



Meeting of the

# LICENSING SUB COMMITTEE

---

Monday, 8 September 2008 at 6.30 p.m.

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## A G E N D A

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### VENUE

Room C1, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14  
2BG

<b>Members:</b>	<b>Ward Represented</b>
<b>Chair: Councillor Fazlul Haque</b>	Weavers
<b>Councillor Fozol Miah</b>	Spitalfields & Banglatown
<b>Councillor M. Mamun Rashid</b>	Shadwell

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:

Margaret Sampson, Democratic Services,

Tel: 020 7364 4850, E-mail: [margaret.sampson@towerhamlets.gov.uk](mailto:margaret.sampson@towerhamlets.gov.uk)

# LONDON BOROUGH OF TOWER HAMLETS

## LICENSING SUB COMMITTEE

Monday, 8 September 2008

6.30 p.m.

### 1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

### 2. DECLARATIONS OF INTEREST (Pages 1 - 2)

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. See attached note from the Chief Executive.

	PAGE NUMBER	WARD(S) AFFECTED
<b>3. RULES OF PROCEDURE</b>	<b>3 - 14</b>	
To note the rules of procedure which are attached for information.		
<b>4. UNRESTRICTED MINUTES</b>	<b>15 - 18</b>	
To confirm as a correct record of the proceedings the unrestricted minutes of the Licensing Sub-Committee held on 10 <sup>th</sup> July 2008.		
<b>5. ITEMS FOR CONSIDERATION</b>		
<b>5.1 Application for New Premises Licence: Habanas, 74 Bonner Street, London E2 0QP (LSC026/809)</b>	<b>19 - 154</b>	<b>Mile End &amp; Globe Town</b>

# Agenda Item 2

## DECLARATIONS OF INTERESTS - NOTE FROM THE CHIEF EXECUTIVE

This note is guidance only. Members should consult the Council's Code of Conduct for further details. Note: Only Members can decide if they have an interest therefore they must make their own decision. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending at a meeting.

### Declaration of interests for Members

Where Members have a personal interest in any business of the authority as described in paragraph 4 of the Council's Code of Conduct (contained in part 5 of the Council's Constitution) then s/he must disclose this personal interest as in accordance with paragraph 5 of the Code. Members must disclose the existence and nature of the interest at the start of the meeting and certainly no later than the commencement of the item or where the interest becomes apparent.

You have a **personal interest** in any business of your authority where it relates to or is likely to affect:

- (a) An interest that you must **register**
- (b) An interest that is not on the register, but where the well-being or financial position of you, members of your family, or people with whom you have a close association, is likely to be affected by the business of your authority more than it would affect the majority of inhabitants of the ward affected by the decision.

Where a personal interest is declared a Member may stay and take part in the debate and decision on that item.

**What constitutes a prejudicial interest?** - Please refer to paragraph 6 of the adopted Code of Conduct.

**Your personal interest will also be a prejudicial interest in a matter if (a), (b) and either (c) or (d) below apply:-**

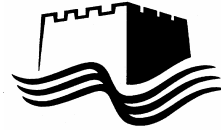
- (a) A member of the public, who knows the relevant facts, would reasonably think that your personal interests are so significant that it is likely to prejudice your judgment of the public interests; AND
- (b) The matter does not fall within one of the exempt categories of decision listed in paragraph 6.2 of the Code; AND EITHER
- (c) The matter affects your financial position or the financial interest of a body with which you are associated; or
- (d) The matter relates to the determination of a licensing or regulatory application

The key points to remember if you have a prejudicial interest in a matter being discussed at a meeting:-

- i. You must declare that you have a prejudicial interest, and the nature of that interest, as soon as that interest becomes apparent to you; and
- ii. You must leave the room for the duration of consideration and decision on the item and not seek to influence the debate or decision unless (iv) below applies; and

- iii. You must not seek to improperly influence a decision in which you have a prejudicial interest.
- iv. If Members of the public are allowed to speak or make representations at the meeting, give evidence or answer questions about the matter, by statutory right or otherwise (e.g. planning or licensing committees), you can declare your prejudicial interest but make representations. However, you must immediately leave the room once you have finished your representations and answered questions (if any). You cannot remain in the meeting or in the public gallery during the debate or decision on the matter.

**TOWER HAMLETS**



**LICENSING COMMITTEE**

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

## **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; 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; 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); Chief Officer of Police who has given notice; 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; Chief Officer of Police who has given Notice; 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; People who have made representations; Applicant	5 working days
Section 120(7)(a) (determination of application for grant of personal licence).	20 working days	10 working days	Applicant; 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; 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; 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; Chief Officer of Police who has given Notice	2 working days

grant of personal licence).	20 working days	10 working days	Applicant; People who have made representations	5 working days
Section 31(3)(a) (determination of application for a provisional statement).	20 working days	10 working days	Applicant; 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; 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); 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); 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; People who have made representations; 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; 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; 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; 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) 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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**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE LICENSING SUB COMMITTEE**

**HELD AT 6.30 P.M. ON THURSDAY, 10 JULY 2008**

**M72, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT, LONDON, E14  
2BG**

**Members Present:**

Councillor Bill Turner (Chair)  
Councillor Oliur Rahman  
Councillor Motin Uz-Zaman

**Officers Present:**

Mohshin Ali	Licensing Officer
Paul Greeno	Legal Officer
Margaret Sampson	Democratic Services Officer

**Applicants In Attendance:**

Mr Rahman	Papadoms Restaurant
Mr Wilmott	Legal Representative
Mr Chowdhury	Applicant, 41 Brick Lane
Mr Chowdhury	Friend of the applicant

**Objectors In Attendance:**

Alan Cruickshank	Metropolitan Police
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**Members of the Public In Attendance:**

There were no members of the public in attendance.

**1. APOLOGIES FOR ABSENCE**

Apologies were submitted on behalf of Councillor F. Haque. Councillor O. Rahman was present as a member of the Licensing Committee.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**3. RULES OF PROCEDURE**

Noted.

#### 4. UNRESTRICTED MINUTES

The minutes of the meetings held on 24<sup>th</sup> April and 7<sup>th</sup> May 2008 were approved as an accurate record.

#### 5. ITEMS FOR CONSIDERATION

##### 5.1 Papadoms, 94 Brick Lane, London, E1 6RL

The Licensing Officer presented the report and advised of the hours of operation and the licensable activities that were sought. Representations had been received from the Metropolitan Police.

Alan Cruickshank, on behalf of the Police, reported that the premises had been operating since at least February 2008 without a premises licence. Police and trading standards officers had attended the premises on numerous occasions and carried out test purchases and this had been raised with Mr Khan.

The application for the new premises licence had been submitted by Mr Rahman and whilst this should be borne in mind, it should also be noted that Mr Rahman was a business partner of Mr Khan and that both were personal licence holders.

PC Cruickshank also reported that whilst the application stated that staff at the restaurant would be offered compulsory training, Mr Rahman had not shown any understanding of the licensing objectives himself. CCTV should also be installed to cover both inside and outside the premises. If Members were minded to grant the application, PC Cruickshank asked that the conditions he had tabled should be added to the licence.

Mr Wilmott, representing the applicant, queried the need for the condition that stated that a personal licence holder should be on the premises in the evening and asked if this condition was usually attached to curry houses. Mr Wilmott also drew attention to the fact that there had been no representations from Environmental Health and that the sale of alcohol would end 30 minutes before closing time.

It was clarified for Members that Mr Rahman would now be responsible for managing the premises and that this had not been the case during the period covered in the police comments.

At this point, the Chair advised that the Sub Committee would consider the second application before retiring to consider both applications.

Following their adjournment, the Chair reported that the Sub Committee had **RESOLVED**

That the application for a new Premises Licence for Papadoms, 94 Brick Lane, London E1 6RL be **GRANTED** subject to the following conditions:

Hours premises are open to the public: Monday to Saturday 12:00 to 24:00 and Sunday 12:00 to 23:30

Sale of Alcohol: Monday to Saturday 12:00 to 23:30 and Sunday 12:00 to 23:00

Late Night refreshment: Monday to Saturday 23:00 to 24:00 and Sunday 23:00 to 23:30

Regulated Entertainment (recorded music only): Monday to Saturday 12:00 to 24:00 and Sunday 12:00 to 23:00

No Touting policy to be adopted and appropriate signage displayed

CCTV to be installed inside the premises and immediately outside. The CCTV must be working at all times the premises are open for business. The CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum of one calendar month.

At least one person on the premises will be trained to operate the recording equipment and be competent in its operation.

## 5.2 Off Licence, 41 Brick Lane, London E1 6PU

The Licensing Officer outlined the report and the details of the variation to the current licence that was sought. Representations had been submitted by local residents, none of whom were present.

Mr Chowdhury, a friend of the applicant, reported that they had tried to speak to the two named resident objectors and had been unable to identify any resident with the name given in the first letter; the second resident did not use the shop and had no complaints directly about the shop but rather about the noise and disturbance of people on the street.

Brick Lane was a busy and vibrant area where there were always people on the street and generating a degree of noise. The Police had made no comment or representation to the application and there were similar shops in close proximity that operated similar hours to those requested.

At this juncture, 7.45pm, the Chair advised that the Sub Committee would now adjourn for a short comfort break before continuing in private session to consider the information and evidence presented.

The Sub Committee reconvened at 8.05pm and the Chair reported that Members had **RESOLVED**

That the Application to Vary the Premises Licence for 41 Brick Lane, London E1 6PU be **GRANTED** but with the hours of operation as detailed and subject to conditions:

Hours premises are open to the public and for the sale of alcohol: Sunday to Thursday until 24:00, Friday and Saturday to 01:00

CCTV to be operational at all times

A refusal book to be kept and maintained for inspection.

The meeting ended at 8.05 p.m.

Chair, Councillor Bill Turner  
Licensing Sub Committee

# Agenda Item 5.1

Committee: <b>Licensing Sub-committee</b>	Date:	Classification <b>Unclassified</b>	Report No. <b>LSC026/ 809</b>	Agenda Item No.
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Report of: <b>Colin Perrins</b> <b>Head of Trading Standards and Environmental Health (Commercial)</b>	Title: <b>Licensing Act 2003</b> <b>Application for a new Premises Licence for Habanas</b> <b>74 Bonner Street London E2 0QP</b>
Originating Officer: <b>John Cruse</b> <b>Licensing Team Leader</b>	Ward affected: <b>Mile End and Globe Town</b>

## 1.0 Summary

Applicant: Wellington Pub Company Ltd.

Name and Address of Premises: Habanas  
74 Bonner Street London E2 0QP

Licence sought: **New premises licence under the Licensing Act 2003**

- **Sale of alcohol**
- **Regulated entertainment**
- **Late Night Refreshment**

Representations: **Environmental Protection**  
**Local residents**

## 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		John Cruse 020 7364 5024

### 3.0 **Background**

#### 3.1 **This is an application for a new Premises Licence**

3.2 A copy of the application is enclosed as **Appendix 1**.

3.3 The application was modified by the applicant following discussion with the Metropolitan Police and the Council's Health and Safety Section. A copy of the amended application is contained in **Appendix 2**.

#### **The timings are as follows:**

##### **The sale by retail of alcohol:**

Sunday to Thursday

11 00 to midnight

Friday and Saturday

11 00 hrs to 01 00 hrs

##### **Regulated Entertainment consisting of:**

Films, live music, recorded music, performance of dance, anything of a similar description, and the provision of entertainment facilities for making music, dancing and anything of a similar description

Sunday to Thursday

11 00 to midnight

Friday and Saturday

11 00 hrs to 01 00 hrs

##### **Late Night refreshment**

The applicant will need to clarify this. It is likely to be same time as the other regulated activities.

##### **Hours premises are open to the public:**

Sunday to Thursday

11 00 to 00 30 hrs

Friday and Saturday

11 00 hrs to 01 30 hrs

3.4 The applicant has described the nature of the premises and application as follows:

"The premises are in Bonner Street and are bar premises. The premises have two public rooms with bar serveries and an outside seating area. Licensable activities will include the supply of alcohol, the provision of late night entertainment, the provision of regulated entertainment and the provision of entertainment facilities."

3.5 The observations of the Metropolitan Police are contained in **Appendix 3** and the Council's Health and Safety section in **Appendix 4**. These are provided as background information, they are not representations.

3.6 A map showing the situation of premises in the local area is included as **Appendix 5**.

#### **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 was substantially revised on the 28 June 2007.
- 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 Representations**

- 5.1 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.
- 5.2 Interested party as defined in Section 13 (3) of the Licensing Act 2003 is limited to persons living in the vicinity of the premises, their representatives and local businesses in the vicinity of the premises and their representatives. Essentially, the interested party making the representation should show by what they say that they, or those they represent are sufficiently close to be personally affected by the application.
- 5.3 Only a responsible authority or an interested party can make a representation. Both of these terms are defined by statute, in Section 13 of the Licensing Act 2003.
- 5.4 There are two tests for an interested party and only one for a responsible authority. The two tests are contained in Section 18 of the Act.
- 5.5 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.

- 5.6 Representations by responsible authorities do not have to meet the second test of not being vexatious and frivolous. Interested parties and their representatives have to meet this test.
- 5.7 The Secretary of State recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation.
- 5.8 Section 182 Advice by the DCMS concerning relevant, vexatious and frivolous representations is attached as **Appendix 6**.
- 5.9 The representation in this report has been considered by the relevant officer (Team Leader Licensing) and determined to have met the requirements of the Licensing Act 2003
- 5.10 All of the responsible authorities have been consulted about this application. They are as follows:
- The Metropolitan Police
  - The LFEPA (the London Fire and Emergency Planning Authority).
  - Planning
  - Health and Safety
  - Environmental Protection
  - Trading Standards
  - Child Protection
- 5.11 This hearing is required by the Licensing Act 2003, because relevant representations have been made by local residents.
- 5.12 Please see **Appendix 7** for the representations of residents (29).
- 5.13 Please see **Appendix 37** for the representation of Environmental Protection.
- 5.14 The application was required to be advertised in a local newspaper and by a blue poster. In addition the licensing section consulted on a 40 m basis.
- 5.15 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
- 5.16 Residents mainly raise concerns about the prevention of public nuisance and the prevention of crime and disorder. In addition public safety is raised
- 5.17 Environmental Protection have raised concerns about the prevention of public nuisance.



5.18 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. 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 (1.6).  
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 (1.7).
- ❖ 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.” (1.10)
- ❖ Conditions may not be imposed for the purpose other than the licensing objectives.
- ❖ Necessary conditions should emerge from a risk assessment by the applicant, which should then be reflected in the operating schedule (10.7).
- ❖ The Licensing Authority may only impose such conditions as are necessary for meeting the licensing objectives.
- ❖ It is Government policy that facilities for people and performers with disabilities should be provided at places of entertainment. (S. 10.24).
- ❖ The Government has stated “there is no general presumption in favour of lengthening licensing hours and the four licensing objectives should be paramount at all times. Where there are objections to an application and the committee believes that changing the licensing

hours would undermine the licensing objectives, they may reject the application or grant it with appropriate conditions and/or different hours from those requested.” (10.20)

- 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 Government has advised that “In the context of preventing public nuisance it is again essential that conditions are focused on measures within the direct control of the licence holder. Conditions relating to public nuisance caused by anti-social behaviour of customers once they are beyond the control of the licence holder or premises management cannot be justified and will not serve the licensing objectives.” (2.38)
- 6.7 The Council’s licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.
- 6.8 Members will find advice on the issues relating to conduct on the premises and access/egress as follows:

**Appendix 38** Licensing Officer comments on noise while the premise is in use

**Appendix 39** Licensing Officer comments on access/egress problems

**Appendix 40** Licensing Officer comments on crime and disorder on the premises

**Appendix 41** Licensing Officer comments on crime and disorder from patrons leaving the premises

**Appendix 42** Planning

**Appendix 43** Licensing Policy relating to hours of trading

## **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 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."
- 7.3 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.
- 7.4 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.

## **9.0 Finance Comments**

- 9.1 There are no financial implications in this report.

## 10.0 Appendices

<b>Appendix 1</b>	A copy of the premises licence application
<b>Appendix 2</b>	A copy of the amended application
<b>Appendix 3</b>	Observations of the Metropolitan Police
<b>Appendix 4</b>	Observations of the Council's Health and Safety Section.
<b>Appendix 5</b>	Maps of the area
<b>Appendix 6</b>	Section 182 Advice by the DCMS concerning relevant, vexatious and frivolous representations
<b>Appendix 7</b>	List of the representations of residents
<b>Appendix 8-36</b>	Residents representations
<b>Appendix 37</b>	Representation of Environmental protection
<b>Appendix 38</b>	Licensing Officer comments on noise while the premise is in use
<b>Appendix 39</b>	Licensing Officer comments on access/egress problems
<b>Appendix 40</b>	Licensing Officer comments on crime and disorder on the premises
<b>Appendix 41</b>	Licensing Officer comments on crime and disorder from patrons leaving the premises
<b>Appendix 42</b>	Planning
<b>Appendix 43</b>	Licensing Policy relating to hours of trading

# Appendix 1

Licensing Section  
London Borough Tower Hamlets  
Mulberry Place (AH)  
PO Box 55739  
5 Clove Crescent  
LONDON E14 1BY

**Our ref:** RJT.JB 82967.58.1

**Your ref:**

**Date:** 23 June 2008

**E-Mail:** janet\_braithwaite@gosschalks.co.uk

Dear Sirs

re: **Habanas 74 Bonner Street London**  
**Application for a New Premise Licence under Licensing Act 2003**

We enclose herewith :-

1. Application for a Premise Licence.
2. Floor Plan
3. Consent of Designated Premises Supervisor
4. Relevant Fee.

This application is to re-licence these premises following the lapse of the original premises licence which followed the insolvency of the previous premises licence holder. Our Client Wellington Pub Company does not propose to trade these premises itself. Once the premises licence is granted, then these premises will be let to tenants. Those tenants will take transfer of the premises licence and install their own DPS. Accordingly, whilst there is a designated premises supervisor identified on the premises licence application, he will not trade these premises.

If any further information is required please telephone the Licensing Team on 01482 324252 and any information you require will be forwarded to you. We would be grateful if you would adopt this course of action first without returning the application as a returned application would of course affect the newspaper advertisement and the notices displayed on the premises.

**We would be grateful if all correspondence relating to this application could be forwarded to this address as we are instructed to deal with all matters relating to this application.**

We look forward to receiving the Premises Licence in due course.

Yours faithfully,  
GOSSCHALKS

cc: Responsible authorities

24 JUN 2008

Insert name and address of relevant licensing authority and its reference number (optional)

London Borough of Tower Hamlets  
 Mulberry Place (AH)  
 P.O. Box 85714  
 5 Clive Crescent  
 London E14 1BF

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

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

I/We **Wellington Pub Company Limited**  
 (Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and  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**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>	
Habanas 74 Bonner Street	
<b>Post town</b> London	<b>Post code</b> E2 0QF

Telephone number at premises (if any)

Non-domestic rateable value of premises

£ 11,750.00

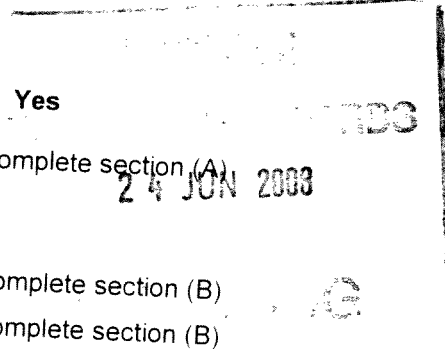
**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

- a) an individual or individuals\*
- b) a person other than an individual\*
  - i. as a limited company
  - ii. as a partnership
  - iii. as an unincorporated association or
  - iv. other (for example a statutory corporation)
- c) a recognised club
- d) a charity
- e) the proprietor of an educational establishment

Please tick  **Yes**

- please complete section (A)
- please complete section (B)
- please complete section (B)
- please complete section (B)
- please complete section (B)
- please complete section (B)
- please complete section (B)
- 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)
- 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       Mrs       Miss       Ms       Other title   
 (for example, Rev)

**Surname**       **First names**

I am 18 years old or over

Please tick  **Yes**

**Current postal address if different from premises address**

**Post Town**       **Postcode**

**Daytime contact telephone number**

**E-mail address (optional)**



**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr

Mrs

Miss

Ms

Other title   
(for example, Rev)

**Surname**

**First names**

I am 18 years old or over

Please tick  **Yes**

**Current postal address if different from premises address**

**Post Town**

**Postcode**

**Daytime contact telephone number**

**E-mail address (optional)**

**(B) OTHER APPLICANTS**

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

**Name**

WELLINGTON PUB COMPANY

**Address**

PARKWAY HOUSE  
HADDENHAM BUSINESS PARK  
HADDENHAM  
HP17 8LJ

**Registered number (where applicable)**

03406623

**Description of applicant (for example partnership, company, unincorporated association etc)**

COMPANY

**Telephone number (if any)**

01844 203107

**E-mail address (optional)**

### Part 3 - Operating Schedule

When do you want the premises licence to start?

Day		Month		Year			
2	3	0	7	2	0	0	3

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

Day		Month		Year			

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

Please give a general description of the premises (please read guidance note 1)

The premises are situated on Bonner Street and are bar premises. The premises have two public rooms with bar serveries and an outside seating area. Licensable activities will include the supply of alcohol, the provision of late night refreshment, the provision of regulated entertainment and the provision of entertainment facilities

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

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Please tick  Yes

#### Provision of regulated entertainment

- 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)

X
X
X
X
X

#### Provision of entertainment facilities for:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

X
X
X

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


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

--

In all cases complete boxes N, O and P

# A

<b>Plays</b> Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors
Day	Start	Finish		Outdoors
Mon			<b>Please give further details here</b> (please read guidance note 3)	Both
Tue				
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)	
Thur				
Fri			<b>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</b> (please read guidance note 5)	
Sat				
Sun				

# B

<b>Films</b> Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	×
Day	Start	Finish		Outdoors	
Mon	11.00	00.00	<b>Please give further details here</b> (please read guidance note 3) Screens within the premises may be shown on DVD's or videos.	Both	
Tue	11.00	00.00			
Wed	11.00	00.00	<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Thur	11.00	00.00			
Fri	11.00	02.00	<b>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</b> (please read guidance note 5) When the hours for the supply of alcohol are extended then these hours shall be extended such that the finish time matches that for the supply of alcohol.		
Sat	11.00	02.00			
Sun	11.00	00.00			

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)	<b>Please give further details</b> (please read guidance note 3)
Day      Start      Finish Mon	
Tue	<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 4)
Wed	
Thur	<b>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</b> (please read guidance note 5)
Fri	
Sat	
Sun	

**D**

<b>Boxing or wrestling entertainment</b> Standard days and timings (please read guidance note 6)	Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors Outdoors Both
Day      Start      Finish Mon	<b>Please give further details here</b> (please read guidance note 3)	
Tue	<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 4)	
Wed		
Thur	<b>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 5)	
Fri		
Sat		
Sun		

## E

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)</b>	
Day	Start	Finish	Indoors	Outdoors
Mon	11.00	00.00	<input type="checkbox"/>	<input type="checkbox"/>
Tue	11.00	00.00	<input type="checkbox"/>	<input type="checkbox"/>
Wed	11.00	00.00	<input type="checkbox"/>	<input type="checkbox"/>
Thur	11.00	00.00	<input type="checkbox"/>	<input type="checkbox"/>
Fri	11.00	02.00	<input type="checkbox"/>	<input type="checkbox"/>
Sat	11.00	02.00	<input type="checkbox"/>	<input type="checkbox"/>
Sun	11.00	00.00	<input type="checkbox"/>	<input type="checkbox"/>
			<b>Please give further details here</b> (please read guidance note 3) Live music may be played	
			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)	
			<b>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</b> (please read guidance note 5) When the hours for the supply of alcohol are extended then these hours shall be extended such that the finish time matches that for the supply of alcohol.	

## F

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)</b>	
Day	Start	Finish	Indoors	Outdoors
Mon	11.00	00.00	<input type="checkbox"/>	<input type="checkbox"/>
Tue	11.00	00.00	<input type="checkbox"/>	<input type="checkbox"/>
Wed	11.00	00.00	<input type="checkbox"/>	<input type="checkbox"/>
Thur	11.00	00.00	<input type="checkbox"/>	<input type="checkbox"/>
Fri	11.00	02.00	<input type="checkbox"/>	<input type="checkbox"/>
Sat	11.00	02.00	<input type="checkbox"/>	<input type="checkbox"/>
Sun	11.00	00.00	<input type="checkbox"/>	<input type="checkbox"/>
			<b>Please give further details here</b> (please read guidance note 3) Recorded music may be played	
			<b>State any seasonal variations for playing recorded music</b> (please read guidance note 4)	
			<b>Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 5) When the hours for the supply of alcohol are extended then these hours shall be extended such that the finish time matches that for the supply of alcohol.	

# G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
Mon	11.00	00.00		Both	
Tue	11.00	00.00			
Wed	11.00	00.00			
Thur	11.00	00.00			
Fri	11.00	02.00	<p><b>Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 5)</p> <p>When the hours for the supply of alcohol are extended then these hours shall be extended such that the finish time matches that for the supply of alcohol.</p>		
Sat	11.00	02.00			
Sun	11.00	00.00			

# H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Will this entertainment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
Mon	11.00	00.00		Both	
Tue	11.00	00.00			
Wed	11.00	00.00			
Thur	11.00	00.00			
Fri	11.00	02.00	<p><b>Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 5)</p> <p>When the hours for the supply of alcohol are extended then these hours shall be extended such that the finish time matches supply of alcohol.</p>		
Sat	11.00	02.00			
Sun	11.00	00.00			

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing	
			Floor space as required	
			Will the facilities for making music be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) <input type="checkbox"/> Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon	11.00	00.00		
Tue	11.00	00.00		
Wed	11.00	00.00	State any seasonal variations for the provision of facilities for making music (please read guidance note 4)	
Thur	11.00	00.00		
Fri	11.00	02.00	Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat	11.00	02.00	When the hours for the supply of alcohol are extended then these hours shall be extended such that the finish time matches that for the supply of alcohol.	
Sun	11.00	00.00		

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (see guidance note 2)	
			<input type="checkbox"/> Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both	
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing	
Mon	11.00	00.00	Floor space as required	
Tue	11.00	00.00	Please give further details here (please read guidance note 3)	
Wed	11.00	00.00		
Thur	11.00	00.00	State any seasonal variations for providing dancing facilities (please read guidance note 4)	
Fri	11.00	02.00	Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat	11.00	02.00	When the hours for the supply of alcohol are extended then these hours shall be extended such that the finish time matches that for the supply of alcohol.	
Sun	11.00	00.00		

**K**

<b>Provision of facilities for entertainment of a similar description to that falling within I or J</b> Standard days and timings (please read guidance note 6)			<b>Please give a description of the type of entertainment facility you will be providing</b>		
Day	Start	Finish	<b>Will the entertainment facility be indoors or outdoors or both - please tick ✓ (please read guidance note 2)</b>	Indoors	<input checked="" type="checkbox"/>
Mon	11.00	00.00		Outdoors	<input type="checkbox"/>
Tue	11.00	00.00		Both	<input type="checkbox"/>
Wed	11.00	00.00	<b>Please give further details here</b> (please read guidance note 3)		
Thur	11.00	00.00	<b>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J</b> (please read guidance note 4)		
Fri	11.00	02.00	<b>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat	11.00	02.00			
Sun	11.00	00.00			

**L**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)</b>		
Day	Start	Finish		Indoors	<input type="checkbox"/>
Mon	23.00	00.00		Outdoors	<input type="checkbox"/>
Tue	23.00	00.00		Both	<input checked="" type="checkbox"/>
Wed	23.00	00.00	<b>Please give further details here</b> (please read guidance note 3) Hot drinks and snacks may be served after 23.00		
Thur	23.00	00.00	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)		
Fri	23.00	02.00	<b>Non standard timings. Where you intend to use the premises for the provision of late night entertainment at different times, to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat	23.00	02.00			
Sun	23.00	00.00			



# M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption please tick ✓ (please read guidance note 7)	
Day	Start	Finish	On the premises	Off the premises
Mon	11.00	00.00		<input checked="" type="checkbox"/>
Tue	11.00	01.00		<input checked="" type="checkbox"/>
Wed	11.00	00.00		<input checked="" type="checkbox"/>
Thur	11.00	00.00		<input checked="" type="checkbox"/>
Fri	11.00	02.00		<input checked="" type="checkbox"/>
Sat	11.00	02.00		<input checked="" type="checkbox"/>
Sun	11.00	00.00		<input checked="" type="checkbox"/>

**State any seasonal variations for the supply of alcohol** (please read guidance note 4)

**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 5)

The finish time will be extended to 03.00 on Christmas Eve, Boxing Day and the Fridays Saturdays and Sundays of Bank Holiday weekends. On New Years Eve the supply of alcohol will be permitted from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

**State the name and details of the individual whom you wish to specify on the licence as premises supervisor**

Name David Ernest Holme

Address 59 Lewis Road  
Sidcup

Postcode DA14 4NB

Personal Licence number (if known) 05/00830/Bexley/L1

Issuing licensing authority (if known) Bexley Council

**N**

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 8)

NONE

**O**

<p><b>Hours premises are open to the public</b> Standard timings (please read guidance note 6)</p>	<p><u>State any seasonal variation</u> (please read guidance note 4)</p>																								
<table border="1"> <thead> <tr> <th>Day</th> <th>Start</th> <th>Finish</th> </tr> </thead> <tbody> <tr> <td>Mon</td> <td>11.00</td> <td>00.30</td> </tr> <tr> <td>Tue</td> <td>11.00</td> <td>00.30</td> </tr> <tr> <td>Wed</td> <td>11.00</td> <td>00.30</td> </tr> <tr> <td>Thur</td> <td>11.00</td> <td>00.30</td> </tr> <tr> <td>Fri</td> <td>11.00</td> <td>02.30</td> </tr> <tr> <td>Sat</td> <td>11.00</td> <td>02.30</td> </tr> <tr> <td>Sun</td> <td>11.00</td> <td>00.30</td> </tr> </tbody> </table>	Day	Start	Finish	Mon	11.00	00.30	Tue	11.00	00.30	Wed	11.00	00.30	Thur	11.00	00.30	Fri	11.00	02.30	Sat	11.00	02.30	Sun	11.00	00.30	<p><b><u>Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 5)</p> <p>When the hours for the supply of alcohol are extended, the premises will close 30 minutes after the last permitted time for the supply of alcohol.</p>
Day	Start	Finish																							
Mon	11.00	00.30																							
Tue	11.00	00.30																							
Wed	11.00	00.30																							
Thur	11.00	00.30																							
Fri	11.00	02.30																							
Sat	11.00	02.30																							
Sun	11.00	00.30																							

**P** 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 9)**

**b) The prevention of crime and disorder**

A cctv system of a specification acceptable to the Police will be installed and maintained. The premises licence holder will operate a Challenge 21 type policy. The premise licence holder will from time to time risk assess the need for door supervision and will provide door supervisors as the risk assessment dictates.

**c) Public safety**

The premises licence holder will comply with all relevant Health & Safety legislation

**d) The prevention of public nuisance**

Doors and windows will be closed (save for access and egress) when regulated entertainment is being provided

**e) The protection of children from harm**

No under 18's will be permitted on the premises after 11.00

Please tick  Yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be 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

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 4 - Signatures** (please read guidance note 10)

**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.**

Signature Grosschalks

Date 23 June 2008

Capacity Solicitors for and on behalf of the applicants

**For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent** (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature .....

Date .....

Capacity .....

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 13) Grosschalks Queens Gardens, Hull	
<b>Post town</b>	<b>Post code</b> HU1 3EZ
<b>Telephone number (if any)</b> 01482 324252	
<b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b> janet.braithwaite@grosschalks.co.uk	

## 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. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day, e.g. Christmas Eve.
6. 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.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. 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, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

# Appendix 2

FAO Kathy Butler  
London Borough of Tower Hamlets  
Council offices  
Mulberry Place (AH)  
Po Box 55739  
5 Clove Crescent  
LONDON E14 1BY

Our ref: RJT.JB 82967.58 1

Your ref:

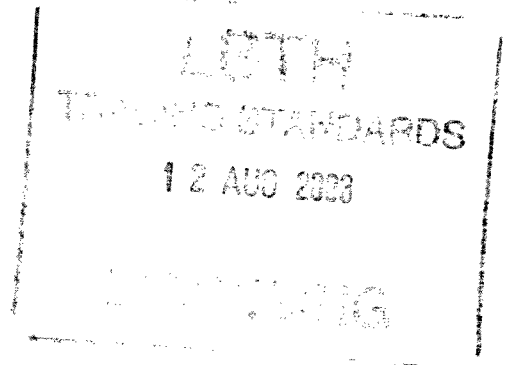
Date: 11 August 2008

E-Mail: [rjt@goschalks.co.uk](mailto:rjt@goschalks.co.uk)

BY EMAIL AND POST

Dear Ms Butler

re: Application for Premises Licence  
Habanas, 74 Bonner Road London



I write further to your recent correspondence with my assistant Janet Braithwaite.

The purpose of this letter is to advise you formally of the agreements reached with both the Police and with Ken Morrison, Licensing Safety Officer, Environmental Health Commercial-Health & Safety.

The agreements reached with the responsible authorities are as follows:-

1. That regulated entertainment in the forms of films, live music, recorded music, performances of dance, anything of a similar description and the provision of entertainment facilities for making music, dancing and entertainment of a similar description will be 11.00 to 01.00 on Fridays and Saturdays with Sunday to Thursday inclusive being 11.00 to midnight.
2. So far as the supply of alcohol is concerned this will be permitted from Sunday to Thursday 11.00 to midnight and on Friday & Saturday 11.00 to 01.00
3. Closing time - the premises will close 30 minutes after the last permitted supply of alcohol.

In addition, a number of conditions have been agreed.

1. In relation to the seating area outside, no one will be allowed to sit there or stand there after 23.00 and the customers moved inside.

2. CCTV - a CCTV system shall be installed or the existing system maintained covering areas inside and outside of the premises. The system will incorporate a camera covering each of the entrance doors and be capable of providing an image that is regarded as "identification standard"

- CCTV is to comply with the Data Protection Act 1998 and is to be working and recording correctly when the premises is open to the public#
- The CCTV system shall incorporate a recording facility and any records shall be retained and stored in a suitable and secure manner for a minimum of one calendar month. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation including signage.
- A staff member from the premises is to be conversant with the operation of the CCTV system and will be on the premises at all times that the premises is open to the public. This staff member will be able to show police recent data or footage with the absolutely minimum of delay when requested. This data or footage reproduction should be almost instantaneous.

3. The premises will not re-open until such time as repairs and refurbishment have been completed to the satisfaction of the Health & Safety Officer

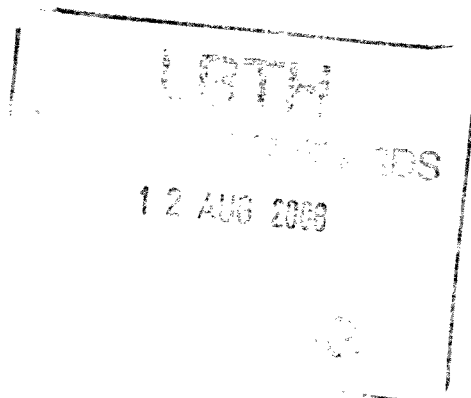
4. The premises will not re-open until a health & safety risk assessment/management plan has been submitted to the Health & Safety Department

It may be that the amendments to the hours and the conditions agreed with the responsible authorities will satisfy the local residents. I have not yet seen the representations of the local residents and would be grateful if you could forward those to me as soon as possible.

I understand that a hearing must be arranged prior to 25<sup>th</sup> August 2008. In the circumstances, I would be grateful for details of the hearing as soon as possible in order that I may advise my clients accordingly.

Yours sincerely

*R. Taylor*  
Richard Taylor





# Appendix 3

**Kathy Butler**

**From:** Janet Braithwaite [janet\_braithwaite@gosschalks.co.uk]  
**Sent:** 22 July 2008 14:57  
**To:** Alan.Cruickshank@met.police.uk  
**Cc:** Kathy Butler  
**Subject:** RE: Habanas , 74 Bonner St, E2

Dear Alan

I refer to your email of yester date and apologise for not replying sooner.

I confirm that I have received confirmation from our clients that they are agreeable to the conditions (1-4) as set out in your email of 21st July being attached to the premise licence

I trust the above is sufficient for your purposes but if you require any further clarification please do not hesitate to contact me.

Regards  
Janet

---

**From:** Alan.Cruickshank@met.police.uk [mailto:Alan.Cruickshank@met.police.uk]  
**Sent:** 22 July 2008 14:46  
**To:** Liz Allen  
**Cc:** Kathy.Butler@towerhamlets.gov.uk  
**Subject:** Habanas , 74 Bonner St, E2

Good afternoon

Re: ref RJT.JB 82967.58.1

I received a answephone message from Mr Mark Davis , confirming that his client will accept the conditions.

If this is correct, can a confirmation e-mail be sent to myself and Kathy Butler at LBTH Licensing .Can this be done ASAP.

Many thanks

Alan Cruickshank PC 189HT

0208 217 6699

\*\*\*\*\*

It is the policy of the MPS that:

MPS personnel (or agents working on behalf of the MPS) must not use MPS systems to author, transmit or store documents such as electronic mail (e-mail) messages or attachments:

\* containing racist, homophobic,sexist, defamatory, offensive, illegal or

**Kathy Butler**

**From:** Alan.Cruickshank@met.pnn.police.uk  
**Sent:** 21 July 2008 14:07  
**To:** Kathy Butler; Kathy Butler; janet\_braithwait@gosschalks.co.uk  
**Subject:** Habanas , 74 Bonner St, E2

Good afternoon

I held a meeting with Mr Tazul Islam at Bethnal Green Police Station on Monday the 21st of July 2008 , in relation to his Premises Licence application.

As a responsible member of the licensing authority , the Police will object to his application if the following agreed condions are not put on his Operating Schedule

1. All the activities marked **B,E,F,G,H,I,J,K,L,M** . The applicable times for Friday and Saturday . for all these will be **1100 - 0100**
2. The hours the premises will be open to ( O ) for Friday and Saturday will be **from 1100 - 0130**
3. In relation to the seating area outside, no one will be allowed to sit there or stand there after **2300** and the customers moved inside
4. CCTV.
  1. A CCTV system shall be installed or the existing system maintained covering areas inside and outside of the premises. The system will incorporate a camera covering each of the entrance doors and be capable of providing an image that is regarded as 'identification standard.'

CCTV is to comply with the Data Protection Act 1998 and is to be working and recording correctly when the club is open to the public.

The CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum of one calendar month. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation,including signage .

A staff member from the premises to be conversant with the operation of the CCTV system and will be on the premises at all times that the club is open to the public. This staff member will be able to show police recent data or footage with the absolute minimum of delay when requested. This data or footage reproduction should be almost instantaneous.

Further to the above four conditions, please ensure that a DPS is in place prior to the opening.

Best wishes

Alan Cruickshank PC 189HT

Licensing Office

0208 217 6699

\*\*\*\*\*

It is the policy of the MPS that:

MPS personnel (or agents working on behalf of the MPS) must not use MPS systems to author, transmit or store documents such as electronic mail (e-mail) messages or attachments:

- \* containing racist, homophobic, sexist, defamatory, offensive, illegal or otherwise inappropriate material;
  - \* containing material requiring a protective marking higher than RESTRICTED, (and not higher than NOT PROTECTIVELY MARKED across the internet) without the use of approved encryption;
  - \* containing personal data for use other than in accordance with the notification(s) under the Data Protection Act, 1998 of the system(s) from which the data originates.
- \* This Email message has been scanned for viruses and contents.

\*\*\*\*\*

# Appendix 4

**Kathy Butler**

**From:** Ken Morrison

**Sent:** 24 July 2008 19:13

**To:** Kathy Butler

**Subject:** FW: Premise Licence Application - Habanas 74 Bonner St [GOSS-IMANAGE.FID1779626]

Hi Kathy

Further to my email to you of 16/7/08 where I made representation against the issue of the licence for Habanas, I have now received the attached email whereby the applicants are willing to have the 2 conditions placed on the licence restricting opening of the premises until my concerns are met.

Therefore I would now like to lift my previous representation.

I have notified the applicant of this fact.

P.S. I have also forwarded a copy of a second email to you confirming the applicants agreement.

Ken Morrison  
Licensing Safety Officer  
Environmental Health Commercial - Health and Safety  
London Borough of Tower Hamlets  
Mulberry Place (AH)  
PO Box 55739  
5 Clove Crescent  
London E14 1BY  
Tel: 020 7364 6626  
Fax: 020 7364 6901

---

**From:** Richard Taylor [mailto:RJT@gosschalks.co.uk]  
**Sent:** 18 July 2008 12:04  
**To:** Ken Morrison  
**Cc:** {F1779626}.imanager@wcs.gosschalks.co.uk  
**Subject:** Premise Licence Application - Habanas 74 Bonner St [GOSS-IMANAGE.FID1779626]

Dear Ken

I write further to your email of 16th July 2008 to my assistant, Janet Braithwaite. I confirm that I am taking instructions from my client with regards to your representation. I have suggested to my client that you may be satisfied if the premise licence were to be granted subject to the following conditions:-

1. The premises will not re-open until such time as repairs and refurbishment have been completed to the satisfaction of the Health & Safety Officer
2. The premises will not re-open until a health and safety risk assessment/management plan has been submitted to the Health & Safety Dept.

I am awaiting my clients confirmation that it is prepared to accept these conditions.

I would be grateful if you would confirm whether or not you would be prepared to withdraw your representation on the basis that the operating plan is amended to include the above as conditions.

I look forward to hearing from you.

Yours sincerely

Richard

28/07/2008

**Kathy Butler**

**From:** Ken Morrison  
**Sent:** 16 July 2008 11:16  
**To:** Kathy Butler  
**Subject:** Premises Licence Application - Habanas, 74 Bonner Street.

I write with reference to Misc.Activities 026786 - Premises Licence Application for Habanas, 74 Bonner Street.

I wish to make "representation" against the grant of this licence for the following reasons:-

**Background of Application**

The applicant is The Wellington Pub Company and their solicitors have stated quite clearly that they will have no involvement in the running and trading of these premises.

**Premises**

The premises is in a severe state of disrepair and will have to undergo refurbishment before it will be in a fit state to open to trade to the public. Wellington Pub Company are not proposing to carry out any refurbishment. This is going to be the responsibility of the new tenant - whenever and whoever that may be. (N.B.negotiations are going on with a proposed tenant but there is no lease in place at the moment). Therefore there are no satisfactory details about the required refurbishment at this time.

**Public Safety Issues**

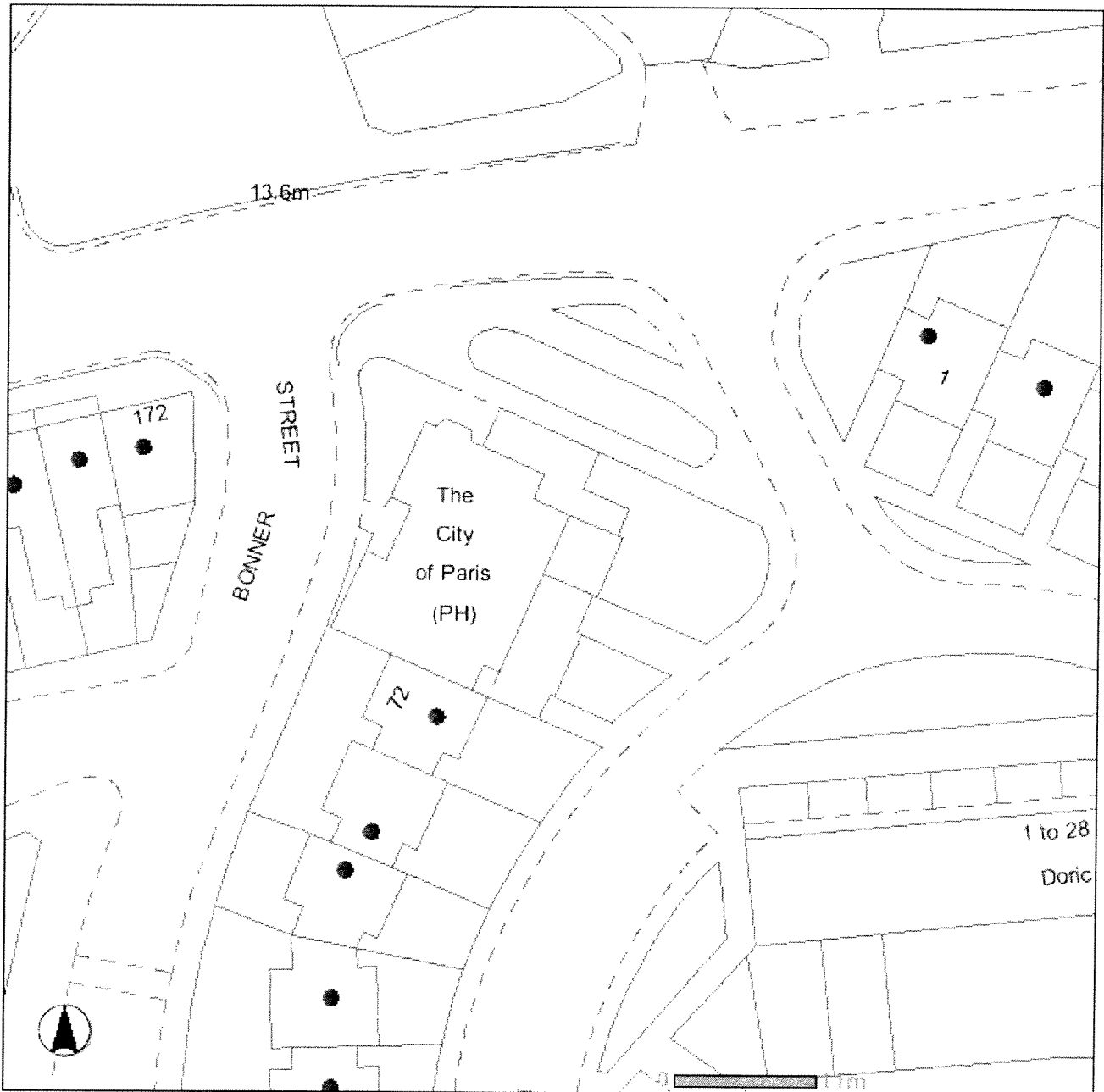
As the Wellington Pub Company is not proposing to trade and run this premises, they have not provided a suitably detailed and satisfactory Health & Safety Risk Assessment or Management Plan. This is going to be the responsibility of the new tenant - whenever and whoever that may be. Therefore there are no satisfactory details about Public Safety arrangements at this time.

Ken Morrison  
Licensing Safety Officer  
Environmental Health Commercial - Health and Safety  
London Borough of Tower Hamlets  
Mulberry Place (AH)  
PO Box 55739  
5 Clove Crescent  
London E14 1BY  
Tel: 020 7364 6626  
Fax: 020 7364 6901

# Appendix 5



# Map



Scale 1:500

Map of:

## Site Plan

Notes:

74 Bonner street

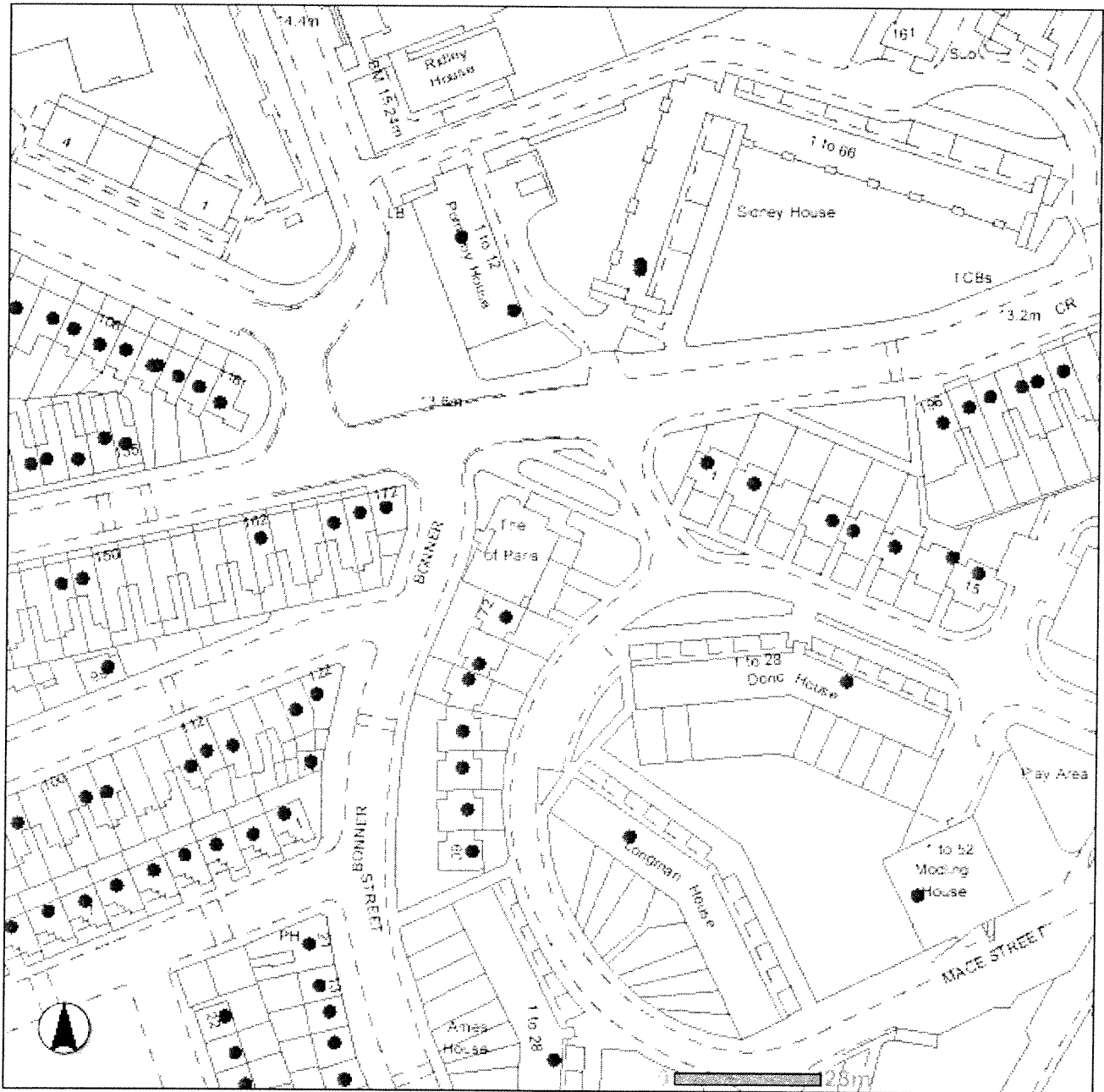
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Licence Number LA100019288

# Map



Scale 1:1228

Map of:

## Site Plan

Notes:

74 Bonner Street

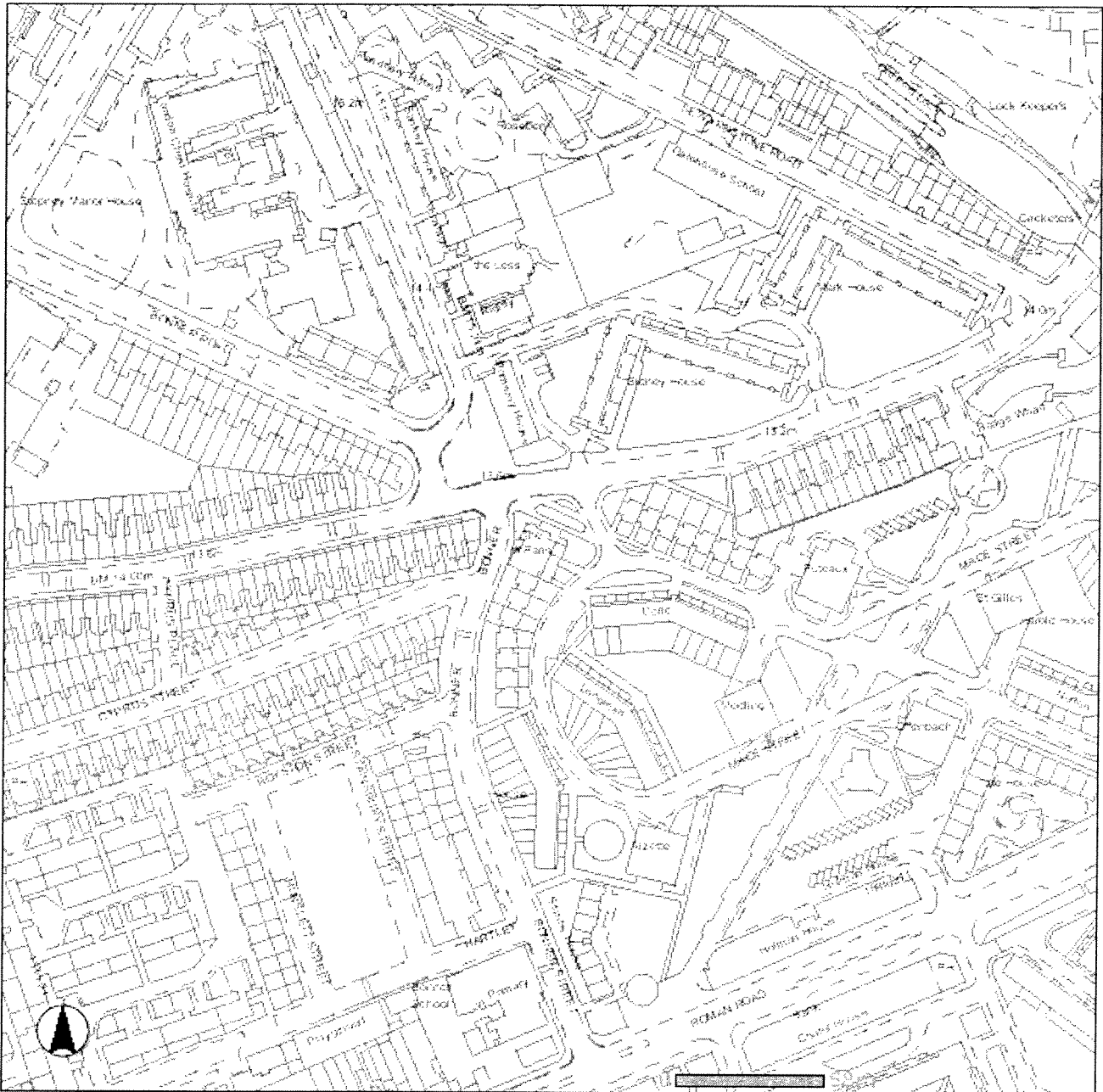
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# Map



Scale 1:2500

Map of:  
**Site Plan**

Notes:  
 74 Binner Street

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Licence Number LA100019288

# Appendix 6

## Section 182 Advice by the DCMS

### RELEVANT, VEXATIOUS AND FRIVOLOUS REPRESENTATIONS

- 9.8 A representation would only be “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 businessman which argued that his business would be commercially damaged by a new licensed premises would not be relevant. On the other hand, a representation that nuisance caused by the new premises would deter customers from entering the local area and the steps proposed by the applicant to control that nuisance were inadequate would be relevant. There is no requirement for an interested party or responsible authority to produce a recorded history of problems at a premises to support their representations, and in fact this would not be possible for new premises. Further information for interested parties about the process for making representations is available in “Guidance for interested parties: Making representations” which can be found on the DCMS website.
- 9.9 The “cumulative impact” on the licensing objectives of a concentration of multiple licensed premises may also give rise to a relevant representation when an application for the grant or variation of a premises licence is being considered, but not in relation to an application for review which must relate to an individual premises.
- 9.10 It is for the licensing authority to determine whether any representation by an interested party is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. Vexation may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Frivolous representations would be essentially categorised by a lack of seriousness. An interested party who is aggrieved by a rejection of their representations on these grounds may challenge the authority’s decision by way of judicial review.
- 9.11 Licensing authorities should not take decisions on whether representations are relevant on the basis of any political judgement. This may be difficult for ward councillors receiving 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 subcommittee before any decision is taken that necessitates a hearing. Any ward councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.
- 9.12 The Secretary of State recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the

representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it. If it then emerged, for example, that the representation should not be supported, the licensing authority could decide not to take any action in respect of the application.

- 9.13 Licensing authorities should consider providing advice on their websites about how any interested party can make representations to them.

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# Appendix 7

Appendix

Name	No	Address1	Address2	Address3	Address4	Appendix
Mr. & Mrs T Burns	66	Bonner Street		London	E2 0QP	8
Mr. M. Burns	68	Bonner Street		London	E2 0QP	9
Mr. John W. Bramley	70	Bonner Street		London	E2 0QP	10
Mr. and Mrs. Legon	72	Bonner Street		London	E2 0QP	11
Mrs. M. Frith	114a	Bonner Street		London	E2 9JU	12
Christine Finch	47	Cyprus Street		London	E2 0NN	13
Mr. & Mrs Float	74	Cyprus Street		London	E2 0NN	14
Mr. & Mrs E Kendall	78	Cyprus Street		London	E2 0NN	15
Barbara-Anne Gold	82	Cyprus Street		London	E2 0NN	16
Brenda Carruthers-Jones	83	Cyprus Street		London	E2 0NN	17
Mr. Calum McLean	84	Cyprus Street		London	E2 0NN	18
Shelley, Matthew and Maya Shannon	91	Cyprus Street		London	E2 0NN	19
Julie McNiff	94	Cyprus Street		London	E2 0NN	20
Miss J. Nockles	96	Cyprus Street		London	E2 0NN	21
Michael Riley and Aleica Hourigan	97	Cyprus Street		London	E2 0NW	22
Clare O'Dwyer	98	Cyprus Street		London	E2 0NN	23
Jane Mackreth	100	Cyprus Street		London	E2 0NN	24
Kelly Noel-Smith	108	Cyprus Street		London	E2 0NN	25
Andrew Ridley	114	Cyprus Street		London	E2 0NN	26
Rod Heyes	118	Cyprus Street		London	E2 0NN	27
Janet Wade	120	Cyprus Street		London	E2 0NN	28
Mrs. Sheila Stabb	3	Mace Street	Cranbrook Estate	London	E2 0QS	29
Ms Margaret Parkes	5	Mace Street	Cranbrook Street	London	E2 0QS	30
Mrs Marion Lesage	126	Old Ford Road		London	E2 9PW	31
Stephen Stafford	156	Old Ford Road		London	E2 9PW	32
Julie Lees	162	Old Ford Road		London	E2 9PW	33
Mrs. E. Boyce, Mr P. Boyce, Ms C. Boyce	1	Royston Street		London	E2 0NG	34



Oriole Calvert-nb email only	156	Old Ford Road		London	E2	35
Jayne Russell-nb email only	106	Cyprus Street	Bethnal Green	London	E2 0NN	36

# Appendix 8

Mr. & Mrs. T. Burns  
66 Bonner Street,  
Bethnal Green,  
London.

16<sup>th</sup> July, 2008.

Re: Licensing Act 2003 and Habanas, 74 Bonner Street, London E2 0QP

To The Licensing Officer,

We write to you with regard to the above licensing application. We strongly appose the application for several reasons;

Noise disturbance caused by music playing in the venue.

Noise disturbance caused by customers outside the venue, smoking, drinking, making mobile phone calls, leaving the premises and waiting for transportation.

There is insufficient public transport in the area, especially at the time of night the venue is proposing to close, meaning customers leaving the venue loitering and possibly causing a public nuisance.

The increase of people in the area around the venue meaning the possible increase of crime and disorder, especially crime and disorder caused by drunkenness.

There is insufficient car parking in the area.

We are also concerned for the safety of our grandchildren who visit and stay with us regularly and the increase in the potential of them being harmed.

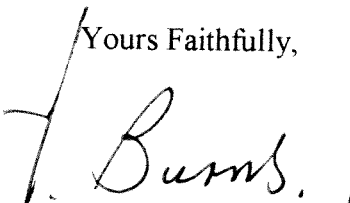

The increase in litter, people vomiting and urinating in public.

We feel that there are sufficient licensed venues in the area, which are not in a residential location.

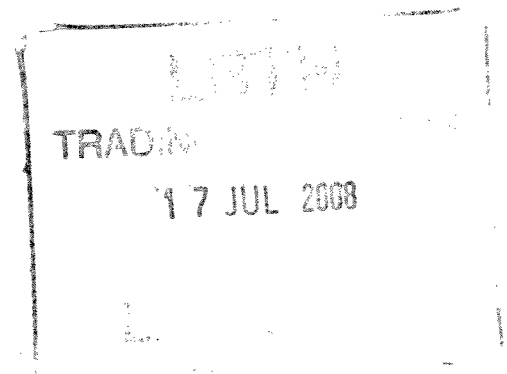
We are an elderly couple who have lived here in excess of forty years and would feel intimidated by the increase in people in the area.

We hope you take our concerns on-board when considering the licensing application.

Yours Faithfully,

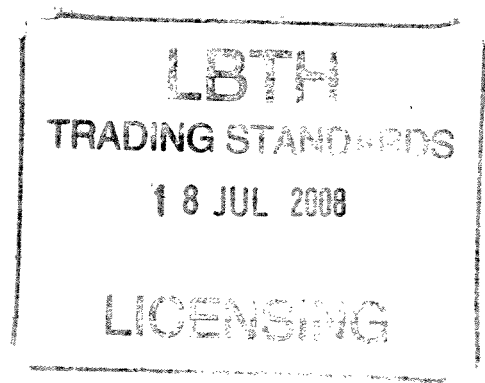
Mr. & Mrs. T. Burns.



# Appendix 9

Kathy Butler  
Licencing special  
Mulberry Place  
PO BOX 55739  
5 clove crescent  
London E14 1BY

Mark Burns  
68 Bonner Street  
London E2 0QF



Dear Kathy,

● Re:- Habanas, Bonner St Premises Licens

I write in respect of the above. AS a resident within close proximity of this property, I would like to explain why I would strongly oppose this proposition.

I was born in Bonner street in 1970 and I and my family have been residents since, with me living in the property next door to where my parents still live to this day.

All of the residents adjoining this property have been residing for approx the same duration.

It has always been a family run pub to which we have no objection whatsoever. However a chain/corporate company planning to open a nightclub and a late licence is a different situation altogether.

AS a father with a young family with elderly parents next door it

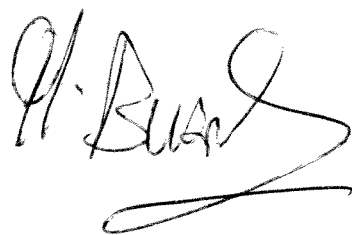
will inevitably bring anti-social problems that we could well do without.

This is a very nice quiet street and as much as we are aware that times do change, this is the wrong place for such a place like that to be located.

There are a lot of elderly people and people with young families in the proximity and I would urge you to consider the havoc this sort of establishment would reap upon us and our neighbours

Thank you in advance for your kind consideration in this proposal.

yours sincerely.



Mr. M. Burns.  
68 Bonner Street,  
Bethnal Green,  
London.

16<sup>th</sup> July, 2008.

Re: Licensing Act 2003 and Habanas, 74 Bonner Street, London E2 0QP

To The Licensing Officer,

I write to you with regard to the above licensing application. I strongly appose the application for several reasons;

Noise disturbance caused by music playing in the venue.

Noise disturbance caused by customers outside the venue, smoking, drinking, making mobile phone calls, leaving the premises and waiting for transportation.

There is insufficient public transport in the area, especially at the time of night the venue is proposing to close, meaning customers leaving the venue loitering and possibly causing a public nuisance.

The increase of people in the area around the venue meaning the possible increase of crime and disorder, especially crime and disorder caused by drunkenness.

There is insufficient car parking in the area.

I am also concerned for the safety of my children who I have regular access to and the increase in the potential of them being harmed or intimidated, especially as they have to walk past the venue when making their way to and from my house on their way home or to the park, school and shop.

The increase in litter, people vomiting and urinating in public.

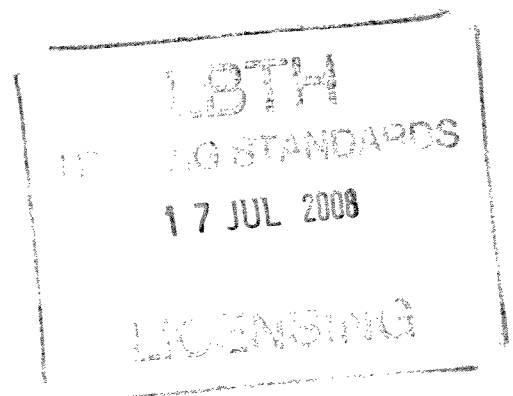
I feel that there are sufficient licensed venues in the area, which are not in a residential location.

I hope you take my concerns on-board when considering the licensing application.

Yours Faithfully,



Mr. M. Burns.



# Appendix 10

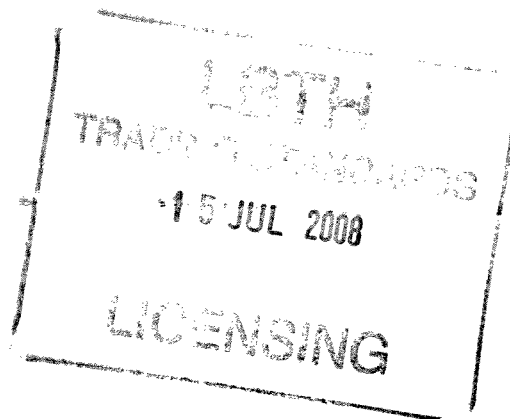


Mr John W Bramley  
70 Bonner Street  
Bethnal Green  
London  
E2 0QP  
0208-980-7935

Kathy Butler  
Licensing Section  
LB Tower Hamlets  
Mulberry Place (AH)  
PO Box 55739  
5 Clove Crescent  
E14 1BY

11<sup>th</sup> July 2008

Dear Ms Butler



**Re-Habanos Wine Bar 74 Bonner Street E2 App/For License**

I refer to the above address owner's application for an Alcohol and Music license for the Hours 11-12 Midnight Sunday to Thursday & 11-2am Friday & Saturday.

I would raise my objections that the owners have clearly not taken into account the highly densely residential populated area surrounding the Public House, and the proximity to the Local London Chest Hospital.

Therefore I am objecting on the basis that the granting of any such License would cause, without doubt, undue noise and disruption and an increase in the likelihood of disorder and such associated drunken offences.

I understand this has been a problem in the past and the Local Police will be able to confirm this.

Anti-Social behaviour would increase, at the immediate expense of the Local Residents; in the past we have suffered people urinating up the railings and foul/abusive language late at night. Patrons of the Public House would always stand outside the premises regardless of the opening hours and this would only return if an extended license was granted and be even more of a problem. The new smoking ban upon premises would only result in patrons standing outside the premises smoking at all hours.

I also urge the Licensing Section not to ban any form of Music License as I have mentioned before the area is totally residential in all directions and this would cause particular Noise Disturbance to the Locality. There is no form of soundproofing within the P/House that could contain the Music.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'John W Bramley', with a long horizontal flourish extending to the right.

Mr John W Bramley

# Appendix 11

72 Bonner Street,  
Bethnal Green,  
London, E2 0QP.

The Licensing Manager,  
Licensing Section,  
Mulberry Place (AH),  
P.O. Box 55739,  
5 Clove Crescent,  
London, E14 1BY.

7<sup>th</sup> July 2008

Dear Sir/Madam,

Re: Application for Licence – Habanos Wine Bar 74 Bonner Street E2

We would like to strongly object to the proposals for entertainment and late night drinking at the above venue. If a licence is granted this would cause a problem for us and other neighbours in the surrounding residential area.


We have experienced many problems from the venue, which includes very high noise levels, our garden being used as a toilet and broken/unbroken glasses left on our wall (we share the same dividing wall as the venue). We have been the victims of public nuisance and are at risk from crime and disorder. The sale of alcohol already causes problems with public safety and this is totally unacceptable.

The anti-social behaviour from patrons and the disturbances they cause when leaving the premises makes life in this residential area very difficult. There are also a number of licensed premises in the area already and we feel that granting another licence will result in the over provision of licensed premises in our locality.

In addition we are an elderly couple who suffer with long term health conditions. There is too much noise where we are disturbed in the early hours of the morning. We are trying to manage our health problems and do not want to be further isolated and frightened by the threat of public order or safety.

Please stop the unnecessary public nuisance, risk to public order and safety by NOT granting this licence.

Yours faithfully,

  
E.G. Legon

Mr. and Mrs. Legon

P.S

IN THE PAST WE HAVE  
HAD NOISE CONTROL  
OFFICERS DOWN TO  
COMPLAIN ABOUT  
LOUD MUSIC GOING  
THROUGH OUR WALLS

LICENSING

P.S. WE MUST THAT IN THE PAST  
WE HAVE HAD NOISE CONTROL  
OFFICERS

# Appendix 12

Mrs M Frith  
114a Bonner Rd  
London  
E2 9JU

11<sup>th</sup> July 2008

The Licensing Manager,  
Licensing Section,  
Mulberry Place (AH)  
PO Box 55739  
5 Clove Crescent  
London  
E14 1BY

**RE; Habanos Wine Bar, 74 Bonner Rd E2, Application for a Licence**

I would like to register my objection to this Licence being granted. I live on the corner of Bonner Road so any noise comes in from front and back of the property. We already have enough noise in the area at weekends and vandalism to property. I believe that the noise generated and the under age drinking that will surely follow will be detrimental to all. The noise that has come from that property in the past has caused sleepless nights already and while it is closed it has been heaven.

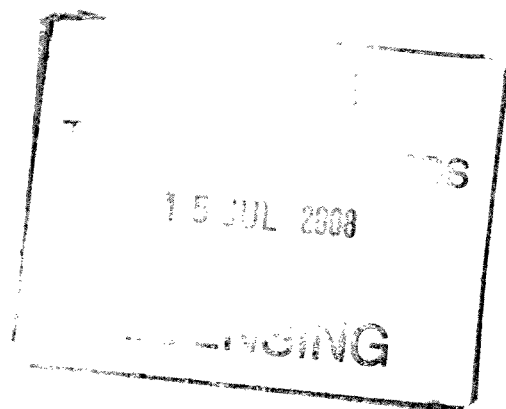
This is a highly populated residential area and as such you should not grant this licence. Residents have a right to peace and quiet at night. Have they forgotten there is a hospital over the road?

I have discussed this with my family and close neighbours and none of us want this to go ahead.

Yours faithfully



Mrs M Frith



# Appendix 13



**Kathy Butler**

**From:** christine finch [christinefinch52@hotmail.co.uk]  
**Sent:** 09 July 2008 10:31  
**To:** Kathy Butler  
**Subject:** RE: re license for habana  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

dear ms butler my address is 47 cyprus st, and in the past we have been kept awake all hours by people leaving the premises shouting loudly car doors slamming, and as i live on the corner people urinating up against my side wall. i do not relish going through all this again.

**Subject:** RE: re license for habana  
**Date:** Tue, 8 Jul 2008 11:51:13 +0100  
**From:** Kathy.Butler@towerhamlets.gov.uk  
**To:** christinefinch52@hotmail.co.uk

Dear Ms. Finch,

Unfortunately I am unable to accept your representation as you have excluded your address details.

You may also wish to consider adding to your representation what the effects of this particular application will cause or have caused in the past in respect of public nuisance.

The close of any further representation is 23rd July 2008.

If you would like further advice please do not hesitate to contact me.

*Regards,*

*Kathy Butler  
Senior Licensing Officer*

London Borough of Tower Hamlets  
Council Offices  
Mulberry Place (AH)  
PO BOX 55739  
5 Clove Crescent  
London  
E14 1BY

Tel: 020 7364 5171  
Fax: 020 7 364 0863  
Email: Kathy.butler@towerhamlets.gov.uk  
Website: www.towerhamlets.gov.uk

\*\*\*\*\*  
Working Together for a Better Tower Hamlets  
Web site : <http://www.towerhamlets.gov.uk>

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If your request relates to a Freedom of Information enquiry, please resend this to [foi@towerhamlets.gov.uk](mailto:foi@towerhamlets.gov.uk)  
\*\*\*\*\*

--Forwarded Message Attachment--  
Subject: FW: re license for habana  
Date: Mon, 7 Jul 2008 18:06:49 +0100  
From: [christinefinch52@hotmail.co.uk](mailto:christinefinch52@hotmail.co.uk)  
To: [Kathy.Butler@towerhamlets.gov.uk](mailto:Kathy.Butler@towerhamlets.gov.uk)

---

From: [christinefinch52@hotmail.co.uk](mailto:christinefinch52@hotmail.co.uk)  
To: ; [butler@towerhamlets.gov.uk](mailto:butler@towerhamlets.gov.uk)  
Subject: re license for habana  
Date: Mon, 7 Jul 2008 14:00:55 +0000

I live in cyprus st and i would like to object to the proposed hours of opening for these premises. we do not wish to have the noise of people leaving the premises at these times as they usually walk through the street and do not consider the tenants that live there, we have got used to the peace and quiet since the wellington closed down and we do not want to be disturbed again.

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# Appendix 14

02034803269 MR & MRS FLOAT

74 CYPRUS STREET

BETHNAL GREEN

9 - JUL 2008

LONDON E2 0NN

NEAR KATHY BULLER

WE WOULD LIKE TO MAKE  
REPRESENTATION, RE "HABANA'S 74 BONNER  
STREET E2 0QP REQUEST FOR A LICENSE  
TO SELL ALCOHOL FROM SUNDAY TO  
THURSDAY 11 A.M TO MIDNIGHT FRIDAY &  
SATURDAY 11 A.M TO 2 A.M.

WE ARE VERY CONCERNED THAT  
THE LACK OF PUBLIC TRANSPORT AT  
THOSE TIMES OF NIGHT AND THE  
TIMES OF DRIVING ALCOHOL, COULD  
POSSIBLY CAUSE THE CHANCES OF  
CRIME, DISORDER AND NUISANCE  
PROBLEMS

THE NEARBY HOUSES ARE  
VULNERABLE OWING TO LACK OF FRONT  
GARDENS AND DOUBLE GLAZING, CAUSING  
PROBLEMS FOR INHABITANTS WITH

YOUNG CHILDREN


THERE ARE MANY VEHICLES  
PARKED IN THE NEARBY AREAS, WHICH  
COULD ALSO LEAD TO THEFT, AND  
VANDALISM

PLEASE KINDLY TAKE THESE  
FACTS INTO YOUR CONSIDERATION

YOURS SINCERELY

S. R. FLAAT

S. R. FLAAT.

 S. Flaats.

# Appendix 15

The prevention of crime and disorder

Public Safety

The prevention of public nuisance

The protection of children from harm

If you're worried about noise/drunkenness/people loitering about and general increased disturbance, **these concerns have to be made with reference to the above four points.**

Personally, as a resident of Cyprus Street, I am concerned that the lack of public transport at those times of night and lengthy opening hours will increase the chances of crime and disorder and lead to public nuisance problems. I'm worried about noise control and anti-social behaviour. The houses on Cyprus Street don't have front gardens or double glazing and are therefore very vulnerable to increased noise levels in the street.

I hope you'll make a representation.

Calum and Jane, no. 84

MRs M & Kendall (Nº 78)  
Cyprus St.  
7 - JUL 2008

# Appendix 16



## Kathy Butler

**From:** Gold, Barbara (LDN Int) [bgold@mfglobal.com]  
**Sent:** 14 July 2008 14:51  
**To:** Kathy Butler  
**Subject:** Habana's 74 Bonner Street  
**Follow Up Flag:** Follow up  
**Flag Status:** Red

Attention of MS Butler

re the application for a license to sell alcohol late at night at the above premises . 11am to 12midnight and 11am to 2am at weekends

I am a resident of Cyprus Street and object to the above being granted.

Public transport does not run till these times of night so might be more minicab's in the area driving through our road, who often shout for their customers and bang their many doors causing a public nuisance

Pedestrians will affect me mostly as my house is directly on the pavement with out a front garden and without double glazing as we are in a conservation area.

I can hear people walking on the pavement and am often woken by people going by late at night talking loudly.

People passing by in a drunken state are very noisy, likely to have arguments and fights and often SHOUT fowl language also public nuisance and disorder

Also when drunk for some reason they also think it is fun to hit all our shutters as they go by sometimes destroying our property which is a crime

Since the previous public house closed down we have had less trouble and really do not want it happening again.

As I live on my own and not so young, I do find this threatening and a public nuisance.

thank you  
Barbara-Anne Gold  
82 Cyprus Street  
London  
E2 0NN

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# Appendix 17

## Kathy Butler

**From:** Brenda Carruthers-Jones [brenda@luminal.net]  
**Sent:** 15 July 2008 15:00  
**To:** Kathy Butler  
**Subject:** Licensing application Habana's, 74 Bonner Street E2  
**Importance:** High  
**Follow Up Flag:** Follow up  
**Flag Status:** Orange

Dear Kathy Butler

As a resident of Cyprus Street I would like to make a very strong representation against granting a premises license to sell alcohol in the above premises from Sunday to Thursday 11am until midnight and Friday and Saturday 11 am until 2 am.

As a senior citizen and resident of Cyprus Street, which is within a conservation area, I'm concerned that granting of such a license will make me extremely vulnerable to increased chances of crime and disorder, public nuisance, increased noise levels in the street and anti-social behaviour. I'm sure that Tower Hamlets Council are aware that the houses in Cyprus Street do not have front gardens and are therefore even more susceptible to increased noise levels. Considering Tower Hamlets Council are publicising their attempts to combat crime and anti-social behaviour in the whole area I cannot believe that granting such an application would be part of this policy. In addition families with young children have moved into the street which is great news for the regeneration of this part of the East End, but granting of such a license would make them particularly vulnerable.

I do hope that you will put this representation against the application to the relevant Committee.

Regards

Brenda Carruthers-Jones  
83 Cyprus Street

# Appendix 18

Ms Kathy Butler  
Licensing Section  
Mulberry Place  
PO Box 55739  
5 Clove Crescent  
E14 1BY

Mr Calum McLean  
84 Cyprus Street  
London  
E2 0NN

2<sup>nd</sup> July 2008

Re: License Application by Habana's, 74 Bonner Street, London E2 0QP

Dear Ms Butler,

I would like to officially make a representation to the Licensing Section with regards to the licence application made for the above named premises.

My concerns are to do with increased noise levels and anti-social behaviour and the lengthy opening hours sought.

### **1) Prevention of Public Nuisance**

This is a residential area and I am concerned about the level of public nuisance that will arise. The proposed licensing times are:

Sunday to Thursday	11am until Midnight;
Friday and Saturday	11am until 2am.

I believe these opening hours are excessively late and fall outside the 'framework' hours stated in the Council's Licensing Policy document.

I am concerned there will be a public nuisance caused by increased noise, anti-social behaviour and late-night dispersal of drinkers.

The area is very residential, and there is no public transport for customers to use that will remove them from the area rapidly at night. The houses in the immediate vicinity do not have front gardens nor double glazing, so are very sensitive to noise in the street such as drunk people walking home and shouting.

There is no provision for car parking next to the venue.

I would like to know if the venue has any soundproofing, and if not, whether this will be made a condition of the licence. I would like to know what provisions are made for keeping the windows/doors closed – is there any air conditioning to ensure this happening in the summer, and if not, will this be made a condition of the license?

3 - JUL 2008

This pub has an outdoor area, where noise will be a problem. I am concerned that customers will drink outside when smoking and in the summer evenings and will lead to an unacceptable noise level, with a risk of harrassment on the way to the local shops.

I am concerned about glasses and bottles being taken outside the premises, both in terms of litter thrown in the residential streets and noise causing more public nuisance.

## **2) The prevention of crime and disorder**

Given the lack of public transport to remove drinkers from the area there is an increased risk of damage to local property and cars as drinkers leave the area.

The venue is next to a small parade of shops where street drinkers already congregate. I am concerned that groups will congregate in this area after the pub has closed leading to crime and disturbances. I am concerned that local teenagers will be attracted to the pub where they will drink in the street outside the terrace, even if they are not served alcohol in the pub itself.

I do not think the outside area is well supervised from within the pub.

## **3) Public Safety**

The pub is situated next to a busy mini-roundabout opposite a parade of shops and there is the potential for accidents with drinkers crossing the road.

I believe these issues are relevant to me as a resident of Cyprus Street as I am within the vicinity affected by this licence application.

I hope you will consider this representation.

Yours sincerely,



Calum McLean

# Appendix 19

## Kathy Butler

---

**From:** Matthew Shannon [matthew.shannon@talk21.com]  
**Sent:** 14 July 2008 12:44  
**To:** Kathy Butler  
**Subject:** Habana's 74 Bonner Street E2 0QP\_Late License Objection

Dear Kathy Butler,

We are writing to oppose the application of a Premises License for 'Habana's' at 74 Bonner Street E2 0QP.  
We live at 91 Cyprus Street and strongly object to the application mentioned above for the following reasons:

\* The houses on Cyprus Street have no front gardens and are particularly vulnerable to noise pollution from  
(a) Habana's premises and (b) customers leaving Habana's under the influence of alcohol.

\*Habana's is situated in the middle of residential properties with residents cars parked on the street, we are worried that crime and disorder will increase dramatically with patrons leaving the premises under the influence of alcohol late at night.

\*The lack of parking facilities at Habana's will cause parking problems in the street which already lacks enough space for residents.

\*Cyprus Street has many new families with very young children (5 new babies this year alone) we are concerned about the disturbance that will be caused by granting Habana's a late license.

Cyprus Street is currently a quiet residential street made up of pensioners and families who have a real community spirit. We all feel very strongly that we do not want our lives disrupted by permitting this late license for a bar at the end of our street.

We hope you can help,

Yours Sincerely  
Shelley, Matthew and Maya Shannon

---

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## Kathy Butler

---

**From:** SHELLEY SHANNON [shelley.shannon@btinternet.com]  
**Sent:** 14 July 2008 10:02  
**To:** Kathy Butler; Matthew Shannon work  
**Subject:** Habana's 74 Bonner Street E2 0QP

**Follow Up Flag:** Follow up  
**Flag Status:** Orange

Dear Kathy Butler,

We are writing to oppose the application of a Premises License for 'Habana's' at 74 Bonner Street E2 0QP.  
We live at 91 Cyprus Street and strongly object to the application mentioned above for the following reasons:

\* The houses on Cyprus Street have no front gardens and are particularly vulnerable to noise pollution from  
(a) Habana's premises and (b) customers leaving Habana's under the influence of alcohol.

Habana's is situated in the middle of residential properties with residents cars parked on the street, we are worried that crime and disorder will increase dramatically with patrons leaving the premises under the influence of alcohol late at night.

\*The lack of parking facilities at Habana's will cause parking problems in the street which already lacks enough space for residents.

\*Cyprus Street has many new families with very young children (5 new babies this year alone) we are concerned about the disturbance that will be caused by granting Habana's a late license.

Cyprus Street is currently a quiet residential street made up of pensioners and families who have a real community spirit. We all feel very strongly that we do not want our lives disrupted by permitting this late license for a bar at the end of our street.

We hope you can help,

Yours Sincerely  
Shelley, Matthew and Maya Shannon

---

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# Appendix 20

Julie McNiff, 94 Cyprus Street, London, E2 0NN  
Tel: 07989 563804

The Licensing Manager  
Licensing Section  
Mulberry Place (AH)  
PO Box 55739  
5 Clove Crescent  
London  
E14 1BY

06/07/08

Dear Sir / Madame

**Ref: Notice of application for Licence – Habanos Wine Bar, 74 Bonner St, E2**

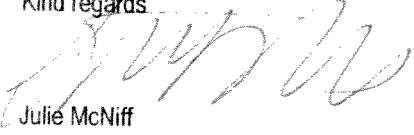
I have been made aware of a late licence application at the above venue and am extremely concerned about this. I would like to definitely object to this licence being granted for the following reasons;

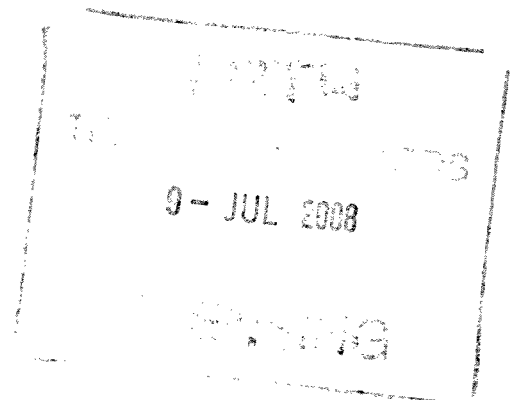
1. Cyprus Street – immediately connected - holds grade II listing status and I believe that the geographical neighbourhood is classified as a conservation area – not the place that you would want to witness late night entertainment, noise pollution and increased traffic / pedestrian volumes!
2. The houses on both Bonner Street and Cyprus Street reside without front gardens and therefore sit immediately flush to the pedestrian streetway/road. This already generates unfavourable noise levels at unsociable hours with pedestrians and traffic noise significantly penetrating through the windows etc. We do not need any more noise or traffic pollution.
3. Such a licence extension will bring an additional volume of traffic and it is already impossible as a residing homeowner to secure parking on a daily basis.
4. I also note that many residents in the houses at the end of Cyprus Street/Bonner Street junction have young families and this is just unacceptable that a licence would be given generating unfavourable noise to the area.

I therefore strongly object to any such license being granted as it is clear it will cause numerous problems to not only myself but my neighbourhood. I am also happy to further represent my concerns if required.

I would appreciate acknowledgement that this letter is noted with the correct personnel and to that end I enclose a SAE for a confirmation correspondence by return.

Kind regards

  
Julie McNiff  
94 Cyprus Street



# Appendix 21

MRS J. NOCKLE  
96 CYPRUS ST  
BETHNAL GREEN  
LONDON E2  
8  
ONV

Dear Ms Butler

I wish to make objections or representations to the application for a premises license by Habana's Bonner Street E2.

I wish to make my representation under the following:

1. The prevention of crime and disorder – a late license will attract noise, drunkenness, loitering, and a greatly increased risk of crime in a densely populated, residential area.
2. Public Safety – risk of crime increased to persons and property, and to cars parked on the street. The residents of all the adjoining streets have no access to garages so all the cars that are parked on the streets will be vulnerable. There is no public transport near to Habana's - therefore there will be an increase in cars and more pressure on parking, also attracting more noise and pollution from extra vehicles coming into the area.
3. The prevention of public nuisance – all the houses on Cyprus Street have no front gardens and no double glazing therefore will be completely exposed to increased noise levels and possible vandalism to their properties.
4. The protection of children from harm - Bonner St, Cyprus Street, and Old Ford Road have many young families resident, this late license at Habana's could expose residents to increased crime from persons binge-drinking, drug-dealing and muggings. Extra traffic that Habana's will attract also threatens the safety of the children who play outside on Cyprus Street.

I would also add that Tower Hamlets recently approached residents of Cyprus St to contribute to further efforts to keep Cyprus St as a conservation area. Opening a late license bar at the end of Cyprus St would seem totally at odds with this initiative.

Many thanks

I look forward to hearing from you

J. Nockle



# Appendix 22

Ms Kathy Butler  
Licensing Section  
Mulberry Place (AH)  
PO Box 55739  
5 Clove Crescent  
E14 1BY

Michael Riley and Alecia Hourigan  
97 Cyprus Street  
Bethnal Green  
E2 0NW  
ph: 07976 554 163

Dear Ms Butler,

**RE: Notice of Application for a License, Habanos Wine Bar, 74 Bonner Street, E2**

We are writing to strongly object to the above license application.

The Habanos Wine Bar is located in a quiet residential area with many families with young children. We fear that if the above license is approved, the area will experience an increase in disorderly behavior, resulting in an unsafe environment for the residents and their children.

Being residents of Cyprus Street for the past few years, we have witnessed many anti-social issues resulting from the Bars' clientele, including:

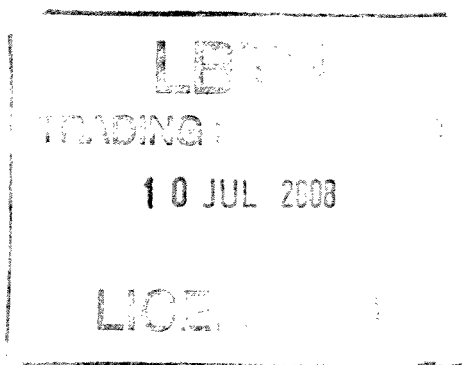
- Fights within and around Cyprus Street (some resulting in police involvement).
- Drunk and disorderly behavior, particularly in the early hours after close.
- Public urination along the houses on Cyprus Street.
- The discarding of beer bottles in front of the houses on Cyprus Street.

Since the Bar closed we have not experienced these problems and we fear these problems will return, and perhaps exacerbated, if the license is granted.

Yours sincerely,



Michael Riley and Alecia Hourigan



# Appendix 23



14/7/08

Dear Ms Butler

I wish to make objections or representations to the application for a premises license by Habana's Bonner Street E2.

I wish to make my representation under the following:

1. The prevention of crime and disorder – a late license will attract noise, drunkenness, loitering, and a greatly increased risk of crime in a densely populated, residential area.
2. Public Safety – risk of crime increased to persons and property, and to cars parked on the street. The residents of all the adjoining streets have no access to garages so all the cars that are parked on the streets will be vulnerable. There is no public transport near to Habana's - therefore there will be an increase in cars and more pressure on parking, also attracting more noise and pollution from extra vehicles coming into the area.
3. The prevention of public nuisance – all the houses on Cyprus Street have no front gardens and no double glazing therefore will be completely exposed to increased noise levels and possible vandalism to their properties.
4. The protection of children from harm - Bonner St, Cyprus Street, and Old Ford Road have many young families resident, this late license at Habana's could expose residents to increased crime from persons binge-drinking, drug-dealing and muggings. Extra traffic that Habana's will attract also threatens the safety of the children who play outside on Cyprus Street.

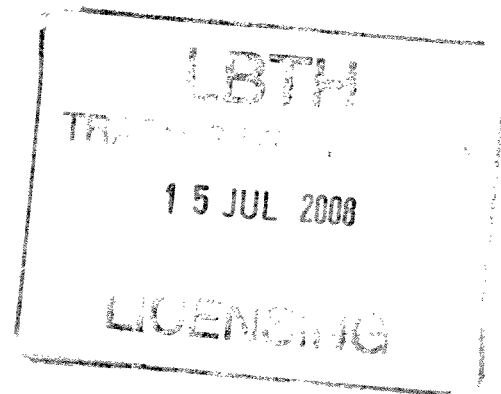
I would also add that Tower Hamlets recently approached residents of Cyprus St to contribute to further efforts to keep Cyprus St as a conservation area. Opening a late license bar at the end of Cyprus St would seem totally at odds with this initiative.

Many thanks

I look forward to hearing from you

Clare O'Dwyer  
98 Cyprus St.  
E2 0NN

Copy



**Kathy Butler**

**From:** Clare O'Dwyer [clare.odwyer@virgin.net]  
**Sent:** 14 July 2008 10:02  
**To:** Kathy Butler  
**Subject:** Representation/objection to Application for Premises License Habana's Bonner St E2  
**Follow Up Flag:** Follow up  
**Flag Status:** Orange

Dear Ms Butler

I wish to make objections or representations to the application for a premises license by Habana's Bonner Street E2.

I wish to make my representation under the following:

1. The prevention of crime and disorder – a late license will attract noise, drunkenness, loitering, and a greatly increased risk of crime in a densely populated, residential area.
2. Public Safety – risk of crime increased to persons and property, and to cars parked on the street. The residents of all the adjoining streets have no access to garages so all the cars that are parked on the streets will be vulnerable. There is no public transport near to Habana's - therefore there will be an increase in cars and more pressure on parking, also attracting more noise and pollution from extra vehicles coming into the area.
3. The prevention of public nuisance – all the houses on Cyprus Street have no front gardens and no double glazing therefore will be completely exposed to increased noise levels and possible vandalism to their properties.
4. The protection of children from harm - Bonner St, Cyprus Street, and Old Ford Road have many young families resident, this late license at Habana's could expose residents to increased crime from persons binge-drinking, drug-dealing and muggings. Extra traffic that Habana's will attract also threatens the safety of the children who play outside on Cyprus Street.

I would also add that Tower Hamlets recently approached residents of Cyprus St to contribute to further efforts to keep Cyprus St as a conservation area. Opening a late license bar at the end of Cyprus St would seem totally at odds with this initiative.

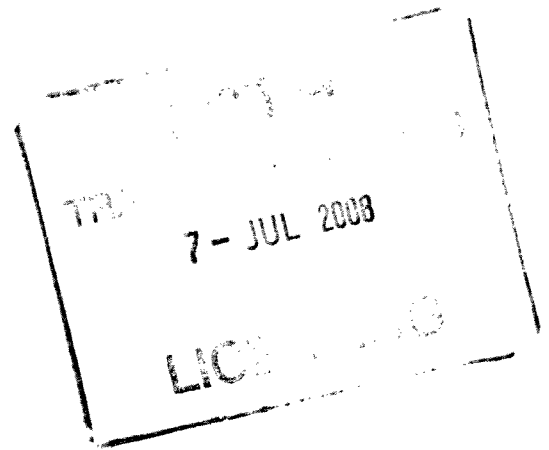
Many thanks  
I look forward to hearing from you

Kind regards  
Clare O'Dwyer  
98 Cyprus Street  
E2 0NN

# Appendix 24

100 Cyprus Street  
Bethnal Green  
E2 0NN London

Licensing Manager  
Licensing Section  
Mulberry Place  
PO Box 55739  
5 Clove Crescent  
London E14 1BY



For the attention of Kathy Butler

3 July 2008

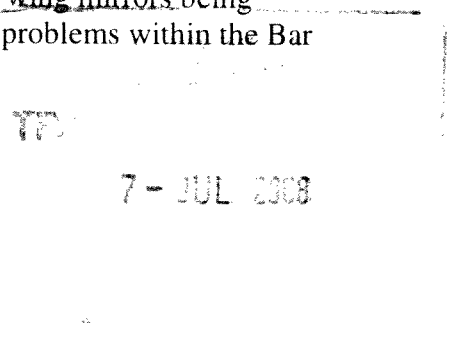
Dear Sirs

**Notice of Application for a Licence – Habanos Wine Bar**

I understand that a licensing application has been made by persons from the Habanos Wine Bar ("the Bar") on the corner of Bonner Street and Old Ford Road.

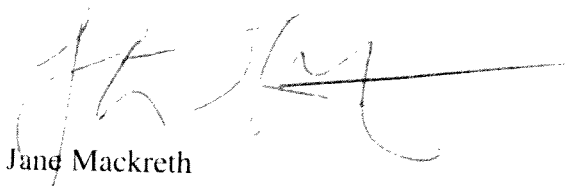
I wish to object to the licensing application. Please see my objections below.

1. During the period that the venue known as the Habanos Wine Bar has been closed, there has been a significant reduction in noise, crime and general disorderly conduct along Cyprus Street.
2. When the Bar was open, we suffered problems such as excessive noise at night, increased debris and minor vandalism. This was caused by customers exiting the Bar in an inebriated state. The vandalism included a small amount of graffiti, ground-floor window shutters being interfered with (opened or closed), bollards being placed on top of cars and car wing mirrors being pushed or snapped off. In addition I understand that problems within the Bar regularly resulted in Police intervention.



3. The Bonner Street side of Cyprus Street includes a mix of social and private residential terraced housing, constructed around 1890. All of the houses on Cyprus Street are subject to a covenant to retain original external features such as shutters and certain colours. There is a World War I & II memorial plaque affixed to a house near the middle of the street. The residents make extra efforts to keep the street a safe, clean and tidy environment in which to live. We are keen to retain this standard. By granting a licence to the Bar, the peace and safety of the street will deteriorate once more.
4. The Bar is not in keeping with the local area, being surrounded by residential premises.
5. There is no need for a bar selling alcohol and late night entertainment since there are plenty of entertainment outlets along Globe Road, Roman Road and in central Bethnal Green. There are a number of small bars and restaurants along Globe Road at the opposite end of Cyprus Street which appeal to the milder market of drinkers eg selling food with alcohol. These outlets seem to cause little in the way of public disturbance.
6. The Bar is a "low-end of the market" venue which has failed to encourage responsible and appropriate behaviour amongst its customers (see paragraph 2 above).
7. Since the Bar failed to regulate the behaviour of its customers under a previous licence, it seems unlikely that it will be capable of improving its performance under a subsequent licence.
8. In the interests of preventing crime, disorder, public nuisance and preserving public safety please do not grant a licence to the Bar. Please consider the commitment to keep Tower Hamlets a safe place to work, live and socialise.

Yours faithfully



Jane Mackreth

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# Appendix 25

**108 Cyprus Street  
London  
E2 0NN**

FAO: Kathy Butler

Licensing Section  
Mulberry Place (AH)  
P O Box 55739  
5 Clove Crescent  
E14 1BY

14th July 2008

Dear Madam

**Habana's Wine Bar, 74 Bonner Street, London E2 (the "Pub")**

I am writing to object to the application made by the owner of the Pub for a licence for late night drinking, music, dancing and other entertainment. My objections are very similar to those I raised in 2005 to the previous application under the Licensing Act 2003 (see my letter to John Cruse of 8<sup>th</sup> August 2005), namely, that granting the licence would breach the following objectives:-

***The prevention of crime and disorder***

The Pub, when it was open, attracted largely non-local all-day drinkers who often arrived in cars and motorbikes. Vehicles were parked illegally, that is:

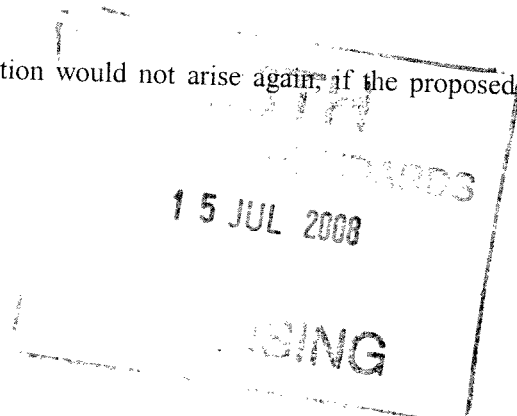
1. without residents' parking permits when necessary;
2. blocking access from the kerb to the road on Bonner Street; and
3. creating dangerous access onto the Old Ford Road.

Some young drinkers, who congregated in the Pub forecourt and on the pavement to drink, then drove motorbikes at speed and often without helmets up and down Cyprus Street until and beyond closing time.

There have been noisy fights and criminal actions following residents' attempts to have the Pub's noise volume reduced (acid poured over the car of a neighbour who had asked for a noise reduction is one example).

There is no reason to believe that the former situation would not arise again, if the proposed licence were granted.

W 3457126 v1





### ***Public Safety***

The Pub, I understand, becomes very hot because of the lack of adequate ventilation. The doors were often left open with the drinkers then spilling out into the Pub's forecourt. The atmosphere was highly intimidating: the drinkers were often loudly abusive.

There is no reason to believe that the former situation would not arise again, if the proposed licence were granted.

### ***Prevention of Public Nuisance***

The Pub is set in a quiet, residential neighbourhood consisting largely of families with young children. The windows in Cyprus Street are not double-glazed and do not have front gardens to give any shelter from the noise made by the Pub's clientele.

The Pub marketed itself to encourage non-local people to become very drunk and the owners made no attempt to ensure a reasonable level of noise during opening hours or to ensure that their drinkers left the Pub quietly and did not urinate against walls in Cyprus Street.

As my previous objection in 2005 made clear, when the Pub has its doors open, loud music can be heard in my house even with all of the windows closed. Like most of my neighbours, my partner and I work and our 5 year old attends the local school: we should not be forced to tolerate loud music until midnight during the week and until 2am at the weekends.

There is no reason to believe that the former situation would not arise again, were the proposed licence granted.

### ***The Protection of Children from Harm***

As mentioned above, my daughter old is 5. Were the licence to be granted, it would harm her because:

1. her sleep would be disrupted by music played at the Pub until midnight during the week and until 2am at the weekends;
2. she would suffer the swearing and shouting as drunken people leave the Pub throughout the night;
3. she would have to negotiate the potentially abusive and always intimidating groups of drinkers on the forecourt on her way to Victoria Park;
4. cars and motorbikes would, once again, block the pavements and access to the roads meaning crossing the roads would become hazardous.

I am aware that the Human Rights Act 1998 places a clear duty on public authorities to respect private and family life: in this case, the Act must operate in the context of your need to safeguard my family's right to the quiet enjoyment of our home and our neighbourhood and our right to sleep at a reasonable time.

I believe that, by making this objection, the Pub's application will be referred to a licensing committee for determination and that a public hearing will be necessary. I look forward to receiving details of this.

Yours sincerely

A handwritten signature in black ink, appearing to read 'KN - OS', written in a cursive style.

**Kelly Noel-Smith**

# Appendix 26

## Kathy Butler

**From:** Andrew Ridley [andrewridley@waitrose.com]  
**Sent:** 21 July 2008 23:13  
**To:** Kathy Butler  
**Cc:** Clair Hawkins  
**Subject:** Objection to Licence applicatoin for Habanas, 74 Bonner Street E2  
**Importance:** High  
**Follow Up Flag:** Follow up  
**Flag Status:** Orange

Dear Kathy,

I am writing as a resident of Cyprus Street to object to the application for a late alcohol and entertainment licence at Habanas on Bonner Street, which is audible from my house at 114 Cyprus Street , E2.

I am concerned that when the bar was previously licenced it caused considerable public nuisance, with much noise emanating from inside and outside the premises, due to its poor structure and sound proofing, and having a "patio" area outside opposite residential dwellings.

When the bar was previously open it led to late night disturbance as people left the bar, with people urinating in Cyprus Street, where children play during the day.

I do not believe that the bar has undergone any structural change to make it adequately sound proofed or ventilated without opening the doors and windows, thereby guaranteeing that it will once again cause public nuisance. I am also worried about the potential disorder that a late licence would create - there is no local public transport at the proposed closing time, and I worry that people leaving at such times will cause nuisance and anti social behaviour.

The pub has a poor track record of noise management, and causing unnecessary disorder to the many local residents in the area.

I strongly object to the application and hope that LBTH will use its powers to turn down this latest application,

Yours sincerely

Andrew Ridley

# Appendix 27

118 Cyprus Street  
London E2 0NN  
0208 980 5002  
07976922271

The Licensing Manager  
Licensing Section  
Mulberry Place (AH)  
PO Box 55739  
5 Clove Crescent  
London  
E14 1BY

29 June 2008

Dear Sir/Madam,

Re: Habanos Wine Bar, 74 Bonner Street, London E2

I am writing to object to the application for a late licence at the above address.

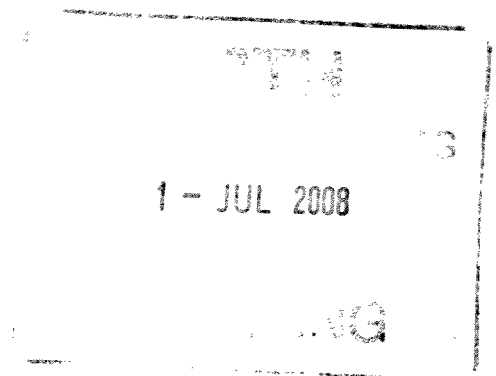
I live at 118 Cyprus Street which is approximately 50m from Habanos and the front rooms of my house have line of sight on the full front elevation of the wine bar. Habanos is currently out of use but when it was last active there were problems. I have two children under 5 and they sleep in the front room of our house. Amplified music and other noise from the wine bar sometimes prevented them from sleeping. At closing time patrons from the wine bar were noisy with regular shouting and swearing in the street and occasional urinating in our front doorway.

I am concerned that any extension of the licence will aggravate these problems and result in an increase in nuisance to us and disruption to my children.

Yours Faithfully,



Rod Heyes



# Appendix 28

**Kathy Butler**

**From:** JANET WADE [wadejanetwade@btinternet.com]  
**Sent:** 18 July 2008 15:25  
**To:** Kathy Butler  
**Subject:** Re: objection to licence application - Habanos  
**Follow Up Flag:** Follow up  
**Flag Status:** Red

Kathy

You will have received my objection letter that I e-mailed earlier. I am one of the residents on Cyprus Street that is very concerned with the recent licence application regarding Habanos.

I just had a long tel conversation with Harry Worth at the LFEPA. I think the conclusion was that as the premises is closed - they cannot get in to do an inspection to assess the current situation. They did have problems when they inspected last. But they will inspect again once it is open.

However, he did say that you, as licensing, could ask for them to specify the permitted number of customers for the premises + also for details of the fire protection installations in place (including commissioning and inspection certificates). These could then be put past the LFEPA. I wonder if you would be able to do this?

I have also spoken to environmental health who are proposing to object to the application. Could you please keep this in mind and chase if necessary?

Kind regards

Janet Wade

*JANET WADE* <wadejanetwade@btinternet.com> wrote:

FAO Kathy Butler

Please find attached a copy of my letter objecting to the licence application at Habanos wine bar (Old Ford Road/Bonner Street).

I have also sent this is in the post.

Can you confirm safe receipt?

Regards

Janet Wade



120 Cyprus Street  
London  
E2 0NN

Licensing Section  
Mulberry Place (AH)  
PO Box 55739  
5 Clove Crescent  
London, E14 1BY

FAO Ms Kathy Butler, Licensing Officer

15 July 2008

Dear Sirs

**RE: HABANAS WINE BAR, CORNER OF BONNER STREET AND OLD FORD ROAD, E2**

I understand the above premises has made an application to sell alcohol on the premises until midnight on week-days and 2am on week-ends. Also to have a range of entertainment and performance.

I am very concerned about this application as I feel it could have a serious impact on the amenity of the immediate neighbourhood. Although it is on the corner of two roads, it is in a residential area. It is directly adjacent to, and opposite, several noise sensitive dwellings.

The premises has been closed for approximately 12 months. However, the previous occupancy caused several problems to the neighbourhood. It regularly opened beyond its permitted licensing hours and caused a public nuisance. I understand this only stopped after the involvement of the council and the police.

I wish to object to the application on the grounds that approval will lead to an increase in *public nuisance* and will have an effect on *crime and disorder* and *public safety*. Examples of problems that have arisen before are as follows:

- Noise from a DJ playing amplified music was clearly audible beyond the site boundary and occasionally inside my house.  
The glazing to the premises is single glazed and provides no sound insulation. In addition, although there are double doors to the premises, they too are single glazed and are often left open.
- People would often drink outside the boundaries of the premises, on the pavement and in the middle of Bonner Street and Cyprus Street. There would be shouting and laughing late at night, people would talk on their mobile phones and I saw men urinating at the back of the houses on the north side of Cyprus Street on more than one occasion. There would also

be the revving of engines, horns and noise from car stereos when customers left.

- The premises used to attract drinkers who used to arrive at about 11pm – after other pubs had closed. They would already be the worse after drinking elsewhere and would be excessively noisy when arriving and when using the premises.
- With late opening, there were a large number of cars parked in the immediate vicinity, including immediately on the corner of Bonner Street and Cyprus Street and resident parking bays. There would be no room for residents to park when returning home later on a Friday and Saturday night.
- The premises is clearly on the economic margins. There have been a number of different licensees over the past few years. Each time, the premises has been badly managed. There have often been breaches of licensing laws (e.g. selling alcohol past licensing hours), noise nuisance, general disturbance in the street, fights inside and outside the premises, threats of violence to the neighbours and alleged illegal activities. On one occasion with the last licensee, I asked the manager of the pub to close the door to reduce the noise emanating from the premises. She proceeded to follow me home and threaten me with violence. I had to call the police. That same evening a fight broke out where a customer was attacked by another customer using a broken bottle.

I have every reason to believe that these problems would occur again in the future.

It is generally a very quiet residential area in the evening, and loud noise from the pub, customers and cars will have a serious impact on the residents in the neighbourhood.

I look forward to hearing from you.

Yours faithfully

Janet Wade

cc. Cllr Clair Hawkins

# Appendix 29

Mrs Sheila Stabb  
3 Mace Street  
Cranbrook Estate  
Bethnal Green  
London E2 0QS

04/07/08

To whom it may concern

**Re: Late license application for public house on Cranbrook Estate/Bonner Street**

I am writing to oppose the late license application for the above premises.

When it was trading previously, the pub was a source of constant stress for myself and other people living near to it. There was excessive noise late into the night from the music. Despite numerous phone calls to the local council, nothing was ever done. I would only be able to manage a few hours sleep and the constant thumping of the music would last to the early hours. There were numerous fights outside the pub, with customers screaming, shouting and swearing at the top of their voice. The pub was also a well known drug haven and customers would often be seen outside the pub selling – and also taking – drugs.

I do not believe that it is acceptable to have a pub/club, which closes in the early hours of the morning, in the middle of a completely residential area surrounded by houses and flats. Have you no thought for the people who live in the vicinity?

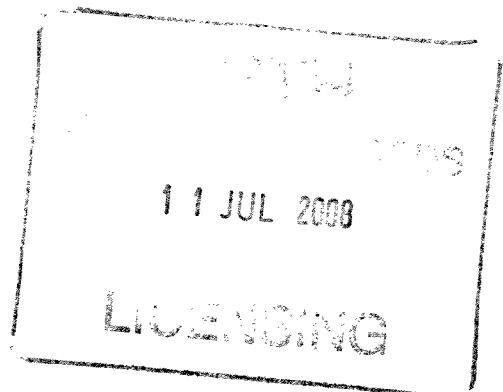
Even in the day time, large groups of people used to hang around outside the pub and were extremely intimidating to anyone walking past, often drunk and swearing and shouting. I know that this sort of behaviour can go on anywhere and not necessarily just outside a pub, but allowing a pub to open until late into the night will inevitably mean that the residents of Cranbrook Estate will have to put up with loud music until all hours and drunken customers leaving the premises, shouting and swearing.

It really does seem that you are giving no thought to the residents of Cranbrook Estate by allowing this to go ahead. Instead of doing this, you should be focusing on how to make the estate a more pleasant place for people to live, not making it worse. Would you be giving this license if it was on your own doorstep?

Yours Sincerely



Mrs Sheila Stabb



# Appendix 30

10-7-08

5 MACE ST  
CRANBROOK EST.  
LONDON E.2. 095

Dear Sir or Madam,

Re the application licence  
for Habanos Wine Bar, 74 Bonnet St E2.  
Please Please don't grant this Licence  
I live just behind these premises, and from  
past experience, our lives were made hell  
The place is much too small for all these  
facillities, also area outside, where they accumulate  
when the premises close in the early hours.  
The past was a complete night mare.  
My worry, is so many new neighbours have  
moved in, and don't realise the havoc  
that's been in the past. I can't see them  
take time to object

Please I beg don't grant this licence  
I've lived here 20 years so know what I'm  
taking about

Yours Sincerely  
Margaret Parkes.

# Appendix 31

## **Kathy Butler**

---

**From:** marion lesage [marion@lesage.co.uk]  
**Sent:** 16 September 2008 09:40 Rec'd 17/07/08 09:40  
**To:** Kathy Butler  
**Subject:** Licensing application: Habana's, 74 Bonner St.E2

**Follow Up Flag:** Follow up  
**Flag Status:** Red

Dear Ms Butler

I have recently heard of the licensing application made on behalf to Habana,s. 74 Bonner St. E2 OQP.

In the hope that I am in time to lodge an objection to the proposed hours to sell alcohol, I am objecting on the following grounds:

1. This is a densely populated residential area with very limited parking, the premises are on a busy corner and client's parking for the Habana has made crossing the road here dangerous in the past.
2. Clients leaving the premises in a happy mood late at night causes disturbance in such a residential area.

For the above reasons I would ask that if a licence is granted the opening hours for the sale of alcohol be restricted to no later than midnight at weekends, and consideration be given to the parking problems which are particularly accute after 6pm when cars may park on the single yellow lines.

Yours sincerely

Marion Lesage (Mrs)  
126 Old Ford Road  
Bethnal Green  
E2 9PW

This was received on 17th July 2008 at 09:40



# Appendix 32

## Kathy Butler

---

**From:** STEPHEN STAFFORD [stafford717@btinternet.com]  
**Sent:** 11 July 2008 10:44  
**To:** Kathy Butler  
**Subject:** re; Habanas licence

Dear Ms Butler, I would like to express my objection to the application for a late night drinking, music, dancing and entertainment license for Habanas wine bar, 74 Bonner St, E2.

I have been a resident of this area for over twenty years and in the last few years that this bar has been open there has been a real problem with drug dealing from cars and late night noise both from the drinkers outside the premises and from the competing sound systems from the many cars pulling up outside to deal drugs from.

I understand that the application is for the serving of alcohol until 12.30 weekdays and 2am Saturday and Sunday, with an additional half hour drinking up time which would mean potentially drunken people leaving the premises around 1.30am weekdays and 3.00am Saturday and Sunday morning.

With reference to the prevention of public nuisance; The majority of the properties in this area are family houses which front directly on to the street which means that the resulting noise from drinkers leaving the premises at these early hours and possibly loitering around the area and from the increased number of cars would be intolerable for the residents, many of whom have young families, especially in the summer months when more people will be outside the bar smoking and the residents need to open their bedroom windows.

With reference to public safety; I understand that a previous request to extend the hours was rejected on the grounds that the property has inadequate sound insulation and fire protection, this must be of real concern to those residents whose properties are adjacent to the bar and for the safety of customers.

With reference to crime and disorder: There is very limited public transport in the early hours of the morning, no tubes and a handful of night buses, this would invariably lead to possibly drunken people loitering around the streets after 3.00am which would inevitably lead to the sorts of violent incidents which we see so graphically displayed in the media every day.

There is also the problem of traffic noise, we live within an area bounded by a fire station on Roman Rd, a police station on Victoria Park Square and the London Chest Hospital which has recently opened up an A & E department, which means that we are constantly bombarded with sirens especially in the early hours of the morning, if this premises was to be allowed to open late the residents would face the additional nuisance of police cars being called out and additional cars using the surrounding roads as a racetrack as some do at present.

I apologize for the length of this letter, but I really do feel strongly that the granting of a late license or an entertainment license for these premises would impact severely on the quality of life for the local residents, none of whom I suspect would use this facility.

Yours, Stephen Stafford  
156 Old Ford Rd  
E2 9PW

# Appendix 33

162 Old Ford Road  
Bethnal Green London  
E2 9PW

Kathy Butler  
The Licensing Section  
Mulberry Place (AH)  
PO Box 55739  
5 Clove Crescent  
E14 1BY

20<sup>th</sup> July 2008

Dear Ms Butler,

**RE: Application for Licence for Late Drinking, Music, Dancing and Other Entertainment at Habanos Wine Bar, Bonner Street**

I have lived with my young family at the above address for eight years and have experienced considerable anti-social behaviour during the periods when the above establishment has been open as a public house. It is because of this that I would like to raise my concerns regarding the above licence application.

1. Crime and Disorder

The premises have inadequate sound proofing which means that we can hear from within our home and be disturbed by music from the bar.

Because the premises are next to and adjacent to terraced houses then residents are regularly disturbed by the noise and anti-social behaviour when people leave the pub.

This is a residential area where many people work and there are a significant number with young families. I have concerns regarding the noise relating to the bar being open until midnight during the week and until 2am at the weekend when I have to be up at 6am for work and have two young children who need to be in bed by 8pm. My partner is a GP serving the local community. He frequently works weekends and often has clinics starting at 7am. It is imperative that he gets a good night's sleep to ensure he can make the sound clinical judgements required of him and by the patients of our local community.

2. Public Safety

There are no parking facilities for the bar and hence cars are parked wherever is available on Bonner Street, Cyprus Street and Old Ford Road often on the yellow lines and on the junction. This means that the street is blocked and does not provide a safe place to cross the road.

3. Public Nuisance

The back gate, which we use as the main entrance to our home, opens onto Cyprus Street. When the bar has been open we have been plagued by men using our back gate as a toilet. Not only is this a health hazard since the urine flows into our back garden where the children play, but also frightening to my children when they have opened the gate in the afternoon and have been confronted by men exposing themselves.

4. Protection of Children from Harm  
Please refer to section 2 and 3 above.

It is because of these reasons and the genuine concerns I have over anti-social behaviour that I wish to make this representation.

Yours sincerely,

Julie Lees

**Kathy Butler**

---

**From:** Lees Julie (Queen Elizabeth Hospital NHS Trust) [julie.lees@nhs.net]  
**Sent:** 22 July 2008 09:00  
**To:** Kathy Butler  
**Subject:** Habanos Wine Bar Licence Application

**Follow Up Flag:** Follow up  
**Flag Status:** Orange

**Attachments:** Habanos Wine Bar 2008.doc



Habanos Wine Bar  
2008.doc (26 ...

Dear Kathy,

Please find attached my representation for the application for a licence for the Habanos Wine Bar on Bonner Street, Bethnal Green.

I would be most grateful if you could acknowledge receipt.

I look forward to hearing from you.

With thanks

Julie Lees

162 Old Ford Road,  
Bethnal Green,  
E2 9PW

\*\*\*\*\*  
This message may contain confidential and privileged information.  
If you are not the intended recipient you should not disclose, copy or distribute  
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Please inform the sender that this message has gone astray before deleting it.  
Thank you.

2008 marks the 60th anniversary of the NHS. It's an opportunity to pay tribute to the  
NHS staff and volunteers who help shape the service, and celebrate their achievements.

If you work for the NHS and would like an NHSmail email account, go  
to: [www.connectingforhealth.nhs.uk/nhsmail](http://www.connectingforhealth.nhs.uk/nhsmail)

\*\*\*\*\*

# Appendix 34

Mrs. E. Boyce  
1 Royston Street  
London  
E2 0NG

28<sup>th</sup> June 2008

For the attention of the Licensing Manager  
Licensing Section, Mulberry Place (AH)  
PO BOX 55739,  
5 Clove Crescent  
London  
E14 1BY

Dear Sir/Madam

**RE: HABANOS WINE BAR, 74 BONNER STREET E2**  
**OBJECTION OF APPLICATION FOR A LICENCE**

As a long-standing resident and tenant, on behalf of my family and myself, we strongly oppose this application for a Licence.

Our house sits on the corner of Royston Street/Bonner Street, with a low perimeter wall, about 100 yards from the above premises. Past experience, has taught us, that nothing would change our minds in opposing this application.

Apart from the obvious concerns i.e.:- noise, safety, parking, anti-social hours, etc, our worries are more of a personal nature:-

- Overspill of clients onto pavement (especially Summer months)
- Our perimeter wall used as a seating area
- Our garden, back/front used as a dumping ground for cans/bottles, uneaten food and wrappings
- Drinking glasses left on perimeter wall
- Personal car damage
- Loud abusive language, leading to arguments/fights
- Drug paraphernalia strewn around
- Urinating up perimeter wall

All above points have been experienced by us, in the past.

Most incidents take place directly below our main bedroom window (at present not double-glazed). Our daughter and grandson (aged 2) live with us; she also has concerns over noise and disturbance, for her son.

We are working class, Law abiding, clean living citizens, proud of our surroundings.

Please take heed and not disturb our Peace.

Yours sincerely

*E Boyce*

*E Boyce*

Mrs E. Boyce

M<sup>r</sup>. P. BOYCE

M<sup>s</sup> C. BOYCE

*E Boyce*  
Page 134



# Appendix 35

**From:** Calvert, Oriele [Oriele.Calvert@HCAHealthcare.co.uk]  
**Sent:** 10 July 2008 10:10  
**To:** Lorraine Husbands  
**Subject:** FW: RE HABANOS WINE BAR APPLICATION FOR A LICENSE

**Follow Up Flag:** Follow up

**Flag Status:** Red

I am forwarding this letter to you as Clair Hawkins is away. I would be grateful if you could pass it on to the relevant sources.

Thank you.

Oriele Calvert

♣ Please consider the environment - try to avoid printing this e-mail.

---

**From:** Calvert, Oriele  
**Sent:** 10 July 2008 10:06  
**To:** 'cllr.clair.hawkins@towerhamlets.gov.uk'  
**Subject:** RE HABANOS WINE BAR APPLICATION FOR A LICENSE

I am writing to you regarding the application for a license for this public house.

I am strongly against this application for several reasons.

I have lived in Old Ford Road for over ten years and when this pub was open it was nothing but trouble! If you look into the history of the pub you will see

that it has been shut down several times due to violence and more recently drug dealing. Dealers were openly selling drugs outside the pub at any time

of day and night. This is a very family oriented area and this sort of behavior is not acceptable.

I find it also distressing that if a license is given to this pub that this relatively crime free area will change due to drunkenness which usually extends in to

violence. Street crime is increasing shouldn't we be trying to stop it rather than encouraging it!!!

The pub is also attached to several houses so is there enough sound proofing???? Are there adequate fire precautions???

If this pub is given ANY license it will change this pleasant neighborhood. If it is given a late license it will destroy it!!

Thank you for your time.

Oriele Calvert

♣ Please consider the environment - try to avoid printing this e-mail.

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**John Cruse**


**From:** Calvert, Oriele [Oriele.Calvert@HCAHealthcare.co.uk]  
**Sent:** 26 August 2008 08:16  
**To:** John Cruse  
**Subject:** RE: habanas Objection

I have tried 4 times on Friday to e mail Kathy Burke!!

I live at 156 Old Ford Road but also have a property ay 242 Old ford Road.

Oriele Calvert

Superintendent Radiographer

 Please consider the environment - try to avoid printing this e-mail.

**From:** John Cruse [mailto:John.Cruse@towerhamlets.gov.uk]  
**Sent:** 22 August 2008 17:08  
**To:** jaynerussell@sky.com; Calvert, Oriele  
**Cc:** Kathy Butler  
**Subject:** habanas Objection

I am in the process of finalising my report re the above. Please urgently supply your address or I will not be able to accept it and include it in the report.

Thanks

John Cruse  
Licensing Team Leader  
Tower Hamlets Council  
Mulbery Place (AH)  
PO Box 55739  
5 Clove Crescent  
London E14 1BY

TEL: 020 7364 5024

\*\*\*\*\*  
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If your request relates to a Freedom of Information enquiry, please resend this to [foi@towerhamlets.gov.uk](mailto:foi@towerhamlets.gov.uk)

# Appendix 36

**Kathy Butler**

**From:** Jayne Russell [jaynerussell@sky.com]  
**Sent:** 14 July 2008 01:34  
**To:** Kathy Butler  
**Subject:** Habanas Premises License.  
**Follow Up Flag:** Follow up  
**Flag Status:** Orange

Dear Ms Bulter,

I am writing to you in regards to a Licensing Application submitted for the premises Habana's at 74 Bonner St , Bethnal Green E2 0QP.

I would like to protest in the strongest possible terms to the granting of a license involving longer unsociable hours combined with entertainment both of a live and recorded nature.

My primary concern arises when considering the profile of the surrounding neighbourhood and the potential upset. Within 100metre of the premises down one street you will find families living in flat fronted terraces with childrens bedrooms facing the street. Any noise generated by the pub will cause issues with the quite sleeping environment for the children beyond a certain time of night.

On Cyprus St alone I can think of roughly 20 children under 8 years old within a short distance. That's 2 at 106, 1 at 108, 2 at 102, 3 directly opposite mine, 2 diagonally opposite closer to the pub, 1 and 2 diagonally opposite away from the pub, 2 at 116 I think, 2 at 92, beyond that door number become less precise. Then start walking 100metres down Bonner St and you find the same again more families with more young children living within eye and earshot of the premises.

It is not set away from housing nor is it in a shopping High St.

Previously the bar attracted drinkers that were not like the drinkers of some of the other pubs in the area. In the time it was open previously I witnessed various incidents of drug smoking in cars outside the pub often with their car stereos turned way up and listened to the drinkers shout abuse at the gay man whose door face the beer garden across the road.

As the pub has a beer garden with concrete fence I clearly witnessed legal aged drinkers inside the fence putting a pint down on the fence for their younger mate outside the premises to pick up and drink from. Those outside the fence hanging round on the path prevent free movement on the footpath in the daylight that includes using the path to cross in the direction of Victoria park.

Then comes the domestics started in the pub and inevitably finished with a huge shouting match under your open window. I would prefer that at 11pm not 2am

You can say that is the individual not the premises but should this place attract a similar drinker we would at least rest easier if we knew there were only limited hours in the night this would go on till. I can not stress enough that should you come here after a certain time of the early evening it is extremely quite in this area

I believe this could lead to an increase in incidents of groups of youths gathering to consume alcohol, with the potential for public nuisance, anti social behaviour, vandalism and increased criminal damage. There is also a significant risk to the health of children under age, consuming alcohol.

I also believe any loud and aggressive alcohol fuelled behaviour as previous to be of greater offence to some of the strict muslim neighbours overlooking

Granting a license beyond what would be regarded as normal hours we believe efforts to enhance community safety working towards creating a community adults alike can feel safe, and where families can grow up without tension.

I would request a chance to be present at the hearing too.

Thank you again

Jayne Byrne 07976 428861

Ian Byrne

Roisin 6

Cormac 2

Jayne Russell

[jaynerussell@sky.com](mailto:jaynerussell@sky.com)

07976 428 861

**John Cruse**

**From:** Jayne Russell [jaynerussell@sky.com]  
**Sent:** 24 August 2008 06:47  
**To:** John Cruse  
**Subject:** Re: habanas Objection

Hi there,  
Have been on hols sorry.  
I have forwarded to Kathy too but in case the details are....  
Jayne Russell  
106 Cyprus st  
Bethnal Green  
E2 0NN  
02089834462  
Jayne Russell  
jaynerussell@sky.com  
07976 428 861

On 22 Aug 2008, at 17:08, John Cruse wrote:

I am in the process of finalising my report re the above. Please urgently supply your address or I will not be able to accept it and include it in the report.

Thanks

John Cruse  
Licensing Team Leader  
Tower Hamlets Council  
Mulbery Place (AH)  
PO Box 55739  
5 Clove Crescent  
London E14 1BY

TEL: 020 7364 5024

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# Appendix 37



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**From:** Paul Johnson  
**Sent:** 16 July 2008 15:53  
**To:** Jacqueline Randall  
**Subject:** MAU 26786 - 74 Bonner Street - Habanas

Hi Jackie,

Environmental Health (EH) object to the above premises License on the grounds of public nuisance.

EH received 34 Complaints from surrounding residents from 3/5/2001 - 15/2/06. Residents from Cyprus Street, Bonner Street, Mace Street and St James have contacted the Out of Hours (OOH) noise service re loud music emanating from this venue. Statutory Noise nuisance was witnessed on several occasions and contraventions of the License that was held re opening times.

The applicant owned/managed the premises when the above occurred. EH has read the covering letter for this application from Gosschalks Solicitors stating that Wellington Pub Company intends to let premises out with different DPS once this New Premises License is processed. Wellington Pub Company did not address the previous noise issues that were outlined to them in writing in dealing with the complaints above. With the many noise sensitive properties surrounding premises, EH continue to object to this premises License.

EH feel that the hours proposed for regulated entertainment, opening hours and sale of alcohol are excessive considering the history of this particular premises. Further to this, EH feel that Live music is not suitable in this particular venue as residential shares a party wall with the premises where Statutory noise nuisance has been witnessed when recorded music was being played within premises.

**Recommended times:**

**Regulated Entertainment times and opening times**

21/08/2008

Sunday - Thursday: 11:00 till 23.00am

Friday – Sat: 11:00 till 00:00am

**Sale of alcohol**

Sun - Thursday: 11:00 till 22.30am

Friday – Sat: 11:00 till 23:30am

**Live music - Nil**

**Requested Conditions**

- Use of outside forecourt and yard restricted to 8pm for all licensable activity.
- The doors to the entrance lobby and windows shall not be kept in the open position whilst regulated entertainment is in progress. At no time whilst regulated entertainment is in progress is both doors to the lobby to be open at the same time. Either a member of staff or SIA qualified security to be employed controlling this.
- Noise limiter to be employed in a separate and remote (from the volume control) lockable cabinet must be fitted to the music amplification system. No supplementary sound systems to be used to the satisfaction of Environmental Health and noise levels set for inaudibility within adjacent residential premises.
- No drinks allowed outside the premises after 8pm.
- Notices shall be displayed internally at exits and also in key areas, requesting the public to respect the needs of the local residents by keeping noise to a minimum when using both the outside areas of the Premises, and when leaving the premises and the area, to do so quickly and quietly. All such signs must be in a permanent form, prominently placed and legible
- All reasonable steps and regular monitoring by the Landlord and his staff shall take place to ensure that customers entering and leaving the premises do so in an orderly manner so as not to cause disturbance to nearby residential properties or annoyance to people passing the premises.
- Waste materials shall no be placed in the external bins during the night hours (22:00 hours to 8:00 hours the following day)
- License not operable till all above conditions are met

Regards,

Paul Johnson  
Environmental Health Enforcement Officer  
Environmental Protection

Postal Address  
Mulberry Place (AH), PO Box 55739, 5 Clove Crescent, London E14 1BY

Location Address  
Anchorage House, 2 Clove Crescent, London, E14 2BE

Telephone : 020 7364 6617  
Website : <http://www.towerhamlets.gov.uk>

# Appendix 38

## 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 as permitted (13.20 and Annex D).

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 (2.33).

Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.36) 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 (2.38).

### 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 39

## 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.

### 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 (13.20 and Annex D).

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. (2.33).

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 (2.36) but it is essential that conditions are focused on measures within the direct control of the licence holder” (2.38).

In certain circumstances conditions relating to noise in the immediate vicinity of the premises may also prove necessary to address any disturbance anticipated as customers enter and leave (2.36).

However, it is essential that conditions are focused on measures within the direct control of the licence holder. Conditions relating to behaviour once they are beyond the control of the licence holder cannot be justified. (2.38)

# Appendix 40

## Crime and disorder on the premises

### 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 5.2. of the Licensing Policy)**

The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include conditions drawn from the Model Pool 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):

- Methods of management communication
- Use of registered Door Supervisors
- Bottle Bans
- Plastic containers
- CCTV
- Restrictions on open containers for “off sales”
- Restrictions on drinking areas
- Capacity
- Proof of Age scheme
- Crime prevention notices
- Drinks promotions-aimed at stopping irresponsible promotions
- Signage
- Seating plans
- Capacity

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.

### 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 safety.

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

The pool of conditions, adopted by the council is recommended (Annexe D).

The key role of the police is acknowledged (2.2).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff or agents, but can directly impact on the behaviour of customers on, or in the immediate vicinity of the premises as they seek entry or leave (2.4).

Conditions are best targeted on deterrence and preventing crime and disorder (S.2.6) communication, CCTV, police liaison, no glasses, capacity limits are all relevant (S.2.7-2.11).

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

Conditions can be imposed for large capacity “vertical consumption” premises (10.43).

#### Guidance Issued by the Office of Fair Trading

This relates to attempts to control minimum prices

#### Other Legislation

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.



# Appendix 41

## Crime and disorder 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.” Other controls need to be borne in mind. **(See Section 4.10 and 4.11 of the Licensing Policy).**

- The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include Conditions drawn from the Model Pool of Conditions relating to Crime and Disorder. **(See Appendix 2 Annex D 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 pool of conditions, adopted by the council is recommended (Annexe D). The key role of the police is acknowledged (2.2).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff or agents, but can directly impact on the behaviour of customers on, or in the immediate vicinity of the premises as they seek entry or leave (2.4).

Conditions are best targeted on deterrence and preventing crime and disorder (S.2.6) communication, CCTV, police liaison, no glasses, capacity limits are all relevant (S.2.7-2.11).

Conditions can be imposed for large capacity "vertical consumption" premises (10.43).

*There is also guidance issued around the heading of "public nuisance as follows*

The pool of conditions, adopted by the council is recommended (Annexe G). 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 (2.36) but it is essential that conditions are focused on measures within the direct control of the licence holder" (2.38). Conditions relating to behaviour once they are beyond the control of the licence holder cannot be justified. (2.38)

#### 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 42

## 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 or 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 43

## 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

Sunday to Thursday 06 00 hrs to 23 30 hrs

Friday and Saturday 06 00 hrs to midnight

(see 12.8 Of the licensing policy)

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

- Location
  - Proposed hours of regulated activities, and the proposed hours the premises are open to the public
  - The adequacy of the applicants 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 12.8 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
- Premises licensed for off sales only