



Meeting of the

# LICENSING SUB COMMITTEE

---

Tuesday, 7 February 2006 at 6.30 p.m.

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## A G E N D A

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### VENUE

Room 72, The Town Hall, Mulberry Place, 5 Clove Crescent, London,  
E14 2BG

| Members:                           | Ward Represented |
|------------------------------------|------------------|
| Councillor Betheline Chattopadhyay | Millwall         |
| Councillor Ray Gipson              | Bow East         |
| Councillor Marian Williams         | Bow East         |

If you require any further information relating to this meeting, would like to request a large print, Braille or audio version of this document, or would like to discuss access arrangements or any other special requirements, please contact:

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# LONDON BOROUGH OF TOWER HAMLETS

## LICENSING SUB COMMITTEE

Tuesday, 7 February 2006

6.30 p.m.

### 1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

### 2. DECLARATIONS OF INTEREST

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992.

#### Note from the Chief Executive

In accordance with the Council's Code of Conduct, Members must declare any **personal interests** they have in any item on the agenda or as they arise during the course of the meeting. Members must orally indicate to which item their interest relates. If a Member has a personal interest he/she must also consider whether or not that interest is a **prejudicial personal interest** and take the necessary action. When considering whether or not they have a declarable interest, Members should consult pages 181 to 184 of the Council's Constitution. Please note that all Members present at a Committee meeting (in whatever capacity) are required to declare any personal or prejudicial interests.

A **personal interest** is, generally, one that would affect a Member (either directly or through a connection with a relevant person or organisation) more than other people in London, in respect of the item of business under consideration at the meeting. If a member of the public, knowing all the relevant facts, would view a Member's personal interest in the item under consideration as so substantial that it would appear likely to prejudice the Member's judgement of the public interest, then the Member has a **prejudicial personal interest**.

#### Consequences:

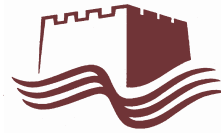
- If a Member has a **personal interest**: he/she must declare the interest but can stay, speak and vote.
- If the Member has **prejudicial personal interest**: he/she must declare the interest, cannot speak or vote on the item and must leave the room.

When declaring an interest, Members are requested to specify the nature of the interest, the particular agenda item to which the interest relates and to also specify whether the interest is of a personal or personal and prejudicial nature. This procedure is designed to assist the public's understanding of the meeting and is also designed to enable a full entry to be made in the Statutory Register of Interests which is kept by the Head of Democratic Renewal and Engagement on behalf of the Monitoring Officer.

|  | <b>PAGE<br/>NUMBER</b> | <b>WARD(S)<br/>AFFECTED</b> |
|--|------------------------|-----------------------------|
| <b>3. RULES OF PROCEDURE</b>   | <b>1 - 12</b>          |                             |
| To note the rules of procedure which are attached for information.   |                        |                             |
| <b>4. MINUTES</b>  | <b>13 - 22</b>         |                             |
| To confirm the minutes of the meetings of the Licensing Sub-Committee held on 5 January and 9 January 2006.                |                        |                             |
| <b>5. ITEMS FOR CONSIDERATION</b>  |                        |                             |
| <b>5.1 Application for New Premises Licence: Boundary house, 2-4 Boundary Street, London E2 7JE (Report no LSC103/506)</b> | <b>23 - 36</b>         |                             |

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**TOWER HAMLETS**



**LICENSING COMMITTEE**

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

**(FOR THE CONDUCT OF HEARINGS WITHIN THE  
PERIOD OF TRANSITION BETWEEN 7<sup>TH</sup> FEBRUARY  
2005 AND THE SECOND APPOINTED DAY)**

## **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 Procedures take into account the Licensing Act (Premises Licences and Club Premises Certificates) Regulations 2005. The Procedures also include the time limits within which a hearing must commence (see Appendix A) and will be used by the Licensing Committee and Licensing Sub-Committee when conducting hearings.
- 1.2 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.
- 1.3 These Procedures, therefore, set out the way in which Licensing Sub-Committee Meetings will be conducted under the Licensing Act 2003, following the requirements of the Hearings Regulations. Wherever appropriate they have included the procedures followed successfully when determining licence applications under previous legislation.
- 1.4 Proceedings will not be rendered void only as the result of failure to comply with any provision of the Hearings Regulations (Regulation 31).

## **2. Composition of Sub-Committee**

- 2.1 The Sub-Committee will consist of no less than three members and no business shall be transacted unless at least three 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. The Councillor for the ward in which the applicant's premises are situated, or where either the applicant or the objector resides, shall not normally form part of the Sub-Committee for that item on the agenda.

## **3. Timescales**

- 3.1 Most hearings must take place within 20 working days from the last date for representations to be made with the following exceptions:

Within 10 working days from the last date for the police to object to:

- conversion of an existing licence;
  - conversion of an existing club certificate;
  - an application for a personal licence by an existing justices licence holder;
- and

Within 10 working days from the date the Licensing Authority receives the notice for a review of the premises licence following a closure order.

Within 7 working days from the last date for the police to object to:

- a temporary event notice.

Within 5 working days from the last date for the police to object to:

- an interim authority notice (Note: the police must give notice of their objection within 48 hours of being given a copy of the notice).

**Note:** Where a hearing is likely to take longer than one day, the Authority must arrange for the hearing to take place on consecutive days.

### 3.2 **Timescale for notice of hearings to be given**

In most cases, the Authority shall give notice of a hearing no later than 10 working days before the first day on which the hearing is to be held. The following are exceptions to that rule:

At least five working days notice must be given to the parties of the date of a hearing for determination of:

- conversion of an existing licence
- conversion of an existing club certificate
- application for a personal licence by the holder of a justices licence
- review of a premises licence following a closure order

At least two days notice must be given to the parties to a hearing for determination of:

- police objection to an interim authority notice
- police objection to a temporary event notice

### 3.3 **Persons who must be notified of a hearing**

The persons who must be notified of a hearing are set out below as a summary:

- any applicant for any licence or certificate or a temporary event notice.
- any person who has made relevant representations about an application for a licence or for review of a licence (note for any representations deemed frivolous, vexatious or repetitious under Section 18(7)(c) or similar sections of the Licensing Act 2003 the objector must be notified of the Authority's decision as soon as possible and in any event before any hearing).
- Any police officer who has given notice of objection to:
  - a person specified as a Designated Premises Supervisor
  - an interim authority

- transfer of a premises licence
  - a temporary event notice
  - a personal licence
- Any holder of a premises licence or club premises certificate where:
- application is made for review

**Note:** Anyone given notice of a hearing is a party and that is how that expression is used in these Rules of Procedure.

### 3.4 Information to be provided in a notice of hearing

The information that must be included in a notice of hearing includes:

- The procedure to be followed at the hearing;
- The right of the party to attend and to be assisted or represented by any person whether legally qualified or not;
- The ability to give further information in support of their application where the Authority has sought clarification;
- The right to question any other party if given permission by the Authority;
- The right to address the Authority;
- Notice of any particular points on which the Authority will want clarification at the hearing;
- The consequences if a party does not attend or is not represented at the hearing;
- For certain hearings particular documents must accompany the notice which is sent to parties informing them of the hearing. Reference must be made to Schedule 3 of the Hearings Regulations for this purpose.

### 3.5 Failure of Parties to Attend the Hearing

If a party has informed the Authority that they will not be attending or be represented at the hearing, it may proceed in their absence.

If a party does not give notice that they will not be attending but fails to attend and is not represented, the Authority may either:

- a) adjourn the hearing if it considers it to be necessary in the public interest  
or
- b) hold the hearing in the party's absence

If the Authority holds the hearing in the absence of a party, it will consider at the hearing the application, representation or notice given by the party.

If the Authority adjourns the hearing to a specified date it must forthwith the parties of the date, time and place to which the hearing has been adjourned.



**Note:** Transition hearings cannot be adjourned to a date beyond the date that which causes an application to be deemed as determined by default.

#### **4. Procedure at the Hearing**

4.1 The usual order of proceedings will be as set out below. The Sub-Committee will allow the parties an equal maximum time period in which to give further information in support of their application, representation or response. Where the Authority has given notice that it will seek clarification on that point at the hearing or where permission has been given to call any further persons to give supporting evidence, the Sub-Committee may allow the parties to question any other party and to address the Licensing Sub-Committee. The Sub-Committee will seek, in all cases, to avoid repetition of points (whether included in written material or otherwise), irrelevancy, or any abuse of the procedure.

At the beginning of the hearing the procedure to be followed will be explained to the parties. The hearing will, so far as is possible, take the form of a discussion, led by the Sub-Committee. Cross-examination will not be permitted unless the Sub-Committee considers it necessary.

- i) The Chair will begin by explaining how the proceedings will be conducted, and indicate any time limits that may apply to the parties to the application.
- ii) The report will be briefly introduced by an Officer of the Licensing Section summarising the application.
- iii) The Sub-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.
- iv) A summary of the nature and extent of the application by the applicant or their representative. This should be brief, avoid repetition of material already available to the 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. 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.
- v) A summary of the reasons for making representations about the application by any interested party. This should be brief and avoid any repetition of information already made available to the Committee either in the Officer's report or otherwise. That will be followed by the evidence of any person who has been given permission by the Panel to give supporting evidence on behalf of the objectors.
- vi) A summary of the reasons for making representations by or on behalf of any Responsible Authority. This should be brief and avoid any repetition of information already made available to the Licensing Sub-Committee

either in the Officer's report or otherwise. That will be followed by the evidence of any person who has been given permission by the Panel to give supporting evidence on behalf of the Responsible Authority.

- vii) Members of the Sub-Committee may ask any questions of any party or other person appearing at the hearing.

4.2 The following requirements of the Hearing Regulations will also be followed by the Licensing Sub-Committee:

- a) The Sub-Committee will be guided by legal principles in determining whether evidence is relevant and fairly admissible. In particular, hearsay evidence may be admitted before the Sub-Committee but consideration will always be given to the degree of weight, if any, to be attached to such evidence in all the relevant circumstances.
- b) The Sub-Committee may impose a time limit on the oral representations to be made by any party. In considering whether to do so, and in considering the length of any such time limit, the Sub-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.
- c) In considering the time limits referred to in (b) above, regard must be had to the requirement to allow each party an equal amount of time.

4.3 When considering any representations or notice made by a party, the Authority may take into account documentary or other information produced by a party in support of their application, representation or notice, either:

- a) before the hearing, or
- b) with the consent of all other parties, by the Sub-Committee at the hearing

The Authority 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.

4.4 All hearings shall take place in public save that:

- a) The Licensing Sub-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.
- b) The parties and any person representing them may be excluded in the same way as another member of the public

c) The Licensing Sub-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 the authority may specify.

4.5 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. 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.

## **5. Determination of Application – Time Limits**

5.1 The Licensing Sub-Committee must make its determination at the conclusion of the hearing where the application is for:

- a) Conversion or variation of an existing licence during transition
- b) Conversion or variation of an existing club certificate during transition
- c) A review of a premises licence following a closure order
- d) A personal licence by the holder of a justices licence
- e) A counter notice following police objection to a temporary event notice

5.2 In any other case the Authority must make its determination within the period of five working days, beginning with the day, or the last day, on which the hearing was held.

5.3 Where a hearing has been dispensed with because all of the parties have agreed that a hearing is unnecessary (and the Authority has agreed, giving notice to the parties in writing), then the Authority must make its determination within 10 working days beginning with the day the authority gives such notices to the parties. The Team Leader (Licensing) shall be authorised to make the determination on behalf of the Authority.

## **6. Record of Proceedings**

6.1 The Authority must arrange for a record to be taken of the hearing in a permanent and intelligible form and for that record to be kept for six years from the date of determination. Where an appeal is brought against a determination by the Authority, the record must be kept for six years from the date of disposal of the appeal.

## **7. Irregularities**

7.1 Proceedings will not be rendered void only as the result of failure to comply with any provision of the Hearings Regulations

7.2 Clerical mistakes in any document recording a determination of the Authority, or errors arising in such a document as the result of an accidental slip or omission, may be corrected by the Authority.

## **8. Notices**

8.1 In accordance with the Regulations, any notices must be given in writing. Such a notice may be sent electronically, providing:

- a) it can be accessed by the recipient in a legible form;
- b) it is capable of being reproduced as a document for future reference;
- c) the recipient has agreed in advance to receive it in such form;
- d) a copy is sent in documentary form forthwith to the recipient.

## **9. Appeals**

9.1 Either those who have made an application or those who have made representations on an application may appeal to the Magistrates Court.

**Note:** An appeal must be commenced within twenty one days beginning with the day on which the appellant was notified by the Licensing Authority of their decision.

## APPENDIX A

| Application Type   | Period of Time within which Hearing to be Held (after reps have closed) | Notice Period of Hearing | Notice Sent To   | Attendee Reply Form Back In |
|--|---|--------------------------|--|-----------------------------|
| Section 18 (3)(a) (determination of application for premises licence)  | 20 working days   | 10 working days          | Applicant;<br>People who have made representations   | 5 working days              |
| Section 35(3)(a) (determination of application to vary premises licence).  | 20 working days   | 10 working days          | Applicant;<br>People who have made representations   | 5 working days              |
| Section 39(3)(a) (determination of application to vary premises licence to specify individual as premises supervisor). | 20 working days   | 10 working days          | Applicant (premises holder);<br>Chief Officer of Police who has given notice;<br>The proposed premises supervisor      | 5 working days              |
| Section 44(5)(a) (determination of application for transfer of premises licence).                                      | 20 working days   | 10 working days          | Applicant;<br>Chief Officer of Police who has given Notice;<br>The present holder of the premises licence              | 5 working days              |
| Section 52(2) (determination of application for review of premises licence).   | 20 working days   | 10 working days          | The holder of the premises licence of where application applies;<br>People who have made representations;<br>Applicant | 5 working days              |
| Section 120(7)(a) (determination of application for grant of personal licence).  | 20 working days   | 10 working days          | Applicant;<br>Chief Officer of Police who has given Notice   | 5 working days              |
| Section 121(6)(a) (determination of application for the renewal of personal licence).                                  | 20 working days   | 10 working days          | Applicant;<br>Chief Officer of Police who has given Notice   | 5 working days              |
| Section 124(4)(a) (convictions coming to light after grant or renewal of personal licence).                            | 20 working days   | 10 working days          | The holder of the licence;<br>Chief Officer of Police who has given Notice   | 5 working days              |
| Paragraph 26(3)(a) of Schedule 8 (determination of application by holder of a justices' licence for                    | 10 working days   | 5 working days           | Applicant;<br>Chief Officer of Police who has given Notice   | 2 working days              |

|  |                 |                 |  |                |
|--|-----------------|-----------------|--|----------------|
| grant of personal licence).  |                 |                 |  |                |
| Section 31(3)(a) (determination of application for a provisional statement).                                 | 20 working days | 10 working days | Applicant;<br>People who have made representations   | 5 working days |
| Section 48(3)(a) (cancellation of interim authority notice following police objection).                      | 5 working days  | 2 working days  | The person who has given Notice;<br>Chief Officer of Police who has given Notice                 | 1 working day  |
| Section 72(3)(a) (determination of application for club premises certificate).                               | 20 working days | 10 working days | Applicant (club);<br>People who have made representations  | 5 working days |
| Section 85(3) (determination of application to vary club premises certificate).                              | 20 working days | 10 working days | Applicant (club);<br>People who have made representations  | 5 working days |
| Section 88(2) (determination of application for review of club premises certificate).                        | 20 working days | 10 working days | Club that holds club premises certificate;<br>People who have made representations;<br>Applicant | 5 working days |
| Section 105(2)(a) (counter notice following police objection to temporary event notice)                      | 7 working days  | 2 working days  | The premises user;<br>Chief Officer who has given Notice   | 1 working day  |
| Section 167(5)(a) (review of premises licence following closure order).                                      | 10 working days | 5 working days  | The holder of the premises licence;<br>People who have made representations                      | 2 working days |
| Paragraph 4(3)(a) of Schedule 8 (determination of application for conversion of existing licence).           | 10 working days | 5 working days  | Applicant;<br>Chief Officer of Police who has given Notice                                       | 2 working days |
| Paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate). | 10 working days | 5 working days  | Applicant (club)<br><br>Chief Officer who has given Notice                                       | 2 working days |

## **APPENDIX B**

### **Regulation 8**

|           | <b>Action Following receipt of notice of hearing</b>  |
|-----------|---|
| <b>1.</b> | A party shall give to the authority within the period of time provided for in the following provisions of this regulation a notice stating:   |
| (a)       | whether he intends to attend or be represented at the hearing;  |
| .         |   |
| (b)       | whether he considers a hearing to be unnecessary.   |
| .         |   |
| <b>2.</b> | In a case where a party wishes any other person (other than the person he intends to represent him at the hearing) to appear at the hearing, the notice referred to in paragraph (1) shall contain a request for permission for such other person to appear at the hearing accompanied by details of the name of that person and a brief description of the point or points on which that person may be able to assist the authority in relation to the application, representations or notice of the party making the request. |
| <b>3.</b> | In the case of a hearing under:   |
| (a)       | section 48(3)(a) (cancellation of interim authority notice following police objection), or  |
| .         |   |
| (b)       | section 105(2)(a) (counter notice following police objection to temporary event notice),  |
| .         |   |
|           | the party shall give the notice no later than one working day before the day or the first day on which the hearing is to be held.   |
| <b>4.</b> | In the case of a hearing under:   |
| (a)       | section 167(5)(a) (review of premises licence following closure order),   |
| .         |   |
| (b)       | paragraph 4(3)(a) of Schedule 8 (determination of application for conversion of existing licence),  |
| .         |   |
| (c)       | paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate), or   |
| .         |   |
| (d)       | paragraph 26(3)(a) of Schedule 8 (determination of application by holder of justices' licence for grant of personal licence),   |
| .         |   |
|           | the party shall give the notice no later than two working days before the day or the first day on which the hearing is to be held.  |
| <b>5.</b> | In any other case, the party shall give the notice no later than five working days before the day or the first day on which the hearing is to be held.  |

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# Agenda Item 4

## LONDON BOROUGH OF TOWER HAMLETS

At a meeting of the LICENSING SUB COMMITTEE  
held on THURSDAY 5<sup>TH</sup> JANUARY 2006 at 10.45 AM  
in ROOM C1, THE TOWN HALL, MULBERRY  
PLACE, 5 CLOVE CRESCENT, LONDON, E14 2BG

### PRESENT

#### Members of the Sub Committee:

Councillor R. Gipson (Chair)  
Councillor R. Ahmed  
Councillor M. Williams

#### Applicants

No applicants were present.

#### Objectors

|                    |  |
|--------------------|--|
| Derrick Harrington | Principal Environment Health Officer         |
| Colin Cross        | London Fire and Emergency Planning Authority |

#### Officers

|                  |                              |
|------------------|------------------------------|
| John Cruse       | Trading Standards, Licensing |
| Johanna Boyd     | Legal Advisor                |
| Margaret Sampson | Clerk to the Committee       |
| Guy Butterworth  | Clerk to the Committee       |

#### Members of the Public in Attendance

None were present.

The Chair welcomed everyone to the meeting and asked those present to introduce themselves. He stated that this was a Licensing Sub Committee hearing under the new Licensing Act 2003 and drew attention to the Rules and Procedures that governed the procedure for hearing licensing applications and that were included with the agenda.

#### 1. APOLOGIES FOR ABSENCE

None were received.

#### 2. DECLARATIONS OF INTEREST

None were received.

### 3. **RULES OF PROCEDURE**

The Rules of Procedure were noted.

### 4. **MINUTES**

The minutes of the Licensing Sub Committee meeting held on 7<sup>th</sup> December 2005 were agreed as an accurate record of the proceedings.

### 5. **ITEMS FOR CONSIDERATION**

Prior to consideration of the items on the agenda the Chair requested legal advice concerning the fact that neither of the applicants had contacted the Authority, and that neither were present for the hearing. The Legal Advisor informed the Sub-Committee that under the Rules of Procedure it would be possible to either consider the applications or postpone the meeting if it was in the public interest. Mr Cruse advised that if it was not possible to consider the applications in the next few days, they would have time-expired. The Committee chose to consider the applications.

#### 5.1 **Application for New Premises Licence: Orange Room, 63 Burdett Road, London E3 4TN (LSC091/506)**

Mr Cruse detailed the contents of the report and stated that representations had been received from both Planning and Environmental Health. With regard to paragraph 6.6 on page 22 of the agenda, Mr Harrington, Environmental Health Officer, indicated the difficulties that had been posed by the applicant's failure to respond to inquiries from the department. These included the need to inspect the premises for any potential problems relating to noise or odour. He also drew the attention of the Sub-Committee to two noise complaints that had been recorded during 2003.

Councillor Williams asked whether or not it would be possible for trade to continue without the requested licence. Mr Cruse confirmed that this was so and that since the business was a café, the sale of alcohol would be ancillary to the main provision of refreshments.

Mr Cross, LFEPA, advised that the plans of the premises submitted by the applicant did not provide sufficient detail and he was not therefore in a position to comment as to the suitability of the premises. The applicant had not responded to letters.

In response to questions from Members, Mr Cruse reported that no DPS had been identified for the premise though he did not feel this to be pertinent to considering the application for the premises licence.

Having considered the evidence contained in the report and the information provided by officers, the Sub-Committee **RESOLVED**

That the application for a Premises Licence for Orange Room, 63 Burdett Road, London E3 4TN be **REFUSED** due to the Applicant's failure to provide sufficient information showing that the Licensing Objectives would be met.

## **5.2 Application for a New Premises Licence: Aladin Restaurant, 132 Brick Lane, London E1 6RU (LSC092/506)**

Mr Cruse reported that the details of the application were as stated in the report and drew attention to the recommendations of the Environmental Health officer. He also stated that there was no need for a Designated Premises supervisor since no sales of alcohol were undertaken.

Mr Harrington drew Members' attention to his concerns and proposed that a closing time of 1am on Friday and Saturday nights, and of 12.30am from Sunday to Thursday nights should address these concerns.

In response to Councillor Williams query, Mr Harrington responded that the current opening hours of the premises were unknown, and that the objection was being made in consideration of the complaints that had been made against similar premises in the area, which he believed were generally open until 1 am.

The Chair expressed concern in relation to the closing times of premises within the immediate area and the potential for a growing number of people to be moving about local streets at the same time.

There being no further questions, the Sub-Committee

### **RESOLVED**

That the application for a new Premise Licence for Aladin Restaurant, 132 Brick Lane, London E1 6RU be **GRANTED** subject to the following conditions:

Provision of recorded music and late night refreshment: Sunday – Thursday until midnight, Friday and Saturday until 1am.

Premises to close 30 minutes after the end of the regulated activities on every night.

No touting.

Notices to be erected within the premises asking patrons to leave quietly.

No alcohol to be taken into the premises after 11pm

There being no further business, the meeting closed at 12pm.

**CHAIR** \_\_\_\_\_

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## LONDON BOROUGH OF TOWER HAMLETS

At a meeting of the LICENSING SUB COMMITTEE held on MONDAY 9<sup>TH</sup> JANUARY 2006 at 10.30 AM in the ROOM M71, THE TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT, LONDON, E14 2BG

### PRESENT

#### Members of the Sub Committee:

Councillor B. Son (Chair)  
Councillor R. Gipson  
Councillor B. Duffey

#### Applicants

|              |   |
|--------------|---|
| Ms A. Butler | Applicant, The Archers PH                   |
| Mr Elawee    | Applicant, Ranna Gahr Restaurant            |
| Mr Mason     | Legal Representative, Ranna Gahr Restaurant |

#### Objectors

|                  |                      |
|------------------|----------------------|
| Mr D. Harrington | Environmental Health |
| Mr C. Cross      | LFEPa                |
| Mr A. Stewart    | LFEPa                |

#### Officers

|                  |                                 |
|------------------|---------------------------------|
| Ms K. Butler     | Trading Standards, Licensing    |
| Ms J. Boyd       | Councils External Legal Advisor |
| Margaret Sampson | Clerk to the Committee          |

#### Members of the Public in Attendance

None were present.

The Chair welcomed everyone to the meeting and asked those present to introduce themselves. He drew attention to the Rules and Procedures that governed the procedure for hearing licensing applications, which were included with the agenda.

#### 1. APOLOGIES FOR ABSENCE

None were received.

The Clerk reported that Councillor Gipson had replaced Councillor Williams.

## **2. DECLARATIONS OF INTEREST**

None were received.

## **3. RULES OF PROCEDURE**

The Rules of Procedure were noted.

## **4. MINUTES**

There were no minutes presented for confirmation.

## **5. ITEMS FOR CONSIDERATION**

### **5.1 Application for new Premises Licence: The Archers PH, 42 Osborn Street, London E1 6TH (LSC093/506)**

Ms Butler introduced the report, advising that the application sought a variation relating to the sale of alcohol and provision of regulated entertainment for the hours detailed in the report. Representations had been made by Environmental Health and the LFEPA, though Environmental Health had since resolved their concerns with the applicant. It would also be necessary to clarify the hours requested for the provision of live music as the hours sought did not lie within the hours the premises would be open.

At the request of the Chair, the applicant confirmed that she wished to amend the hours sought to Monday – Thursday until midnight, Friday and Saturday until 01:00 the following day and Sundays until 23:00.

Mr Stewart, LFEPA, reported that he had spoken to the applicant who had agreed to provide the outstanding information within the next seven days and requested that the maximum capacity for the premises be set at 60 persons.

Councillor Duffey noted that the hours for the sale of alcohol and the regulated entertainment were the same as the opening hours and queried this with the applicant. Ms Butler advised that she intended to operate the same hours as present but accepted that this was not clear from the application.

Ms Butler then confirmed that the hours for the provision of alcohol and regulated entertainment would be Monday to Thursday until 23:30, Friday and Saturday until 24:30 and Sunday until 22:30 with the premises closing 30 minutes later on every day. Ms Butler also confirmed that she was happy to accept the capacity proposal.

Councillor Gipson reported that he was aware that there was an outside seating area but that there did not appear to any stipulation in the report governing hours of use. Ms Butler advised that the area in question was Council land and did not belong to the premise. She was advised that a licence should be obtained from the Highways department in order to regularise use of this area.

Ms Butler also confirmed that bottled drinks were sold to those who used the outside seating area.

As there were no further questions, the Sub Committee adjourned at 11am in order to consider the evidence presented. The Sub Committee reconvened at 11.15am.

Councillor Son reported that having considered the evidence presented to them, the Sub Committee had agreed to grant a licence and asked the legal advisor to detail the conditions attached.

## **RESOLVED**

That a new Premises Licence for The Archers PH, 42 Osborn Street, London E1 6<sup>TH</sup> be **GRANTED** subject to the following conditions:

### Hours for the sale of alcohol and provision of recorded music

Monday to Thursday 11:00 – 23:30, Friday and Saturday 11:00 – 00:30 the following day and Sunday 12:00 – 22:30.

Premises to close 30 minutes later than the above times on every day

Requirements of the LFEPA to be addressed to their satisfaction.

Capacity of the premises to be 60 persons including staff.

No off-sales.

No bottles to be taken outside the premises, all drinks consumed outside to be served in plastic containers.

If licensed, the outside area not to be used after 9pm on all days.

The applicant was advised of the need to ensure that use of the outside area was regularised and also of the right of appeal.

## **5.2 Application for new Premises Licence: Ranna Gahr, 176 Brick Lane, London E1 6RU (LSC094/506)**

Ms Butler, Licensing Officer, advised that the application related to the sale of alcohol and the provision of late night refreshment. Representations had been received from Environmental Health and the LFEPA and the hours had subsequently been amended to Sunday to Thursday 10:00 – midnight, Friday and Saturday 10:00 – 03:00 the following day. The hours for the provision of the regulated activities and closure of the premises were the same. Non-standard timings for Bank Holidays had been sought until 3am.

Mr Harrington reported that his objection remained in regard to the hours requested on Bank Holidays. Mr Cross reported that there were outstanding issues regarding public safety and the LFEPA objections remained.

Mr Mason, on behalf of the applicant, stated that whilst he understood the concerns raised in relation to the operating hours, there were a number of premises in this part of Brick Lane that operated until and often beyond, 3am. The maximum number of covers provided was 60 though the working practice tended to be 56 and the Bank Holiday hours were amended to 2am. Mr Mason clarified that the wish was to remain open until 2am on the Sunday preceding Monday Bank Holiday and not on the evening of the Bank Holiday.

Mr Mason also stated that he believed the operating hours to be compatible in that alcohol was served as part of the 'contract' to provide refreshment and that a winding down time was therefore not applicable in the usual sense, i.e. as required by premises whose main function was the sale of alcohol.

Ongoing discussions were being held with the LFEPA and several outstanding issues remained where work was currently underway.

Members queried Mr Mason's comments regarding the operating hours of nearby premises as no licence had been granted for the hours referred to, and also queried the apparent intention that meals would be provided up to the closing time of the restaurant.

Mr Mason reported that the applicant was aware of the issues and that if the Sub Committee wished, they could condition the licence to the effect that no meal or alcohol order could be taken in the 30 minutes before closing.

Mr Harrington confirmed for Members that he was happy to accept the operating times as detailed with the exception of Bank Holidays and Mr Mason confirmed that the applicant would be willing to undertake that notices asking patrons to leave quietly would be posted in the premises and that provision to call cabs for patrons before they left the premises would be introduced.

There being no further questions, the Sub Committee adjourned at 11.37am to consider the evidence presented. The Sub Committee reconvened at 11.57am.

The Chair sought clarification from Mr Cross as to whether the number of covers provided was acceptable in terms of the overall capacity of the premises. Mr Cross advised that the potential capacity of 66 persons was not necessarily a problem as long as the provision of emergency and escape requirements was fully complied with.

The Chair then reported that having considered the evidence presented to them, the Sub Committee were minded to grant a licence with conditions which would be outlined by the legal advisor.



## RESOLVED

That the application for a new Premises Licence for Ranna Gahr restaurant, 176 Brick Lane, London E1 6RU be **GRANTED** subject to the following conditions:

### Hours of operation of the regulated activities

Sunday to Thursday 10:00 – 23:30, Friday and Saturday 10:00 to 01:30 the following day(s).

Premises to close 30 minutes later than the end time of the regulated activities on every day.

### Non-standard timings

Hours of operation of the regulated activities on the Sunday preceding a Bank Holiday to be 10:00 – 00:30 the following day with the premises closing at 01:00.

Compliance with the outstanding requirements of the LFEPA to be completed to their satisfaction.

Capacity of the premises will be 66 persons including staff.

No touting.

Notices to be erected within the premises asking patrons to leave quietly.

All taxis for patrons to be pre-ordered from within the premises.

The applicant was advised that the Sub Committee believed the conditions to be both necessary and proportionate in supporting the Licensing Objectives and the Council's Licensing Policy and was also advised of the right of appeal.

### **5.3 Application for Variation of Premises Licence: Angel & Crown PH, 170 Roman Road, London E2 0RY (LSC095/506)**

As the representations had been resolved, this application was **WITHDRAWN**.

There being no further business, the meeting closed at Noon.

**CHAIR** \_\_\_\_\_

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# Agenda Item 5a

|  |                         |  |                          |                        |
|--|-------------------------|--|--------------------------|------------------------|
| Committee :<br><b>Licensing Sub-Committee</b>                                      | Date<br>7 February 2006 | Classification<br><b>Unclassified</b>  | Report No.<br>LSC103/506 | Agenda Item No.<br>5.1 |
| Report of: <b>Colin Perrins</b><br><b>Head of Trading Standards and Commercial</b> |                         | Title <b>Licensing Act 2003</b>  |                          |                        |
| Originating Officer:<br><b>Mohshin Ali</b><br><b>Licensing Officer - Licensing</b> |                         | <b>Application for a new Premises Licence for Boundary House, 2 - 4 Boundary Street, London E2 7JE</b> |                          |                        |
|  |                         | Ward affected<br><b>Weavers</b>  |                          |                        |

## 1.0 Summary

Applicant: **Soho House UK Ltd**

Name and Address of Premises: **Boundary House**  
**2 - 4 Boundary Street, London E2 7JE**

Licence sought: **New Premises Licence - Licensing Act 2003**

- **Provision of Alcohol**
- **Provision of Regulated Entertainment**
- **Provision of Entertainment Facilities**
- **Provision of Late Night Refreshment**

Objectors: **Local Residents**  
**Environmental Protection**  
**Health and Safety**  
**London Fire and Emergency Planning Authority**

## 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 Only                               |                                    | Mohshin Ali<br>020 7364 5498                         |

### 3.0 **Background**

3.1 This is an application for a new premises licence for Boundary House, 2-4 Boundary Street, London E2 7JE. This premises is a hotel with 18 rooms.

3.2 A copy of the application is enclosed as **Appendix 1**. The applicant has described the nature of the variation as follows:

Provision of Alcohol  
Provision of Regulated Entertainment  
Provision of Entertainment Facilities  
Provision of Late Night Refreshment

**The hours that have been applied for are as follows:-**

**Alcohol: -**

Monday to Sunday 07:00 hrs to 12 midnight

**Late Night Refreshment-**

Monday to Sunday 23:00 hrs to 12 midnight

**Regulated Entertainment and Entertainment Facilities (Live music, recorded music or anything similar, facilities for making music**

Monday to Sunday 07:00 hrs to 12 midnight

**Films, Performance of dance, facilities for dancing or anything similar):-**

Monday to Sunday 08:00 hrs to 12 midnight

There are also various non-standard times. See **Appendix 10** ACPO comments on irregular times.

**Hours premises is open to the public**

Monday to Sunday 00:00 hrs to 00:00 hrs

3.3 A map showing the relevant premises is included as **Appendix 2**.

### 4.0 **Licensing Policy and Government Advice**

4.1 The Council has adopted a licensing policy and this is available from the Licensing Section, and at the hearing. The policy was adopted by the Full Council on the 8 December 2004.

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

4.3 The Government Minister, the Secretary of State for Culture, Media and Sport has issued Guidance under Section 182 of the Licensing Act

2003. This is available on the Government's website, [www.culture.gov.uk](http://www.culture.gov.uk). It will also be available at the hearing.

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

## 5.0 **Objections**

- 5.1 This hearing is required by the Licensing Act 2003, because relevant representations have been made by:

Environmental Protection (**See Appendix 3**)

London Fire and Emergency Planning Authority (**See Appendix 4**)

Health and Safety (**See Appendix 5**)

Local Residents (**See Appendix 6**)

- 5.2 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

- 5.3 Essentially, regulatory Authority oppose the application because the applicant has not explained how within the context of longer hours they will meet the licensing objectives, particularly:

- the prevention of public nuisance
- public safety

- 5.4 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.

## 6.0 **Licensing Officer Comments**

- 6.1 The Licensing Section is not a responsible authority and therefore has no ability to make any relevant representations. The following therefore 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.

## 6.2 Guidance issued under section 182 of the licensing Act 2003

- ❖ As stated in the guidance it is “provided for licensing authorities carrying out their functions.” It is a key mechanism for promoting best practice, ensuring consistent application and promoting fairness (1.4).  
Also “so long as the guidance has been properly and carefully understood and considered, licensing authorities may depart from it if they have reason to do so.” When doing so licensing authorities will need to give full reasons for their actions (2.3).
- ❖ 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.”
- ❖ Conditions may not be imposed for the purpose other than the licensing objectives. “For example, conditions relating to night café and take away outlets operating from 11pm must relate to the night time operation of the premises.”(S7.1)
- ❖ Necessary conditions should emerge from a risk assessment by the applicant, which should then be reflected in the operating schedule (S.7.4).
- ❖ The Licensing Authority may only impose such conditions as are necessary for meeting the licensing objectives.
- ❖ In dealing with disability issues Members should look for conditions that are positively worded and assume the presence of people with disabilities.
- ❖ Mandatory conditions must be imposed (7.67) and censorship avoided (7.69).
- ❖ Routine conditions about drink promotions are not permitted but can be imposed in appropriate circumstances (7.79). The Office of Fair Trading’s Advice also needs to be borne in mind.
- ❖ In Letter to the Chief Executive from the DCMS 30 Sept 2005. There is no presumption in the Act for longer hours over objections from local people and organisations. When there are objections and the licensing committee believes that changing the hours would undermine the statutory licensing objectives, they can reject the application or grant it with appropriate conditions and/or different hours from those requested.

- 6.3 The Licensing Act 2003 permits children of any age to be on the premises providing they are accompanied by an adult. It is not necessary to make this a condition.
- 6.4 In all cases the Members should make their decision on the civil burden of proof, that is “the balance of probability.”
- 6.5 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.
- 6.6 The Council’s licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.
- 6.7 Members will find advice on the issues relating to conduct on the premises and egress as follows:

**Appendix 7** Licensing Officer comments on noise while the premise is in use

**Appendix 8** Licensing Officer comments on egress problems

**Appendix 9** Safety problems

**Appendix 10** ACPO comments on irregular times

## 7.0 Exemptions

- 7.1 There are a number of statutory exemptions from the operation of the Licensing Act 2003, and Members need to bear these in mind.
- 7.2 Acts of religious worship, wherever performed are not licensable.
- 7.3 Section 177, (1) and (2) of the Act provides that where a premises (or club) is licensed for alcohol consumption on the premises and is primarily thus used, and the permitted capacity does not exceed 200, additional conditions relating to the music should only relate to public safety or the prevention of crime (or both). That is they should not relate to any “noise nuisance.”
- 7.4 Section 177 (4) provides that where a premises licence (or club) has a capacity of not more than 200 and the only music is unamplified live music between 08 00 hrs and midnight, no additional conditions should be set relating to the music.
- 7.5 Section 177 can be disapplied on a licence review if it is proportionate to do so.

## 8.0 Legal Comments

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

## 8.0 Finance Comments

- 8.1 There are no financial implications in this report.



## 9.0 Appendices

- Appendix 1** A copy of the application for variation
- Appendix 2** Maps of the area
- Appendix 3** Representations of Environmental Protection
- Appendix 4** Representations of London Fire and Emergency Planning Authority
- Appendix 5** Health and Safety
- Appendix 6** Local Residents
- Appendix 7** Licensing Officer comments on Noise While the premise is in use
- Appendix 8** Licensing Officer comments on egress problems
- Appendix 9** Safety Problems
- Appendix 10** ACPO comments on irregular times

# Appendix 7

## 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 8.1 of the Licensing Policy**).

The policy also recognises that staggered closing can help prevent problems at closure time (**See Section 12.1**).

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 12.4**).

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 Sections 8.2 of the Licensing Policy**).

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. (**See Appendix 2 Annex D 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
- 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)

### Police Powers

Part 8 of the Licensing Act 2003 enables a senior police officer to close down a premises for up to 24 hrs. a premises causing a nuisance resulting from noise emanating from the premises.

### Guidance Issued under Section 182 of the Licensing Act 2003

The Licensing Policy has adopted the recommended Pool of Conditions (7.58).

The Pool of Conditions, adopted by the council is recommended (7.58). The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally (7.40).

Licence conditions should not duplicate other legislation (7.41).

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises (7.43) but it is essential that conditions are focused on measures within the direct control of the licence holder” (7.45).

### Other Legislation

The Environmental Protection Act 1990, Part 111 gives Environmental Health Officers the power to deal with statutory nuisances.

# Appendix 8

## Egress Problems

Such as:

- Disturbance from patrons leaving the premises on foot
- Disturbance from patrons 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.

### 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 Sections 8.1 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 Sections 8.2 of the Licensing Policy, and also Section 12.5**).

The policy also recognises that staggered closing can help prevent problems at closure time (**See Section 12.1**).

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 12.4**)

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Poll of Conditions relating to the prevention of Public Nuisance. (**See Appendix 2 Annex G 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 pool of conditions, adopted by the council is recommended (7.58).

The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally (7.40).

Licence conditions should not duplicate other legislation (7.41).

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises (7.43) but it is essential that conditions are focused on measures within the direct control of the licence holder” (7.45).

Otherwise there has to be a causal connection (7.45).

## Appendix 9

### Safety problems

#### General Advice

Members need to bear in mind the substantial amount of primary legislation in this area, and to only impose conditions where they are both proportionate to identified problems and not adequately covered by primary legislation.

The larger and more complex a premises before Members, the more likely it is that specific conditions will be proportionate and necessary.

#### Licensing Policy

Premises should be constructed so as to minimise public safety risks. **(See 7.1).**

The Licensing Authority expects applicants to seek advice from both the relevant Health and Safety body and also the Fire and Emergency Planning Authority. **(See 7.2).** The applicant should identify where existing legislation is not adequate. **(See 7.3).**

The Licensing Authority will consider attaching conditions to ensure public safety and these may include Conditions drawn from the Model Poll of Conditions relating to public safety. **(See Appendix 2 Annex E, F and I of the Licensing Policy).** In particular Members may wish to consider the following headings: (this list is not exhaustive):

#### Annex E

- Adequate arrangements for people with disabilities, inc. their awareness of them.
- Escape routes
- Safety checks
- Curtains, hangings, decorations, upholstery etc.
- Accommodation limits
- Fire action notices
- Emergency procedures
- Water
- Emergency vehicle access
- First aid
- Lighting
- Temporary electrical installations
- Alterations to the premises
- Special effects

#### Annex F

This concerns Theatres and Cinemas

Annex J  
The safe clubbing checklist

Guidance Issued under Section 182 of the Licensing Act 2003

The guidance commends the Model Pool of Conditions adopted by our licensing policy in relation to public safety (7.31).

The public safety objective is the physical safety of the people using the relevant premises,” not public health (7.32).

It is permissible to require certificates or checks provided this does not duplicate other legislation. Responsible authorities should make their expectations clear to applicant’s (7.33).

“Safe capacities “ should only be imposed where necessary for the promotion of public safety or the prevention of disorder.” (7.34). So conditions of a fire certificate should not be reproduced. Setting a capacity is necessary for any “exemptions” claimed by an applicant, who will need to consult the fire authority.”

Other Legislation

The Health and Safety at Work Act 1974, and various regs. Inc. the Management of Health and Safety at Work Regulations 1999.  
Fire Precautions (Workplace) Regulations

Other Guidance

Model National and Standard Conditions for Places of Public Entertainment and Assoc. Guidance

The Event Safety Guide

Managing Crowds Safely

5 Steps to Risk Assessment

Safer Clubbing

Safety Guidance for Street Art etc.

Various BS and ISO standards

# Appendix 10

## ACPO comments on irregular times

### Association of Chief Police Officers

The Association of Chief Police Officers (ACPO) has issued standard advice on unusual opening hours. As well as limiting the number they are anxious that the Police are given reasonable notice and an absolute veto on any event. Their policy is as stated below.

ACPO suggest that the following approach be applied to applications that include unspecified hours.

- No more than 12 extensions per premises per year (excluding applications made under TENS) should be allowed.
- An operating plan covering the additional measures that will be taken to manage crime and disorder on these occasions to be completed.
- A minimum of 7 days notice to police and the licensing authority.
- An absolute veto for police in respect of any of these occasions.