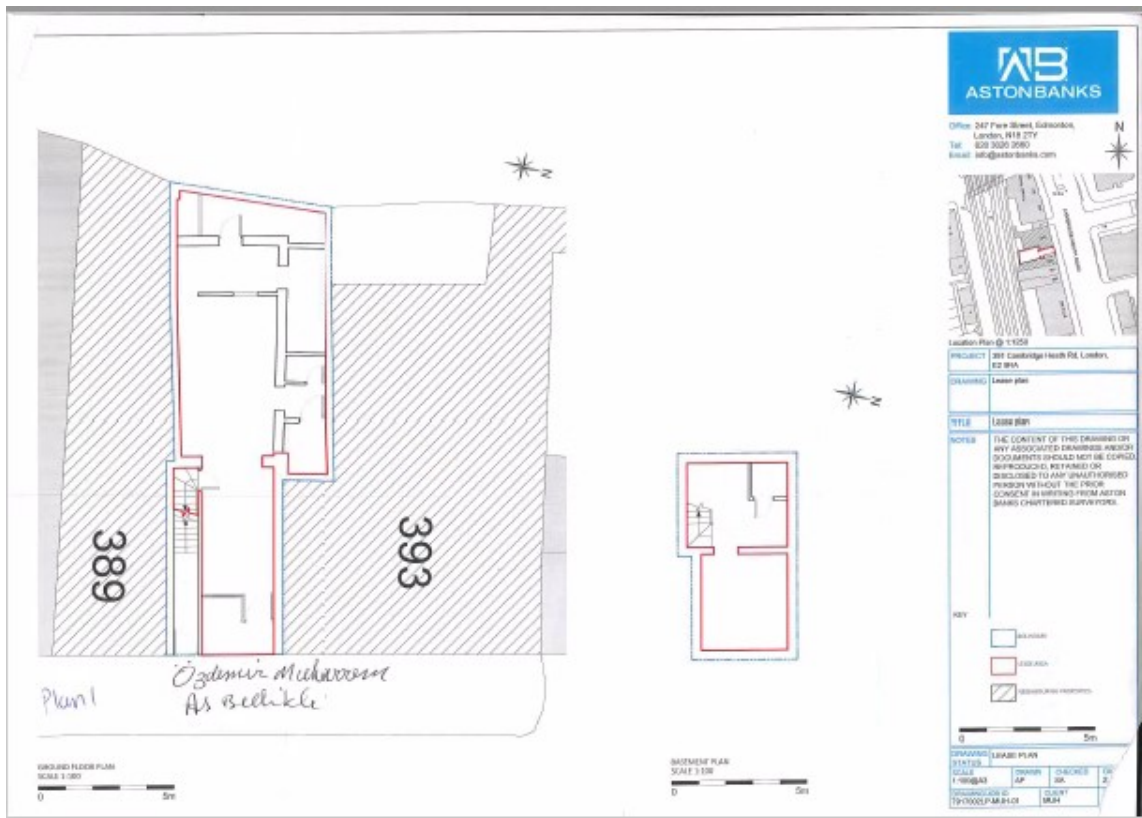
- d) such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.
5. The premises will have a dispersal plan to ensure customers donot cause noise nuisance when queuing for food or leaving the premises.
 6. No collections of waste or recycling materials (including bottles) from the premises shall take place between 22:00 hours and 08:00 hours on the following day.
 7. No deliveries to the premises shall take place between 22:00 hours and 08:00 hours the following day.
 8. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
 9. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises, which gives rise to a public nuisance.
 10. No loitering of patrons outside the premises, no shouting or raised voices, nor loud music/radios, whilst premise is in operation.

Annex 4 - Plans

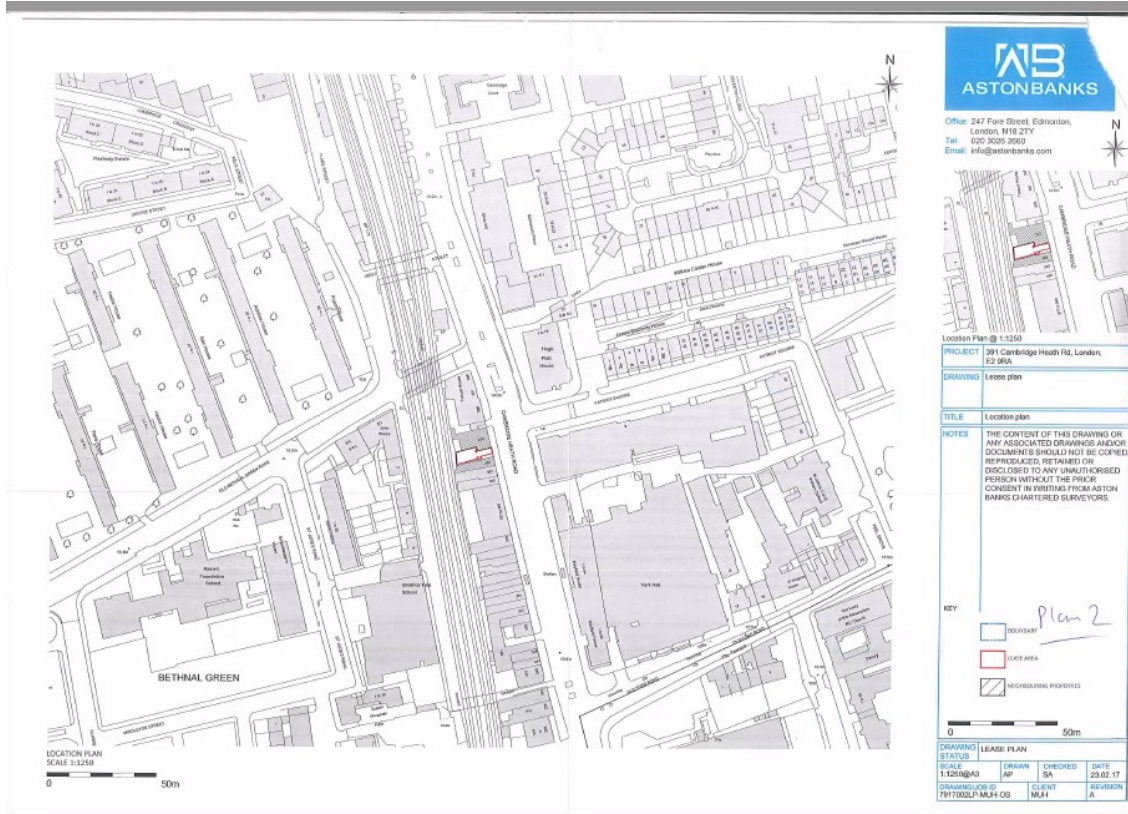
The plans are those submitted to the licensing authority on the following date:

19th May 2023 (*Lease Plan Dwg No 7917002LP-MUH-01 date 23/02/2017.*)

Plan 1



Plan 2 (Lease Plan Dwg No 7917002LP-MUH-0S date 23/02/2017)





Licensing Act 2003

Part B - Premises licence summary

Premises licence number

159807

Premises details

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

Perfetto Pizza
Ground
391 Cambridge Heath Road
London

Post town

London

Post code

E2 9RA


Telephone number

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The provision of late night refreshment

The times the licence authorises the carrying out of licensable activities	Thursday to Sunday 23:00 hours to 01:00 hours
The opening hours of the premises	Monday- Wednesday from 11:00 hours to 23:00 hours Thursday – Sunday from 11:00 hours to 01:00 hours
Name, (registered) address of holder of premises licence	
Where the licence authorises supplies of alcohol whether these are on and / or off supplies	Not applicable
Registered number of holder, for example company number, charity number (where applicable)	N/A
Name of designated premises supervisor where the premises licence authorises for the supply of alcohol	N/A
State whether access to the premises by children is restricted or prohibited	No restrictions

Appendix 2



* required information

Section 1 of 18

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

System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference	MR/R00410/ComConv/391Cambridge	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

You must enter a valid e-mail address

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Is the applicant:

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

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

Continued from previous page...

Address

* Building number or name	<input type="text" value=""/>
* Street	<input type="text" value=""/>
District	<input type="text" value=""/>
* City or town	<input type="text" value=""/>
County or administrative area	<input type="text" value=""/>
* Postcode	<input type="text" value=""/>
* Country	<input type="text" value="United Kingdom"/>

Agent Details

* First name	<input type="text" value="Mohammad"/>
* Family name	<input type="text" value="Reza"/>
* E-mail	<input type="text" value=""/>
Main telephone number	<input type="text" value=""/>
Other telephone number	<input type="text" value=""/>

Include country code.

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

Are you:

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

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

Agent Business

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

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

Registration number	<input type="text" value="111359995"/>
Business name	<input type="text" value="Reza Solicitors Ltd"/>
VAT number	<input type="text" value="-"/> <input type="text" value="none"/>
Legal status	<input type="text" value="Private Limited Company"/>
Your position in the business	<input type="text" value="Director"/>
Home country	<input type="text" value="United Kingdom"/>

If your business is registered, use its registered name.

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

The country where the headquarters of your business is located.

Continued from previous page...

Agent Registered Address

Address registered with Companies House.

Building number or name	<input type="text" value=""/>
Street	<input type="text" value=""/>
District	<input type="text" value=""/>
City or town	<input type="text" value="London"/>
County or administrative area	<input type="text" value=""/>
Postcode	<input type="text" value=""/>
Country	<input type="text" value="United Kingdom"/>

Section 2 of 18

APPLICATION DETAILS

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.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

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	<input type="text" value="391"/>
Street	<input type="text" value="Cambridge Heath Road"/>
District	<input type="text" value=""/>
City or town	<input type="text" value="London"/>
County or administrative area	<input type="text" value=""/>
Postcode	<input type="text" value="E2 9RA"/>
Country	<input type="text" value="United Kingdom"/>

Premises Contact Details

Telephone number	<input type="text" value=""/>
Non-domestic rateable value of premises (£)	<input type="text" value="14,250"/>

Section 3 of 18

Continued from previous page...

Do you want the proposed variation to have effect as soon as possible?

Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

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 to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Describe Briefly The Nature Of The Proposed Variation

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.

To further vary the hours granted to 5am Mon-Sun.

Total opening hours will be 11am-5am the following day

Section 4 of 18

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes No

Section 5 of 18

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Continued from previous page...

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes No

Section 8 of 18

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes No

Section 9 of 18

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes No

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 11 of 18

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

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Continued from previous page...

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

- Indoors Outdoors Both

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

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

Continued from previous page...

State any seasonal variations.

For 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 provision of late night refreshment at different times from those listed above, list below.

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

N/A

Section 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes No

Section 14 of 18

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.

Provide 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 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start 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 above, 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

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, applicant will continue to follow conditions set in license.

I have enclosed the premises licence

Continued from previous page...

I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 18

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.

Continuing to comply with terms already agreed in existing license

b) The prevention of crime and disorder

Continuing to comply with terms already agreed in existing license

c) Public safety

Continuing to comply with terms already agreed in existing license

d) The prevention of public nuisance

Continuing to comply with terms already agreed in existing license

e) The protection of children from harm

Continuing to comply with terms already agreed in existing license

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

I/WE UNDERSTAND THAT 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.

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	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

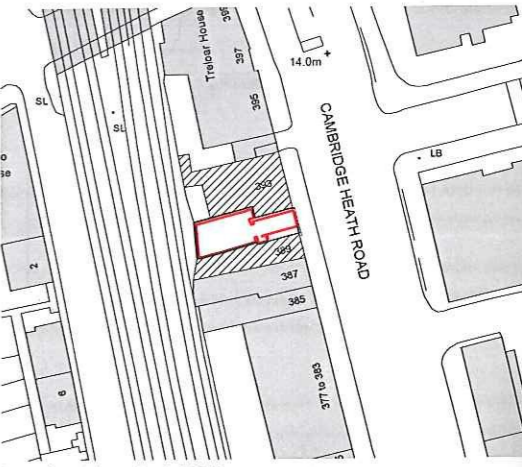
Once you're finished you need to do the following:

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/change-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, 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.

Office: [Redacted]
 Tel: [Redacted]
 Email: [Redacted]



Location Plan @ 1:1250

PROJECT 391 Cambridge Heath Rd, London, E2 9RA

DRAWING Lease plan

TITLE Lease plan

NOTES THE CONTENT OF THIS DRAWING OR ANY ASSOCIATED DRAWINGS AND/OR DOCUMENTS SHOULD NOT BE COPIED, REPRODUCED, RETAINED OR DISCLOSED TO ANY UNAUTHORISED PERSON WITHOUT THE PRIOR CONSENT IN WRITING FROM ASTON BANKS CHARTERED SURVEYORS.

KEY

	BOUNDARY
	LEASE AREA
	NEIGHBOURING PROPERTIES



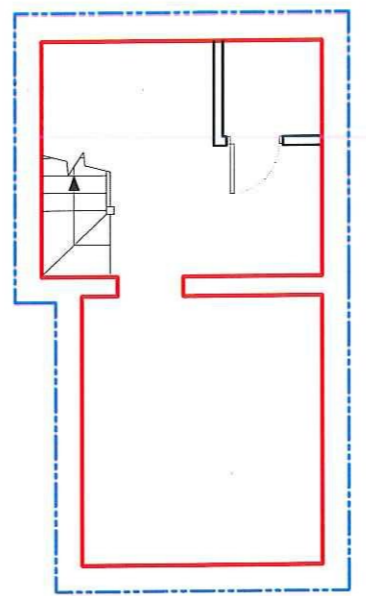
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SCALE	DRAWN	CHECKED	DATE
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DRAWING/JOB ID	CLIENT		
7917002LP-MUH-01	MUH		



Page 62

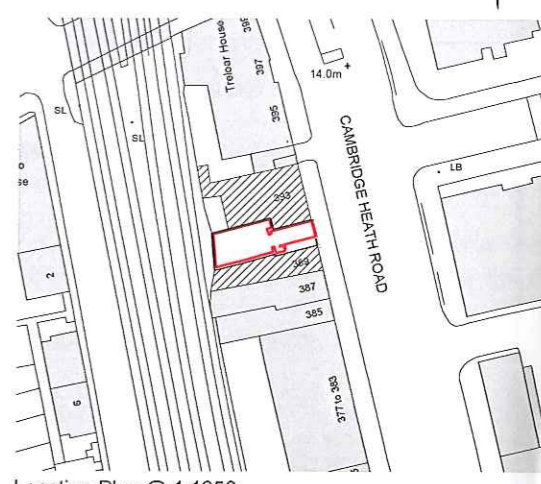
*Özdemir Muharrem
 As Bellikli*

GROUND FLOOR PLAN
 SCALE 1:100



BASEMENT PLAN
 SCALE 1:100

Office: 247 Fore Street, Edmonton,
London, N18 2TY
Tel: 020 3026 2660
Email: info@astonbanks.com



Location Plan @ 1:1250




PROJECT	391 Cambridge Heath Rd, London, E2 9RA
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DRAWING	Lease plan
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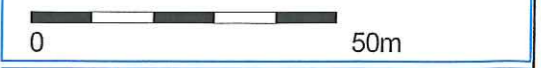
TITLE	Location plan
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NOTES
THE CONTENT OF THIS DRAWING OR ANY ASSOCIATED DRAWINGS AND/OR DOCUMENTS SHOULD NOT BE COPIED, REPRODUCED, RETAINED OR DISCLOSED TO ANY UNAUTHORISED PERSON WITHOUT THE PRIOR CONSENT IN WRITING FROM ASTON BANKS CHARTERED SURVEYORS.

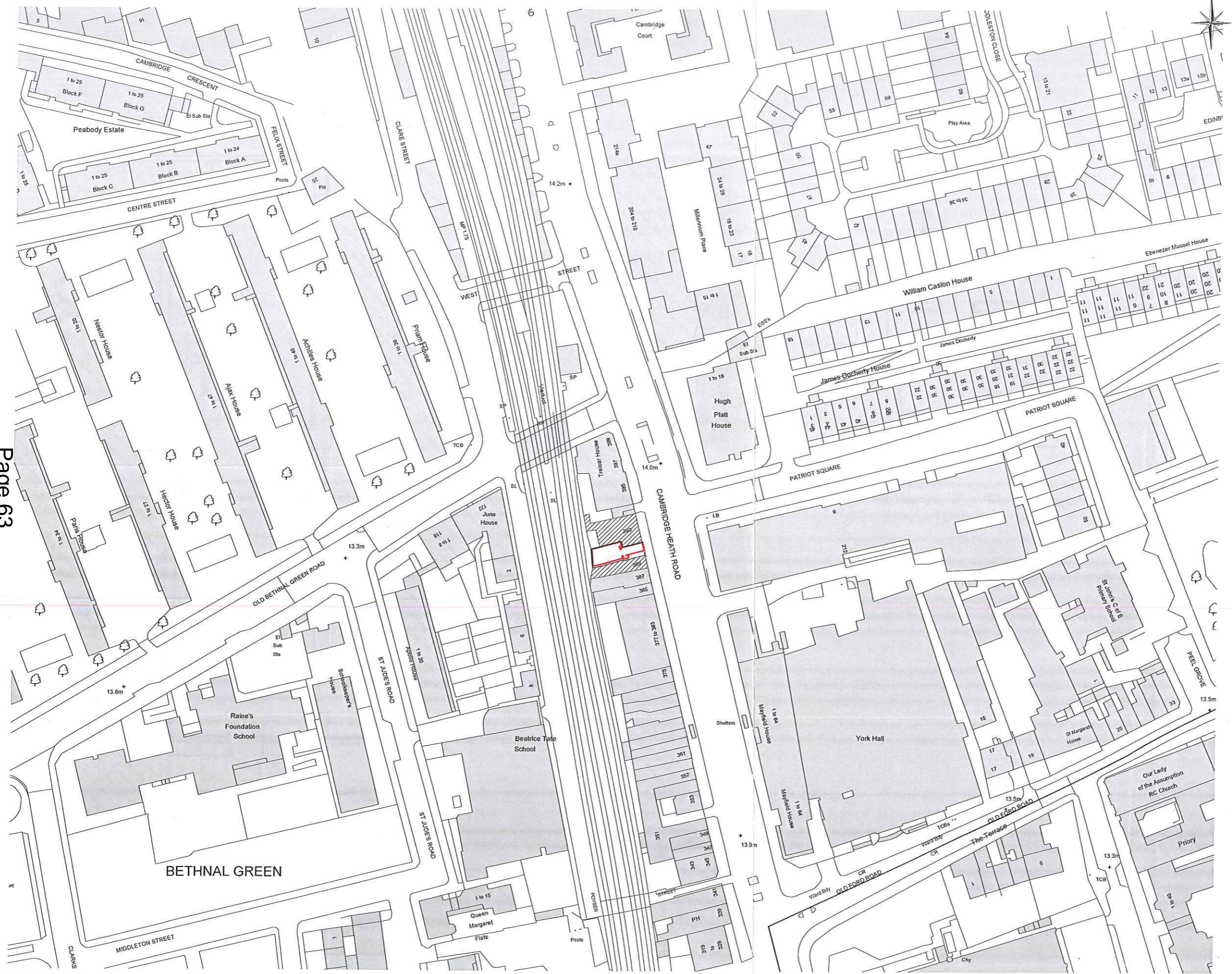
KEY

	BOUNDARY
	LEASE AREA
	NEIGHBOURING PROPERTIES

Plan 2



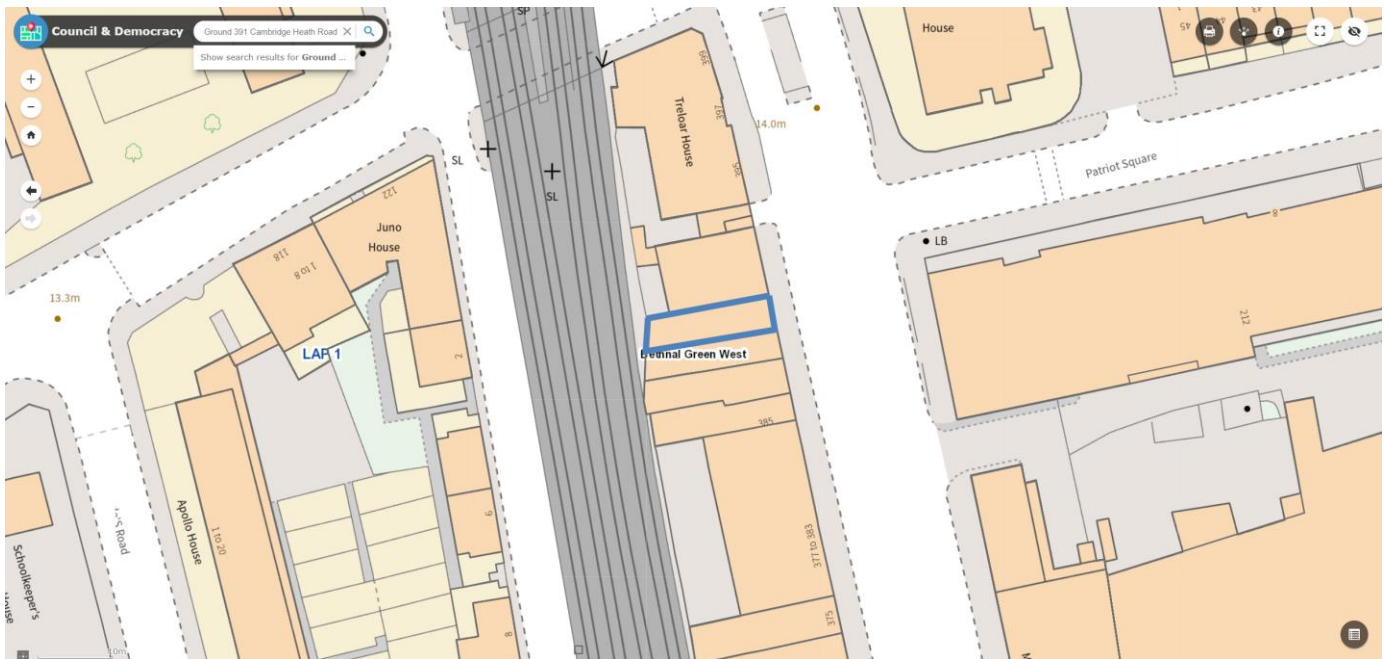
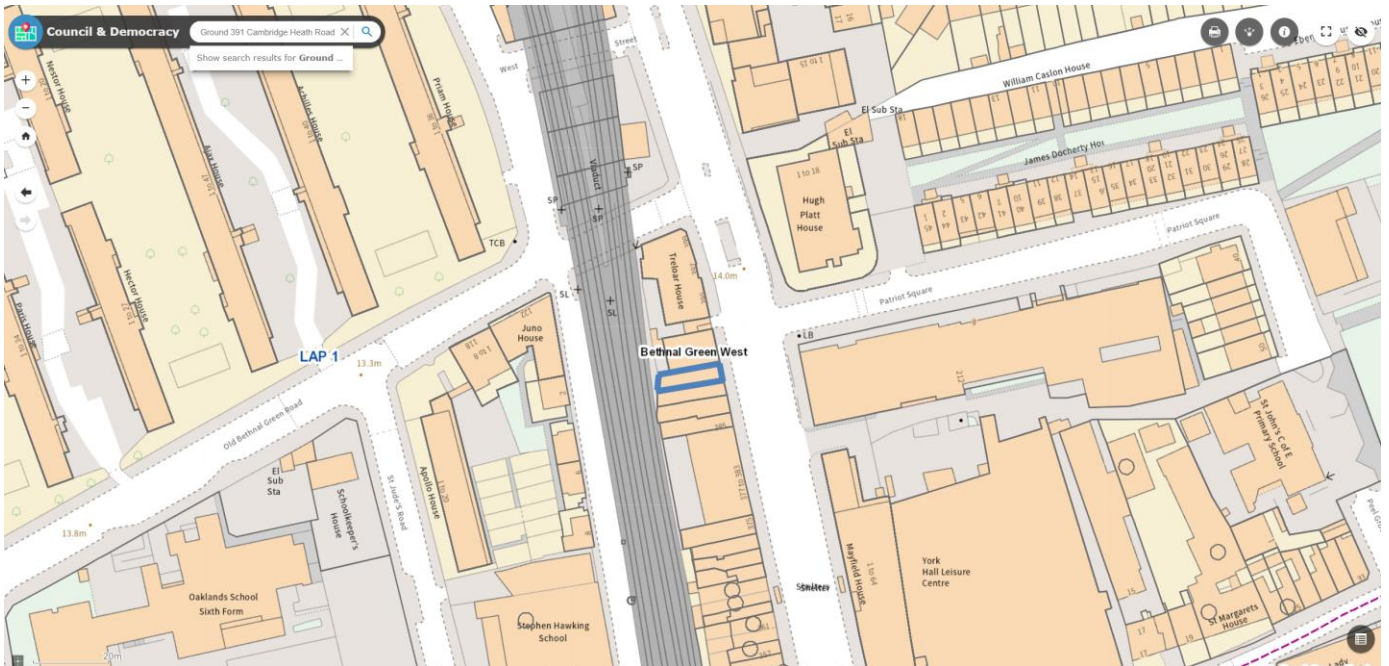
DRAWING STATUS	LEASE PLAN		
SCALE	DRAWN	CHECKED	DATE
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DRAWING/JOB ID	CLIENT	REVISION	
7917002LP-MUH-OS	MUH	A	



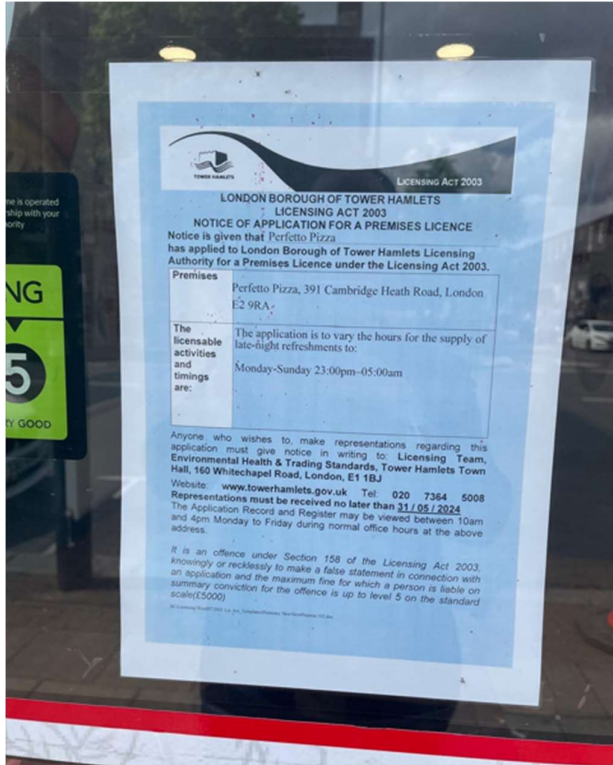
LOCATION PLAN
SCALE 1:1250

Appendix 3

Ground 391 Cambridge Heath Road London E2 9RA



Appendix 4







Appendix 5

Nearest licences – Ground 391 Cambridge Heath Road London E2 9RA

Name and address	The times the licence authorises the carrying out of licensable activities	The opening hours of the premises
(Young Vegans Pizza Shop) 393 Cambridge Heath Road London E2 9RA	Sale of Alcohol (On Premises only) Monday to Sunday, from 12:00 hours to 22:00 hours.	Monday to Sunday, from 12:00 hours to 22:00 hours.
(City Supermarket) 389 Cambridge Heath Road	<u>Sale of alcohol by retail.</u> Monday to Sunday 08:00 hours – 23:00 hours	Monday to Sunday 08:00 hours – 23:00 hours
(Italina Ltd) 385 Cambridge Heath Road	<u>The sale by retail of alcohol:</u> Monday to Sunday 11:30 hours to 23:45 hours <u>The provision of late night refreshment:</u> Monday to Sunday 23:00 hours to 23:45 hours	Monday to Sunday 10:00 hours to 24:00 hours
(Cambridge Heath News) 369 Cambridge Heath Road	The sale by retail of alcohol (off sales) Monday to Thursday 08:00 hours - 23:00 hours Friday & Saturday 08:00 hours - 00:00 hours (midnight) Sunday 08:00 hours – 22:30 hours	Monday to Thursday 08:00 hours - 23:00 hours Friday & Saturday 08:00 hours - 00:00 hours (midnight) Sunday 08:00 hours – 22:30 hours
Hulya's Cafe & Restaurant 357-359 Cambridge Heath Road	<u>Sale of Alcohol (on sales)</u> Monday to Sunday from 10:00 hours to 22:00 hours	Monday to Saturday from 06:00 hours to 22:30 hours Sunday from 07:00 hours to 22:30 hours
(Seed Organic) 363-365 Cambridge Heath Road	<u>The sale by retail of alcohol (off sales)</u> Daily 09:00 hours to 23:00 hours	Daily 09:00 hours to 23:00 hours
	Included as referred to by applicants agent	
(Istanbul Kebab)	<u>The Provision of Late Night Refreshments</u>	Sunday to Thursday from 11:30 hours to 02:00 hours (the following day)

Nearest licences – Ground 391 Cambridge Heath Road London E2 9RA

<p>240 Cambridge Heath Road London E2 9DA</p>	<p>Sunday to Thursday from 23:00 hours to 02:00 hours (the following day) Friday and Saturday from 23:00 hours to 05:00 hours (the following day)</p>	<p>Friday and Saturday from 11:30 hours to 05:00 hours (the following day)</p>
<p>(Best Kebab) 503 Cambridge Heath Road London E2 9BU</p>	<p>The provision of late night refreshment Sunday to Thursday from 23:00hrs to 03:00hrs (the following day) Friday to Saturday from 23:00hrs to 05:00hrs (the following day)</p>	<p>Sunday to Thursday from 11:00hrs to 03:00hrs (the following day) Friday to Saturday from 11:00hrs to 05:00hrs (the following day)</p>
<p>Museum Service Station – Wild Bean Cafe) 319 Cambridge Heath Road</p>	<p>Late Night Refreshment Monday to Sunday: 23:00 – 05:00 Supply of alcohol Monday to Sunday: 08:00 – 23:00</p>	<p>24 hours</p>

Appendix 6



TOWER HAMLETS

By Email:

Licensing Authority:

licensing@towerhamlets.gov.uk

CC:

Applicant - Qari Azimi: [REDACTED]

Agent - Mohammad Reza: [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 April 2024

My reference: LIC/L1U:167999/MA

Dear Sir/Madam,

Licensing Act 2003

Variation: (Perfetto Pizza), Ground Floor, 391 Cambridge Heath road, London E2 9RA

Lic No: 159807

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

Special Cumulative Impact Policy for the Bethnal Green area

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

The Council reviewed the Special Cumulative Impact Policy in 2021 and, following consultation, decided it was still of the opinion that the concentration of licensed premises within 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 Bethnal Green area is having a cumulative impact on the licensing objectives. Therefore, it is likely that granting further licences would be inconsistent with the authority's duty to promote the licensing objectives. Thus, it has declared a cumulative impact assessment within these areas.

This Policy will be strictly applied and where relevant representations are received and it is



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

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

The Special Cumulative Impact policy creates a rebuttable presumption that where relevant representations are received by one or more of the responsible authorities and/or other persons against applications (Councillors, Members of the Public) within the CIA zones the application will be refused. Where representations have been received in respect to applications within the CIA zones the onus is on the applicant to adequately rebut the presumption.

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

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

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

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

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

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

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

Licensable activities and times

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

where the Licensing Authority will pay particular regard to the likely effect on the local neighbourhood of carrying out the proposed licensable activities during the hours applied for.

Applications for hours up to the end of the Framework Hours will not automatically be granted. This policy will be applied only where relevant representations are made.

Each case will be considered on its merits.

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

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

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

The Home Office guidance

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

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

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

Variation application:

The licence application was considered by the Sub-Committee on **25th July 2023** and the following hours were granted following representation from the Licensing Authority.

The provision of late-night refreshment

- *Monday – Wednesday, until 23:00 hrs (no LNR)*
- *Thursday – Sunday from 23:00 hours to 01:00 hours the following day*

The previous issues associated with the premises were already dealt with that the last hearing. I have looked at the history of the premises and the following relevant Complaints (CMU) and visits are registered on the Council's system Civica Authority Protection (APP):

- **2/10/2023** – (CMU:116958), allegation from a member of public that the premises is opening past its licensed hours. A warning letter was sent to the licence holder on the 2nd October 2023 (see attached).
- **16/10/2023** (Monday at 01:02 hrs) – Premises was visited by officers and was found to be closed at 01:02 hrs so no further action was taken.

The applicant has applied for Monday to Sunday, until 05:00 hours. I understand applicant has now agreed reduced timings. There is no reference in the application to the premises being within the CIA and therefore no additional provisions, on how the applicant intends to uphold the licensing objectives, to demonstrate how the premises will not have a negative effect on the already saturated area.

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.

On a balance of probability, this Authority is concerned by the addition of another late-night refreshment premises it could potentially adding to the existing anti-social issues in the area, as customers who leave other late-night premises, often under the influence of alcohol attend the premises for food and congregate inside and outside the premises causing a disturbance /anti-social behaviour.

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. If the Committee decide to grant the application the Licensing Authority propose the hours should stay close to the framework hours.

Yours faithfully,



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

Mr Qari, Azimi
[REDACTED]

Public Realm
Environmental Health & Trading Standards

Date 2nd October 2023

Head Of Service David Tolley
4th Floor Tower Hamlets Town Hall
160 Whitechapel Road
London
E1 1BJ

My reference P/PR/EHTS/LIC/ CMU116958

Dear Mr Qari, Azimi

Tel [REDACTED]
Enquiries to Lavine Miller-Johnson
Email [REDACTED]

Licensing Act 2003, Sections 136

**Premises: (Perfetto Pizza) Ground Floor 391 Cambridge Heath Road
London E2 9RA**

This Licensing Authority have received a complaint that your premises are breaching the terms of your premises licence which was granted by the Licensing Subcommittee on **25th July 2023**.

Your premises licence was granted for Late Night Refreshment:

- **Thursday to Sunday from 23:00 hours -01:00 hours**

The complainant has stated that, your premises has been operating past the hours stipulated on the premises licence.

I would advise that you notify all members of staff to adhere to all the conditions stipulated on the premises licence.

It is an offence to carry on or attempt to carry on a licensable activity on or from any premises other than under and in accordance with an authorisation.

A person guilty of an offence under **section 136 (1) of the ACT** is liable on a summary conviction to imprisonment for a term not exceeding six months or an unlimited fine or both.

The authority appreciates that not all complaints are justified when they are made but it is our procedure to bring them to the attention of the premises holder and the Designated Premises Supervisor, and invite you to make any comments you consider appropriate.

Yours sincerely

[REDACTED]
Lavine Miller-Johnson
Licensing Officer

cc. [REDACTED]
Ground Floor 391 Cambridge Heath Road London E2 9RA

Appendix 7

Corinne Holland

From: Licensing
Sent: 10 April 2024 16:38
To: Corinne Holland
Subject: FW: 167999 Variation of premises licence for Perfetto Pizza Ground Floor 391 Cambridge Heath Road London E2 9RA
Attachments: 167999 Perfetto Pizza 391 Cambridge Heath Road - images.docx

From: Nicola Cadzow <[REDACTED]>
Sent: Wednesday, April 10, 2024 3:39 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Cc: 'MARK.J.Perr [REDACTED]'
Subject: 167999 Variation of premises licence for Perfetto Pizza Ground Floor 391 Cambridge Heath Road London E2 9RA

Dear Licensing,

I have considered the premises variation of license application for Perfetto Pizza Ground Floor 391 Cambridge Heath Road London E2 9RA and the impact of the licensing objectives, particular for Environmental Protection the prevention of public nuisance from noise generated from within the premises or outside to be causing disturbance to people in the vicinity. Also, the applicant has applied for hours above and beyond the councils framework hours, and the existing operating hours, given the fact that the premises is within Bethnal Green Cummulative Impact Zone.

It must be noted that the Premises existing operating hours are:

- **Monday to Wednesday 11:00 hours to 23:00 hours; and**
- **Thursday 11:00 hours to 01:00 hours**
- **Friday & Saturday 11:00 hours to 01:00 hours**
- **Sunday 11:00 hours to 01:00 hours.**

The applicant is proposing to extend licensable activity for late night refreshment seven days a week as follows:

- **Monday to Wednesday until 05:00 hours (extension of six hours on existing operating hours)**
- **Thursday until 05:00 hours (extension of four hours on existing operating hours)**
- **Friday & Saturday until 05:00 hours (extension of four hours on existing operating hours)**
- **Sunday until 05:00 hours (extension of four hours on existing operating hours).**

Noise Sensitive premises: residential premises in close proximity to 391 Cambridge Heath Road, London, E2 9RA (see image attached)

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 premises, of patrons, especially due to patrons in high spirits; and

- The hours of operation (inclusive of proposals)

CONCLUSION

Environmental Protection **does not** support the application Perfetto Pizza Ground Floor 391 Cambridge Heath Road London E2 9RA for the following reasons:

- (1) Great likelihood of disturbance to residential premises at the noise sensitive hours sought until 05:00 hours seven days a week.
- (2) The premises is in Bethnal Green Cumulative Impact Zone.

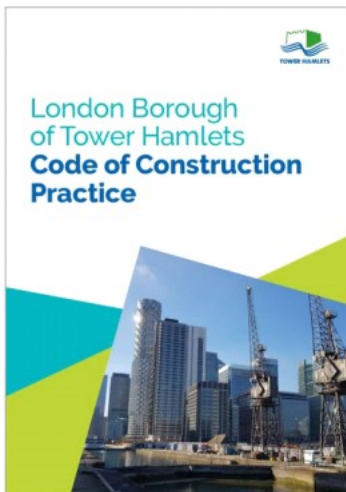
Kind regards

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

www.towerhamlets.gov.uk

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Construction Code of Practice 2023

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

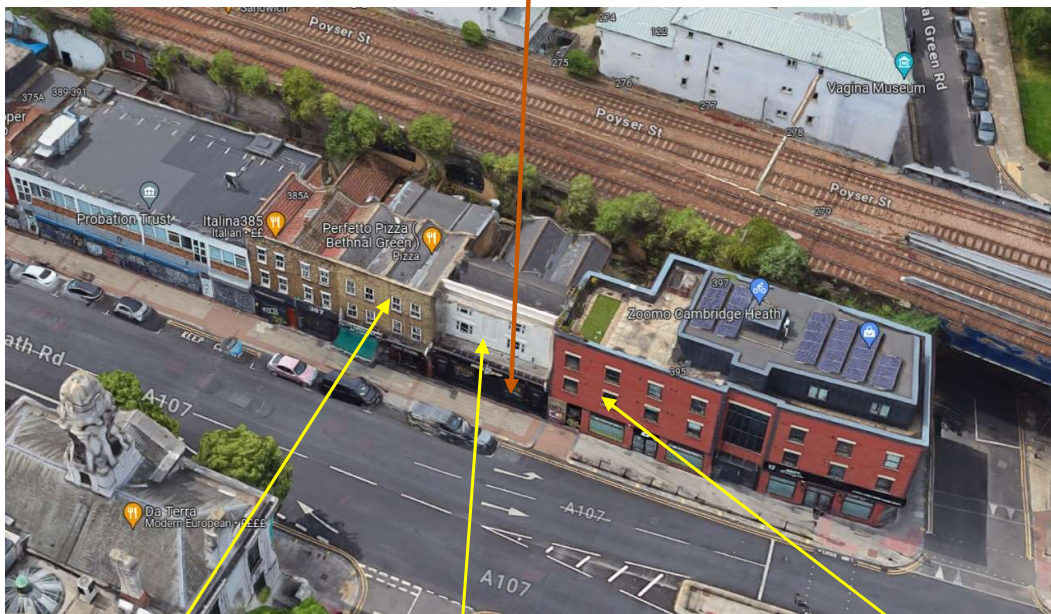
To apply for all Control of Pollution Act 1974 Section 61 consents, dispensations and variations please apply [here](#).

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

Perfetto Pizza 391 Cambridge Heath Road E2 9RA & Residential premises in close proximity

Application reference 167999

Perfetto Pizza 391 Cambridge Heath Road – 391 Cambridge Heath Road



Residential adjacent to
389

Residential above venue at 391
Cambridge Heath Road

Residential adjacent to venue 393
Cambridge Heath Road

Appendix 8

Corinne Holland

From: Nabeel Hasan <[REDACTED]>
Sent: 16 April 2024 17:35
To: Licensing
Cc: Nicola Cadzow; MARK.J.Perr [REDACTED]
Subject: Re: Fwd: 167999 Variation of premises licence for Perfetto Pizza Ground Floor 391 Cambridge Heath Road London E2 9RA
Attachments: CambridgeHeath391.decisionletter.pdf
Follow Up Flag: Follow up
Flag Status: Completed

Dear Sirs,

Thank you for your email highlighting your concerns. We would like to point out that there are a number of businesses within close proximity of the applicant that operate under extended hours. Namely; Wild Bean Cafe E2 LH (open 24H), Best Kebab E2 9BU (open until 2am Sun-Thurs, 5am Fri-Sat), Istanbul Kebab E2 9DA (open under the same hours as Best Kebab).

The businesses noted above are of substantially similar nature to the applicant while operating along the same road. Our client has been operating under their existing license without a singular issue to date and continues to cooperate with the Local Authority as appropriate.

We would also like to bring your attention to the attached decision letter which indicates correspondence with the Sub-Committee in which they concluded that the applicant would be able to operate within the CIZ without adding to the impact. In the time between this decision and now, we understand that there have been no complaints or incidents with the LA regarding the premises. We argue that our client has earned the right to extend their operating hours following this consistency while operating under their current terms.

The applicant is a small business, only being able to serve a few customers on site at a time and has a small likelihood of generating any more of a crowd than any of the other business operating along Cambridge Heath Road.

The applicant is more than reasonable and willing to negotiate reduced hours to the ones requested if the LA feels they would be mutually beneficial for all concerned.

We look forward to hearing.

Kind regards,

Nabeel Hasan

[REDACTED]

[REDACTED]

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Applicant: Qari Azimi

Email: [REDACTED]

29th September 2023

Reference: CLC/LIC/159807/LMI

Dear Sir/Madam,

PLACE Directorate
Public Realm

Environmental Health & Trading
Standards
Licensing & Safety Team
4th Floor Tower Hamlets Town Hall
160 Whitechapel Road
London E1 1BJ
Tel: 020 7364 5008

Email: licensing@towerhamlets.gov.uk

www.towerhamlets.gov.uk

Licensing Act 2003

New premises licence: Perfetto Pizza Ground Floor & Basement, 391
Cambridge Heath Road London E2 9RA

I write to you following your application for a new premises licence to the above application and the subsequent Licensing Sub Committee Hearing on 25th July 2023. The licence was opposed and therefore the Licensing Authority has incorporated any changes of hours and conditions as per the Licensing Sub-Committees decision. The reasons for this decision are attached in

Appendix A.

Your rights of appeal are contained in **Appendix B**

Yours faithfully

[REDACTED]

Lavine Miller-Johnson
Licensing Officer

[REDACTED]

Appendix A

The Licensing Objectives

In considering the application, Members were required to consider the same in accordance with the Licensing Act 2003 (as amended), the Licensing Objectives, the Home Office Guidance and the Council's Statement of Licensing Policy and in particular to have regard to the promotion of the four licencing objectives:

- The Prevention of Crime and Disorder;
- Public Safety;
- The Prevention of Public Nuisance; and
- The Protection of Children from Harm.

Consideration

The Sub-Committee considered an application by Qari Azimi for a new premises licence to be held in respect of Perfetto Pizza, 391 Cambridge Heath Road, London, E2 9RA ("the Premises"). The application originally sought authorisation for the provision of late night refreshment from 23:00 hours to 05:00 hours seven days per week. Following discussions with the Police and Environmental Health, however, the applicant reduced scope of the application so that authorisation was sought only for Thursday to Sunday and from 23:00 hours to 01:00 hours. Conditions had been agreed with those authorities.

The application attracted one representation opposing it. This was from the Licensing Authority and based on the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance and the fact that the Premises were located in the Bethnal Green Cumulative Impact Zone (CIZ).

The Sub-Committee heard from Abdul Azimi on behalf of the applicant. His brother was the applicant but was presently out of the country. He spoke briefly to the application. In large part he referred to the financial difficulties faced by businesses in the area and the need for later hours to survive. There were often events such as boxing matches, which finished at around 23:00 hours, and without a licence they would not be able to serve those patrons.

It was not clear that Mr. Azimi fully understood the CIZ during questions although once explained to him he was able to set out some measures to be taken to ensure that they did not add to the impact. These included conditions such as CCTV. He also told the Sub-Committee that the Premises used its own delivery drivers because they could exercise more control over them, which they could not do with third-party drivers.

It was also unclear whether he understood the hours sought. When these were clarified by the Legal Adviser, however, it did seem clear that he understood them.

He was asked if he could explain why the Premises appeared to have been providing late night refreshment on 6th May 2023. He told the Sub-Committee that they did not know about the need for a licence and that this happened to be the King's Coronation weekend. As soon as they had been made aware of the need for a licence, they had ceased to trade without an authorisation. The Legal Adviser confirmed to the Sub-Committee that the extension to licensing hours for the Coronation weekend did not apply to the provision of late night refreshment.

The Sub-Committee heard from Corinne Holland on behalf of the Licensing Authority. She referred to the sale on 6th May 2023 and allegations of noise nuisance (from the same resident) on that evening and on 30th May, when the Premises had been operating under a Temporary Event Notice (TEN). It was alleged that there had been a large fight on 30th May around 01:30 hours. Warning letters were sent to the Premises on 30th May warning that online advertising showed several businesses operating for delivery from the Premises and that this may constitute an offence. A further warning was sent the following day advising of the failed test purchase on 6th May.

Ms. Holland submitted that the Premises did not fall within an exception to the CIZ. Food was not supplied for consumption on the Premises nor was the business delivery-only.

During questions, Ms. Holland confirmed that only the one resident had complained. She was asked by our Legal Adviser to clarify the allegation of the fight on 30th May, which had not appeared in her original representation, which had only referred to the Premises being noisy. She read the allegation out to the Sub-Committee. It did not make any specific reference to this being linked to the Premises although Ms. Holland suggested it was clearly implied.

Mr. Azimi knew nothing of the alleged altercation. He denied that there had been any fights at the Premises and also denied, as suggested in the complaint, that they had operated until 06:00 or 07:00 hours. When they had operated under TENs, they had closed around midnight or 00:30 and delivered until 02:00 hours.

The application engaged the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance. There was little evidence of either. The Sub-Committee is aware that its function is not to determine guilt or innocence and that although the failed test purchase on 6th May 2023 might have amounted to an offence, it could not conclude that it was.

The Sub-Committee noted, however, that as soon as the issue was communicated to the Premises' management, they ceased operating, gave TENs, and applied for a premises licence. The Sub-Committee therefore considered that it could accept that this was a genuine error on the part of the applicant and that they would be capable of upholding the licensing objectives.

The Sub-Committee could not rely upon the allegation of a fight outside the Premises on 30th May 2023. The initial account given by Ms. Holland in her representation was different. Whilst the Sub-Committee accepted that this was simply a mistake, having heard the complaint read out it could not be considered reliable. There was no detail which linked it in any way to the Premises. It made no

specific mention of the Premises. It appeared to have not been reported to the Police. Such an incident may well have occurred; however, it could not be linked to the Premises.

The Sub-Committee noted further that neither the police nor Environmental Health had made a representation; they had been content with the agreed conditions and the reduction in hours. No residents had objected. The one resident who had complained to the Licensing Authority had clearly not done so. Whilst the Premises were in the CIZ and the onus was on the applicant to rebut the presumption in favour of a refusal, these were matters the Sub-Committee considered to be relevant. The applicant had agreed a number of conditions and a reduction in hours with the responsible authorities, which would mitigate any impact on the CIZ. Further, the fact that the Premises had operated under a small number of TENs without problem (save for the unsubstantiated allegation) indicated that the Premises could operate within the CIZ without adding to the impact.

The Sub-Committee noted Ms. Holland's point that the applicant had not brought themselves within one of the exceptions to the CIZ described in the Statement of Licensing Policy. However, the Policy indicates possible exceptions rather than providing an exhaustive list. The Sub-Committee was satisfied that the applicant had rebutted the presumption against granting the application.

The application is therefore granted:

Provision of late night refreshment (off the premises)

Thursday to Sunday 23:00 hours to 01:00 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. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following:

- a) all crimes reported to the venue;
 - b) all ejections of patrons.
 - c) any complaints received concerning crime and disorder
 - d) any incidents of disorder;
 - e) all seizures of drugs or offensive weapons;
 - f) any faults in the CCTV system, searching equipment or scanning equipment;
 - g) any refusal of the sale of alcohol;
 - h) any visit by a relevant authority or emergency service.
4. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:
- a) the police (and, where appropriate, the London Ambulance Service) are called without delay;
 - b) all measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
 - c) the crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
 - d) such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.
5. The premises will have a dispersal plan to ensure customers donot cause noise nuisance when queuing for food or leaving the premises.
6. No collections of waste or recycling materials (including bottles) from the premises shall take place between 22:00 hours and 08:00 hours on the following day.
7. No deliveries to the premises shall take place between 22:00 hours and 08:00 hours the following day.
8. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
9. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises, which gives rise to a public nuisance.
10. No loitering of patrons outside the premises, no shouting or raised voices, nor loud music/radios, whilst premise is in operation.

Appendix B

Appeal Rights under Schedule 5 of Licensing Act 2003

The appeal must be made to the Magistrates Court which has jurisdiction in the area of the London Borough of Tower Hamlets.

A notice of appeal must be given to the justices' chief executive for the Magistrates Court within a period of 21 days beginning with the day on which the appellant was notified by the Licensing Authority.

Please note that the licensing authority will be a party to the appeal.

Appendix 9

Corinne Holland

From: MARK.J.Perry@[REDACTED]
Sent: 19 April 2024 13:21
To: nabeel@[REDACTED]
Cc: Licensing
Subject: RE: Variation of premises License Perfecto Pizza Cambridge Heath Road

Hi Nabeel,

Thanks for agreeing terms so quickly, and have a good weekend.

Tower Hamlets Council please see hours agreed with the applicant below.

Kind Regards

Mark

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

[REDACTED]
A: Licensing Office, 1st Floor Stoke Newington Police Station

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

From: Nabeel Hasan <[REDACTED]>
Sent: 19 April 2024 13:13
To: Perry Mark J - CE-CU [REDACTED]
Subject: Re: Variation of premises License Perfecto Pizza Cambridge Heath Road

Hi Mark,

Your offer is more than reasonable, my client is happy to agree to your initial proposal.

Thank you for your prompt cooperation and I hope you enjoy the weekend.

Kind regards,

Nabeel Hasan

Reza Solicitors Ltd, [REDACTED]

E1 2BT

Tel: [REDACTED]
[REDACTED]

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On 19/04/2024 13:11, MARK.J.Perry [REDACTED]

> Hi,
>
> Sadly I think until 4am is too much of a jump from their existing
> hours, and the risk of such extended hours resulting in nuisance and
> disorder is therefore too great.
>
> I believe if your client is able to demonstrate over a reasonable
> period of time they can operate until 3am without issue, then we would
> of course consider a fresh application to further extend the hours.

> Kind Regards

> Mark

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

> [REDACTED]
> [REDACTED]
> A: Licensing Office, 1st Floor Stoke Newington Police Station

> -----Original Message-----
> From: Nabeel Hasan <nabeel@[REDACTED]>
> Sent: 19 April 2024 12:29
> To: Perry Mark J - CE-CU <MARK.J.[REDACTED]>
> Subject: Re: Variation of premises License Perfecto Pizza Cambridge
> Heath Road

> Hi Mark,
>
> Thank you for your email and phone call earlier. Having spoken to my
> client, they have politely asked if you are willing to consider
> deliveries until 4am? They have again expressed that the business is
> struggling heavily without access to the customers later at night.
>
> They are more than happy to accept the rest of your proposal.
>
> I look forward to hearing.
>
> Kind regards,
>
> ---
> Nabeel Hasan
>
> Reza Solicitors Ltd, U [REDACTED]
> L [REDACTED]
> [REDACTED]
> Tel: [REDACTED]
> Email: info@rezasolicitors.com;
> http://www.r/
> ezasolicitors.com%2F&data=05%7C02%7Cmark.j.perry%40met.police.uk%7C766
> 53c2543a64b1d501e08dc606a0c83%7Cf3ee2a7e72354d28ab42617c4c17f0c1%7C0%7
> C0%7C638491255788603099%7CUnknown%7CTWFpbGZsb3d8eyJWljojoiMC4wLjAwMDAiLC
> JQljojoiV2luMzliLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=dFrxy
> JcTvZ%2BRa74THgUpgsg1HJRtrX5XETi1hd2CwA%3D&reserved=0
>
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> firm is authorised and regulated by the Solicitors Regulation
> Authority (SRA No. 645661)
>
> On 19/04/2024 11:55, MARK.J.Perry [REDACTED]
>> Hi Nabeel,
>>
>> Good to speak to you earlier. Following our conversation please see
>> below the proposed hours of Late Night Refreshment for the Premises:
>>
>> Monday to Sunday
>>
>> 23:00 - 01:00 for on premises sales.
>>
>> 01:00 - 03:00 for delivery only.
>>
>> All conditions to remain the same.

>>

>> Please let me know if this is acceptable to your client and I will

>> let Tower Hamlets Council know we have agreed terms.

>>

>> Kind Regards

>>

>> Mark

>>

>> PC Mark Perry

>>

>> Central East Licensing Unit

>>

>> Metropolitan Police Service (MPS)

>>

>> [REDACTED]

>>

>> Email [REDACTED]

>>

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

>>

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Appendix 10

Section 182 Advice by the Home Office Updated on August 2023

Relevant, vexatious and frivolous representations

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

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

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

Appendix 11

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 12

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 13

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 14

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:

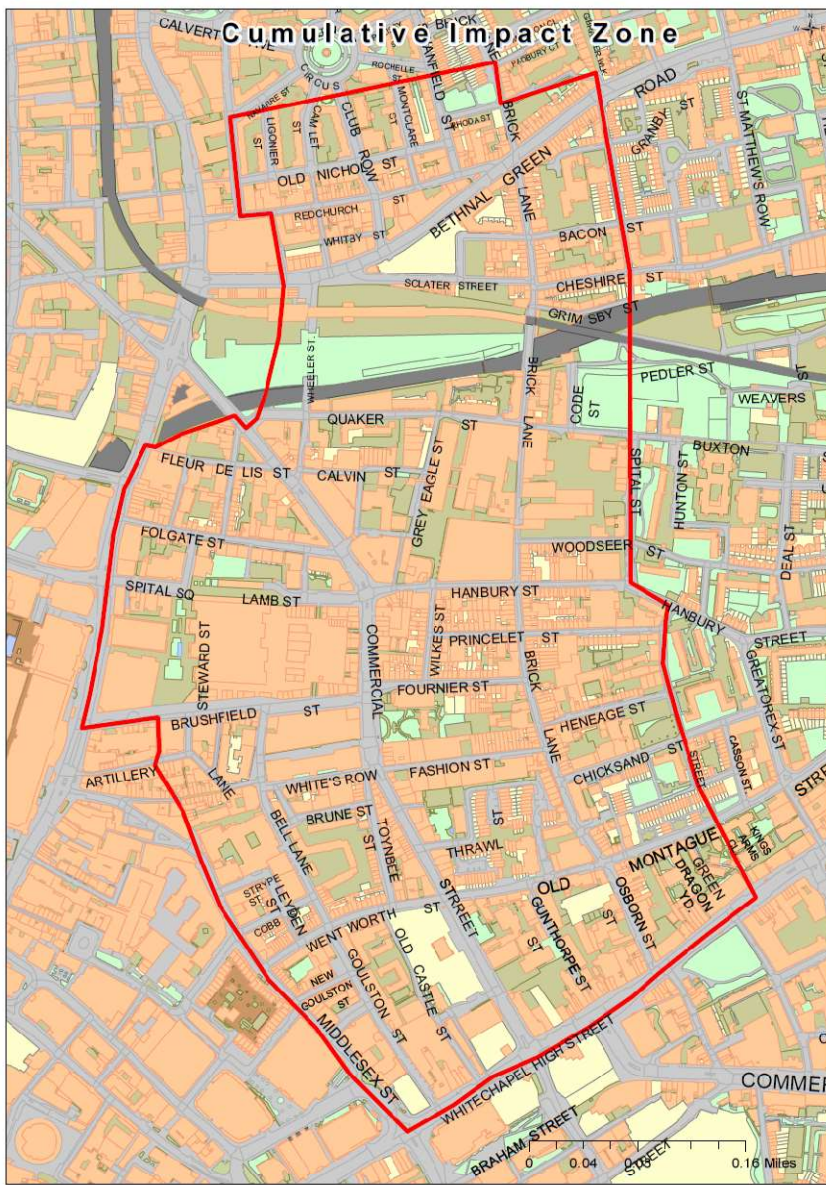
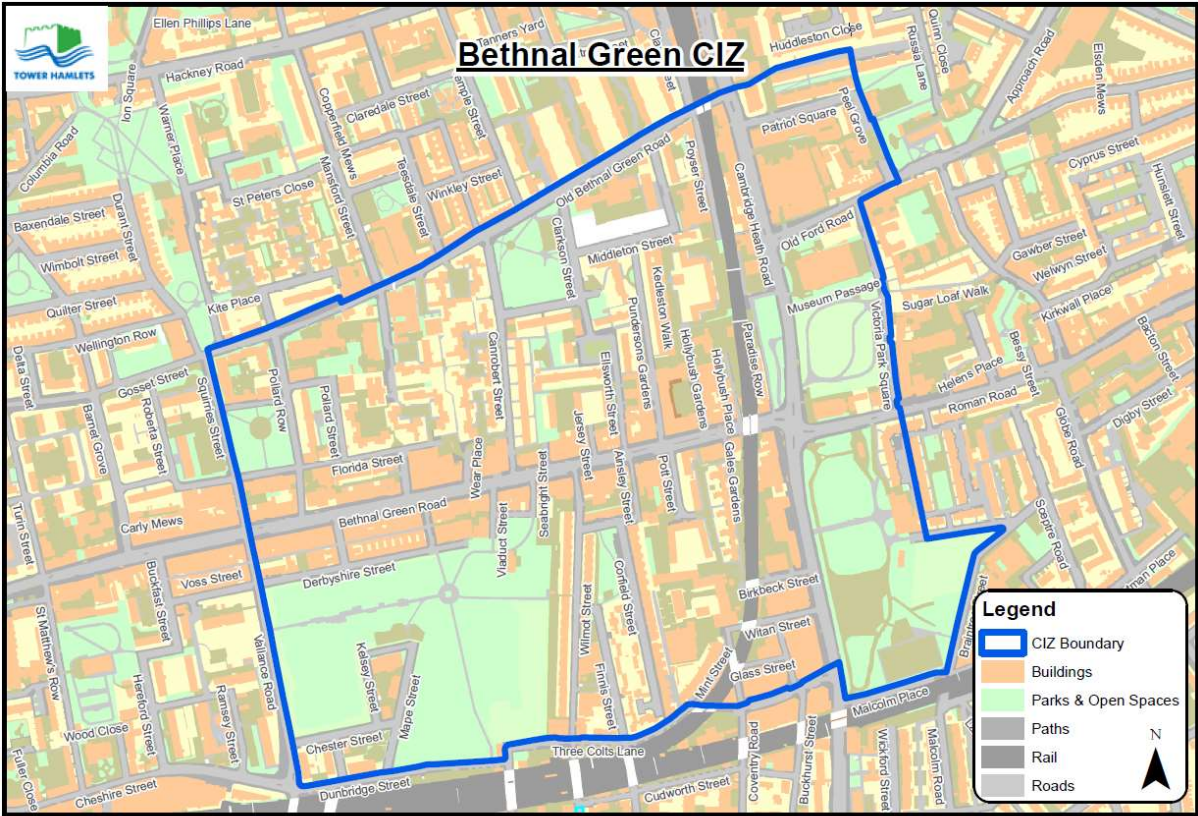


Figure Two:

Bethnal Green Area



Appendix 15

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 16

Licensing Policy Relating to Hours of Trading

All applications have to be considered on their own merits.

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

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

(see 16.8 of the Licensing Policy)

In considering the applicability of framework hours to any particular application regard should be had to the following

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

(See 16.9 of the Licensing Policy)

Subject to any representations to the contrary in individual cases the following premises are not generally considered to contribute to late night anti-social behaviour and will therefore generally have greater freedom

- Theatres
- Cinemas
- Premises with club premises certificates

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Agenda Item 4.2

Committee: Licensing Sub Committee	Date 19 September 2024	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 The Pickle Factory, 11-14 The Oval, London, E2 9DT
Originating Officer: Corinne Holland Licensing Officer	Ward affected: Bethnal Green West

1.0 Summary

Applicant:	East Space Limited
Name and Address of Premises:	The Pickle Factory 11-14 The Oval London E2 9DT
Licence sought:	Licensing Act 2003 Sale by retail of Alcohol (on & off sales) Regulated entertainment (films, live & recorded music) Provision of Late-Night Refreshments
Objectors/Supporters:	Environmental Protection Residents / Other persons

2.0 Recommendations

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

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

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

File
Section 182 Guidance
LBTH Licensing Policy

Corinne Holland
020 7364 3986

3.0 **Background**

3.1 This is an application for a new Premise Licence for The Pickle Factory, 11-14 The Oval, London, E2 9DT.

3.2 The applicant has described the premises as: Licensed Premises

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 & off sales)

Monday – Wednesday 12:00 – 23:00 hours

Thursday 12:00 – 03:30 hours

Friday & Saturday 12:00 – 05:00 hours (the following day)

Sunday 12:00 – 02:00 hours (the following day)

Regulated Entertainment

Films, Live & recorded music (indoors & outdoors)

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

Thursday 12:00 – 04:30 hours

Friday & Saturday 12:00 – 06:00 hours (the following day)

Sunday 12:00 – 03:00 hours (the following day)

Late Night Refreshments (indoors & outdoors)

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

Thursday 23:00 – 04:30 hours

Friday & Saturday 23:00 – 06:00 hours (the following day)

Sunday 23:00 – 03:00 hours (the following day)

Opening times

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

Thursday 12:00 – 04:30 hours

Friday & Saturday 12:00 – 06:00 hours (the following day)

Sunday 12:00 – 03:00 hours (the following day)

3.5 For information purposes A copy of the existing Premise Licence for The Pickle Factory is in **Appendix 2**

3.6 For information purposes a Premise Licence for the Oval Café (11-12 The Oval) recently lapsed. It was granted in February 2022 for the following hours and activities:

The sale by retail of alcohol (on sales only)

- *Monday to Thursday from 12:00 hours to 23:30 hours*
- *Friday and Saturday from 12:00 hours to 00:00 hours (midnight)*
- *Sunday from 12:00 hours to 22:30 hours*

The provision of late-night refreshment - Indoors

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

The Provision of regulated entertainment – indoors

(Recorded Music)

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

Non-standard timings

- *New Year's Eve, above licensable activities from 08:00 hours to 03:00 hours to 03:00 hours on New Year's Day.*

The opening hours of the premises

- *Monday to Thursday from 00:00 hours to 00:00 hours (midnight)*
- *Friday and Saturday from 08:00 hours to 00:30 hours (the following day)*
- *Sunday from 08:00 hours to 23:00 hours*

Non-standard timings

- *New Year's Eve, above licensable activities from 08:00 hours to 03:00 hours to 03:00 hours on New Year's Day.*

4.0 Location and Nature of the premises

4.1 The site plan of the venue is included as **Appendix 3**.

4.2 Maps showing the vicinity are included as **Appendix 4**.

4.3 Photographs of the premises are included in **Appendix 5**.

4.4 Details of other licensed venues in the immediate vicinity are included as **Appendix 6**.

5.0 Licensing Policy and Government Advice

5.1 The Council has adopted a licensing policy and this is available from the Licensing Section, and at the hearing. The revised policy came into effect on 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, 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 33**

6.7 All the representations in this report have been considered by the relevant officer (Team Leader Licensing) and determined to have met the requirements of the Licensing Act 2003.

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

OPPOSING REPRESENTATIONS	
N.Cadzow – Environmental Protection	Appendix 7
S.Fernandez	Appendix 8
G.Grbic	Appendix 9
P. Gucevicius	Appendix 10
G. Lewis	Appendix 11
O. Olah	Appendix 12
J. Lewis/ D.Lewis/ E Lewis / L. Lewis/ P. Tverijonas	Appendix 13
L.Rijper	Appendix 14
SUPPORTING REPRESENTATIONS	
A.Harris	Appendix 15
A.Lame	Appendix 16
B.Smith	Appendix 17
C. Jordan	Appendix 18
D.Chung	Appendix 19
D.Selby	Appendix 20
D.Sherringham	Appendix 21
D.Taylor	Appendix 22
E.Lansdowne	Appendix 23
G.Peterson	Appendix 24
H.Farmer	Appendix 25
H.Lamb	Appendix 26
K.Ferdinand	Appendix 27
M.Kill	Appendix 28
R.Maguire	Appendix 29
T.Jankovich	Appendix 30
R.Best/M.Sermon/S.Nathan (Hackney Night Shelter)	Appendix 31

6.9 Applicants' email regarding a residents meeting – **Appendix 32**

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

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

- Public Health
- Home office (Immigration Enforcement)

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

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

6.12 The objections relate to:

- Public nuisance
- ASB
- Crime & Disorder
- Public safety
- Access & Egress

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

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

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

7.0 Conditions consistent with Operating Schedule

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 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.
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 [insert appropriate number] months thereafter/[insert appropriate number] times a year. 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 – 21:00 (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.

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.

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 33 - 43** 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	Existing licence No. 156449
Appendix 3	Site Plan
Appendix 4	Maps of the surrounding area
Appendix 5	Photographs of the premises
Appendix 6	Other licensed venues in the area
Appendix 7 - 14	Opposing Representations
Appendix 15 - 31	Supporting Representations
Appendix 32	Applicants' email regarding a resident meeting
Appendix 33	Section 182 Advice by the DCMS- Relevant, vexatious and frivolous representations
Appendix 34	Licensing Officer comments on public nuisance
Appendix 35	S182 advice on public nuisance
Appendix 36	Licensing Officer comments on crime and disorder nuisance
Appendix 37	S182 advice on crime & disorder
Appendix 38	ASB on leaving the premises
Appendix 39	Licensing Officer comments on public safety
Appendix 40	S182 advice on public safety
Appendix 41	Access & Egress
Appendix 42	Licensing Policy relating to hours of trading
Appendix 43	Planning
Appendix 44	Environmental Health – withdrawal and agreed conditions

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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.

We East Space Limited

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			
The Pickle Factory 11-14 The Oval Cambridge Heath			
Post town	London	Post code	E2 9DT

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ NOT ON GOV

Part 2 - Applicant Details

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

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital 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:

Please tick yes

- 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 old or over		I am 18 years		<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 old or over		I am 18 years		<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)			

(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 East Space Limited
Address [REDACTED]
Registered number (where applicable) 14520338
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?

Day	Month	Year
A	S	A P

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

Day	Month	Year

A

Please give a general description of the premises (please read guidance note1)
Licensed Premises

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

N/A

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

(Please see sections 1 and 14 of the Licensing Act 2003 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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed				<u>State any seasonal variations for performing plays</u> (please read guidance note 5)	
Thur					
Fri				<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)	
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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	12:00	00:00	<u>Please give further details here</u> (please read guidance note 4)	Both	<input checked="" type="checkbox"/>
Tue	12:00	00:00			

Wed	12:00	00:00	State any seasonal variations for the exhibition of films (please read guidance note 5)
Thur	12:00	04:30	
Fri	12:00	06:00	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 6)
Sat	12:00	06:00	
Sun	12:00	03:00	

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 5)
Tue			
Wed			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 6)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
Mon			Outdoors	<input type="checkbox"/>
Tue			Both	<input type="checkbox"/>
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)	
Thur			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those	
Fri				
Sat				

			listed in the column on the left, please list (please read guidance note 6)
Sun			

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	12:00	00:00	Please give further details here (please read guidance note 4)		
Tue	12:00	00:00			
Wed	12:00	00:00	State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur	12:00	04:30			
Fri	12:00	06:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	12:00	06:00			
Sun	12:00	03:00			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	12:00	00:00	Please give further details here (please read guidance note 4)		
Tue	12:00	00:00			
Wed	12:00	00:00	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	12:00	04:30			
Fri	12:00	06:00	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 6)		
Sat	12:00	06:00			
Sun	12:00	03:00			

G

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

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	23:00	00:00			
Tue	23:00	00:00			
State any seasonal variations for the provision of late night refreshment (please read guidance note 5)					
Wed	23:00	00:00			
Thur	23:00	04:30			
Fri	23:00	06:00			
Sat	23:00	06:00			
Sun	23:00	03:00	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)		

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption (Please tick box) (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	12:00	23:00			
Tue	12:00	23:00			
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 6)					
Wed	12:00	23:00			
Thur	12:00	03:30			
Fri	12:00	05:00			
Sat	12:00	05:00			
Sun	12:00	02:00			

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

Name Salma Massioui Belgada
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)

N/A

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	12:00	00:00	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
Tue	12:00	00:00	
Wed	12:00	00:00	
Thur	12:00	04:30	
Fri	12:00	06:00	
Sat	12:00	06:00	
Sun	12:00	03:00	

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

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

Please see attached document for full bank of conditions.

b) The prevention of crime and disorder

See box a)

c) Public safety

See box a)

d) The prevention of public nuisance

See box a)

e) The protection of children from harm

See box a)

Please tick yes


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

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

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PERSUANT 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 11). **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	07/06/2024
Capacity	Poppleston Allen – Solicitors for and on behalf of the 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)

Poppleston Allen Solicitors
The Stanley Building
7 Pancras Square

Post town	London	Post code	N1C 4AG
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Telephone number (if any)	██████████
----------------------------------	------------

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

██████████

Notes for Guidance

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

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

example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.

10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.
15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership 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 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 which an applicant may provide to demonstrate their entitlement to work in the UK (which do not need to be certified) that are published on GOV.UK and in guidance issued under section 182 of the Licensing Act 2003.
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 check 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 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.

Pickle Factory, The Oval

New Premises Licence – Proposed 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 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.
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 [insert appropriate number] months thereafter/[insert appropriate number] times a year. 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 – 21:00 (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

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.

Appendix 2



(Pickle Factory)

14 The Oval
London
E2 9DT

**Licence No.
156449**

Licensable Activities authorised by the licence

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

See the attached licence for the licence conditions

Signed by

David Tolley 
Head of Environmental Health & Trading Standards

Date: 10th July 2013

- 2nd July 2014, amended by minor variation
- 1st June 2015, amended by minor variation
- 15th January 2016, amended by a full variation
- 22nd February 2017, amended by a full variation



Part A - Format of premises licence

Premises licence number

156449

Part 1 - Premises details

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

(Pickle Factory)
14 The Oval

Post town
London

Post code
E2 9DT

Telephone number
020 7183 4422

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

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

The times the licence authorises the carrying out of licensable activities

The sale by retail of alcohol

- Monday to Wednesday, from 12:00 hours to 23:00 hours
- Thursday, from 12:00 hours to 03:30 hours the following day
- Friday, from 12:00 hours to 05:00 hours the following day
- Saturday, from 08:00 hours to 05:00 hours the following day
- Sunday, from 08:00 hours to 02:00 hours the following day

The provision of late night refreshment

- Thursday from 23:00 hours to 02:00 hours the following day
- Friday, from 23:00 hours to 03:00 hours the following day
- Saturday, from 23:00 hours to 03:00 hours the following day

The provision of regulated entertainment - Indoors

(Films)

- Monday to Wednesday, from 12:00 hours to 23:00 hours
- Thursday and Friday, from 12:00 hours to midnight
- Saturday and Sunday, from 08:00 hours to midnight

(Live Music)

- Monday to Wednesday, from 12:00 hours to 23:00 hours
- Tuesday and Wednesday, from 12:00 hours to 23:00 hours
- Thursday, from 12:00 hours to 02:00 hours the following day
- Friday, from 12:00 hours to 06:00 hours the following day
- Saturday, from 08:00 hours to 06:00 hours the following day

(Recorded Music)

- Monday to Wednesday, from 12:00 hours to 23:00 hours
- Thursday, from 12:00 hours to 03:30 hours the following day
- Friday, from 12:00 hours to 06:00 hours the following day
- Saturday, from 08:00 hours to 06:00 hours the following day
- Sunday, from 00:00 hours to 02:00 hours the following day

Non-standard timings

- New Year's Eve & New Year's Day until 02:30
- Bank Holidays Mondays, weekend Service 08:00 hours to 00:00 hours

The opening hours of the premises

- Monday to Wednesday, from 12:00 hours to 00:00 hours (midnight)
- Thursday, from 12:00 hours to 04:00 hours the following day
- Friday, from 12:00 hours to 06:00 hours the following day
- Saturday, from 08:00 hours to 06:00 hours the following day
- Sunday, from 08:00 hours to 02:00 hours the following day

Non-standard timings

- New Year's Eve & New Year's Day 08:00 to 03:00 hours the following day
- Bank Holidays Mondays, weekend Service 08:00 hours to 00:30 hours

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

On sales only

Part 2

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

East Space Ltd



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

14520338

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

Salma Massioui Belgada
[REDACTED]

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

Personal Licence number: [REDACTED]

Issuing Authority: [REDACTED]

Annex 1 - Mandatory conditions

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

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

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

1.

- (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises;
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability)
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 3.
- (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
4. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;

- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
5. 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1—
- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) “permitted price” is the price found by applying the formula —

$$P = D + (D \times V)$$
 where —
 - (i) **P** is the permitted price
 - (ii) **D** is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) **V** is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence
 - (i) the holder of the premises licence
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence
 - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day

Films

Where the exhibition of films is authorised, the admission of children to the exhibition of any film must be to be restricted as follows:

If the London Borough of Tower Hamlets Licensing Section has issued a particular notification of restriction to the licence holder, that restriction Otherwise the recommendation of the film classification body.

Children means persons aged under 18 and

“film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (currently the British Board of Film Classification)

Annex 2 - Conditions consistent with the operating Schedule

1. No nudity or semi nudity permitted
2. Any private hire shall be internally risk assessed in advance.
3. Cab service shall be offered to all guests leaving the building.
4. Deliveries shall take place Monday to Saturday, from 08:00 hours to 19:00 hours and Sundays, from 09:00 hours to 12:00 hours.
5. After 05:30 hours the music shall be at a background level.
6. A CCTV camera system covering both internal and external to the premise is to be installed.
 - a. The CCTV recordings are to be maintained for 31 days and to be provided upon request to either a Police Officer or an officer of any other Responsible Authority.
 - b. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained.
 - c. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.

7. At all times the premises is open, a person who can operate the CCTV system must be present on the premises who can download the images and present them immediately on request by a police officer or other responsible authority.
8. SIA staff shall be deployed in a pattern and numbers agreed by the DPS and the Police.
9. Toilets shall be checked at least every 30 minutes at peak times to detect and discourage drug use during events. Records of these checks shall be kept.
10. 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:
11. All members of Management and Staff shall be briefed in 'Challenge 25' and 'Don't Do Drunk' Policies with the related paperwork acknowledged and signed. This also applies to all new starters and trial shift applicants.
12. An incident book shall be kept and maintained every day the premises is open.
 - a. The book shall contain the names and SIA numbers of security staff, their time on duty and time off duty.
 - b. The book shall also record any refusals of entry, refusals of sale of alcohol and any incidents of disorder, incidents of crime or other incidents of note.
 - c. The book shall be signed off by the duty manager at the end of each day.
13. To be a member of the local "pub watch" and to send representatives to all meetings.
14. 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.
15. All security shall wear their identification badges and high visibility tabards clearly marked "Security".
16. A diary of events shall be sent to Tower Hamlets Police Licensing and Environmental Health on a monthly basis.
17. A joint strategy between the Oval and the Pickle Factory for managing customers arriving and leaving their respective venues shall be completed and agreed by Police.

18. Prominent notices will be placed throughout the venue asking customers to mind their property and report any suspicious incidents.
19. Safety checks will be carried out monthly prior to opening and all incidents will be recorded in a log book which will be available for inspection by authorised officers.
20. Floor staff will be allocated tasks around the venue to be completed every 15 minutes to ensure no trip hazards are present.
21. All sweeps of the venue will be recorded in a nightly log.
22. Prominent signs will be displayed to ensure guests are quiet leaving the venue.
23. Front of house staff will monitor guests entering or leaving the venue to ensure moderate behaviour.
24. Bottling out from premises will be forbidden between the hours of 22:00:09:00
25. A challenge 25 policy shall be in operation. A log shall be kept of all challenges made by staff.
26. Challenge 25 will be trained to staff at induction and in ongoing monthly training which will be recorded on staff files for inspection to responsible Authorities

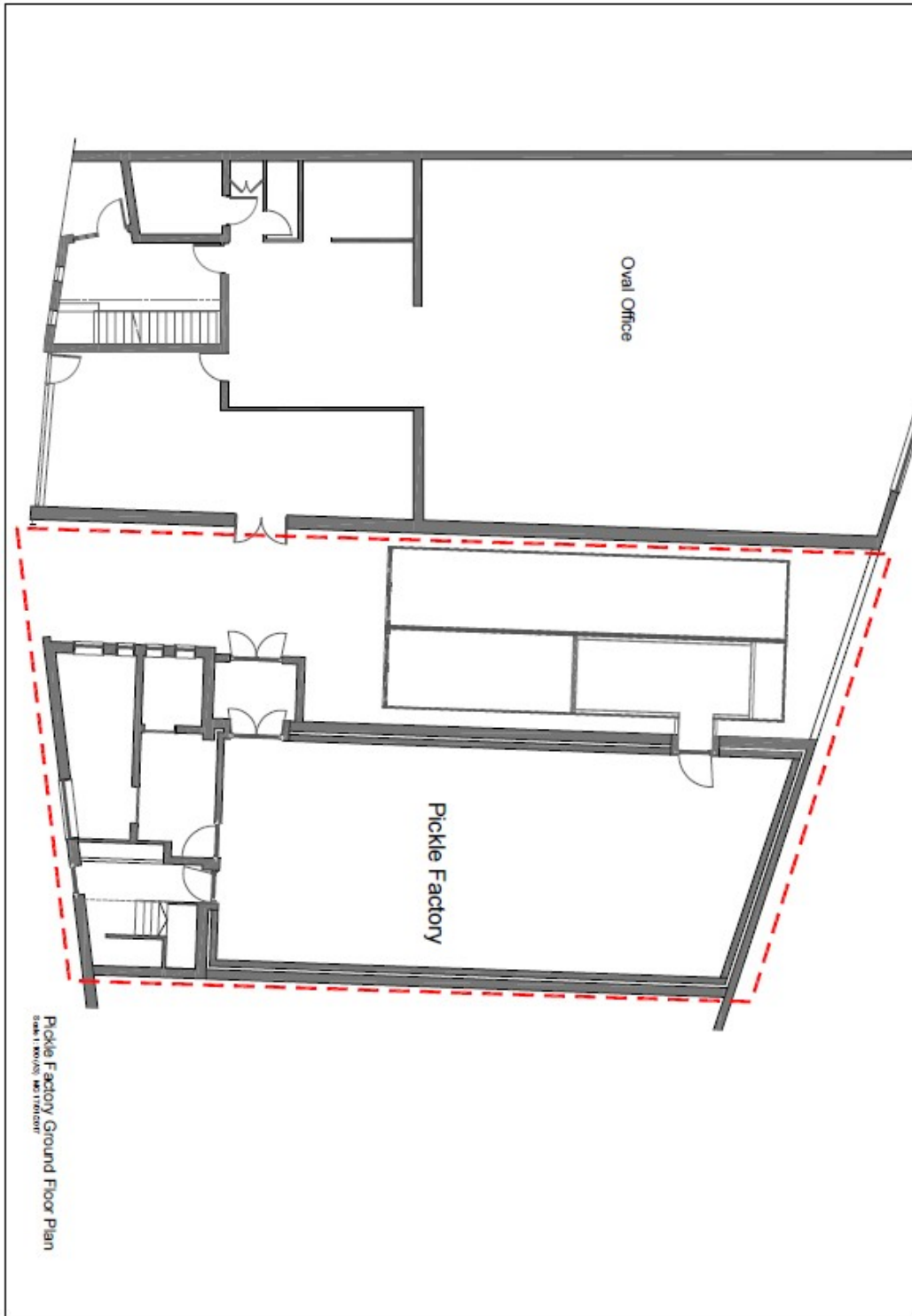
Annex 3 - Conditions attached after a hearing by the licensing authority

Not applicable

Annex 4 - Plans

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

23rd January 2017 - Ground floor, excluding Oval Office (MG 17/01/2017)



Part B - Premises licence summary

Premises licence number

156449

Premises details

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

(Pickle Factory)
14 The Oval

Post town
London

Post code
E2 9DT

Telephone number
020 7183 4422

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

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

The times the licence authorises the carrying out of licensable activities

The sale by retail of alcohol

- Monday to Wednesday, from 12:00 hours to 23:00 hours
- Thursday, from 12:00 hours to 03:30 hours the following day
- Friday, from 12:00 hours to 05:00 hours the following day
- Saturday, from 08:00 hours to 05:00 hours the following day
- Sunday, from 08:00 hours to 02:00 hours the following day

The provision of late night refreshment

- Thursday from 23:00 hours to 02:00 hours the following day
- Friday, from 23:00 hours to 03:00 hours the following day
- Saturday, from 23:00 hours to 03:00 hours the following day

The provision of regulated entertainment - Indoors

(Films)

- Monday to Wednesday, from 12:00 hours to 23:00 hours
- Thursday and Friday, from 12:00 hours to midnight
- Saturday and Sunday, from 08:00 hours to midnight

(Live Music)

- Monday to Wednesday, from 12:00 hours to 23:00 hours
- Tuesday and Wednesday, from 12:00 hours to 23:00 hours
- Thursday, from 12:00 hours to 02:00 hours the following day
- Friday, from 12:00 hours to 06:00 hours the following day
- Saturday, from 08:00 hours to 06:00 hours the following day

(Recorded Music)

- Monday to Wednesday, from 12:00 hours to 23:00 hours
- Thursday, from 12:00 hours to 03:30 hours the following day
- Friday, from 12:00 hours to 06:00 hours the following day
- Saturday, from 08:00 hours to 06:00 hours the following day
- Sunday, from 00:00 hours to 02:00 hours the following day

Non-standard timings

- New Year's Eve & New Year's Day until 02:30
- Bank Holidays Mondays, weekend Service 08:00 hours to 00:00 hours

The opening hours of the premises

- Monday to Wednesday, from 12:00 hours to 00:00 hours (midnight)
- Thursday, from 12:00 hours to 04:00 hours the following day
- Friday, from 12:00 hours to 06:00 hours the following day
- Saturday, from 08:00 hours to 06:00 hours the following day
- Sunday, from 08:00 hours to 02:00 hours the following day

Non-standard timings

- New Year's Eve & New Year's Day 08:00 to 03:00 hours the following day
- Bank Holidays Mondays, weekend Service 08:00 hours to 00:30 hours

Name, (registered) address of holder of premises licence

East Space Ltd

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

On sales only

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

14520338

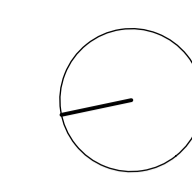
Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Salma Massioui Belgada

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

Not restricted

Appendix 3



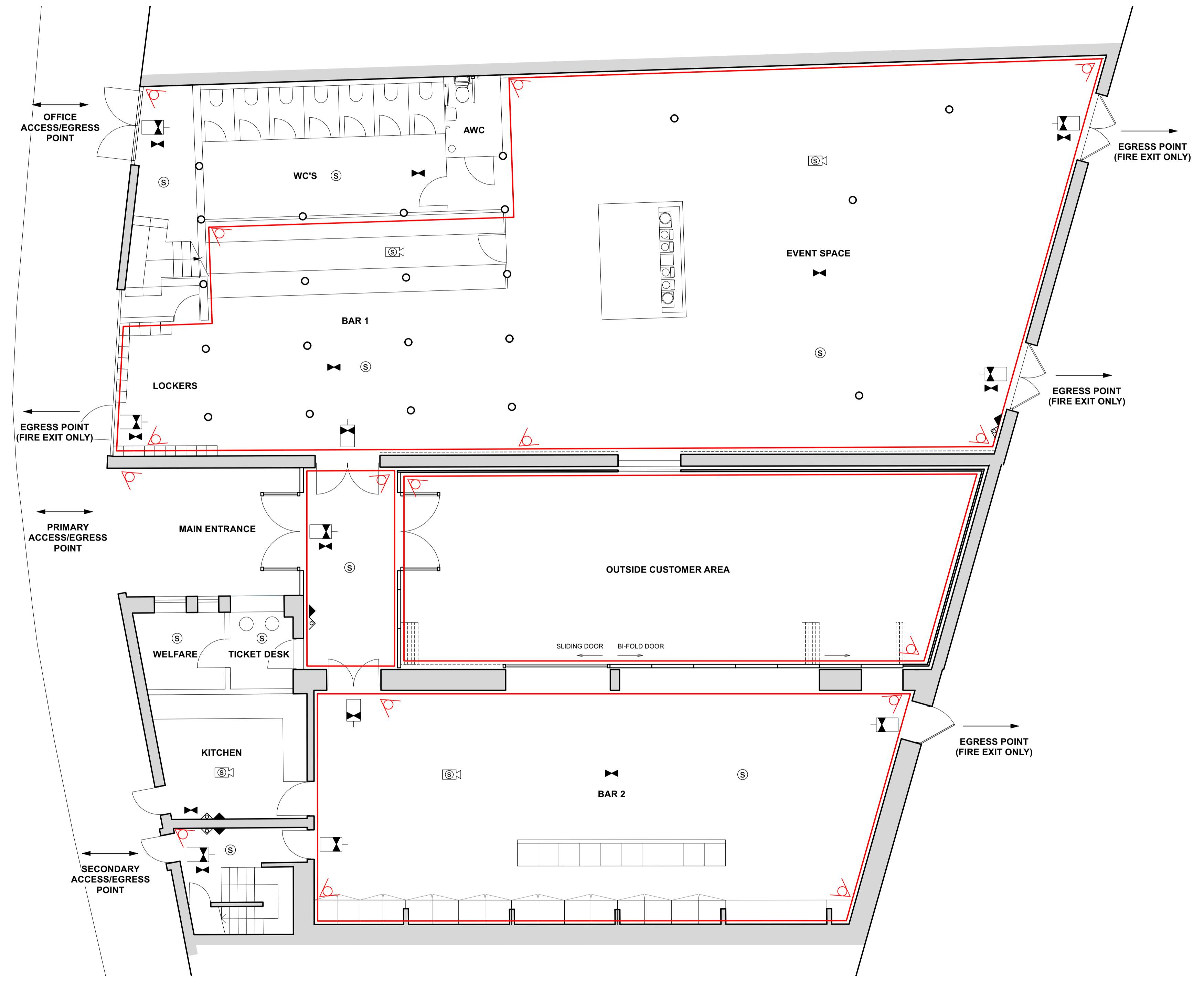
Notes

Position and specification of all emergency alarm / detection / extinguishers to be checked and verified by appointed fire inspectors prior to construction.

Anything shown on this plan which is not required by the Plan Regulations is for illustrative purposes only, and does not form part of the Premises Licence

The location and type of any fire safety and any other safety equipment is shown as at present. This may be varied from time to time with the agreement of the Fire Officer or after a fire risk assessment

- Key**
- BUILDING EXTENTS
 - AREA WHERE LICENSABLE ACTIVITIES WILL TAKE PLACE
 - AREA COVERED BY ESCAPE LIGHTING
 - SMOKE DETECTOR
 - SMOKE DETECTOR, SOUNDER & BEACON
 - CARBON DIOXIDE FIRE EXTINGUISHER
 - FOAM FIRE EXTINGUISHER
 - CCTV
 - EMERGENCY EXIT SIGN
- FD30** FIRE DOOR 30 MINUTES
S13 FIRE DOOR KEEP SHUT
S14 FIRE DOOR KEEP LOCKED
SCA SELF CLOSING DOOR



1 Proposed Ground Floor Licensing Plan
 Scale: 1:75

Rev	Description	Drawn	Date
B	LICENSING PLAN UPDATE	HSM	02/04/2024
A	LICENSING PLAN ISSUE	HSM	01/03/2024

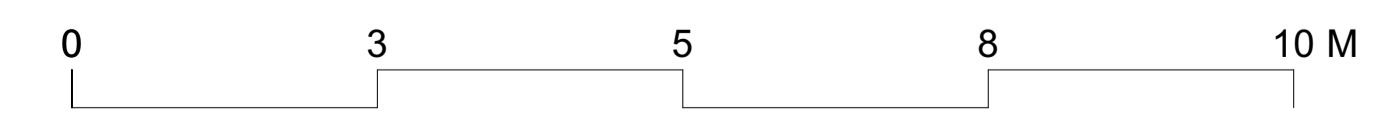
CAKE

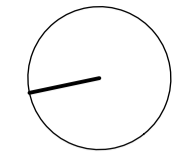
Project Pickle Factory
 Client East Space Ltd
 Drawing Title PR GROUND FLOOR LICENSING PLAN

Scale 1:75 @ A1 Date 28/02/2024

Drwg. No. 028_024_(SK)_001 REV B
 Status LICENSING

Do not scale. All dimensions to be confirmed on site. Information contained in this drawing is the sole copyright of CAKE design & architecture and is not to be reproduced without permission.














Notes

Position and specification of all emergency alarm / detection / extinguishers to be checked and verified by appointed fire inspectors prior to construction.

Anything shown on this plan which is not required by the Plan Regulations is for illustrative purposes only, and does not form part of the Premises Licence

The location and type of any fire safety and any other safety equipment is shown as at present. This may be varied from time to time with the agreement of the Fire Officer or after a fire risk assessment

Key

-  BUILDING EXTENTS
-  AREA WHERE LICENSABLE ACTIVITIES WILL TAKE PLACE
-  AREA COVERED BY ESCAPE LIGHTING
-  SMOKE DETECTOR
-  SMOKE DETECTOR, SOUNDER & BEACON
-  CARBON DIOXIDE FIRE EXTINGUISHER
-  FOAM FIRE EXTINGUISHER
-  CCTV
-  EMERGENCY EXIT SIGN
- FD30** FIRE DOOR 30 MINUTES
- S13** FIRE DOOR KEEP SHUT
- S14** FIRE DOOR KEEP LOCKED
- SCA** SELF CLOSING DOOR

Rev	Description	Drawn	Date
B	LICENSING PLAN UPDATE	HSM	02/04/2024
A	LICENSING PLAN ISSUE	HSM	01/03/2024

CAKE

Project	Pickle Factory
Client	East Space Ltd
Drawing Title	PR FIRST FLOOR LICENSING PLAN

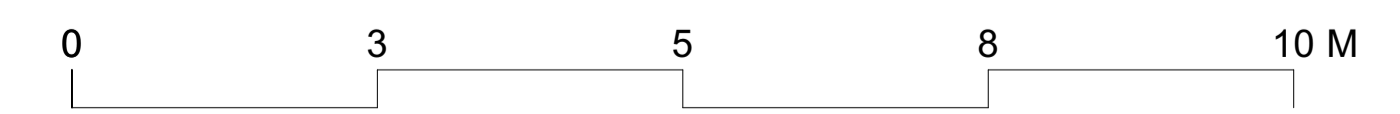
Scale 1:75 @ A1 Date 28/02/2024

Drwg. No. 028_024_(SK)_002 REV B

Status LICENSING

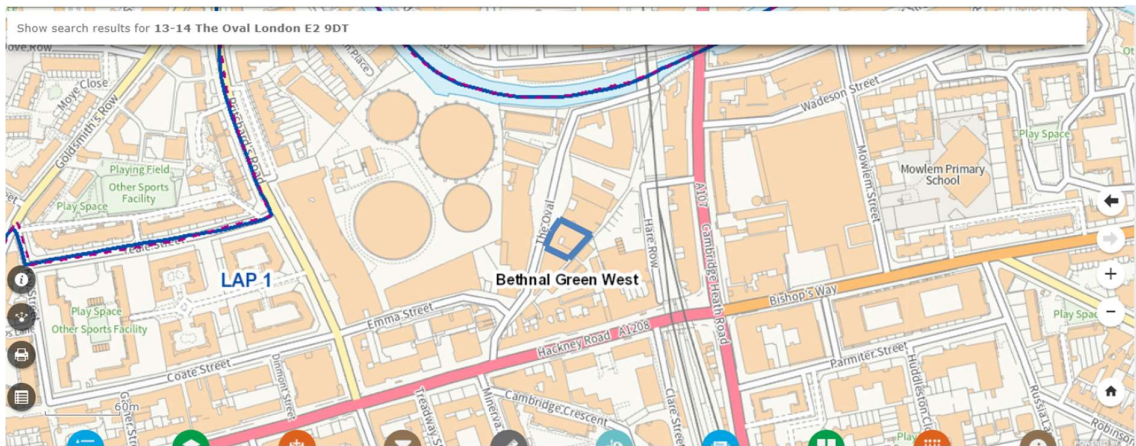
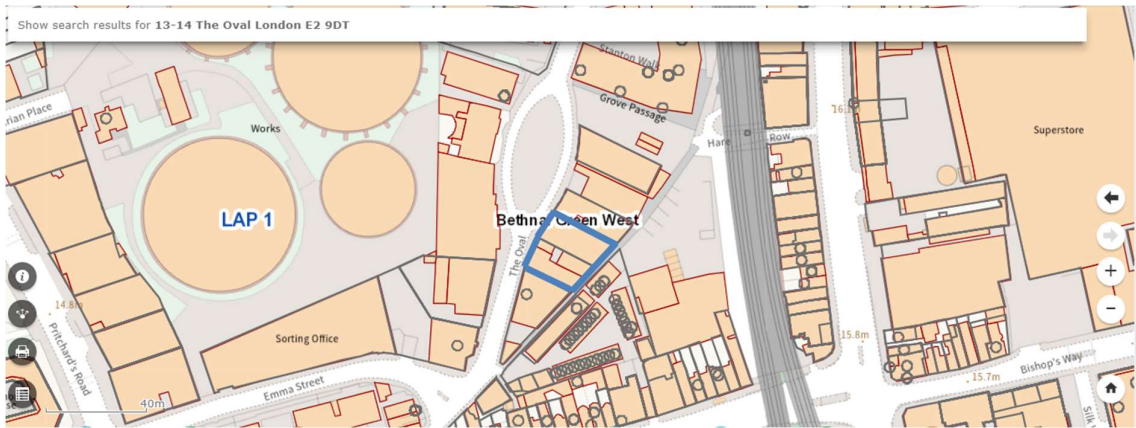
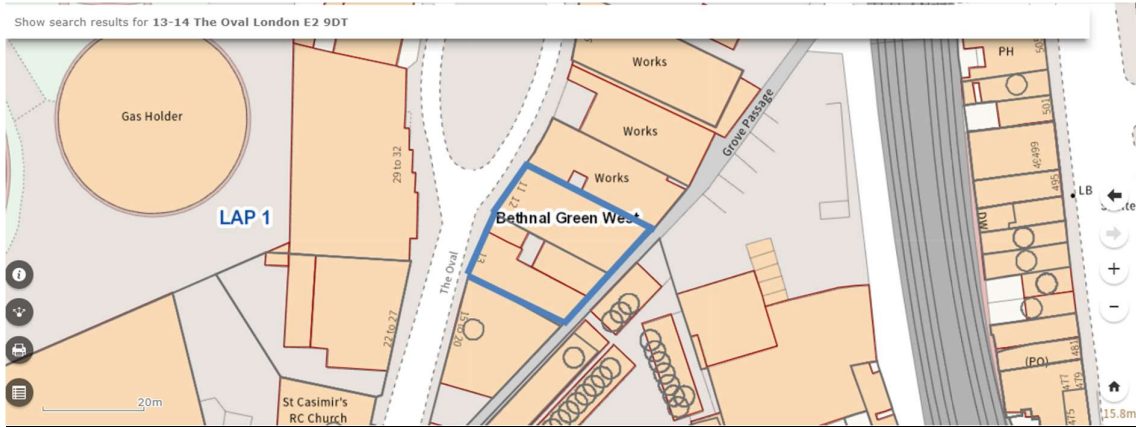
Do not scale. All dimensions to be confirmed on site. Information contained in this drawing is the sole copyright of CAKE design & architecture and is not to be reproduced without permission.

1 Proposed First Floor Licensing Plan
Scale: 1:75



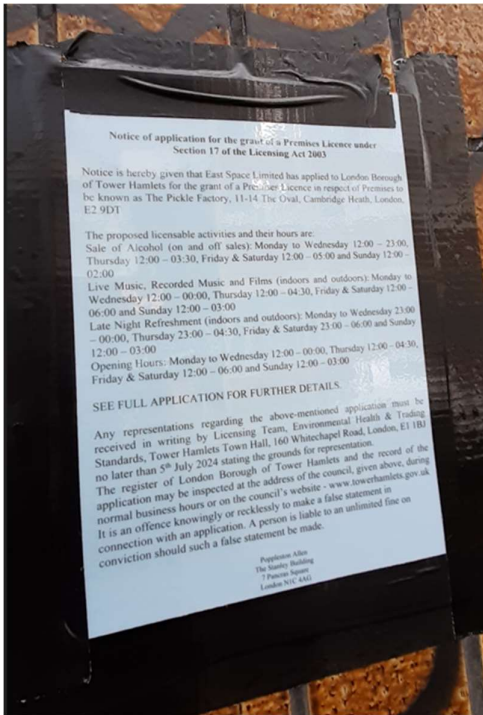
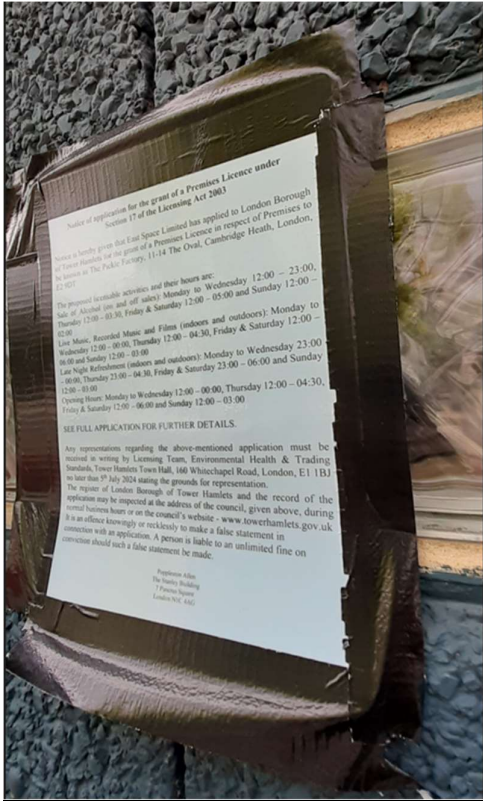
Appendix 4

11-14 The Oval

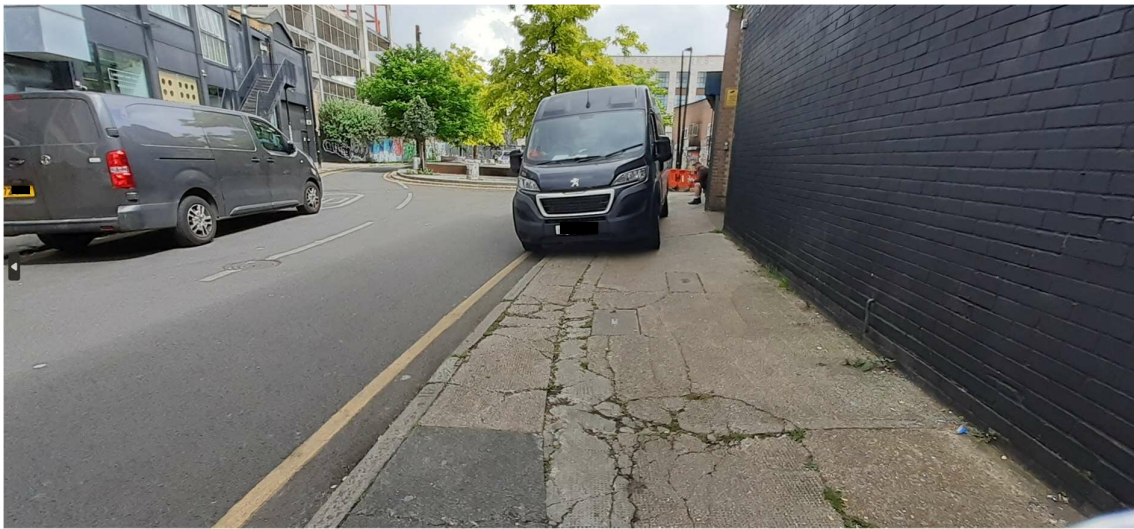


Appendix 5

Photos – 11-14 The Oval







Appendix 6

Nearby Licensed Premises

Name and address	Licensable Activities/Hours	Opening Hours
<p>Oval Space 29 –32 The Oval</p>	<p>The sale by retail of alcohol (On sales, however, off sales applies on events finishing before 00:00 (midnight) (Standard times))</p> <ul style="list-style-type: none"> <input type="checkbox"/> Monday to Wednesday, from 18:00hrs to 00:00hrs (midnight) <input type="checkbox"/> Thursday from 18:00hrs to 02:00hrs (the following day) <input type="checkbox"/> Friday to Sunday, from 12:00hrs to 00:00hrs (midnight) <p>The provision of regulated entertainment Plays and Films (indoors). Provision of anything similar to live music, recorded music or performance of dance (indoors and outdoors). Provision of facilities for making music (indoors). Provision of facilities for entertainment of a similar description to those provided for making music or dancing (indoors). Provision of facilities for dancing. Performance of dance. Provision of facilities for making music (indoors and outdoors)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Friday to Wednesday, from 09:00hrs to 00:00hrs (midnight) <input type="checkbox"/> Thursday from 09:00hrs to 02:00hrs (the following day) 	<p>Friday to Wednesday, from 09:00hrs to 00:00hrs (midnight)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Thursday from 09:00hrs to 02:30hrs (the following day) <p>Non-standard timings On 44 occasions in the year falling on a Friday, Saturday, Sundays and Bank Holidays, sale by retail of alcohol shall extend until 04:00 hours (the following day), the provision of regulated entertainment shall extend until 04:00 hours (the following day), and the provision of late night refreshments shall extend until 03:00 hours (the following day).</p>

	<p>Live music, recorded music – indoors and outdoors</p> <ul style="list-style-type: none"> <input type="checkbox"/> Friday to Wednesday, from 12:00hours to 00:00hrs (midnight) <input type="checkbox"/> Thursday from 09:00hrs to 02:00hrs (the following day) <p>The provision of late night refreshment – Indoors and outdoors</p> <ul style="list-style-type: none"> <input type="checkbox"/> Monday to Sunday, from 23:00hrs to 00:00hrs (midnight) <p>Note: “All outdoor events to cease at 21:00hrs”. Non-standard timings On 44 occasions in the year falling on a Friday, Saturday, Sundays and Bank Holidays, sale by retail of alcohol shall extend until 04:00 hours (the following day), the provision of regulated entertainment shall extend until 04:00 hours (the following day), and the pro</p>	
<p>Its All Greek to Me Pod 7 7-8 The Oval</p>	<p><u>Sale of Alcohol (off sales)</u> Monday – Sunday 12:00 hours – 23:30 hours</p> <p><u>Provision of Late-Night Refreshments</u> Monday – Sunday 23:00 hours – 23:30 hours</p>	<p>Not open to the public – delivery kitchen only</p>
<p>LG Geo Ltd Pod 9 7-8 The Oval</p>	<p><u>The sale by retail of alcohol (off sales only)</u> Monday to Sunday from 12:00 hours to 23:00 hours</p>	<p>Not open to the public – delivery kitchen only</p>

<p>Greedy Cow Pod 9 7-8 The Oval</p>	<p><u>The sale by retail of alcohol (off sales only):</u></p> <ul style="list-style-type: none"> Monday to Saturday, from 12:00 to 23:00 hours Sunday, from 12:00 to 22:00 hours 	<p>Not open to the public – delivery kitchen only</p>
<p>Oval Cafe 11-12 The Oval</p>	<p><u>The sale by retail of alcohol (on sales only)</u></p> <ul style="list-style-type: none"> Monday to Thursday from 12:00 hours to 23:30 hours Friday and Saturday from 12:00 hours to 00:00 hours (midnight) Sunday from 12:00 hours to 22:30 hours <p>The provision of late night refreshment - Indoors</p> <ul style="list-style-type: none"> Monday to Thursday from 23:00 hours to 23:30 hours Friday and Saturday from 23:00 hours to 00:00 hours (midnight) <p>The Provision of regulated entertainment – indoors <u>(Recorded Music)</u></p> <ul style="list-style-type: none"> Thursday from 23:00 hours to 23:30 hours Friday and Saturday from 23:00 hours to 	<ul style="list-style-type: none"> Monday to Thursday from 00:00 hours to 00:00 hours (midnight) Friday and Saturday from 08:00 hours to 00:30 hours (the following day) Sunday from 08:00 hours to 23:00 hours <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> New Year's Eve, above licensable activities from 08:00 hours to 03:00 hours to 03:00 hours on New Year's Day.

	<p>00:00 hours (midnight)</p> <ul style="list-style-type: none"> • Sunday from 23:00 hours to 22:30 hours <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> • New Year's Eve, above licensable activities from 08:00 hours to 03:00 hours on New Year's Day. 	
<p>Lock Studios Ltd 29-32 The Oval</p>	<p>The sale by retail of alcohol (on and off sales):</p> <ul style="list-style-type: none"> • Monday to Wednesday, from 10:00 hrs to 23:30 hrs • Thursday to Saturday, from 10:00 hrs to 01:00 hrs the following day • Sunday, from 10:00 hrs to 22:30 hrs <p>The provision of late night refreshment - Indoors</p> <ul style="list-style-type: none"> • Monday to Wednesday, from 23:00 hrs to 23:30 hrs • Thursday to Saturday, from 23:00 hrs to 01:00 hrs the following day <p>The provision of regulated entertainment – Indoors <u>(Plays and films. Live music, recorded music and performance of plays)</u></p>	<ul style="list-style-type: none"> • Monday to Wednesday, from 06:00 hrs to 00:00 hrs (midnight) • Thursday to Saturday, from 06:00 hrs to 01:30 hrs the following day • Sunday, from 06:00 hrs to 23:00 hrs <p><u>Non-standard timings:</u></p> <ul style="list-style-type: none"> • New Year's Eve: opening hours from 06:00 until 04:00 the following day

	<ul style="list-style-type: none"> Monday to Wednesday, from 10:00 hrs to 23:30 hrs Thursday to Saturday, from 10:00 hrs to 01:00 hrs the following day Sunday, from 10:00 hrs to 22:30 hrs <p><u>Non-standard timings:</u></p> <ul style="list-style-type: none"> New Year's Eve: licensable activities from 07:00 hrs to 03:30 hrs the following day 	
<p>(Uncharted Wines) Studio 56, Containerville Studios 40 The Oval</p>	<p><u>Sale of alcohol (off sales)</u> Monday – Friday 10:00 hours – 17:00 hours</p>	Monday – Friday 10:00 hours – 17:00 hours
<p>(The Water House Project) Unit 1 Corbridge Crescent</p>	<p>The sale by retail of alcohol - On and off sales</p> <ul style="list-style-type: none"> Wednesday to Saturday, from 11:00 hrs to 17:00 hrs and from 18:00 hrs to 23:00 hrs <p>Sunday, from 11:00 hrs to 17:00 hrs</p>	<ul style="list-style-type: none"> Wednesday to Saturday, from 11:00 hrs to 17:00 hrs and from 18:00 hrs to 23:00 hrs Sunday, from 11:00 hrs to 17:00 hrs
<p>(Six Pack Beer Club) Unit 14 1 Emma Street</p>	<p>The sale by retail of alcohol (on and off sales)</p> <ul style="list-style-type: none"> Monday to Thursday, from 11:00 hrs to 22:00 hrs Friday and Saturday, from 11:00 hrs to 23:00 hrs <p>Sunday, from 11:00 to 22:00 hrs</p>	<ul style="list-style-type: none"> Monday to Thursday, from 11:00 hrs to 22:00 hrs Friday and Saturday, from 11:00 hrs to 23:00 hrs <p>Sunday, from 11:00 to 22:00 hrs</p>

<p>(Benedict Butterworth Ltd) Unit 47 Containerville 1 Emma Street</p>	<p>The sale by retail of alcohol (on and off sales)</p> <ul style="list-style-type: none"> Monday to Sunday, from 08:00 to 23:00 hrs <p>The provision of regulated entertainment – Indoors only (recorded music only)</p> <ul style="list-style-type: none"> Monday to Sunday, from 08:00 to 23:30 hrs 	<ul style="list-style-type: none"> Monday to Sunday, from 08:00 to 23:30 hrs
<p>Dram Unit 60, Containerville 1 Emma Street</p>	<p><u>The sale of alcohol (on sales)</u> Monday – Sunday 17:00 hours – 23:00 hours</p> <p><u>The sale of alcohol (off sales)</u> Monday – Wednesday 17:00 hours – 23:59 hours Thursday – Sunday 17:00 hours – 02:00 hours</p> <p><u>Provision of Late-Night Refreshments (on premises)</u> Monday – Sunday 23:00 hours – 23:30 hours</p> <p><u>Provision of Late-Night Refreshments (off premises)</u> Monday – Wednesday 23:00 hours – 23:59 hours Thursday – Sunday 23:00 hours – 02:00 hours</p>	<p>Monday – Sunday 17:00 hours – 23:30 hours</p>
<p>London Buns Unit 71 Containerville 1 Emma Street</p>	<p><u>Provision of Late-Night Refreshment</u> Monday – Sunday 23:00 – 02:00 hours (delivery only b/w 00:00 – 02:00 hours)</p>	<p>Monday – Sunday 15:00 – 02:00 hours</p>

Appendix 7

Corinne Holland

From: Nicola Cadzow
Sent: 05 July 2024 14:32
To: Licensing
Cc: Kieran.Wells2 [REDACTED] Felix Faulkner
Subject: 169651 - New premise licence application for The Pickle Factory, 14 The Oval, London

Good afternoon Licensing,

A prearranged site visit to The Pickle Factory, 14 The Oval, London was undertaken on the 4th July 2024, following particular concerns with expansion of the venue's external courtyard area.

Please take this email as my holding representation to the new premise licence application for The Pickle Factory, 14 The Oval, London, whilst I review the application and the acoustic report, and consider whether the license application promotes the licensing objective for the prevention of public nuisance.

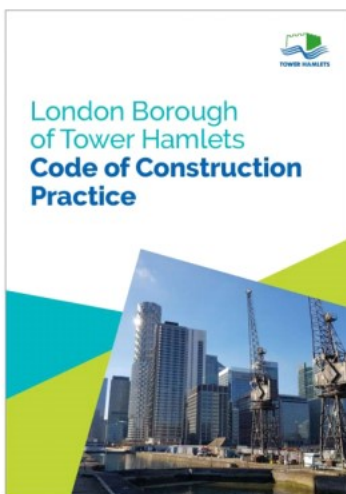
Kind regards

Nicola Cadzow
Environmental Health Officer
Environmental Protection (Noise) Team
Communities Directorate
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.

Corinne Holland

From: Nicola Cadzow
Sent: 19 July 2024 11:34
To: Felix Faulkner
Cc: Corinne Holland; Lisa Inzani
Subject: 169651 The Pickle Factory - Proposed Application Policies and Procedures
Attachments: Ground Floor Plan.pdf; RBA Acoustic Report.pdf; Existing Licence for Pickle Factory.pdf; TPF Noise Management Policy (1).pdf

Importance: High

Good Morning Felix,

Following the recent site meeting to your venue, I was awaiting details as to how the venue will manage public from noise created by use of the outdoor space,

I understand the types of noise that can cause public nuisance, but the Noise management policy was very general without specific details of how you propose to mitigate noise from use of external area, when as you are aware that the live music act allows for regulated entertainment until 23:00 hours in all licensable areas.

I have concerns with regulated entertainment outside and the increase in numbers of persons outside, which could potentially, as you advised at the site meeting, be up to 200 persons, which has the potential to cause a noise disturbance to local residential premises.

Can you provide specific details of:

- (1) What are you using the external area for i.e. daytime/evening dining with ambient music? DJ events etc?
- (2) How you are going to manage noise from regulated entertainment in the courtyard if this is the intention?
- (3) Numbers of persons outside at any one time.

I would request that additional conditions to include:

- (4) Loudspeakers shall not be located in the entrance lobby, or outside the premise building nor on ceilings. And anti-vibration mounts used is speakers attached to the walls.
- (5) The external area 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 **xx** persons at any one time. **Numbers to be agreed**

Condition 16 in your application to be amended to read:

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.**

Await specific details points regarding points 1-3 above and agreement to conditions 4 & 5, and amendment to your condition 16.

Kind regards

Appendix 8

25/06/2024

Licensing team

Tower Hamlets Town Hall, 160 Whitechapel road, E1 1BJ

London, UK

OBJECT: Objection to license application made by East Space Limited for the grant of late night music alcohol and refreshment for the pickle factory.

Dear licensing team,

It has come to my attention that east space limited has applied to London Borough of Tower Hamlets for the grant of a premises license in respect of premises to be know as the Pickle Factory, 11/14 The Oval, Cambridge Heath, London, E29DT with proposed activities (sale of alcohol, live music, and late-night refreshments going late nights including 3 am on Sundays.

Through this letter I express my objection to such a license for 4 main reasons:

- 1) The current space is already generating significant noise and vibrations during late nights impacting the sleep and well being of several residents in the area. Even with the current set up, the pickle factory's management is not controlling the basses generated by sound systems and residents are constantly asking them to reduce noise and vibrations late at night. I have a long history of WhatsApp chats to prove the above that I am happy to share. This is especially bad when they have external DJs bringing their won sound systems and not installing sound controllers as they should.
- 2) An expansion of the space how they are proposing (but not yet discussed with us) will generate even further problems, especially considering that the spaces they are acquiring is not soundproof and has a closer exposure to our development.
- 3) We have had awful experiences in the past with late night clubs in the areas (oval Space) and are cautious about new venues or venues expansions coming to deteriorate our life quality.
- 4) The area is currently developing with new developments under construction (gasholders)or just approved (one literally next to the venue), so extending further licensing like this one go against the residential strategic plans in the area, and will generate bigger issues in the future.

Please consider my rejection to this license, and I suggest the current license in the current space is reviewed to include a mandatory use of sound limiter and placing queues towards the south side of the street.

Sebastian Fernandez

[REDACTED]

[REDACTED]

Appendix 9

Corinne Holland

From: Gina Grbic [REDACTED] >
Sent: 01 July 2024 13:23
To: Licensing
Subject: Licensing objection - the Pickle Factory

Follow Up Flag: Follow up
Flag Status: Completed

Hi there,

I hope this email finds you well.

I would just like to register my objection to The Pickle Factory's proposed extension to its operating hours and alcohol sales license.

We live very close to the premises and already struggle to get to sleep at night over the weekends due to the excessive noise coming from the venue - even with its current and limited hours.

The rubbish left outside the venue and all across The Oval in the mornings after it has been operating is also horrendous and disappointing!

The area is also already well known to drug dealers and unfortunately attracts a lot of junkies and one can only assume this will get worse as patrons head inside to party all night and all week long - as proposed under its application.

As a young family in the area we don't feel safe at night or in the early morning leaving the house and always try to avoid The Oval. This is a shame.

The area is only becoming more residential, especially with the new apartments being built in the gas silos, so extending the club's hours really does not make any sense and will only detract from people wanting to live in the area.

Thanks so much, I look forward to your decision and very much hope it will be against the extended proposal.

Please let me know if you need any more information.

Thanks very much

Gina Grbic
[REDACTED]

Appendix 10

Kathy Driver

From: Petras Gucevicius <[REDACTED]>
Sent: 26 June 2024 14:23
To: Licensing

Follow Up Flag: Follow up
Flag Status: Flagged

Licensing Team
Environmental Health and Trading Standards
Tower Hamlets Town Hall
160 Whitechapel Road
London, E1 1BJ
26th June 2024

Dear Sir/Madam,

I am writing to formally object to the granting of a premises license for late-night events at The Pickle Factory, located at 11-14 The Oval, E2 9DT.

As a resident of The Oval, I am deeply concerned about the potential negative impact this license would have on our community. The proximity of residential houses, a presbytery, and the Lithuanian church to 11-14 The Oval is approximately 50 metres, placing them at significant risk of disturbance.

Our objections are based on the following concerns:

1. History of Antisocial Behaviour and Violence:

2.

- **Previous Incidents:** When the venue operated as The Oval Space, we experienced numerous weekends marred by antisocial behaviour, including two shootings and one stabbing, all of which posed severe threats to public safety and required police intervention.

3. Recurring Nuisance:

4.

- **Noise Disturbance:** Events held at The Oval Space frequently result in loud noises, such as drunken shouting and disturbances, continuing late into the night and early morning.
- **Littering:** Our residential area is often littered with empty bottles and beer cans following these events.
- **Public Urination:** There have been multiple instances where various street corners near our homes were defiled with human waste.
- **Unauthorized Street Activities:** We have observed barbecues being set up for sale during these events, contributing to the chaos and disorder.

Given these persistent issues, we believe that granting a license for both indoor and outdoor late-night events at this venue would significantly exacerbate the existing problems of antisocial behaviour and public nuisance.

I assume that East Space Ltd., the applicant for this license, is associated with The Oval Space, where many problems have been reported in the past. Therefore, I strongly object to the approval of this license.

Yours faithfully,

Rev. Petras Gucevicius
[REDACTED]

Appendix 11

**Licensing Team
Environmental Health and Trading Standards
Tower Hamlets Town Hall
160 Whitechapel Road
London, E1 1BJ**

26th June 2024

Dear Sir/Madam,

I am writing to formally object to the granting of a premises license for late-night events at The Pickle Factory, located at 11-14 The Oval, E2 9DT.

As a resident of The Oval, I am deeply concerned about the potential negative impact this license would have on our community. The proximity of residential houses to 11-14 The Oval is approximately 50 metres, placing them at significant risk of disturbance.

Our objections are based on the following concerns:

1. History of Antisocial Behaviour and Violence:

- **Previous Incidents:** When the venue operated as The Oval Space, we experienced numerous weekends marred by antisocial behaviour, including two shootings and one stabbing, all of which posed severe threats to public safety and required police intervention.

2. Recurring Nuisance:

- **Noise Disturbance:** Events held at The Oval Space frequently result in loud noises, such as drunken shouting and disturbances, continuing late into the night and early morning.
- **Littering:** Our residential area is often littered with empty bottles and beer cans following these events.
- **Public Urination:** There have been multiple instances where various street corners near our homes were defiled with human waste.
- **Unauthorized Street Activities:** We have observed barbecues being set up for sale during these events, contributing to the chaos and disorder.

Given these persistent issues, we believe that granting a license for both indoor and outdoor late-night events at this venue would significantly exacerbate the existing problems of antisocial behaviour and public nuisance.

Therefore, I strongly object to the approval of this license.

Yours faithfully,

Graham Lewis



Appendix 12

Corinne Holland

From: Orsolya Olah <[REDACTED]>
Sent: 27 June 2024 09:55
To: Licensing
Subject: Concerns regarding extended operating hours of pickle factory

Follow Up Flag: Follow up
Flag Status: Completed

Dear licensing team

I am writing to express my concerns regarding the proposed extended operating hours of Pickle Factory, located near our home.

As a full-time employee and resident of this neighborhood, I find the proposed hours—open every day until 11 PM Monday to Wednesday, and until 3 AM or 5 AM for the rest of the week—unacceptable for several reasons.

Firstly, the noise generated by Pickle Factory, especially during weekdays, will significantly disrupt our ability to get adequate rest. As working professionals, it is crucial for us to maintain a regular sleep schedule, and the noise from the venue will inevitably interfere with this. Additionally, I am deeply concerned about the safety implications of Pickle Factory operating late into the night. The shooting incident at Oval Space last year is still fresh in our memories, highlighting the potential dangers associated with late-night activities in the area. The increased foot traffic and potential for disturbances late at night raises significant concerns for the safety and security of our community. The ongoing presence of cars and Ubers, coupled with a lack of security, often leads to shouting in the streets and a general sense of disorder.

Moreover, the presence of Pickle Factory has already led to issues with vandalism. The priest at the church opposite our home has had to deal with frequent graffiti on the church's white walls, presumably from individuals visiting the venue. This not only affects the aesthetic of our neighborhood but also burdens the church with the responsibility and cost of cleaning and repairs. Additionally, the increased activity around Pickle Factory has resulted in a noticeable rise in rubbish levels in the area. This contributes to an overall decline in the cleanliness and appeal of our neighborhood.

I urge you to reconsider the proposed operating hours of Pickle Factory, taking into account the well-being, safety, and peace of mind of the neighborhood's residents. A compromise that limits the venue's operating hours only for the weekends.

Thank you for your understanding and consideration.

Sincerely,
Orsolya Olah

[REDACTED]

Appendix 13

Licensing Team,
Environmental Health and Trading Standards,
Tower Hamlets Town Hall,
160 Whitechapel Road, London, E1 1BJ

25th June 2024

Dear sir/madam,

We are writing in order to object granting of a premises licence for licensable activities for late night events at The Pickle Factory 11-14 The Oval , E2 9DT.

We are long-time residents of The Oval, as you will know, residential houses, presbytery and Lithuanian church are situated very close to 11-14 The Oval and the distance from the houses is approximately 50 metres.

Our reasons for objecting to the grant of the licence are as follows. We have had nearly all weekends, antisocial behaviour problems when nightclub was open as The Oval Space **with two shootings and one stabbing with the threat for life** and loud noise. Local police were involved.

On the occasions when the late night events are held at The Pickle factory always result in a high level of nuisance in the immediate vicinity and levels antisocial behaviour is increasing exponentially.

The following are examples of the nuisance that caused in the past :

- (a) Two shootings and one stabbing were connected to 29-32 The Oval events.
- (b) there were loud noise – drunken shootings, etc., late into the night/early morning;
- (c) empty bottles and beer cans are thrown down in the vicinity of our residential buildings;
- (d) there have been occasions when street various corners were covered with human waste;
- (e) even Barbeques were set up for sale at nights when The Oval Space was open as a nightclub.

We assume that East Space Ltd. is associated with The Oval Space, where issues of antisocial behavior have been reported. Therefore, we object to granting licence for INDOOR and OUTDOOR late night events.

If consideration of the licence application will involve a hearing, we would like the opportunity to give evidence in person.

Yours faithfully,

Mr JOHN Lewis

[REDACTED]

[REDACTED]

Mrs DONNA Lewis

[REDACTED]

[REDACTED]

Mrs EDWARD Lewis

[REDACTED]

[REDACTED]

Mrs Lucy Lewis

[REDACTED]

[REDACTED]

Fr Petros Tverijon

[REDACTED]

Appendix 14

**Licensing Team
Environmental Health and Trading Standards
Tower Hamlets Town Hall
160 Whitechapel Road
London, E1 1BJ
26th June 2024**

Dear Sir/Madam,

I am writing to formally object to the granting of a premises license for late-night events at The Pickle Factory, located at 11-14 The Oval, E2 9DT.

As a resident of The Oval, I am deeply concerned about the negative impact this license would have on our community. The proximity of residential houses to 11-14 The Oval is approximately 50 metres, placing them at significant risk of disturbance.

Our objections are based on the following concerns:

1. History of Antisocial Behaviour and Violence:

- **Previous Incidents:** When the venue operated as The Oval Space, we experienced numerous weekends marred by antisocial behaviour, including two shootings and one stabbing, all of which posed severe threats to public safety and required police intervention.

2. Recurring Nuisance:

- **Noise Disturbance:** Events held at The Oval Space frequently result in loud noises, such as drunken shouting and disturbances, continuing late into the night and early morning.
- **Littering:** Our residential area is often littered with empty bottles and beer cans following these events and lots of glass on the ground too.
- **Public Urination:** There have been multiple instances where various street corners near our homes were defiled with human waste.
- **Unauthorized Street Activities:** We have observed barbecues being set up for sale during these events, contributing to the chaos and disorder.

Given these persistent issues, we believe that granting a license for both indoor and outdoor late-night events at this venue would significantly exacerbate the existing problems of antisocial behaviour and public nuisance.

Therefore, I strongly object to the approval of this license.

Yours faithfully,

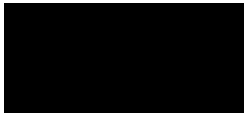
Levi Rijper





Appendix 15

BEHIND THIS WALL



26 June 2024

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

Dear Tower Hamlets,

I am writing to support the new license application by The Pickle Factory. My business has supplied The Pickle Factory for the past two years and has a close working relationship with their bar operations and management team.

As a local business owner (also in licensed trade), license holder and long-term resident of the borough I have always been impressed by their diligence with regard to upholding the licensing objectives and systems for prevention of public nuisance and noise pollution.

The city and borough is experiencing a dearth of late night, grass roots music venues that provide a safe space for residents to champion local talent. The Pickle Factory should be held as an example of how to make this happen, their growth objectives should be supported wholeheartedly.

Yours sincerely,

Alexander Harris

Appendix 16

MAYOR OF LONDON

Via Email to: licensing@towerhamlets.gov.uk
Tower Hamlets Council

2 July 2024

Application: PCX:000085000002882
RE: The Pickle Factory

I am writing in support of the new premises licence application for The Pickle Factory.

London's live music venues are a vital part of what makes London an attractive and vibrant city to live and work in. Alongside attracting visitors from around the world boosting our economy and providing vital jobs, they also improve the health and wellbeing of Londoners, supporting social interaction and reducing isolation.

COVID-19 had a severe impact on nightlife venues, wiping out cash reserves and putting many of them into debt. Despite wanting to trade their way back to financial health, venues are now suffering an even harsher financial landscape, with unsustainable energy bills, high inflation and increased supplier costs. The Pickle Factory's proposed expansion will allow them to make better use of their space, provide an increased cultural offer that will add vibrancy to the borough and increase trading to help safeguard the future of the venue.

The Pickle Factory has established a firm presence as an important grassroots music venue over the last 9 years, providing a space for the underground music scene in the heart of East London. London's surviving grassroots music venues are in urgent need of protection. They are an essential part of London's music scene and a huge contributor to the culture and economy of the UK.

Due to their proud history as an integral part of Tower Hamlet's nightlife offer, I have no doubt that they will be able to execute these new plans without any adverse impact on the area. They have assured me that a big part of the plan is to improve soundproofing across the site, including replacing doors and walls with acoustically proofed material. They will also employ a street team to patrol the cul-de-sac. I believe these plans demonstrate that they take their responsibilities very seriously to prevent crime and disorder, ensure the safety of the public, prevent public nuisance and protect children from harm.

To that end, I encourage Tower Hamlets Council to support this application, which I myself wholeheartedly support.

Best wishes,


Amy Lamé
Night Czar

City Hall, R 

Appendix 17

----- Forwarded message -----

From: **Brogan Smith** <[REDACTED]>
Date: Mon, 24 Jun 2024 at 14:08
Subject: Re: The Wickers x The Pickle Factory 2.0 - letter of support
To: Toby Wareham <[REDACTED]>
Cc: Daniel Lawson <[REDACTED]>

Dear Hackney Council,

As representatives of The Wickers Charity, we are writing to express our strong support for the premises licence application for Pickle Factory. Our organization is dedicated to empowering young people in Hackney, and we believe this initiative will have a positive impact on our community.

The team behind this proposal has shown a strong commitment to the four licensing objectives: preventing crime and disorder, ensuring public safety, managing noise levels, and protecting children from harm. Their comprehensive and thoughtful plans align with our values of creating a safe and nurturing environment for all residents.

Transforming the club into a cultural hub will provide a vital space for arts, music, and community events. This venue will offer opportunities for young people to engage in positive activities, develop their talents, and connect with the community. Additionally, it will support local businesses and contribute to the economic vitality of our neighborhood.

We strongly urge Hackney Council to approve this application, as we believe there will be no nuisance at all and will be a welcome part of the community.

I am willing to meet and talk with anyone at any given time as we so desperately need this venue to remain afloat

Please feel free to call me when suits

[REDACTED]

Best regards,

Brogan Smith
The Wickers Charity

Appendix 18

Dear Tower Hamlets,

My name's Connor Jordan, ex-Brand Partnerships & Activations Manager at Sneakersnstuff, one of the biggest footwear/streetwear retailers in Europe. I am writing to express my full support of the application by The Pickle Factory for a new premises licence (PCX:00008500002882). As a member of the local community & someone who has experience working in & around cultural hubs, I truly believe that this will contribute several benefits to the area.

In the 6 years working for Sneakersnstuff, it was super important for the business to have strong presence & relationships at the cultural hotspots around town as this helped build our own community of consumers who would shop at the store. Pickle Factory was one of these hotspots. Not only did it help us expand our reach in the local area & allow for new consumers to find out about us, but it also engaged the right type of consumer, such as industry professionals, creatives, & culturally-rich people who share a love & passion for the arts (music, fashion, & art). Over the years, where some of these other hotspots (such as Ace Hotel) have closed down & been replaced with new residents, we have seen a huge impact on the area, with less of this great culture attending the store & shopping with us.

A few months ago, I recently decided to go freelance & set-up my own business within the entertainment & cultural sector, after having it a passion project for many years. Having worked with many various nightlife venues over the years, Pickle Factory has always been a standout venue, offering a safe & vibrant place for people of all races, genders, ages to attend, connect & enjoy together. The venue managers, security & bar staff, would always commit to providing the best experience for the attendees & talent alike, making sure everyone feels safe & well looked after upon arrival, but also upon departure, ensuring people get home or to their next destination promptly & safely.

Currently, the entertainment & nightlife sector is facing a tough time with a huge amount of club & venue spaces closing, making it harder for people like myself to produce events & provide a space for people to enjoy themselves and build communities. I am extremely excited for this new development as I believe it will enhance not only the city's reputation of being the most diverse & premium destination for entertainment & nightlife, but also provide opportunities for upcoming musicians & creatives to elevate their careers.

To conclude, I strongly support the granting of The Pickle Factory's new premises licence application, believing that it will enhance not only the local area but London as a city too. We are in need of more spaces like this, and I am confident that they will continue to uphold the licensing objectives put forward and do due diligence in ensuring there won't be any nuisance to the area.

Kind Regards,
Connor Jordan

[Redacted signature block]

Appendix 19

----- Forwarded message -----

From: **Dom Chung** <[REDACTED]>

Date: Mon, 24 Jun 2024 at 11:01

Subject: The Pickle Factory 2.0 - letter of support

To: Toby Wareham <[REDACTED]>, Jonathan Edwards <[REDACTED]>

Mike Amatt <[REDACTED]>

Dear Tower Hamlets,

Please accept this letter in support of The Pickle Factory's application for a new premises license (PCX:000085000002882).

My name is Dom Chung, Global Head of Music for Soho House, we operate 43 venues Globally, and I am writing to express my full support for the license application submitted by The Pickle Factory. As a local resident and active member of the community, I believe that granting this license will provide numerous benefits to our area.

At a time where there's an alarming number of club closures, Pickle Factory aims to offer a vibrant and safe venue for both locals and visitors to enjoy. London has a rich history of nightlife, which not only supports the economy but also fosters a sense of community and cultural diversity. The development will enhance the city's reputation as a premier destination for entertainment and social gatherings, whilst improving the local f&b offering.

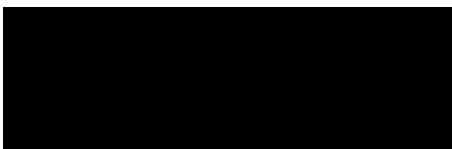
The team behind Pick Factory have demonstrated a strong commitment to operating a responsible and community-focused establishment, and has over 9 years of cultural equity that has benefited local residents by making the area a desirable and forward thinking place to live. The plans for the new premises license promise a special new music venue for London, at a time when over 31% of all UK venues have closed down since Covid. As one of the last small grassroots venues left standing in East London, The Pickle Factory is a crucial part of London's musical ecosystem, and this development will safeguard its future for many years to come.

As someone who also lives in one of the neighbouring blocks of flats, I welcome the extra security presence the venue brings to an area that can be intimidating to walk through late at night alone.

In conclusion, I strongly support the granting of a new premises license application. I am confident that it will be a valuable addition to our city and area, providing a safe and enjoyable environment for all, and they will be responsible at upholding the licensing objectives laid out.

Thank you for considering my views. Please feel free to contact me if you require any further information or clarification.

Best,
Dom Chung



Appendix 20



Resident Advisor



Dear Tower Hamlets Licensing Team,

I am writing in support of The Pickle Factory's application for a new premises license (PCX:000085000002882).

My name is David Selby, and I am the CEO of Resident Advisor, the world's foremost electronic music platform. As someone deeply embedded within London's music industry, I am keenly aware of the significant cultural impact The Pickle Factory has had in its first nine years. The club's cultural cache has contributed to the increased desirability of Cambridge Heath, bringing a substantial increase in footfall to the area. Its global reputation as one of Europe's eminent small clubs has significantly bolstered London's continuing relevance in the music world.

The Pickle Factory is more than just a music venue; it is a cultural landmark that has fostered a sense of community and provided a platform for diverse musical talents. The venue has consistently showcased emerging and established artists, contributing to the vibrancy and diversity of London's music scene. This has not only attracted music enthusiasts from all over the world but has also supported local businesses and enhanced the cultural fabric of the neighborhood.

From my position at Resident Advisor, I can confidently say that London boasts the best nightlife in the world. This statement is backed by a quantitative perspective, given my visibility into the volume of events, venues, and the diversity of sounds across the city. Supporting venues like The Pickle Factory is incredibly important to maintaining this global reputation. They play a critical role in offering unique experiences and nurturing the wide array of musical genres that make London's nightlife unparalleled.

The plans for the new premises license promise an exceptional new music venue for London, at a critical time when over 31% of all UK venues have closed down since the Covid-19 pandemic. As one of the last small grassroots venues left standing in East London, The Pickle Factory is a crucial part of London's musical ecosystem. This development will safeguard its future for many years to come, ensuring that it continues to nurture talent and provide a space for artistic expression.

Importantly, The Pickle Factory has consistently demonstrated a commitment to upholding the licensing objectives, particularly the prevention of public nuisance. The management has implemented robust measures to ensure that the premises operate responsibly, minimizing any potential disturbance to the local area. This includes careful regulation of operating hours, control of noise levels and vibrations, appropriate lighting, and effective litter management. The venue has a strong track record of working collaboratively with local authorities and the community to maintain a safe and enjoyable environment for all.

I would like to offer my unequivocal support for The Pickle Factory's new premises license application. I firmly believe that the premises will continue to uphold the highest standards and contribute positively to the local community. This new development will not only preserve a vital cultural institution but also enhance the vibrancy and appeal of East London while ensuring the prevention of public nuisance.

Thank you for considering my views. I hope that you will support The Pickle Factory's application and recognize the invaluable contribution it makes to London's cultural landscape.

Best regards,



David Selby
CEO, Resident Advisor

Appendix 21

Dominic Sherington



28.06.2024

Dear Sir/Madam,

I am writing to offer my full support for The Pickle Factory's application for a new premises license. As the owner of Dom's Subs, a small business in the Hackney Road area, I can confidently say that The Pickle Factory has been an indispensable part of our local community for the past nine years.

The Pickle Factory has consistently provided a vibrant and welcoming space for both locals and visitors. Their events, especially the live gigs, have been a highlight for many of us. These events not only offer excellent entertainment but also foster a sense of community and support for local artists. The team at The Pickle Factory has always been professional, ensuring that their events run smoothly and safely, contributing to the positive atmosphere in the area.

Moreover, The Pickle Factory's commitment to the community extends beyond just entertainment. They have often collaborated with other local businesses, including mine, to create opportunities for cross-promotion and mutual support. This spirit of cooperation and community-building is something we greatly value and hope to see continue.

The new premises license would enable The Pickle Factory to expand their offerings and continue to be a cornerstone of cultural and social activity in Cambridge Heath. I have no doubt that with this license, they will uphold their high standards of operation and continue to enhance the vibrancy of our local area. I sincerely hope that you will consider their application favorably. The Pickle Factory's continued presence and growth in our community would be a tremendous benefit to all of us who live and work here.

I would like to offer my support of The Pickle Factory's new premises license application, and confirm that I believe the premises will continue to uphold the licensing objectives, and will not cause any nuisance to its local area as they have numerous initiatives in place to protect all of the licensing objectives.

Thank you for your time and consideration.

Yours sincerely,

Dominic Sherington

Appendix 22



Damian Taylor

to me ▾

Hey Toby,

17:49 (2 minutes ago)



See below - let me know if this needs any changes?

Dear Tower Hamlets,

I'm writing in support of The Pickle Factory's application for a new premises license (PCX:000085000002882).

When I moved to London from Nottingham 6 years ago, I was a bit concerned about finding a community, but I needn't have worried, as I quickly found a home from home at The Pickle Factory. The club is friendly, well run and provides an outlet for music fans to gather and celebrate some of the best local, national and international music talent in a friendly, non-judgemental space.

The club significantly contributes to the local area, both economically through the direct employment as a result of the events they run, and socially - through its influence over the past 9 years, the club has contributed to the Cambridge Heath area becoming more desirable - busier, but safer due to increased footfall and security presence.

I was excited to hear that the club is looking to expand its operations and further contribute to the local area as more of a community-led space. This also makes it more accessible to those who may not have the means or budget to attend a more traditional late-night event, especially those from marginalised communities.

I live extremely locally to the club (a few minutes' walk) and I'm confident that this expansion will bring a positive effect to the local community, and based on my past experience both as an attendee and neighbour I strongly believe the premises will continue to uphold the licensing objectives and not cause any nuisance to the local area.

Best,

Damian Taylor



New Message



Appendix 23

----- Forwarded message -----

From: **Elise Lansdowne** [REDACTED]
Date: Fri, 28 Jun 2024 at 19:37
Subject: Pickle Factory 2.0 - Letter of Support
To: Toby Wareham [REDACTED]

Dear Tower Hamlets,

I'm writing in support of The Pickle Factory's application for a new premises license.

As both an E2 resident and regular frequenter of the Pickle Factory, I can speak for how the Pickle Factory is an asset to the local community. Given the current cost of living crisis, having a club with reasonably priced tickets is especially important for youth culture in a time when the extortionate prices of larger clubs is excluding those on lower incomes. Without clubs like the Pickle Factory, the music scene would be inaccessible for many.

Having been to the club a number of times, I know that the demographic tends to be people who love the electronic music scene and are respectful of the environment. In my most recent visit to the club in June this year I was especially impressed by the friendly authority of the security team, which contributed to a calm atmosphere in the queue outside the venue and surrounding area. In the time I have lived in the Cambridge Heath area I have never experienced any nuisance from the club.

I would like to offer my support to The Pickle Factory's new licence application, and confirm that I believe the premises will continue to uphold licensing objectives, and will not cause any nuisance to my local area.

Elise Lansdowne
[REDACTED]

Appendix 24

BROWNSWOOD RECORDINGS

Gilles Peterson
Brownswood Recordings



Dear Tower Hamlets Licensing Team,

I am writing in support of The Pickle Factory's application for a new premises license. (PCX:000085000002882).

My name is Gilles Peterson and I am a BBC presenter, DJ, festival organiser and founder of Brownswood Recordings. In these various guises I have been part of the music and club scene in London for almost 40 years. Throughout this time, I have directly experienced the vital role that small clubs and venues play in the cultural development of our city. They do this by providing vital spaces for artists and DJs to hone their craft as well as creating important hubs for local communities built around shared values and passions.

I recently wrote an article for the Guardian newspaper on the importance of preserving grass roots spaces as a core part of the creative economic engine of our country - the Pickle Factory embodies these values completely. I have made it my mission to use the position I have garnered throughout my career (one which, I might add, might not have been possible without spaces such as the Pickle Factory) to preserve this key part of our cultural landscape.

Over the past 9 years the Pickle Factory has served as a creative space for artists new and established alike as well as bringing in audiences from both near and far. As is often the case, it has created a positive impact not just by bringing economic benefit but also supported local business and people helping grow the potential of Cambridge Heath in the process.

Often one of the issues that matter to local communities and councils is minimising perceived public nuisance. Having seen the plans that the management team have put together I am very confident that every avenue has been considered –be that through structural interventions, staffing and processes - to ensure the prevention of any nuisance.

I hope you will consider my views in your evaluation and ultimately that you will support the preservation and growth of an important part not just of Tower Hamlet's cultural heritage but also London and the UK.

Sincerely,



Gilles Peterson

Appendix 25

Dear Tower Hamlets,

I'm writing in support of The Pickle Factory's application for a new premises license (PCX:000085000002882).

I'm a long term resident of the E2 area, and am very local to The Pickle Factory. I understand how culturally and economically important it is to the Tower Hamlets area. The venue provides a hub for our local community, offering a space for Tower Hamlets' many music aficionados (myself included) to come together every weekend. The Pickle Factory's global reputation that has been built over the years, has put the area on the map, contributing to Cambridge Heath becoming more desirable, significantly benefiting our local economy. I have friends in all corners of the globe who know about the venue and I love to bring them here if they ever visit me in London.

Cambridge Heath has become a more desirable place to live and play over the past few years (I recently moved from another part of E2 in Bethnal Green, and now close to Cambridge Heath station itself) and I think The Pickle Factory plays a significant part in this growth as an area. The club has been well managed in its past 9 years, and this increase in footfall and police presence has made the area feel safer also. I always feel safe and well looked after when visiting The Pickle Factory and this is down to the club, the staff it employs and the people it attracts with its diverse programming, LGBTQI+ events and various charity events.

As the scope of the venue expands, and has the budget available to employ street team members to patrol the club's cul-de-sac, I expect it to become a key contributor to preventing crime and nuisance in my local area, which is reassuring to me. I'm excited about its expansion, with an even greater emphasis on community-led events, and I believe it will become an even greater cultural hub for the Tower Hamlets area.

I would like to offer my support of The Pickle Factory's new premises licence application, and confirm that I believe the premises will continue to uphold the licensing objectives, and will not cause any nuisance to my local area.

Best wishes,

Holly Farmer, 

Appendix 26

----- Forwarded message -----

From: **Lamb, Hannah** <[REDACTED]>
Date: Mon, 24 Jun 2024 at 11:53
Subject: The Pickle Factory 2.0 - letter of support - E2 residents
To: Toby Wareham <[REDACTED]>

[Hey Toby, please forward on to Tower Hamlets]

Dear Tower Hamlets,

I am writing to express my support for The Pickle Factory's application for a new premises license (PCX:000085000002882). As a resident of the E2 area, I am very familiar and fond of The Pickle Factory and recognize its importance to the Tower Hamlets community. The club serves as a vital gathering place for local electronic music enthusiasts every weekend, benefiting our local economy significantly.

The Pickle Factory has been well managed over the past nine years, recording no major incidents during this time. It also contributes to a busier and safer Cambridge Heath by increasing foot traffic and police presence. It also offers a safe space for marginalized communities in Tower Hamlets, hosting various charity and LGBTQI+ events.

With the club's planned expansion and the ability to employ street team members to patrol the surrounding area, I believe it will play a key role in preventing crime and nuisance in the neighbourhood. Additionally, the expansion's focus on community-led events will enhance its status as a cultural hub in Tower Hamlets.

I fully support The Pickle Factory's new premises license application and believe the premises will continue to uphold licensing objectives without causing any nuisance to the local area.

Best regards,

Hannah Lamb

[REDACTED]

[REDACTED]

HANNAH LAMB

HEAD OF ARTIST RELATIONS & EVENTS

Universal Music UK

 [@umusicar](https://www.instagram.com/umusicar)



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We may monitor all incoming and outgoing emails in line with current legislation. We have taken steps to ensure that this email and attachments are free from any virus, but it remains your responsibility to ensure that viruses do not adversely affect you.

Appendix 27

Dear Sir/Madam at Tower Hamlets Council,

I'm writing to you today in support of The Pickle Factory's application for a new premises license (PCX:000085000002882).

I'm Kay Ferdinand, I'm a director at Black Artist Database, a global community organisation fighting for equality & fairness in the electronic music industry. I've been a lover of electronic music for 15 years now, and am an avid member of London's dance music community. The Pickle Factory has been a key part of this same community for 9 years now, showcasing diverse and boundary-pushing art for almost a decade. This has massively increased the draw to Cambridge Heath, now a burgeoning area and a hub for our scene. The club has a global reputation for stellar programming and experience, and is a vital part of London's at-risk nighttime economy.

The new plans for which a license is being applied foreshadow a world-class venue for Cambridge Heath, London, and the UK more widely - entrenching The Pickle Factory's place as a crucial part of the cultural ecosystem for years to come.

I would like to offer my support of The Pickle Factory's new premises licence application, and confirm that I believe the premises will continue to uphold the licensing objectives, and will not cause any nuisance to its local area.

Best,

Kay Ferdinand
Director, Black Artist Database

[Redacted signature block]

Appendix 28

NTIA | NIGHT TIME INDUSTRIES ASSOCIATION

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

Dear Tower Hamlets Licensing Department,

Reference: PCX:000085000002882 - Pickle Factory, 13-14 The Oval, London E2 9DU

My name is Michael Kill, and I am the CEO of the Night Time Industries Association. As someone who works as a representative of nightlife both nationally and across London, I am keenly aware of the significant cultural impact The Pickle Factory has had in its first nine years. The club's cultural cache has contributed to the increased desirability of Cambridge Heath, bringing a huge increase of footfall to the area, while its global reputation as one of Europe's eminent small clubs has contributed to London's continuing relevancy in the music world.

The plans for the new premises license promise a special new music venue for London, at a time when over 31% of all UK venues have closed since Covid. As one of the last small grassroots venues left standing in East London, The Pickle Factory is a crucial part of London's musical ecosystem, and this development will safeguard its future for many years to come.

It is also important to consider that this venue will help to promote the licensing objectives and manage and prevent public nuisance, mitigate risks of crimes like anti-social behaviour, noise and disturbance of the peace.

It will play a huge part in shaping communities, provides a safe space for all who live, work and seek entertainment and leisure within the area, and is important to the physical, social and mental well-being of the community.

Its utilisation as a licensed premises will breathe new life into the cultural landscape of the area. By hosting a variety of events, including performances, exhibitions, and community gatherings, The Pickle Factory will enrich the cultural fabric of the neighbourhood, fostering a sense of pride and belonging among residents.

In considering the granting of this license, it is essential to also consider the equality impact of such a decision. Ensuring equitable access to licensed premises is crucial for promoting inclusivity and diversity within the community.

The Pickle Factory has demonstrated its commitment to upholding equality principles and ensuring that its operations are accessible to all members of the community, regardless of background or identity.

The economic impact of the venue can also not be overstated. In addition to creating job opportunities for young people, the establishment of a licensed venue will generate revenue that can be reinvested into the community. This influx of economic activity will support local businesses, stimulate growth, and contribute to the overall prosperity of the area.

The Night Time Industries Association. [REDACTED]

[REDACTED] e 234

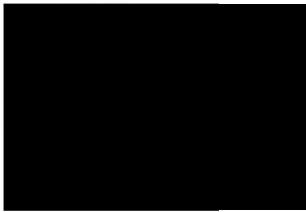
The Night Time Industries Association is a Private Limited Company. Registered in

In conclusion, I urge you to consider the myriad benefits that granting this license will bring to the community.

From enhancing safety and cultural vibrancy to promoting equality and economic prosperity, The Pickle Factory License application proposal aligns with the shared vision for a thriving and inclusive neighbourhood. I wholeheartedly support their application and trust that you will make a decision that reflects the best interests of the community.

The Pickle Factory's commitment to these objectives, alongside its cultural and economic contributions, underscores the importance of granting this new premises license. I am confident that the venue will continue to be a responsible and valuable part of the community.

Best regards,



Michael Kill
Chief Executive Officer
Night Time Industries Association

Appendix 29

From: Richard Maguire <[REDACTED]>
Date: 26 June 2024 at 12:13:09 CEST
To: Toby Wareham <[REDACTED]>
Subject: letter of support for the Pickle Factory's expansion license

Dear Tower Hamlets,
I'm writing in support of the Pickle Factory's application for a new premises license. My name is Richard Maguire and I am the founder of the band Death In Vegas. I'm a local resident and have lived in London Fields for 28 years. Over the last three decades I've seen so many venues open and subsequently close in the area. I feel this club expansion will really help this pocket of London, bringing a sense of excitement and extra security to what can be quite a forbidding area sometimes late at night. Two years ago when myself and Daniel Avery decided to do a club together our first choice was the Pickle Factory. The reason being is their attention to details, the quality of the sound, acoustic treatment they've installed and 100% committed staff who strive to do something quite unique in London to which they've achieved, a fantastic community based venue with an an international reputation. Having ran 5 of my own clubs nights at the Pickle Factory I can honestly say the club expansion will help the area, bring more to the local community and local business' and give the Pickle Factory a chance to expand their workforce, employing more local people.

In kindness,
Richard Maguire

Richard Maguire
[REDACTED]

Appendix 30

Dear Tower Hamlets Council,

I'm writing in support of The Pickle Factory's application for a new premises license (PCX:000085000002882).

As a resident of the E2 area, I am local to The Pickle Factory and understand how important it is to the Tower Hamlets community. The club holds significant cultural relevance for our area, bringing together a diverse array of acts from across the globe while supporting grassroots musicians from the local community. The expansion from 250 to 650 capacity would mean even more access for the community to enjoy these cultural offerings, fostering a greater sense of inclusivity and vibrancy in E2.

Personally, my partner and I have had many incredible evenings at The Pickle Factory. As expats from South Africa, we have found a welcoming and vibrant community there, making many friends and connections that have enriched our lives in East London. The club's role in facilitating such connections highlights its value beyond just a nightlife venue—it is a crucial part of our social fabric.

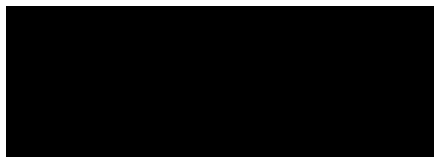
The Pickle Factory has already demonstrated a strong commitment to upholding licensing objectives, particularly the prevention of public nuisance. They have made significant improvements to soundproofing, ensuring that noise does not disturb the surrounding neighborhood. Additionally, the club employs street team members to patrol the oval cul-de-sac, effectively managing the flow of patrons and maintaining peace in the area. I have no doubt that with an increase in capacity, these objectives will only be further improved, knowing that the amazing and responsible owners will certainly continue to uphold these licensing objectives.

Given its track record, I am confident that The Pickle Factory and its organizers will continue to uphold these licensing objectives diligently. Their proactive steps towards better security, noise management, and community engagement make me fully supportive of their application.

I would like to offer my wholehearted support for The Pickle Factory's new premises license application. I believe the expanded venue will continue to be a cornerstone of cultural and social activity in Tower Hamlets, benefiting both local residents and the broader community.

Best regards,

Tim Jankovich



Appendix 31

Dear Tower Hamlets,

We're writing in support of The Pickle Factory's application for a new premises license (PCX:000085000002882).

We work for Hackney Night Shelter, a charity providing shelter and support for people experiencing homelessness in Hackney, all year round. As a charity local to Tower Hamlets, we are aware of the fundraising work The Pickle Factory has done here in its first 9 years. They've hosted fundraisers for many local charities including Scope Charity, SDCAS and Groundswell, as well as helping raise funds for global crises, such as their Ukraine fundraiser series in 2022.

They've also fundraised for us last year at their second hand vinyl fair, and they've committed to making us one of their first quarterly charity partners in their initial year of operating, with a lot of charitable initiatives in place. We offer full support of their new premises license application, as it will help them to raise money for Tower Hamlets marginalised communities, and for charities such as ours.

We would like to offer our support of The Pickle Factory's new premises licence application, and confirm we believe the premises will continue to uphold the licensing objectives, and will not cause any nuisance to our local area.

Best,

Ruth Best, Molly Sermon and Sophie Nathan on behalf of the fundraising team at Hackney Night Shelter.

Hackney Doorways



Appendix 32

Corinne Holland

From: Felix Faulkner <[REDACTED]>
Sent: 08 August 2024 10:51
To: Licensing; Corinne Holland
Cc: Lisa Inzani; Felix Faulkner
Subject: FW: The Pickle Factory - invite to residents meeting

Dear Licensing and Corinne,

I hope you are well.

I am writing to update you with regards to the residents meeting that we organised last night.

Both myself, the client and the client's acoustician attended the premises for the residents meeting, however I received no response from any resident with regards to the below invite, nor did anyone attend.

If any residents contact you and state they would like to meet in the future, please do let me know.

Kind regards,

Felix



FelixFaulkner| Solicitor

Poppleston Allen

[REDACTED]
London Office: The Stanley Building, 7 Pancras Square, London, N1C 4AG

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From: Felix Faulkner
Sent: Friday, July 19, 2024 10:05 AM
Subject: The Pickle Factory - invite to residents meeting PCX:000085000003211

Dear Resident,

My name is Felix Faulkner, and I am a Solicitor at Poppleston Allen. I represent East Space Limited, the applicant for a new premises licence at The Pickle Factory, 11-14 The Oval, Cambridge Heath.

I am writing to you as I am in receipt of a representation you have submitted to my client's application, and I would like to invite you to meet myself and my client at The Pickle Factory to discuss the application and the proposed changes.

I do note that some of you attended a previous residents meeting back in May before we submitted the application.

The meeting will be held on Wednesday 7th August at 6pm.

If you wish to attend, please do let me know by email to [REDACTED]

If you have any questions in the meantime, please do let me know.

Kind regards
Felix

Appendix 33

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 34

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 35

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 36

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 37

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

Updated December 2022

Crime and disorder

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

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

Appendix 38

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 39

Licensing Policy Section 10

Public Safety

- 10.1 The 2003 Act covers a wide range of premises that require a licence, and so such premises present a mixture of risks to users and should be constructed or adapted and operated so as to acknowledge and safeguard occupants against these risks.
- 10.2 The Licensing Authority will expect Operating Schedules to satisfactorily address these issues and applicants are advised to seek advice from the Council's Environmental Health (Health & Safety) Officers and the London Fire Brigade before preparing their plans and Schedules.
- 10.3 Where an applicant identifies an issue in regard to public safety (including fire safety) which is not covered by existing legislation, the applicant should identify in their operating schedule the steps that will be taken to ensure public safety. This needs to take into account any unique characteristics that arise in connection with the licensable activity, any requirements that are specific to the premises.
- 10.4 One of the Council's Community Safety Partnership Priorities is tackling violence against women and girls. As a result the Licensing Authority expects Licence holders to take a proactive approach to customer safety including the following:
- Making provisions to ensure that customers safely leave their premises, for example providing information on licensed taxi companies, adequate lighting outside the premises,
 - Training of staff in spotting signs of harassment, and how to intervene where safe and appropriate to do so, and/or reporting such harassment to management/emergency services.

The Licensing Authority may be able to sign post Licence Holders in regard to local/national safeguarding schemes which may assist with the above.

- 10.5 The Licensing Authority, where its discretion is engaged, will consider attaching proportionate and appropriate Conditions to licences and permissions to promote safety, and these may include Conditions drawn from the Model Conditions in Appendix 3.
- 10.6 The Licensing Authority will impose conditions that relate to its licensing objectives, and in a way that is proportionate to the individual circumstances of the premises seeking a licence.

- 10.7 Martyn's Law – This will place a requirement on those responsible for certain locations/premises to consider the threat from terrorism and implement appropriate and proportionate mitigation measures, see link below. Numerous licensed premises within the borough may fall within the scope of this legislation. The law is likely to come into force in 2024/25, or sooner. Thus, Licence holders and applicants should consider the threat from terrorism and implement appropriate and proportionate mitigation measures. In particular they should consider completing Police ACT Training:
<https://ct.protectuk.police.uk/>
<https://www.protectuk.police.uk/news-views/martyns-law-what-you-need-know>

Appendix 40

Public safety

- 2.7 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.
- 2.8 A number of matters should be considered in relation to public safety. These may include:
- Fire safety;
 - Ensuring appropriate access for emergency services such as ambulances;
 - Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4 above);
 - Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;
 - Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);
 - Ensuring appropriate and frequent waste disposal, particularly of glass bottles;
 - Ensuring appropriate limits on the maximum capacity of the premises (see paragraphs 2.12-2.13, and Chapter 10; and
 - Considering the use of CCTV in and around the premises (as noted in paragraph 2.3 above, this may also assist with promoting the crime and disorder objective).
- 2.9 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. As set out in Chapter 8 (8.38-8.46), applicants should consider when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they achieve that.

Ensuring safe departure of those using the premises

- 2.10 Licence holders should make provision to ensure that premises users safely leave their premises. Measures that may assist 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.

Maintenance and repair

- 2.11 Where there is a requirement in other legislation for premises open to the public or for employers to possess certificates attesting to the safety or satisfactory nature of certain equipment or fixtures on the premises, it would be inappropriate for a licensing condition to require possession of such a certificate. However, it would be permissible to require as a condition of a licence or certificate, if appropriate, checks on this equipment to be conducted at specified intervals and for evidence of these checks to be retained by the premises licence holder or club provided this does not duplicate or gold-plate a requirement in other legislation. Similarly, it would be permissible for licensing authorities, if they receive relevant representations from responsible authorities or any other persons, to attach conditions which require equipment of particular standards to be maintained on the premises. Responsible authorities – such as health and safety authorities – should therefore make their expectations clear in this respect to enable prospective licence holders or clubs to prepare effective operating schedules and club operating schedules.

Safe capacities

- 2.12 “Safe capacities” should only be imposed where appropriate for the promotion of public safety or the prevention of disorder on the relevant premises. For example, if a capacity has been imposed through other legislation, it would be inappropriate to reproduce it in a premises licence. Indeed, it would also be wrong to lay down conditions which conflict with other legal requirements. However, if no safe capacity has been imposed through other legislation, a responsible authority may consider it appropriate for a new capacity to be attached to the premises which would apply at any material time when the licensable activities are taking place and make representations to that effect. For example, in certain circumstances, capacity limits may be appropriate in preventing disorder, as overcrowded venues can increase the risks of crowds becoming frustrated and hostile.
- 2.13 The permitted capacity is a limit on the number of persons who may be on the premises at any time, following a recommendation by the relevant fire and rescue authority under the Regulatory Reform (Fire Safety) Order 2005. For any application for a premises licence or club premises certificate for premises without an existing permitted capacity where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act¹, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their recommendation to the fire and rescue authority which will consider it and decide what the “permitted capacity” of

¹ S 177 of the 2003 Act now only applies to performances of dance

those premises should be.

- 2.14 Public safety may include the safety of performers appearing at any premises, but does not extend to the prevention of injury from participation in a boxing or wrestling entertainment.

Appendix 41

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 42

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 43

Planning

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

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Appendix 44

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Kathy Driver

From: Licensing
Sent: 03 September 2024 12:51
To: Corinne Holland
Cc: Kathy Driver
Subject: FW: 169651 Premises Licence variation The Pickle Factory / Courtyard / RBA Acoustics assessment PCX:000041000007200

From: Nicola Cadzow <Nicola.Cadzow@towerhamlets.gov.uk>
Sent: Monday, September 2, 2024 5:06 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Cc: [REDACTED]
Subject: 169651 Premises Licence variation The Pickle Factory / Courtyard / RBA Acoustics assessment PCX:000041000007200

Good afternoon Licensing,

Please take this as my withdrawing my representation to the premises licence variation for the The Pickle Factory / Courtyard following agreement to the following conditions (see also email trail)

1. There will be no more than 110 persons in the courtyard at any one time.
2. 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.
3. 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.
4. 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.
5. Regulated Entertainment in the courtyard with cease at 22.00 hours

Kind regards

Nicola Cadzow
Environmental Health Officer
Environmental Protection (Noise) Team
Communities Directorate

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