



Meeting of the

LICENSING SUB COMMITTEE

Tuesday, 23 November 2010 at 6.30 p.m.

A G E N D A

VENUE

Council Chamber, 1st Floor, Town Hall, Mulberry Place, 5 Clove
Crescent, London, E14 2BG

Members:	Ward Represented
Chair: Councillor Carlo Gibbs Councillor Khales Uddin Ahmed Councillor Rajib Ahmed	Bethnal Green North; Bromley-By-Bow; East India & Lansbury;

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:

Simmi Yesmin, Democratic Services,

Tel: 020 7364 4120, E-mail: simmi.yesmin@towerhamlets.gov.uk

LONDON BOROUGH OF TOWER HAMLETS

LICENSING SUB COMMITTEE

Tuesday, 23 November 2010

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
3. RULES OF PROCEDURE	3 - 14	
To note the rules of procedure which are attached for information.		
4. ITEMS FOR CONSIDERATION		
4 .1 Application to Review the Premises Licence for London Food Centre, 407 Roman Road, London E3 5QS (LSC 44/011)	15 - 76	Bow West;
4 .2 Application for a New Premises Licence for A1 News, 59 Brady Street, London, E1 5DW (LSC 45/011)	77 - 222	Bethnal Green South;
4 .3 Application for New Premises Licence for Poppies Fish & Chips, 6-8 Hanbury Street, E1 6QR (LSC 46/011)	223 - 328	Spitalfields & Banglatown;
5. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT		

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:-

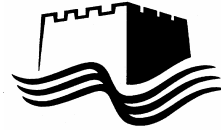
- (a) A member of the public, who knows the relevant facts, would reasonably think that your personal interests are so significant that it is likely to prejudice your judgment of the public interests; AND
- (b) The matter does not fall within one of the exempt categories of decision listed in paragraph 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

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grant of personal licence).				
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

Action Following receipt of notice of hearing	
1.	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.
2.	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.
3.	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.
4.	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.
5.	In any other case, the party shall give the notice no later than five working days before the day or the first day on which the hearing is to be held.

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Agenda Item 4.1

Committee: Licensing Sub-Committee	Date: 23 November 2010	Classification: UNRESTRICTED	Report No. LSC 44/011	Agenda Item No.
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Report of: Colin Perrins Head of Trading Standards and Environmental Health (Commercial) Originating Officer: Kathy Driver Acting Principal Licensing Officer	Title: Licensing Act 2003 Application to Review the Premises Licence for London Food Centre, 407 Roman Road, London E3 5QS Ward affected: Bow West
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1.0 Summary

Name and Address of premises:	London Food Centre 407 Roman Road London E3 5QS
Licence under review:	Licensing Act 2003 <ul style="list-style-type: none">▪ Sale by retail of alcohol
Representations:	Police

2.0 Recommendations

- 2.1 That the Licensing Committee considers the application for review and then adjudicates accordingly.

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

Brief description of "background paper"	Tick if copy supplied for register	If not supplied, name and telephone number of holder
<ul style="list-style-type: none">• Guidance Issued under Section 182 of the Licensing Act 2003• Tower Hamlets Licensing Policy• File		Kathy Driver 020 7364 5171

3.0 Review Application

- 3.1 This is an application for a review of the premises licence for London Food Centre, 407 Roman Road, London E3 5QS. The review was triggered by Metropolitan Police.
- 3.2 A copy of the review application is attached in **Appendix 1**.
- 3.3 The premises has previously been subject to reviews. The Licensing Sub Committee reviewed the licence on 12th May 2009 and on 29th June 2010 whereby hours and conditions were amended. These reviews were triggered by Metropolitan Police. I attach details of the decisions in **Appendix 2**.

4.0 The Premises

- 4.1 The premises licence was issued on 10th October 2006, the licence was transferred in February 2010. Changes have been made to the licence through the Licensing Sub Committee on 12th May 2009 and 29th June 2010. A copy of the current licence is contained in **Appendix 3**.
- 4.2 Maps showing the premises, surrounding area and vicinity of local residents are included in **Appendix 4**.

5.0 Representations

- 5.1 This hearing is required by the Licensing Act 2003, because a review has been triggered by the Metropolitan Police.
- 5.2 Only representations that relate to the following licensing objectives are relevant:
 - the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm
- 5.3 In the view of the interested party and the responsible authorities it is necessary to achieve the licensing objectives of the prevention of crime & disorder.

6.0 Review Explained

- 6.1 The Licensing Act 2003 was described by the Government at the time as “light touch” but as Baroness Blackstone stated in the Lords at the time of the second reading (26 Nov 2002) “Local residents and businesses as well as expert bodies, will have the power to request that the licensing authority review existing licences where problems arise. Such a review could result in the modification of the licence, its suspension, or ultimately, revocation.”
- 6.2 The Home Office has issued guidance under Section 182 of the Licensing Act 2003 in relation to reviews and that is contained in **Appendix 5**. It is available on the Government’s website, www.homeoffice.gov.uk. It was last revised in October 2010.
- 6.3 Members are particularly asked to note the comments in relation Crime and Disorder. In particular the Home Office advice is that “The role of the licensing authority when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure that the crime prevention objective is promoted.”
- 6.4 In relation to its advice on representations the Home Office has also advised that “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.” It has also issued revised guidance about Crime and Disorder, and the pool of conditions which might be considered in relation to any identified problems. **See Appendix 6**.
- 6.5 Members should also note the Council’s Licensing Policy in relation to Crime and Disorder, the relevant parts of which are contained in **Appendix 7**. The Pool Conditions in the Policy are the same as the Government’s.
- 6.6 The Home Office has advised that in relation to reviews “It is important to recognise that the promotion of licensing objectives relies heavily on a partnership between licence holders, authorised persons, interested parties and responsible authorities in pursuit of common aims. It is therefore equally important that reviews are not used to drive a wedge between those groups in a way that would undermine the benefits of co-operation. It would be good practice for authorised persons and responsible authorities to give licence holders early warning of their concerns about problems identified at the premises concerned and of the need for improvement. It is expected that a failure to respond to such warnings would lead to a decision to request a review.”

- 6.7 The licensing authority itself cannot trigger a review; that can only be done by a responsible authority or an interested party (local resident or business).
- 6.8 An interested party or a responsible authority can trigger a review at any time, but the grounds must be relevant to the licensing objectives. The form of the application, and the advertisement of the review are the subject of regulations (The Licensing Act 2003 (Premises Licences and Club Premises Certificate) Regulations 2005). In addition, the licensing authority has to satisfy itself of certain matters in relation to the Licensing Act 2003. The Licensing Services Manager Ms Jacqueline Randall is the delegated officer who deals with this on behalf of the licensing authority. All the matters stated in 5.0 were considered before any representations were accepted for inclusion in this report.
- 6.9 The Licensing Act 2003 requires that the Licensing Authority satisfies itself that it should reject the grounds for a review because:
- The ground is not relevant to one or more of the licensing objectives
 - In the case of an application by a local resident that the application is frivolous, vexatious or repetitious.

7.0 Review Advertisement

- 7.1 The review was advertised by a blue poster, next to the premises, by the Licensing Section. This was periodically monitored by the Section to ensure it was on continuous display, and replaced as necessary. It was also advertised at Mulberry Place, 5 Clove Crescent, London E14 2BG.
- 7.2 The party that triggers the review must notify the licence holder and responsible authorities. The review documents were sent to the licence holders.
- 7.3 The procedure for a review can be summarised as follows:
- A review is triggered by a responsible authority or interested party
 - Consultation is conducted for 28 full days
 - Other responsible authorities or interested parties may join in the review
 - Members conduct a hearing
 - Members make a determination
 - All the parties to the review have the right of appeal to the magistrates court (i.e. the licence holder, the person who triggered the review and those who have made a representation).

8.0 Licensing Officer Comments

- 8.1 The Governments advice in relation to reviews is contained in **Appendix 5**. Members must consider all the evidence and then decide from the following alternatives:

- Take no further action as they do not consider it proportionate to do so
 - Impose conditions (including altering existing permissions) that relate to problems which they consider have been identified and which are necessary and proportionate to ensure that the licensing objectives are met
 - Suspend the licence for a period
 - Revoke the licence completely
- 8.2 The licence should only be suspended or revoked if Members believe that alterations to the existing licence, including imposing new conditions does not have a reasonable prospect of ensuring that the licensing objectives are met.
- 8.3 Members should bear in mind that conditions may not be imposed for any purpose other than to meet the licensing objectives.
- 8.4 In all cases the Members should make their decision on the civil burden of proof that is “the balance of probability.”
- 8.5 In all cases Members should consider whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.

9.0 **Legal Comments**

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

10.0 **Finance Comments**

- 10.1 There are no financial implications in this report.

11.0 Appendices

Appendix 1	Copy of the review application
Appendix 2	Past review decisions
Appendix 3	Current Premises Licence
Appendix 4	Maps of the premises and surrounding area
Appendix 5	Guidance issued under Section 182 by the Home Office for reviews
Appendix 6	Guidance Issued by the Home Office under Section 182 of the Licensing Act 2003 concerning Crime and Disorder
Appendix 7	London Borough of Tower Hamlets Licensing Policy in relation to the prevention of Crime and Disorder

Appendix 1

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LICENSING ACT 2003

This form should be completed and forwarded to:

London Borough of Tower Hamlets,
Licensing Section, Mulberry Place (AH), PO BOX 55739, 5 Clove Crescent, London E14 1BY

Application for the review of a premises licence or club premises certificate
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 PC 124HT Andy Jackson on behalf of the Commissioner of the Metropolitan Police (*Insert name of applicant*) apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description London Food Centre 407 Roman Road	
Post town London	Post code (if known) E3 5QS

Name of premises licence holder or club holding club premises certificate (if known)

Mr Serdar Tas and Mr Armagan Akyol

Number of premises licence or club premises certificate (if known)

14304

Part 2 - Applicant details

- I am Please tick yes
- 1) an interested party (please complete (A) or (B) below)
 - a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises
 - 2) a responsible authority (please complete (C) below) x
 - 3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (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)

(B) DETAILS OF OTHER APPLICANT

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)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address

PC124HT Andy Jackson
Licensing Officer
Bethnal Green Police Station
12 Victoria Park Square
London E2 9NZ

Telephone number (if any) 0208 217 4118

E-mail (optional) Andy.Jackson@met.police.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please provide as much information as possible to support the application (please read guidance note 2)
This review is submitted under the crime and disorder licensing objective.

Following a recent review of the premise licence when the evidence was heard a decision was made to allow the shop to sell alcohol until 2300hrs. A condition was added to the licence allowing them to stay open until 0100hrs and to thereafter cease all trading connected with the business until 0800hrs the following morning. The Committee did however warn the new owners who were present, that they were fortunate to keep the licence, saying that it was because they were prepared to draw a line under the behaviour of the previous operators.

On Saturday 7th August 2010 I was engaged in some late visits when at 0155hrs I passed the shop which had all the lights on, all the shutters up and people inside. I went inside and both the premise licence holders were present. I was aware that I was followed in by a male who went browsing around the shop. Standing at the counter were 2 people who were purchasing a soft drink and a sandwich. All the shutters for the alcohol displays were up. When asked why they were still open Mr Tas stated that he was waiting for a delivery of fruit and vegetables. I told him that the shop should be closed and left the shop.

On Tuesday 10th August Mr Tas and Mr Akyol both attended Bethnal Green Police Station to discuss that incident. Again they claimed that they were expecting a delivery. I explained several times about their licence, about not selling alcohol after 2300 and closing completely at 0100hrs. When they left the police station they said that although they hadn't fully understood at the time they did now.

After they left I sent them a letter explaining it once again so they could refer to it if they had a problem. A copy of this letter is attached to these papers dated and sent 10th August.

I contacted local residents to see if they were experiencing any problems with the premise. One of the residents contacted me to say he had just returned from holiday and passed the shop at 0130hrs on Sunday 15th August when he noticed that it was still open.

On Friday 13th August Sgt Burke parked opposite the premise at 2340hrs. She observed several customers leaving with bottles in bags, one of these appeared to be wine bottles and beer cans. On entering the store she saw 2 people present, one was Mr Tas. The large shutters were pulled over a wine display but beers were displayed at the bottom. The 2 chiller cabinets

were uncovered. From one of these she selected a can of Strongbow cider and some fruit. She paid but was not offered a receipt. This can is exhibited by Sgt Burke. A statement of this visit is also attached.

The new operators of this premise say the right things when required but fail every time they are tested. Mt Tas keeps telling me that he wishes to apply to open later at night and that he will show me that the shop can be run the right way. The above evidence shows that they appear to be failing in that.

The last line of my letter dated 10th August warned them that any further breaches of the premise licence will be dealt with by way of review. In submitting these papers I have kept my word.

As this is the 4th time in 2 years that I have reviewed this premise I request that the premise licence be revoked.

Have you made an application for review relating to this premises before

Please tick ? yes
x

If yes please state the date of that application

Day		Month		Year			
0	1	0	8	2	0	0	8

If you have made representations before relating to this premises please state what they were and when you made them

I have made 3 previous reviews of this premise between Aug 2008 and May 2010.

I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate Please tick yes

I understand that if I do not comply with the above requirements my application will be rejected x

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 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature

.....
Date 17th August 2010

.....
Capacity Police Licensing
Officer.....
.....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 5)

Post town

Post code

Telephone number (if any)

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

Notes for Guidance

- 1 1. The ground(s) for review must be based on one of the licensing objectives.
- 2 2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
- 3 3. The application form must be signed.
- 4 4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- 5 5. This is the address which we shall use to correspond with you about this application.



Working together for a safer London

TERRITORIAL POLICING

Serdar Tas and Armagan Akyol
London Food Centre
407 Roman Road
E3 5QS

HT - Tower Hamlets Borough
HT - Whitechapel Police Station

Licensing Office
Bethnal Green Police Station
12 Victoria Park Square
Bethnal Green
E2 9NZ

Telephone: 02082174118
Facsimile: 0208217 6688
Email: Andy.Jackson@met.police.uk
www.met.police.uk

Your ref:
Our ref:

10 August 2010

Dear Sirs,

I am writing to you today following our meeting at Bethnal Green Police Station this morning. You attended the police station following my late night visit to your premises last Saturday 7th August 2010.

This visit by me at 0155hrs found your shop to be open, all the lights on both inside and out, all the shutters up including the ones for alcohol. I came into your shop following another male and I found both of you inside the shop. Mr Tas was serving 2 customers at the counter, a black male and a female. They were purchasing a sandwich and a soft drink. The other male went looking around the shop and I left before he may have bought something. I asked why you were still open as you made an undertaking at a licensing review hearing that you would cease all trading and close at 0100hrs. You stated that you were waiting for a delivery. I told you this was not allowed and left the shop.

You have come into the station today to discuss this with me and have stated that you didn't understand about condition on the licence that says you cannot even sell groceries after 0100hrs and must therefore close.

I now wish to clarify in writing what I said to you both which you have indicated to me that you now understand.

You cannot sell alcohol after 2300hrs any day of the week for any reason. At 2300 you should close all the shutters on the displays of alcohol as displaying alcohol for sale outside these times is an offence with a penalty of 6 months imprisonment and/or £20,000 fine.

These shutters should remain closed until 0800 the next morning when the hours for selling alcohol begin again.

Between 2300 and 0100hrs the shop can stay open to sell grocery items only.

At 0100hrs the shop must cease trading altogether. You can sell nothing at all and the outside shutters must be closed. If as you stated, you are waiting for a delivery the shop should remain closed and the front door opened to allow the delivery to take place. The shop should be locked again after the delivery has been completed.

Both of you were present at the review hearing when this was explained to you, and an amended copy of the Premise Licence has been hand delivered by a council officer.

Following the receipt of this letter there can be no room for misunderstanding. I am tasked with regular late visits and will be looking to see that these conditions are observed. I have also requested that the local residents report any issues they may have surrounding the shop.

As warned at the meeting, any further breaches of the Premise Licence will be dealt with by way of a review.

Yours sincerely,

Andy Jackson

WITNESS STATEMENT


CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of Jane Burke URN:

--	--	--	--

Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Sergeant 26HT 82/007648**

This statement (consisting of: **2**..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.


Signature:  .. Date: 16th August 2010

Tick if witness evidence is visually recorded (supply witness details on rear)

I am a Police Sergeant based at Tower Hamlets Police in charge of the Licensing Unit for the Borough. I write this statement with reference to London Food Centre 407 Roman Road E3 5QS. I am aware that the venue has a premise licence allowing the sale of alcohol until 2300hours on a Saturday evening and that the premise should be closed by 0100hours.

On Friday 13th August 2010 at about 1140hours I was on duty in plain clothes driving an unmarked police vehicle. I was in company with PC 189HT Alan Cruickshank, a member of the Police Licensing Unit. At about 1135hours I drove to Roman Road E3 where I parked in a residential parking bay directly opposite The London Food Centre. The lights of the premises were on and there were food stalls with fruit and vegetables outside the store. I observed a dark coloured car parked to the right of the store directly in the mouth of Ellesmere Road E3. The car doors were open and I saw a smartly dressed male and female walking from the direction the car into the store. A third smartly dressed male was standing in the shop doorway smoking a cigarette. After a few minutes I saw the smartly dressed male and female come out of the venue carrying blue plastic bags which appeared to contain large bottles. The females bag contained bottles in the shape of large coke bottles. The male was carrying two bags were several bottles inside, the shape of wine bottles and beer cans. The three persons got into the dark coloured car and it drove away.

I then parked the police vehicle went into the store. I noticed that there were two male staff member in the front of the store. The older male, who I believe to be the Manager, Mr Tas, was behind the counter and the younger male standing in front of the counter. I noticed that large shutters were pulled over what appeared to be a display of wines and beers to the right of the store. A row of beers including cans of stella artois could be seen on the bottom row. There were two chiller cabinets in front of me. None of the chillers were covered. The one against the back wall was full of bottles and cans of beers, alcopops and ciders. I selected one can of strongbow "black"

Signature:  Signature witnessed by: *P, 26 HT*

Continuation of Statement of

cider. This I produce as exhibit JS/1. I went to the counter and to pay for the can of cider and one nectarine. Mr Tas requested one pound and thirty pence in money. I handed over two pounds and thirty pence and he gave me one pound in change but no receipt. I then left the store. I later placed the exhibit JS/1 in an exhibit bag and placed the details in book 66 at Bethnal Green Police Station (66/ 1843/10 refers).

Signature:

2003(1)

Signature witnessed by:

Appendix 2

Decision of Licensing Sub Committee of 12th May 2009

Members considered the evidence presented by Local Residents and the Police

In relation to the following licensing objectives:

Crime and Disorder

In that the following matters were discussed:

Public Nuisance

Public Safety

Protection of children from harm

and, on balance, considered that the licensing objections would best be met by the following conditions:

Sale of Alcohol

Hours for the Sale of Alcohol

08.00 to 23.00 Monday to Saturday

10.00 to 22.30 Sunday

Conditions

A Refusal book be maintained

A Member of staff conversant with the CCTV System to be on the premises at all times

And a reduction of the hours of Sale of Alcohol

Decision of Licensing Sub Committee of 29th June 2010

Reasons for allowing the premises licence to continue but with conditions added:

Members heard representations from PC Jackson and Mr Taskiran and Mr Tas. It was noted that a reduction of opening hours has been offered and it was considered necessary to reduce these hours for the promotion of the licensing objectives for the prevention of crime and disorder.

Members were prepared to draw a line under the previous activities, however were concerned about the sale of alcohol outside the permitted hours. The explanation of Mr Taskiran is not accepted and Members considered it necessary to suspend the licence for the first Friday and Saturday following despatch of the notification letter of the decision.

Members were aware of and bore in mind the guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003 and the Council's Licensing Policy and, on balance, considered that the licensing objections would best be met by the following conditions:

1. The opening times to be restricted to 07:00 hours – 01:00 hours

No activities shall take place at the London Food Centre, 407 Roman Road, London E3 5QS between the hours of 01:00 hours – 07:00 hours.

Appendix 3



TOWER HAMLETS

Licence / Registration

Certificate Number

14304

(London Food Centre)
407 Roman Road
London
E3 5QS

Licensable Activities authorised by the licence
The sale by retail of alcohol

See the attached licence for the licence conditions

Signed by

Jacqueline Randall
Acting Team Leader, Licensing

Date: 10th October 2006

(As amended 24th April 2007)
(As amended by Committee on 12th May 2009)
(As amended by Committee on 29th June 2010)

FOR OFFICE USE

Receipt Number	Fee Paid	Fee Req.	Date	Initial
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72065 Lic Act Cons & Lic Prem Lic Rom Rd 407.Lic02.doc

Page 1 of 8



Part A - Format of premises licence

Premises licence number

14304

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description (London Food Centre) 407 Roman Road	
Post town London	Post code E3 5QS
Telephone number [REDACTED]	

Where the licence is time limited the dates
Not applicable

Licensable activities authorised by the licence
The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol:

- Monday to Saturday from 08:00 until 23:00 hours
- Sunday from 10:00 until 22:30 hours

The opening hours of the premises

- Monday to Sunday 07:00 – 01:00

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

Off sales

Part 2

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

Mr Armagan Akyol



Mr Serdar Tas



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

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

Mr Serdar Tas



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

Personal Licence Number:

Issuing Authority:

Annex 1 - Mandatory conditions

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

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

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

Effective from 10th October 2010:

- (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

Annex 2 - Conditions consistent with the operating Schedule:

1. CCTV to be fully operational within the premises and a camera placed outside the premises, which is able to record the entrance door. These recordings to be available to Police at all times. The system to be digital or if video used then there must be 31 tapes kept for at least one month.
2. At ALL TIMES from 11pm there will be a personal licence holder working in the premises.
3. Proof of age posters to be clearly displayed within the premises.
4. After the hour of 11pm there must be two members of staff working in the premises.
5. The premises to keep an incident book, which must be completed daily.
6. Notices to be displayed reminding customers that CCTV is in operation.
7. Panic alarm system connected directly to the Police to be installed and maintained

8. All emergency exits shall be kept free from obstruction at all times.
9. Clear and legible notices will be prominently displayed to remind customers to leave quietly.
10. Customers who appear to be under the age of 21 shall be required to prove they are over 18 by way of photographic identification. Notices shall be displayed requiring persons who appear to be under the age of 21 to prove they are over 18.
11. The licensee and staff will ask persons who appear to be under the age of 18 for photographic ID such as proof of age cards, the Connexions Card and Citizen Card, photographic driving licence or passport, an official identity card issued by HM Forces or by an EU country, bearing the photograph and date of birth of bearer.

**Annex 3 - Conditions attached after a hearing by the licensing authority.
(Review Hearing 12/05/2009)**

1. A refusal book is to be maintained
2. A member of staff conversant with the CCTV system to be on the premises at all times.

(Review hearing 29/06/2009)

3. No activities shall take place at the London Food Centre, 407 Roman Road, London E3 5QS between the hours of 01:00 hours – 07:00 hours
4. The licence is suspended on Friday 2nd June and Saturday 3rd June 2010.

Annex 4 - Plans

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

18th July 2006



Part B - Premises licence summary

Premises licence number 14304

Premises details

Postal address of premises, or if none, ordnance survey map reference or description (London Food Centre) 407 Roman Road	
Post town London	Post code E3 5QS
Telephone number [REDACTED]	

Where the licence is time limited the dates

N/a

Licensable activities authorised by the licence

The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol:
Monday to Saturday from 08:00 until 23:00 hours
Sunday from 10:00 until 22:30 hours

The opening hours of the premises

Monday to Sunday 07:00 – 01:00

Name, (registered) address of holder of premises licence

Mr Armagan Akyol Mr Serdar Tas

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

Off sales

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

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

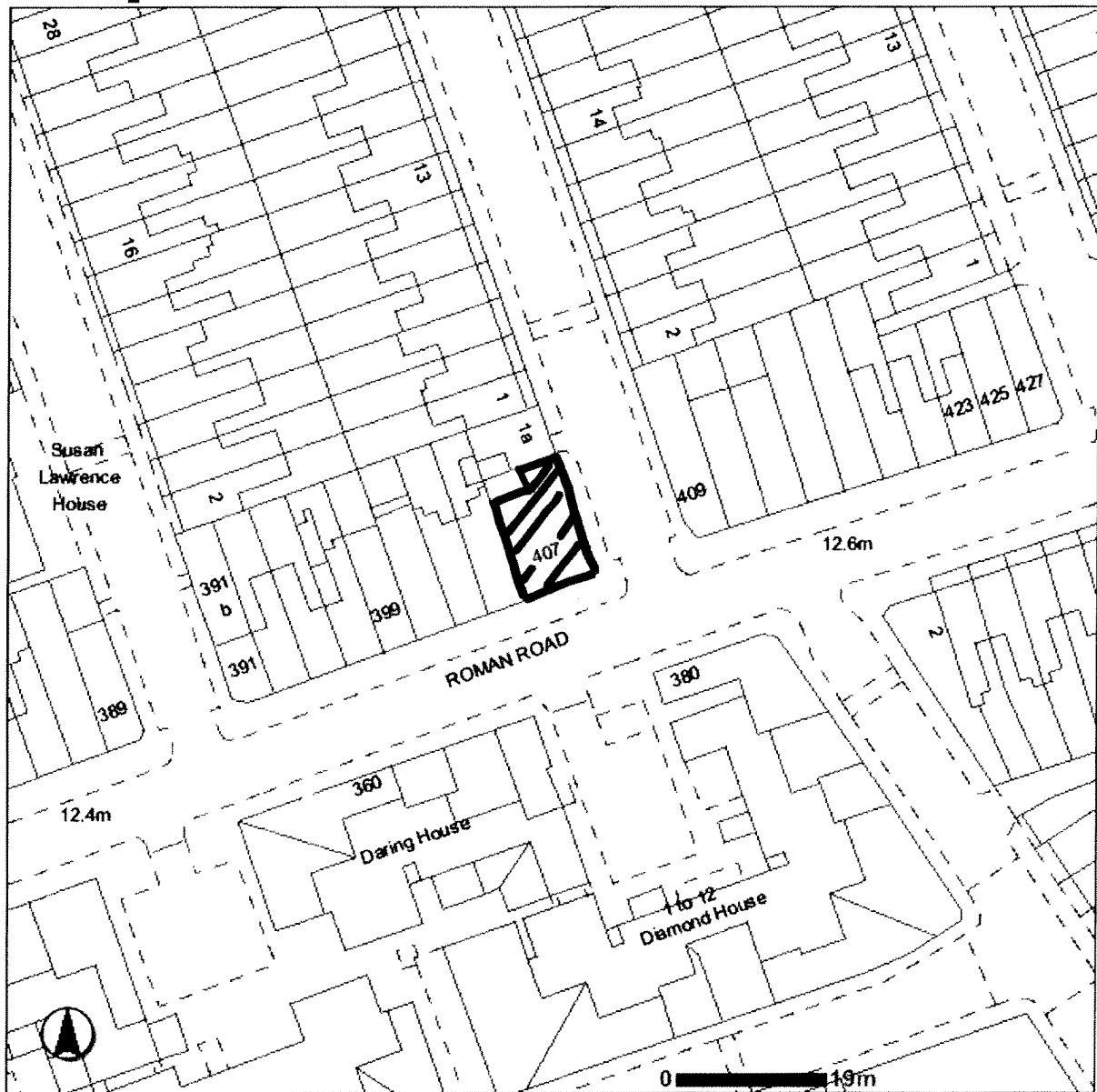
Mr Serdar Tas

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

No

Appendix 4

Map



Scale 1:814

Map of:

407 Roman Road

Notes:

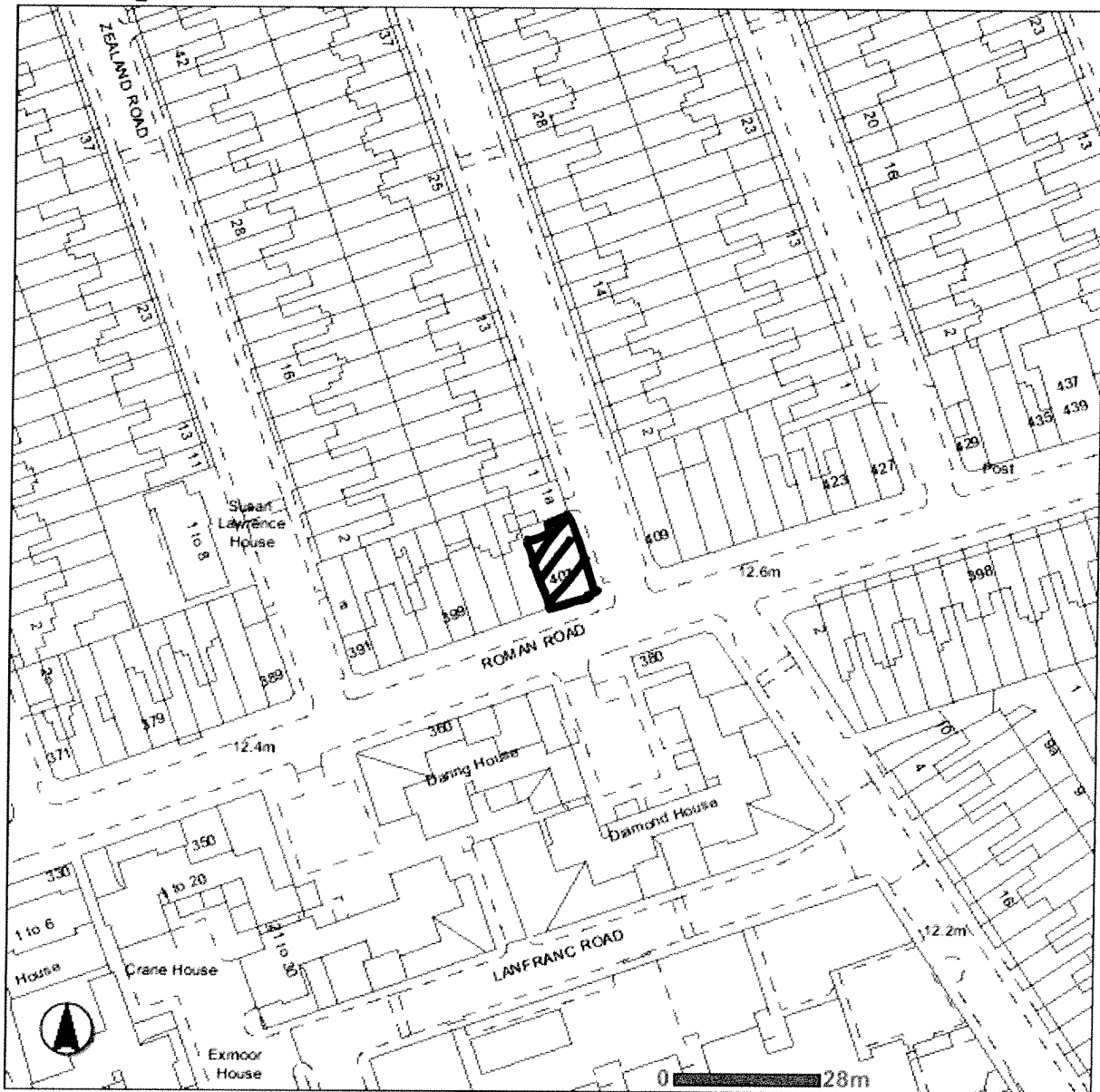
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Licence Number: LA100019288

Map



Scale 1:1228

Map of:

407 Roman Road

Notes:

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Appendix 5

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

POWERS OF A LICENSING AUTHORITY ON THE DETERMINATION OF A REVIEW

- 11.16 The 2003 Act provides a range of powers for the licensing authority on determining a review that it may exercise where it considers them necessary for the promotion of the licensing objectives.
- 11.17 The licensing authority may decide that no action is necessary if it finds that the review does not require it to take any steps necessary to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the holder of the licence. However, where responsible authorities like the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to concerns, licensing authorities should not merely repeat that approach.
- 11.18 Where the licensing authority considers that action under its statutory powers are necessary, it may take any of the following steps:
to modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- to exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
 - to remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
 - to suspend the licence for a period not exceeding three months;
 - to revoke the licence.
- 11.19 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns which the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than a necessary and proportionate response.

- 11.20 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.
- 11.21 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems which impact upon the licensing objectives.
- 11.22 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as a necessary means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is necessary and proportionate to the promotion of the licensing objectives.

REVIEWS ARISING IN CONNECTION WITH CRIME

- 11.23 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises or money laundering by criminal gangs or the sale of contraband or stolen goods there or the sale of firearms. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts of law. The role of the licensing authority when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure that the crime prevention objective is promoted. Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. Some reviews will arise after the conviction in the criminal courts of certain individuals but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go behind any finding of the courts, which should be treated as a matter of undisputed evidence before them.

11.24 Where the licensing authority is conducting a review on the ground that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licensee and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any necessary steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives in the interests of the wider community and not those of the individual holder of the premises licence.

11.25 As explained above, it is not the role of a licensing authority to determine the guilt or innocence of individuals charged with licensing or other offences committed on licensed premises. There is therefore no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. As stated above, at the conclusion of a review, it will be for the licensing authority to determine on the basis of the application for the review and any relevant representations made, what action needs to be taken for the promotion of the licensing objectives in respect of the licence in question, regardless of any subsequent judgment in the courts about the behaviour of individuals.

11.26 There is certain criminal activity that may arise in connection with licensed premises, which the Secretary of State considers should be treated particularly seriously. These are the use of the licensed premises:

- for the sale and distribution of Class A drugs and the laundering of the proceeds of drugs crime;
- for the sale and distribution of illegal firearms;
- for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected; for the purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
- for prostitution or the sale of unlawful pornography;
- by organised groups of paedophiles to groom children;
- as the base for the organisation of criminal activity, particularly by gangs;
- for the organisation of racist activity or the promotion of racist attacks;
- for unlawful gaming and gambling; and
- for the sale of smuggled tobacco and alcohol.

11.27 It is envisaged that licensing authorities, the police and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime

prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered. We would also encourage liaison with the local Crime and Disorder Reduction Partnership.

11.28 It should be noted that it is unlawful to discriminate or to refuse service on grounds of race or by displaying racially discriminatory signs on the premises. Representations made about such activity from responsible authorities or interested parties would be relevant to the promotion of the crime prevention objective and justifiably give rise to a review.

Appendix 6

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

Crime and Disorder Act 1998

- 1.28 All local authorities must fulfil their obligations under section 17 of the Crime and Disorder Act 1998 when carrying out their functions as licensing authorities under the 2003 Act.
- 1.29 Section 17 is aimed at giving the vital work of crime and disorder reduction a focus across the wide range of local services and putting it at the heart of local decision-making. It places a duty on certain key authorities, including local authorities and police and fire and rescue authorities to do all they reasonably can to prevent crime and disorder in their area.
- 1.30 The Government believes that licensing authorities should, as a matter of good practice, involve Crime and Disorder Reduction Partnerships (CDRPs) in decision-making in order to ensure that statements of licensing policy include effective strategies that take full account of crime and disorder implications.

Pool Conditions

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

Annex D

Conditions relating to the prevention of crime and disorder

It should be noted in particular that it is unlawful under the 2003 Act:

- knowingly to sell or supply or attempt to sell or supply alcohol to a person who is drunk
- knowingly to allow disorderly conduct on licensed premises
- for the holder of a premises licence or a designated premises supervisor knowingly to keep or to allow to be kept on licensed premises any goods that have been imported without payment of duty or which have otherwise been unlawfully imported
- to allow the presence of children under 16 who are not accompanied by an adult between midnight and 5am at any premises licensed for the sale of alcohol for consumption on the premises, and at any time in premises used exclusively or primarily for the sale and consumption of alcohol.

Conditions enforcing these arrangements are therefore unnecessary.

CORE PRINCIPLES

1 When applicants are preparing their operating schedules or club operating schedules, responsible authorities are considering applications and licensing authorities are considering applications following the receipt of relevant representations, they should consider whether the measures set out below are necessary to promote the licensing objectives.

2. Any risk assessment to identify necessary measures should consider the individual circumstances of the premises (including local knowledge) and take into account a range of factors including:

- the nature and style of the venue;
- the activities being conducted there;
- the location; and
- the anticipated clientele.

Under no circumstances should licensing authorities regard these conditions as standard conditions to be automatically imposed in all cases.

1 Any individual preparing an operating schedule or club operating schedule is at liberty to volunteer any measure, such as those below, as a step they intend to take to promote the licensing objectives. When measures are incorporated into the licence or certificate as conditions, they become enforceable under the law and any breach could give rise to prosecution.

2 Licensing authorities should carefully consider conditions to ensure that they are not only necessary but realistic, practical and achievable, so that they are capable of being met. Failure to comply with any conditions attached to a licence or certificate is a criminal offence, which on conviction would be punishable by a fine of up to £20,000 or up to six months imprisonment or both. As such, it would be wholly inappropriate to impose conditions outside the control of those responsible for the running of the premises. It is also important that conditions which are imprecise or difficult to enforce should be avoided.

5. It should be borne in mind that club premises operate under codes of discipline to ensure the good order and behaviour of members and that conditions enforcing offences under the Act are unnecessary.

CONDITIONS RELATING TO THE PREVENTION OF CRIME AND DISORDER

Text/Radio pagers

Text and radio pagers connecting premises licence holders, designated premises supervisors, managers of premises and clubs to the local police can provide for rapid response by the police to situations of disorder which may be endangering the customers and staff on the premises.

Pagers provide two-way communication, allowing licence holders, managers, designated premises supervisors and clubs to report incidents to the police, and the police to warn those operating a large number of other premises of potential trouble-makers or individuals suspected of criminal behaviour who are about in a particular area. Pager systems can also be used by licence holders, door supervisors, managers, designated premises supervisors and clubs to warn each other of the presence in an area of such people.

The Secretary of State recommends that text or radio pagers should be considered for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises. These conditions may also be appropriate and necessary in other areas.

It is recommended that a condition requiring the text/radio pager links to the police should include the following requirements:

- the text/pager equipment is kept in working order at all times;
 - the pager link is activated, made available to and monitored by the designated premises supervisor or a responsible member of staff at all times that the premises are open to the public;
 - any police instructions/directions are complied with whenever given;
- and
- all instances of crime or disorder are reported via the text/radio pager link by the designated premises supervisor or a responsible member of staff to an agreed police contact point.

Door supervisors

Conditions relating to the provision of door supervisors and security teams may be valuable in:

- preventing the admission and ensuring the departure from the premises of the drunk and disorderly, without causing further disorder;
- keeping out individuals excluded by court bans or by the licence holder;
- searching and excluding those suspected of carrying illegal drugs, or carrying offensive weapons; and
- maintaining orderly queuing outside venues. Where the presence of door supervisors conducting security activities is to be a condition of a licence, which means that they would have to be registered with the Security Industry Authority, conditions may also need to deal with:
 - the number of supervisors;
 - the displaying of name badges;

- the carrying of proof of registration;
 - where, and at what times, they should be stationed on the premises;
- and
- whether at least one female supervisor should be available (for example, if female customers are to be given body searches).

Door supervisors also have a role to play in ensuring public safety (see Part 2) and the prevention of public nuisance (see Part 4).

Bottle bans

Glass bottles may be used as weapons to inflict serious harm during incidents of disorder. A condition can prevent sales of drinks in glass bottles for consumption on the premises. This should be expressed in clear terms and include the following elements:

- no bottles containing beverages of any kind, whether open or sealed, shall be given to customers on the premises whether at the bar or by staff service away from the bar;
 - no customers carrying open or sealed bottles shall be admitted to the premises at any time that the premises are open to the public (note: this needs to be carefully worded where off-sales also take place);

In appropriate circumstances, the condition could include exceptions, for example, as follows:

- but bottles containing wine may be sold for consumption with a table meal by customers who are seated in an area set aside from the main bar area for the consumption of food.

Bottle bans may also be a relevant necessary measure to promote public safety (see Part 2).

Plastic containers and toughened glass

Glasses containing drinks may be used as weapons and in untoughened form, can cause very serious injuries. Where necessary, consideration should therefore be given to conditions requiring the use of safer alternatives which inflict less severe injuries. Location and style of the venue and the activities carried on there are particularly important in assessing whether a condition is necessary. For example, the use of glass containers on the terraces of some outdoor sports grounds may obviously be of concern, and similar concerns may also apply to indoor sports events such as boxing matches. Similarly, the use of plastic containers or toughened glass may be a necessary condition during the televising of live sporting events, such as international football matches, when there may be high states of excitement and emotion fuelled by alcohol.

The use of plastic or paper drinks containers and toughened glass may also be relevant as measures necessary to promote public safety (see Part 2).

Open containers not to be taken from the premises

Drinks purchased in licensed premises or clubs may be taken from those premises for consumption elsewhere. This is lawful where premises are licensed for the sale of alcohol for consumption off the premises. However, consideration should be given to a condition preventing customers from taking alcoholic and other drinks from the premises in open containers (eg glasses and opened bottles) for example, by requiring the use of bottle bins on the premises. This may again be necessary to prevent the use of these containers as offensive weapons in surrounding streets after individuals have left the premises.

Restrictions on taking open containers from the premises may also be relevant necessary measures to prevent public nuisance (see Part 4).

CCTV

The presence of CCTV cameras can be an important means of deterring and detecting crime at and immediately outside licensed premises. Conditions should not just consider a requirement to have CCTV on the premises, but also the precise siting of each camera, the requirement to maintain cameras in working order, and to retain recordings for an appropriate period of time.

The police should provide individuals conducting risk assessments when preparing operating schedules with advice on the use of CCTV to prevent crime.

Restrictions on drinking areas

It may be necessary to restrict the areas where alcoholic drinks may be consumed in premises after they have been purchased from the bar. An example would be at a sports ground where the police consider it necessary to prevent the consumption of alcohol on the terracing during particular sports events. Conditions should not only specify these areas, but indicate the circumstances in which the ban would apply and times at which it should be enforced.

Restrictions on drinking areas may also be relevant necessary measures to prevent public nuisance (see Part 4).

Capacity limits

Capacity limits are most commonly made a condition of a licence on public safety grounds (see Part 2), but should also be considered for licensed premises or clubs where overcrowding may lead to disorder and violence. If such a condition is considered necessary, door supervisors may be needed to ensure that the numbers are appropriately controlled (see above).

Proof of age cards

It is unlawful for children under 18 to attempt to buy alcohol just as it is unlawful to sell or supply alcohol to them. To prevent these crimes, it may be necessary for certain licensed premises to require the production of “proof of age” before sales are made. The Secretary of State strongly supports the PASS accreditation system which aims to approve and accredit various proof of age schemes that are in existence. This ensures that such schemes maintain high standards, particularly in the area of integrity and security. While conditions may refer directly to PASS accredited proof of age cards, they should also allow for the production of other proof, such as photo-driving licences, student cards and passports.

Since many adults in England and Wales do not currently carry any proof of age, the wording of any condition will require careful thought. For example, many premises have adopted the “Challenge 21” or other similar initiatives. Under the “Challenge 21” initiative those premises selling or supplying alcohol require sight of evidence of age from any person appearing to be under the age of 21 and who is attempting to buy alcohol. Making this a licensing condition would ensure that most minors – even those looking older – would need to produce appropriate proof of age before making a purchase.

Proof of age may also be relevant and necessary to protect children from harm (see Part 5).

Crime prevention notices

It may be necessary at some premises for notices to be displayed which warn customers of the prevalence of crime which may target them. Some premises may be reluctant to volunteer the display of such notices for commercial reasons. For example, in certain areas, a condition attached to a premises licence or club premises certificate might require the display of notices at the premises which warn customers about the need to be aware of pickpockets or bag snatchers, and to guard their property. Similarly, it may be necessary for notices to be displayed which advise customers not to leave bags unattended because of concerns about terrorism. Consideration could be given to a condition requiring a notice to display the name of a contact for customers if they wish to report concerns.

Drinks promotions

Licensing authorities should not attach standardised blanket conditions promoting fixed prices for alcoholic drinks to premises licences or club premises certificates in an area as this is likely to breach competition law. It is also likely to be unlawful for licensing authorities or police officers to promote voluntary arrangements of this kind as this can risk creating cartels.

However, conditions specifically designed to address irresponsible drinks promotions or discounting at individual premises may be permissible provided they are necessary for the promotion of the licensing objectives. Licensing authorities should be aware that there may often be a very fine line between responsible and

irresponsible promotions. It is therefore vital that they consider these matters objectively in the context of the licensing objectives and before pursuing any form of restrictions at all, take their own legal advice.

Signage

It may be necessary for the normal hours at which licensable activities are permitted to take place under the terms of the premises licence or club premises certificate to be displayed on or immediately outside the premises so that it is clear if breaches of these terms are taking place.

Similarly, it may be necessary for any restrictions on the admission of children to be displayed on or immediately outside the premises to deter those who might seek admission in breach of those conditions.

Large capacity venues used exclusively or primarily for the “vertical” consumption of alcohol (HVVDs)

Large capacity “vertical drinking” premises, sometimes called High Volume Vertical Drinking establishments (HVVDs), are premises which have exceptionally high capacities, used primarily or exclusively for the sale and consumption of alcohol, and little or no seating for patrons.

Where necessary and appropriate, conditions can be attached to licences for these premises which require adherence to:

- a prescribed capacity;
- an appropriate ratio of tables and chairs to customers based on the capacity; and
- the presence of security staff holding the appropriate SIA licence or exemption (see paragraphs 10.58-10.64) to control entry for the purpose of compliance with the capacity limit.

Appendix 7



Licensing Policy Adopted by the London Borough of Tower Hamlets

- 5.1 Licensed premises, especially those offering late night/early morning entertainment, alcohol and refreshment for large numbers of people, can be a source of crime and disorder problems.

- 5.4 In addition to the requirements for the Licensing Authority to promote the licensing objectives, it also has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonable can to prevent crime and disorder in the Borough.

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Agenda Item 4.2

Committee :	Date	Classification	Report No.	Agenda Item No.
Licensing Sub Committee	23 November 2010	Unclassified	LSC 45/011	

Report of Colin Perrins Head of Trading Standards and Commercial	Title Licensing Act 2003 Application for a new Premises Licence for A1 News, 59 Brady Street, London, E1 5DW.
Originating Officer: Nick Kemp - Licensing Officer	Ward affected Bethnal Green South

1.0 Summary

Applicant: **Mr Abdul Rab**

Name and
Address of Premises: **A1 News**
59 Brady Street
London
E1 5DW

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

The sale of alcohol

Objectors: **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

020 7364 7446

3.0 **Background**

- 3.1 This is an application for a variation in a premises licence for **A1 News, 59 Brady Street, London, E1 5DW**

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

- 3.2 The premises are currently trading as a newsagents and general store but are unlicensed. The applicant wishes to add the sale of alcohol.

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

Sale of Alcohol (off sales only)

Monday to Saturday 09:00 hours – 23:00 hours

Sunday 10:00 hours – 23:00 hours.

Hours premises is open to the public:

Monday to Sunday 07:00 hours – 23:00 hours.

The applicant has come to an agreement with Environmental Protection to start the sale of alcohol later than originally applied for.

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

4.0 **Licensing Policy and Government Advice**

- 4.1 The Council has adopted a licensing policy and this is available from the Licensing Section, and at the hearing. The revised policy came into effect on the 7th January 2008.

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

- 4.3 The Home Secretary has issued Guidance under Section 182 of the Licensing Act 2003. This is available on the Government's website, www.homeoffice.gov.uk. It was last revised on the 12th October 2010.

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

5.0 **Representations**

- 5.1 All the representations in this report have been considered by the relevant officer (Licensing Services Manager) and determined to have met the requirements of the Licensing Act 2003.

5.2 This hearing is required by the Licensing Act 2003, because relevant representations have been made by local residents see **Appendix 3-18**

We have also received a petition from local residents see **Appendix 19**

5.3 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
- Noise (Environmental Health)
- Trading Standards
- Child Protection

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

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

5.5 The objections cover allegations of:

- Anti social behaviour from patrons leaving the premises
- Acting as a magnet attracting the young who then engage in anti-social behaviour
- Disturbance from patrons leaving the premises on foot
- Close proximity to residential properties
- Underage drinking or other harm to minors.

5.6 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)
- ❖ Mandatory conditions must be imposed (10.43) and censorship avoided (10.31).
- ❖ Routine conditions about drink promotions are not permitted but can be imposed in appropriate circumstances (10.38). The Office of Fair Trading’s Advice also needs to be considered, namely that minimum prices setting is not permitted.

6.3 The Licensing Act 2003 permits children of any age to be on the premises which primarily sells alcohol providing they are accompanied by an adult. It is not necessary to make this a condition.

- 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 In **Appendices 20-24** Members are given general advice, and also have explanations of the Council’s Licensing Policy, Government advice and other legislation relating to the matters previously identified.

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 Schedule 1 Part 2 of the Act states that entertainment in churches, Morris dancing (and accompanying music if live and unamplified) and incidental music are not licensable activities-that is no conditions can be set for them.
- 7.3 Acts of religious worship, wherever performed are not licensable.
- 7.4 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.”
- 7.5 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.
- 7.6 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

- Appendix 1** A copy of the application
- Appendix 2** Maps of the area
- Appendix 3** List of representations
- Appendix 4-18** Representations of local residents
- Appendix 19** Petition from local residents
- Appendix 20** Section 182 advice by the Home Office
- Appendix 21** Licensing Officer comments on anti-social behaviour from patrons leaving the Premises
- Appendix 22** Licensing Officer comments on Acting As A Magnet Attracting The Young Who Then Engage In Anti-Social Behaviour
- Appendix 23** Licensing Officer comments on Access and Egress problems
- Appendix 24** Licensing Officer comments on Underage drinking or other harm to minors

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Appendix 1



FOR OFFICE USE			
RECEIPT / INVOICE NO.	FEE REQUIRED:	Date:	Initials:

This form should be completed and forwarded to: Licensing Section, Mulberry Place (AH), PO Box 55739, 5 Clove Crescent, London E14 1BY with a cheque for the correct fee, made payable to the London Borough of Tower Hamlets.

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~~ (Insert name(s) of applicant) ABDUL RAB

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description	
AI NEWS 59 BRADY STREET LONDON	
Post town <u>LONDON</u>	Post code <u>E1 5DW</u>

Telephone number at premises (if any)

Non-domestic rateable value of premises

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

- Please tick 1 if yes
- a) an individual or individuals* Please complete section (A)
- b) a person other than an individual *
- i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) an individual 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
Address
Registered number (where applicable)
Description of applicant (for example partnership, company, unincorporated association etc)
Telephone number, if any
E-mail (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year		
1	0	0	7	2	0	10

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 note1)

--

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)

Provision of regulated entertainment

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

Provision of 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)

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

Plays 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				Both	
			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

B

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

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details here (please read guidance note 3)
Day	Start	Finish	
Mon			<p>State any seasonal variations for indoor sporting events (please read guidance note 4)</p> <p>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)</p>
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainment 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	
Day	Start	Finish		Outdoors	
Mon			Both		<p>Please give further details here (please read guidance note 3)</p> <p>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)</p> <p>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</p>
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 2)	Both		
Tue						
Wed				State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat						
Sun						

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur						
Fri				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 (please read guidance note 5)		
Sat						
Sun						

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 [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 2)	Both		
Tue						
Wed				State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur						
Fri				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 (please read guidance note 5) 5)		
Sat						
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing
Day	Start	Finish	
Mon			Please give further details here (please read guidance note 3)
Tue			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)
Wed			
Thur			
Fri			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 (please read guidance note 5)
Sat			
Sun			

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			
			Will the facilities for making music be indoors or outdoors or both – please tick [Y] (please read guidance note 2)		Indoor	
					Outdoor	
					Both	
Day	Start	Finish	Please give further details here (please read guidance State any seasonal variations for the facilities for making music (please read guidance note 4) Non standard timings. Where you intend to use the premises for the facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)			
Mon						
Tue						
Wed						
Thur						
Fri						
Sat						
Sun						

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Please give a description of the facilities for dancing you will be providing		
			Will the facilities for dancing be indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoor	
				Outdoor	
				Both	
Day	Start	Finish	Please give further details here (please read guidance		
Mon					
Tue					
Wed			State any seasonal variations for the facilities for dancing (please read guidance note 4)		
Thur					
Fri					
Sat			Non standard timings. Where you intend to use the premises for the facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing			
			Will the entertainment facility be indoors or outdoors or both – please tick (Y) (please read guidance note 2)		Indoor	
					Outdoor	
					Both	
Day	Start	Finish	Please give further details here (please read guidance			
Mon						
Tue						
Wed						
Thur						
Fri						
Sat						
Sun						
			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or k (please read guidance note 4)			
			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 (please read guidance note 5)			

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance	Both		
Tue						
Wed				State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur						
Fri						
Sat				Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun						

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick [Y] (please read guidance note 7)	On the premises		
Day	Start	Finish		Off the premises		
Mon	07:00	23:00	Please give further details here (please read guidance	Both	✓	
Tue	07:00	23:00				
Wed	07:00	23:00		State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Thur	07:00	23:00				
Fri	07:00	23:00				
Sat	07:00	23:00		Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun	07:00	23:00				

Box M continues on the next page...

Box M continued

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

Name

MR. MOHAMMED MAHMUD

Address

[Redacted Address]

Personal Licence number(if known)

14151

Issuing licensing authority (if known)

TOWER HAMLETS 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)

[Empty box for highlighting concerns]

O

Hours premises are open to the public Standard timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)
Day	Start	Finish	
Mon	07:00	23:00	<p>Non standard timings. Where you intend to the premises to be open at different times to those listed in the column on the left, please list (please read guidance note 5)</p>
Tue	07:00	23:00	
Wed	07:00	23:00	
Thur	07:00	23:00	
Fri	07:00	23:00	
Sat	07:00	23:00	
Sun	07:00	23:00	

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)

The general standard details listed below will be maintained at all times. All reasonable steps will be taken to ensure that the premises will have a positive impact upon the local environment and its residents at all times.

b) The prevention of crime and disorder

CCTV will be installed and maintained on the premises. The CCTV system will be recording at all times while the premises are open to public and the recordings shall be made available to the police and the council on request.

A red care alarm system and panic alarm system linked to the central police station will be installed.

c) Public safety

All emergency exits shall be kept free from obstruction at all times.

Fire safety equipment will be checked regularly and any requirements made by the fire safety office will be complied with.

d) The prevention of public nuisance

Signs will be displayed at the exit requesting customers to leave quietly and respect the neighbours.

e) The protection of children from harm

The licensee and staff will ask persons who appear to be under the age of 18 for photographic ID such as proof of age Card, the Connexions Card, photographic driving licence or passport or official identity card issued by HM forces or by an EU country - bearing the photograph and date of birth of bearer.

You have completed part 3 of this form. Below is a checklist for your assistance.

CHECKLIST:

- 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

Part 4 – Signatures (please read guidance note 10)

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

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

[REDACTED]

Date 0-2-06-10

Capacity

For joint applications signature of 2nd applicant or 2nd 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

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

ABDUL RAB
AI NEWS
59 BRADY STREET
WHITECHAPEL

Post town LONDON

Post code E1 5DW

Telephone number (if any)

[REDACTED]

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



LICENSING ACT 2003

FOR OFFICE USE			
RECEIPT / INVOICE NO.	FEE REQUIRED:	Date:	Initials:

This form should be completed and forwarded to: Licensing Section, Mulberry Place (AH), PO Box 55739, 5 Clove Crescent, London E14 1BY with a cheque for the correct fee, made payable to the London Borough of Tower Hamlets.

Consent of individual to being specified as premises supervisor

I MOHAMMED MAHMUD
 [full name of prospective premises supervisor]
 of...
 [hon... premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for
GRANT OF PREMISES LICENCE [type of application]
 by ABDUL RAB [name of applicant]
 relating to a premises licence [number of existing licence, if any]
 for AI NEWS, 59 BRADY STREET
LONDON E1 5DW
 [name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made
 by ABDUL RAB [name of applicant]
 concerning the supply of alcohol at AI NEWS, 59 BRADY STREET,
LONDON E1 5DW
 [name and address of premises to which application relates].

LBTH
 TRADING STANDARDS
 - 8 JUN 2010
 LICENSING

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

14151

[insert personal licence number, if any]

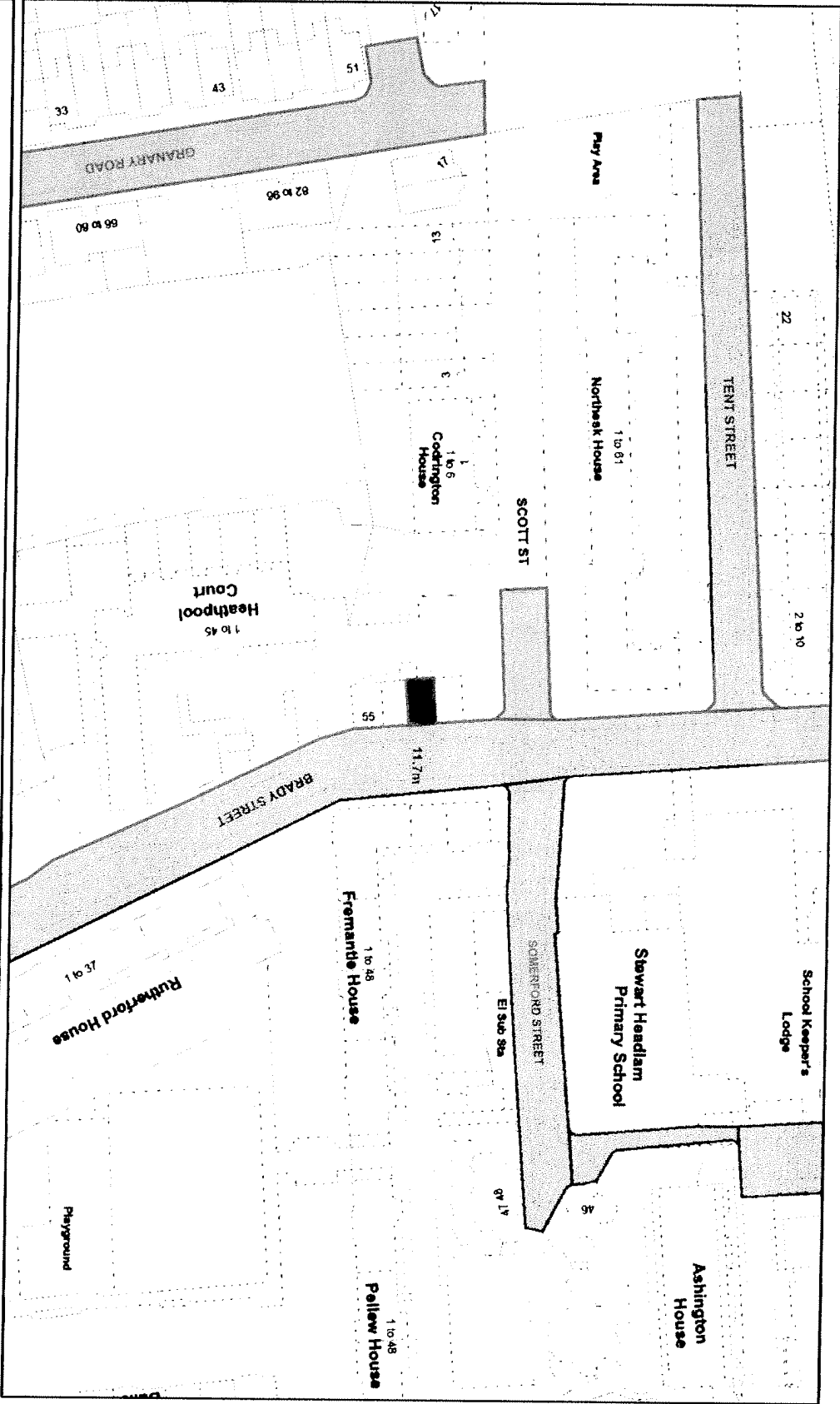
Personal licence issuing authority ... LONDON BOROUGH OF TOWER

[insert name and address and telephone number of personal licence issuing authority, if any] HAMLET

MOHAMMED MAHMUD name (please print)

21.05.2010 dated

Appendix 2

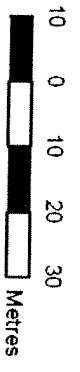


59 Brady Street

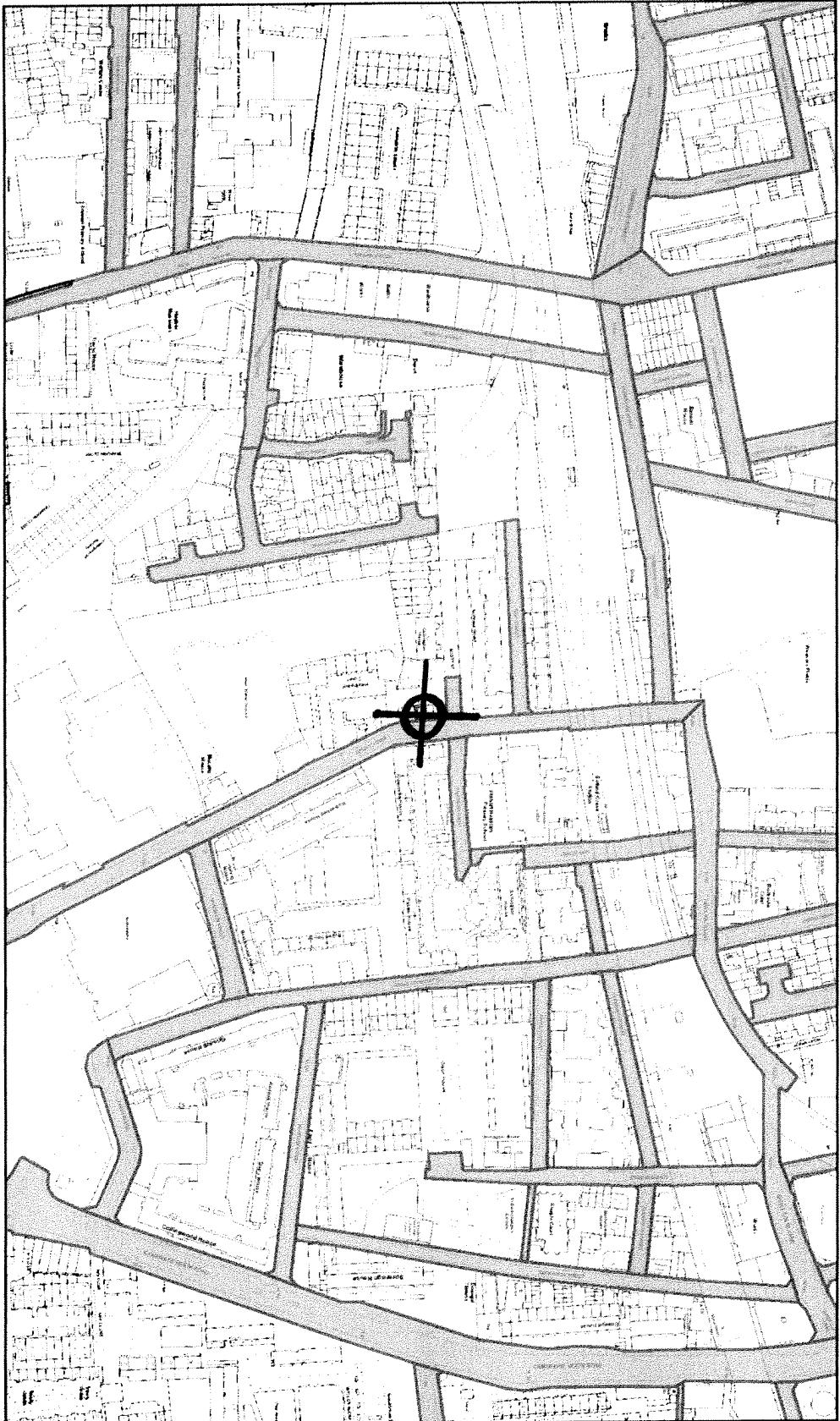
AI News



Scale 1:1019



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Scale 1:3272

59 Brady Street

A1 News



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Appendix 3

First name	Sir name		Appendix
Imanul	Hussain	-	4
Mohsin	Yemani	-	5
Nasima	Begum	-	6
Kamal	Hussain	-	7
Razaul	Kobir	-	8
Musa	Ali	-	9
Masum	Ahmed	-	10
Azaher	Miah	-	11
Jahangir	Yahya	-	12
Farid	Miah	-	13
Mohammed	Gulzar	-	14
Sayma	Khatun	-	15
Abdul	Choudhury	-	16
Slo	Ahmed	-	17
Salma	Siddiqua	-	18

Appendix 4

Nick Kemp

From: imanul hussain [REDACTED]
Sent: 27 October 2010 14:19
To: Nick Kemp
Subject: A1 newsagents supplying alcohol in brady street (my concern)

I am writing to inform you about my concern about A1 news supplying alcohol in brady street. I am a 17 year old teenager who grew up in this area. i started to smoke ciggarettes from the very begining of when i started secondary school which means i was 11 years of age up until nw A1 news has been selling me ciggarettes and not just me he is selling ciggarettes to any local youngsters (by selling singles he made ciggarettes more affordable). when it came to ciggerettes i did not complain not because he was supplying me but because although ciggrettes is harmful it does not cause you to behave in any unlawful manner. the brady street area is already high in crime i knw this is not a good reason so i say the newsagents cannot be trusted with alcohol and it creates a massive fear within my self if he does as my little brothers might find their selves under the influence.

i hope my concern will be taken into account and hopefully i will hear from you with positive news.

yours sincerely
imanul hussain

Appendix 5

Nick Kemp

From: Masum Ahmed [REDACTED]
Sent: 27 October 2010 19:02
To: Nick Kemp
Subject: FW: Alcohol License App - A1 Newsagents Brady Street London E1 5DW
Importance: High

Hi Nick,

I've had calls from concerned residents who do not speak English proficiently and am representing their views here.

They have made some valid point which I have chosen to elaborate on. Please could you include them in my overall representations.

The Collingwood Estate is in the unique position of having both a primary school AND a secondary school within its vicinity. The primary school is located directly opposite A1 Newsagents while the secondary school is located in the same street.

The members of the committie can understand the significance of this in relation to the application currently awaiting sanctioning. This fact cannot be weighted lightly when reaching a decision to grant or block the proposal for A1 Newsagents to have a license to sell alcohol.

A1 Newsagents as well as other shops in Brady Street already benefit a great deal because of the high flux of youth who travel pass Brady Street to and from school as well as during lunch breaks (for students in secondary school). This injects a great deal of finance to the loca economy of our estate.

Members of the committie should also be aware of the a study funded recently by the AERC uncovered clear evidence that it is relatively easy for 15 year olds, as well as 13 year old girls, to purchase alcohol in pubs, supermarkets and off-license premises. (Alcohol Education and Research Council: Consultation on the National Alcohol Harm Reduction Strategy).

More local data also indicates this rising trend amongst under 16s and younger adults - I refer to the Joint Strategic Needs Assessment conducted by LBTH in partnership with the Primary Care Trust. These evidences indicate that parents in households in the vicinity of A1 Newsagents are rightly concerned about the education of their children being effected by the mileau of alcohol misuse in the estate which will of course rise should A1 NewsAgents be awarded the licence. I will also state my personal concerns. My brother attends Stewart Headlam primary school opposite A1 Newsagents and will also attend Swanlea. He regularly visits these shops to purchase sweets and light snacks. Like many he is exposed to be influenced by the external environment he is growing up in.

I also hope consultations with the schools have taken place during this period prior to decisions being made as is reccomended by the NHS National Institute for Clinical Excellence

Under UK law, children and young people can consume different types of alcohol in different contexts, depending on their age. For instance, young people aged 16 or 17 may consume beer, cider or wine with a meal when under adult supervision on licensed premises. In all other circumstances, it is illegal for anyone under 18 to 'knowingly' consume alcohol on licensed premises, or to buy or attempt to buy alcohol. It is important that schools take this legal framework into account when planning and delivering alcohol education and when developing partnerships to tackle alcohol issues (within and outside schools).

(Interventions in schools to prevent and reduce alcohol use among children and young people, NHS NICE 2007).

Other local authorities have followed this recommendation and under the measures, the views of people living near off-licence shops, including school and parent groups, will be taken into account.

Tower Hamlets already has an a saturated market of off licenses. Here in Collingwood Estate we are witnessing the impacts of this without off licenses operating (although Sainsburys is still a popular place were young adults purchase alcohol). I am sure you are aware that the cumulative impact of the concentration of off-licensed premises in an area is adversely affecting the promotion of any of the 4 Licensing Objectives (prevention of crime and disorder, public nuisance, public safety and protection of children from harm).

I urge councillors together with environmental officers and other committie members who will be involved in the decision making process to oppose this application in light of all the points I have made both about current problems already apparent in the area as well projections of these incidents rising. As key stakeholders we very concerned about the impacts this will have on the future youth of the estate. The composition of the demographics in Collingwood Estate indicates that in the next 5-10 years the under 16 population will make up a far more significant propotion of the residents.

Kind Regards

Masum Ahmed

From: [REDACTED]
To: nick.kemp@towerhamlets.gov.uk
Subject: RE: Alcohol License App - A1 Newsagents Brady Street London E1 5DW
Date: Wed, 27 Oct 2010 15:36:09 +0000

Hello again Nick,

Can you make the following addition to the issues raised in my previous email.

Behind Tyler house (where A1 Newsagents is located) is a popular area where youths visit to drink alcohol and cause public nuisances. This area contains the entrance to the flats where residents witnessed first hand individuals drinking alcohol and littering the area. The council has again installed tall gates but again this has not caused much effect by way of minimising disturbances. Visits to this area have decreased significantly but this is due to a new set of private housing which is currently being built (next to A1 newsagents) causing much of the area to be sealed off for construction equipment. However once this project is finished we can expect this trend to continue.

Also on all the different areas I have mentioned within the estate where problems have been created residents have witnessed youths urinating on communal pathways causing intolerable stench as a result of drinking excessively.

The arrangements of public spaces have been also disrupted partially (although significantly) due to a continuation of alcohol related incidents. I've already mentioned the number of gates which the council has installed on the various parts of the estates. I personally feel the ambience of the estate in some parts have been so drastically altered to mitigate the occurrence of youth attending there it would almost constitute sight pollution. Many label our area as a "gated community" with the number of gates sectioning off parts of the estate were youths attend.

St Bartholmews Gardens was is now sealed off and residents and bypassers can only access it before the evening. Part of the benches have also been taken away because it was a popular "couching place" for drinkers who caused public nuisances during the night for residents living in the vicinity of the park.

Our area in general is notorious for having youths which produce such an despicable way of life. Only last month 7 youths (all in secondary and college level education) were arrested for selling class a drugs. They were caught in some of the sections of the estate I have mentioned were police installed secret miniature cameras. This was also published in East End Life during late September i believe.

Thanks

Subject: RE: Alcohol License App - A1 Newsagents Brady Street London E1 5DW
Date: Wed, 27 Oct 2010 16:03:56 +0100
From: Nick.Kemp@towerhamlets.gov.uk
To: [REDACTED]

Dear Mr Ahmed,

Thank you for providing this additional information, I will forward you representation to the Licensing Sub Committee.

Regards,

Nick Kemp

From: Masum Ahmed [REDACTED]
Sent: 27 October 2010 15:41
To: Nick Kemp
Subject: RE: Alcohol License App - A1 Newsagents Brady Street London E1 5DW
Importance: High

Hi Nick,

In response to your reply I wish to delineate the following specific references to the problems already occurring to because of the alcohol and drugs misuse in the estate
Currently there are a number of "hot-spots" in the area where youths are known to utilise while consuming alcohol and cause disruption to residents.

- Healthpool court - located on the same street as A1 NewsAgents. The communal access to the buildings were and are continued to be used by youngsters to consume alcohol and sell drugs. As a result the council was forced to act installing gates and cameras. However to date this has not mitigated this area being used as a safe haven for illegal activity and an epicentre for anti social behaviour. I have witnessed first hand Housing Officers in partnership with the police patrolling this specific area issuing verbal warnings. Cameras and other secure gateways have not assisted with decreasing these occurrences as these resources were later vandalised.
- Orion house - The top floor in particular has continued to be used in the similar manner as heath pool court. Again the housing association was forced to act by installing secure gates both on the ground floor and all floors were there is no direct line of sight to witness such activities taking place.
- Swanlea School - Brady Street - The large glass windows on the entrance to the school have known to be repeatedly damaged after youths have intoxicated themselves into a drunken frenzy. The school as a result has taken expensive measures to prevent these occurrences including boarding the entire glass appendices with wood during the summer holidays.
- As mentioned the football pitch behind Brady street - Many arrests and call outs to police have occurred in this area. The cleaners and estate caretakers can testify to the litter created on public benches and especially the parking bays located in front of harvey house. The litters usually composed of alcohol beverages.
- The effects of purchases of alcohol will not just be experienced within the direct vicinity of the shop. To have a scope that limited will of course overlook the wider implications this license will have on the rest of the estate. In between Berry House and Redmill House there is a gap of approximately 17 meters which contains a storage facility caretakers use. Behind this youths gather in large numbers till late night and the same litter is produces overnight similar to the football area behind brady street.
- Coventry Road - Located within the same estate - particularly the entrances to the sheltered housing schemes were vulnerable residences including tenants with complex health problems reside. A frequent number of times - especially during school breaks, there are groups of youths who use these spaces to have a "get-together" causing an increase in the disturbances residents experience. Again this is usually load noises, violent outbursts and threats to bystanders and pedestrians.
- As I have mentioned in my previous email (see below) the community enforcement officers can vouch for the

disturbances these problems are continuing to cause. The reason why have talked about the issues surrounding the wider implications if this license was to be forwarded was because in addition to your licencing objectives, as I understand it there are many other domains which must also be met by licencing decisions. I quote from the documented titled *Appendix A London Borough of Tower Hamlets Licencing Policy after Consultation*

The Licencing Policy objectives and associated benefits have clear links with the Council's vision to improve the quality of life for everyone living and working in the Borough.

The five major themes that the Council set out by means of which the vision is delivered are

- *A better place for living safely*
- *A better place for living well*
- *A better place for creating and sharing prosperity*
- *A better place for learning, achievement and leisure*
- *A better place for excellent public services.*

The way which the Licencing Policy links with and assists in the delivery of these themes is:-

We will work with our partners and licensees to

- *reduce the level of crime and disorder associated with licensed premises within the Borough*
- *ensure licensed premises are safe for customers and staff*

A better place for living well

- *We will work with our partners and licensees to ensure that nuisance related to Licensed premises will be kept to acceptable levels*
- *We will respond to representations made to us that an area within the Borough has become saturated with licensed premises*
- *We will work with our partners and licensees to ensure that children are protected from harm from any activity taking place in Licensed premises*

A better place for creating and sharing prosperity

- *We will work with our partners to ensure that the Licencing Policy links with other Council strategies so that where possible the Borough economic benefits from developing the entertainments and leisure sector within the Borough*

A better place for learning, achievement and leisure

We will work with our partners to ensure the Licencing Policy links with other Council strategies that encourage and promote live music, dance theatre and festivals for the wider cultural benefit of the community.

I made references to the many other strategies which other directorates are working on because the licencing function has a documented duty to integrating Strategies and Avoiding Duplication. On your part all these objectives will be compromised in the estate.

I will personally be effected by rising crime levels, public nuisances and the work I have made to de-rail the occurances of such problems will also be compromised. Also, the numbers of fires which have been caused by youths using flammable alcoholic drinks on residential bins on headlam street is also something which poses severe risks to the public. The smell which is left by unfinished bottles as well as broken ones is also something which will likely increase in the areas near to A1 Newsagents. I believe this issue was flagged and signposted to the environmental health officers.

The youth club which operates on collingwood estate has also experienced problems surrounding the misuse

of alcohol. This facility is commonly used to facilitate childrens entertainment and other private functions. Youths have repeatedly broken into this facility and there have been a number of times the property has been vandalised with expensive property stolen. Many times this has happened bottles of broken glass been found and the stench of alcohol was noted to be a regular occurrence the next day workers discovered what had happened.

Already there are a number of off licenses and supermarkets which operate near the estate where we know perpetrators who emit the above mentioned behaviours go to purchase alcohol. The opportunity to buy alcohol much locally will undoubtedly aid the increase of public nuisance, safety, harm to children and older vulnerable residents who reside within the vicinity of the shop and the wider estate.

I would sincerely appreciate if you reply to this email address if you wish to make responses.

Kind Regards,

Masum Ahmed

From: [REDACTED]
To: [REDACTED]
Subject: FW: Alcohol License App - A1 Newsagents Brady Street London E1 5DW
Date: Wed, 27 Oct 2010 13:37:26 +0000

Subject: FW: Alcohol License App - A1 Newsagents Brady Street London E1 5DW
Date: Wed, 27 Oct 2010 13:38:20 +0100
From: Nick.Kemp@towerhamlets.gov.uk
To: [REDACTED]

Dear sir/madam,

I have received your e-mail objecting to the above application. Whilst I understand your objections to this application I am not able to forward your comments to the Licensing Committee as they are too general and do not contain any evidence of how the application will effect you or your household personally. The evidence has to be in relation to one or more of the licensing objectives; which are:

- The prevention of crime and disorder.
- Public Safety
- The prevention of public nuisance
- The protection of children from harm.

Much of your representation is very general and refers to issues not covered in the licensing objectives. There is one part of the representation that does touch upon drink related problems in the area:

"Drinking amongst young adults and the repeatedly loud and potentially violent behavior which is produced as a result on the football pitch located less then 30 meters from A1 newsagents is a common occurrence. It will not be surprising if this culture grows significantly if A1 Newsagents is permitted to sell Alcohol beverages".

However, you need to provide more detail of how this specific application will make these problems worse or create new problems. I would remind you that the applicant is not applying for a late-night licence but will be closing at 11pm.

If I can be of any further assistance do not hesitate to contact me.

Regards,

Nick Kemp

Nick Kemp - Licensing Officer

London Borough of Tower Hamlets · Licensing Section · Mulberry Place (AH) PO BOX 55739 · 5 Clove Crescent · London E14 1BY
Tel ☎: 020 7364 7446 · Mobile : 07946 830724 | Fax ☎: 020 7364 0863 · E-mail ✉: nick.kemp@towerhamlets.gov.uk

From: Mohsin Yemani [REDACTED]
Sent: 27 October 2010 07:53
To: Nick Kemp
Subject: Alcohol License App - A1 Newsagents Brady Street London E1 5DW

Dear Nick,

I have recently come to learn about the alcohol licensing application which is now undergoing review for the A1 News-agents located on Brady Street E1.

I am delineating my objection to this application both as a resident of the estate in which A1 NewsAgents is located and my professional perspective as an employee who like yourself works for Tower Hamlets.

Firstly, alcohol consumption within the estate - particularly underage drinking is reportedly high and this has been also acknowledged first hand from the rounds which have been undertaken by the boroughs Community Enforcement Officers. Attached is the minutes collated from the overview and scrutiny meeting titled Scrutiny Challenge Session compiled on the 5th of October 2010 from which I quote the following paragraph from

Cllr Pavitt travelled to hotspots around the Whitechapel and Altab Ali Park areas as part of the THEOs Operation Heat Wave programme which tackles ASB in parks and open spaces. She spent some time on foot patrol around the Whitechapel Drink Control Zone whilst Officers confiscated alcohol from known trouble makers. In addition she also went to the Collingwood Estate which has a history of drugs misuse amongst young people. The THEOs are currently delivering Operation Stairwell on this and other estates which tackle drugs use on block stairwells and Cllr Pavitt saw the impact of this operation on a housing block known for attracting ASB. (Item 4.3 - page 2)

I am in the strict position of opposing this alcohol licensing application as it will significantly interrupt and derail progress myself and other estate residents are attempting to make to counter anti-social behavior, drug and alcohol misuse and domestic disturbances both within and between households amongst young adults, particularly the under 16 cohort of residents. I have approached the Community Support Officers on more than one occasion within my professional capacity to attempt to organize workshops with known troublemakers in order to mitigate the interruption of communal peace within the estate caused by result of alcohol misuse.

The Local Authority is attempting to make significant steps to confront the challenges caused by child poverty, the wider determinants of poverty, health, educational attainment and maximizing the employability of our younger population within the borough through the child poverty strategy, the Children and Young Peoples' Plan, Operation Stairwell and other work being delivered through the Tower Hamlets Partnership (which includes emergency services such as the police). In addition to this during times of austerity as is being experienced by the recession, we can expect crime levels, specifically drug and alcohol misuse to increase. It is in the common interest of residents of Collingwood Estate as well as the Councils' to maximize the positive outcomes on money spent on youth services as well as the wider vision outlined in the Tower Hamlets 2020 Community Plan for Collingwood Estate and elsewhere.

Following from the testimonial quoted above on drug and alcohol misuse with special emphasis on Collingwood Estate and the known history of drugs and alcohol related ASB incidents, it should be understood that the consequences of awarding the alcohol license will far exceed the miniature increase in profits for A1 NewsAgents from the selling of Alcohol.

Drinking amongst young adults and the repeatedly loud and potentially violent behavior which is produced as

a result on the football pitch located less then 30 meters from A1 newsagents is a common occurrence. It will not be surprising if this culture grows significantly if A1 Newsagents is permitted to sell Alcohol beverages. Furtherance to this I have many residents from other estates inform me of the behavior of some of the younger people from Collingwood Estate attacking and verbally abusing individuals under the pretext of "territorial gang" type confrontations and the common theme when I am receipt of such news is the involvement of alcohol consumption exhibiting this behavior. It is clear that there are already a large segment of our under 16 residents who drink unlawfully in addition to the over 18 year olds who are legally entitled to purchase alcohol but are known to be irresponsible drinkers who often share their purchase with under 18s promoting and reproducing alcohol misuse.

With the above in mind I would like you to reject the request for an alcohol license by owners of A1 Newsagents on the Collingwood Estate. I am sure you have the interests of the estates' residents in mind as well as the Councils wider strategic long term objectives particularly with the youth.

I would be grateful if I am informed of the outcome(s) reached as a result of feedback from myself and other feedback you would have inevitably received from concerned residents.

Kind and sincere regards,

Mohsinoor Reja Yemani



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

Please consider your environmental responsibility: Before printing this e-mail or any other document , ask yourself whether you need a hard copy

Appendix 6

Nick Kemp

From: Nasima Begum [REDACTED]
Sent: 28 October 2010 16:51
To: Nick Kemp
Subject: RE: A1 Newsagents on Brady Street, London E1.

Dear Nick

My Full address is

[REDACTED]

Can i also add that i am a representative of all residents of Scott Street, many of whom do not have access to the internet and English as a second language, hence i speak in the behalf of all of us. These include house numbers [REDACTED] Scott street.

Thanks for your time.

Regards

Nasima Begum

Subject: RE: A1 Newsagents on Brady Street, London E1.
Date: Thu, 28 Oct 2010 10:55:36 +0100
From: Nick.Kemp@towerhamlets.gov.uk
To: [REDACTED]

Dear Sir/Madam,

Your representation is valid but I need your full postal address before I can forward it to the Licensing Sub Committee.

Regards,

Nick Kemp

From: Nasima Begum [REDACTED]
Sent: 27 October 2010 22:43
To: Nick Kemp
Subject: A1 Newsagents on Brady Street, London E1.
Importance: High

Dear Nick

I am writing to you in regards to the recent dilemma surrounding the permission to grant **alcohol licensing** to **A1 Newsagents on Brady Street, London E1.**

I am a local tower hamlets resident, and live within the vicinity of the shop and strongly object to their proposal for an alcohol license.

This is because Alcohol abuse is already fuelling territorial gang fights and anti social behaviour amongst youth in our estate and others, and i believe that for the health and safety for local residents and the youth, A1's request for a licence should be declined without hesitation. I think our community is suffering enough of such tensions and predicaments.

I hope that you will take this into consideration, your time is much appreciated.

Thank You,

Kind Regards

Nasima

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Appendix 7

Nick Kemp

From: Kamal Hussain [REDACTED]
Sent: 28 October 2010 00:56
To: Nick Kemp
Subject: Alcohol License Application - A1 Newsagents Brady Street London E1 5DW

*The prevention of crime and disorder
The prevention of public nuisance
Public safety
The protection of children from harm*

Dear Mr Kemp,

I am aware that the Licensing Committee is currently reviewing the license application for 'A1 Newsagents' in Brady Street. I raised my strong, heartfelt opposition to this earlier in the beginning of September as I was amongst those who signed the petition against A1 Newsagents receiving a license. The reasons why I am sternly against such a thing from happening are underlined hereunder.

Firstly, I am a Tower Hamlets resident who lives in Scott Street - approximately 10-15 metres away from the vicinity of A1 Newsagents. I have witnessed, over the many years I have lived here, the horrendous levels of crime and the atrocious categories of crime that have taken place because of youth being intoxicated from alcohol and drugs. In fact, the latest of incidents involving alcohol related crime occurred no more than 2 weeks ago from today. The incident involved 2 teenage BROTHERS, 18 and 19 years old, who had gotten drunk and were fighting and disrupting all the residents of Heathpool Court – located 5 metres away from A1 Newsagents. For further information on this, you can contact the Metropolitan Police Station in Bethnal Green and I'm sure they'll be willing to give you more information on this. Incidents such as the one mentioned can only be more commonplace if you facilitate the grounds for it.

Secondly, I have been involved in the voluntary sector for many years now and I started my voluntary service in this community, namely in Collingwood Hall as a voluntary community worker. I put in as much effort as an 18 year old student possibly could to guide those younger than me away from what they witnessed every week in the Brady Street football pitch. I was only disappointed when I learnt that those youth had been arrested earlier in September this year because of selling A Class drugs. And where were they selling these drugs? Only 5 metres away from A1 Newsagents, behind Tyler House – only 20 metres away from where I live. Why? Because that is a 'hotspot' for drug users and minors consuming alcohol. Any PCSO who worked in Brady Street will tell you where the majority of the incidents relating to drugs and alcohol took place; I am merely stating that which the research body of Tower Hamlets Council are already aware of. Please bear in mind that these events are taking place before A1 Newsagents have appropriated a license to handle alcohol. I'm sure it can be foreseen as to what will happen after they have got the license.

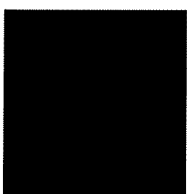
Thirdly, The desecration of public property and hazardous littering are all too common in Brady Street as a result of teenagers getting drunk. Broken vodka bottles, Empty cans of beer and urine marks are a common sight in a 30 metre radius from A1 Newsagents. What's more of a concern is the fact that a Primary School is located just opposite A1 Newsagents and it is these children who are at most risk from the litter of such products. Once again, please bear in mind that these are the factors even before a license has been issued and, once again, we will only witness these acts of pollution on a greater scale if the license is to be issued to A1 Newsagents.

There is much more I can inform you regarding the situation of Brady Street; however, I know there are others who are against A1 Newsagents receiving a license as much as I am – simply because of their genuine concern for the local community. It may be that they can touch upon this matter more elaborately and analytically than I. However, it is not my duty to give you one statistic after another, rather I feel it is an obligation on me to highlight the repercussions of what will happen were A1 newsagents to acquire a license to handle alcohol. I made a mention of the 4 objectives the Council considers before reviewing a premises license at the beginning of this message. I can only hope that you take into account what I mentioned after that to conspicuously come to the conclusion that it will all be compromised if you allow A1 Newsagents to obtain a license.

And if the license is obtained than “Pandora’s Box” will surely have been opened for all the residents of Brady Street and its future generations.

Yours Sincerely,

Kamal Hussain.



Appendix 8

Nick Kemp

From: [REDACTED]
Sent: 27 October 2010 18:30
To: Nick Kemp
Subject: Re: Alcohol License

Hello again Nick,

At the moment Brady Street is a hotspot for both drug and alcohol abuse, PCSO's, THEO,s Police patrols have been rather ineffective.

Currently as it stands most alcohol that is consumed is purchased from shops in Whitechapel, and is usually consumed after dark.

However, granting a license to A1 newsagents, which is open from 8am to 8pm will encourage drinking to begin much more earlier. As the days get shorter this would add to the increasing harassments commuters face who travel between between Whitechapel underground station and Bethnal Green overground via Brady St.

As i mentioned previously, the shop does not hesitate to sell items to children underage if they are a known face, alcohol will be no exception. This would impact upon the younger children who would witness alcohol abuse and deem it to be perfectly acceptable.

As you might be aware alcohol abuse has become a growing problem for the bengali community though it is still a taboo subject. Increase in domestic violence, social service intervention due to alcohol fuelled incidences, anti social behaviour are on the increase.

Therefore granting of the license would seem rather irresponsible on behalf of the council.

Thank You Again

Razaul Kobir



On 27 Oct 2010, at 14:03, Nick Kemp wrote:

Dear Sir,

I have received your representation. However, it would strengthen your case if you could produce some more specific evidence of how this individual application will cause problems in your area.

I also need your full postal address before I can forward your application to the licensing sub committee.

Regards,

Nick Kemp



Nick Kemp - Licensing Officer

London Borough of Tower Hamlets | Licensing Section | Mulberry
Place (AH) | PO BOX 55739 | 5 Clove Crescent | London E14 1BY

Tel ☎: 020 7364 7446 | Mobile : 07946 830724 | Fax ☎: 020 7364 0863 | E-mail ✉: nick.kemp@towerhamlets.gov.uk

From: [REDACTED]
Sent: 26 October 2010 18:30
To: Nick Kemp
Subject: Alcohol License

Dear Mr Mark,

I am writing to express an **objection** to the proposal to sell alcohol in A1 News Agent (59 Brady Street, London E1 5DW).

I live on Collingwood estate and have done so for many years and i have witnessed a lot of youth related anti-social behaviour in the estate, drugs and underage alcohol consumption is wide spread in the neighbourhood. Currently i am aware that the shop stocks and sells beer without a valid license i am sure you would agree this is very irresponsible. By having a shop within the community selling alcohol will add to the ongoing anti-social behaviour and underage drinking which is a concern.

I will be grateful if you can keep me informed about the progress of the proposed licensing.

Thank you for your co-operation.

Regards,
Razaul Kobir

=

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Appendix 9

Nick Kemp

From: [REDACTED]
Sent: 06 November 2010 21:19
To: Nick Kemp
Subject: RE: Objection to the proposal to sell alcohol in A1 News Agent (59 Brady Street, London, E1 5DW)

Dear Mr Kemp

apologies for the late reply.



Kind regards

Subject: RE: Objection to the proposal to sell alcohol in A1 News Agent (59 Brady Street, London, E1 5DW)
Date: Thu, 28 Oct 2010 10:37:39 +0100
From: Nick.Kemp@towerhamlets.gov.uk
To: [REDACTED]

Dear Mr Ali,

Your representation is valid but I need your full postal address before I can forward it to the Licensing Sub Committee.

Regards,

Nick Kemp

From: [REDACTED]
Sent: 27 October 2010 22:51
To: Nick Kemp
Subject: Objection to the proposal to sell alcohol in A1 News Agent (59 Brady Street, London, E1 5DW)

Dear Mr Kemp,

I am writing to express an **objection** to the proposal to sell alcohol in A1 News Agent (59 Brady Street, London E1 5DW).

I have lived and worked in the Collingwood estate as a community worker, over the years I have seen lot of youth related anti-social behaviour in the estate, drugs and underage alcohol consumption is wide spread in the neighbourhood. By having a shop within the community selling alcohol will contribute to more anti-social behaviour and may led to more underage drinking which is a concern. My concerns are also shared by many residents living in the community.

I will be grateful if you can keep me informed about the progress of the proposed licensing.

Thank you for your co-operation.

Kind Regards,

Mohammed Musa Ali

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Appendix 10

Nick Kemp

From: [REDACTED]
Sent: 27 October 2010 15:41
To: Nick Kemp
Subject: RE: Alcohol License App - A1 Newsagents Brady Street London E1 5DW
Importance: High

Hi Nick,

In response to your reply I wish to delineate the following specific references to the problems already occurring to because of the alcohol and drugs misuse in the estate
Currently there are a number of "hot-spots" in the area where youths are known to utilise while consuming alcohol and cause disruption to residents.

- Healthpool court - located on the same street as A1 NewsAgents. The communal access to the buildings were and are continued to be used by youngsters to consume alcohol and sell drugs. As a result the council was forced to act installing gates and cameras. However to date this has not mitigated this area being used as a safe haven for illegal activity and an epicentre for anti social behaviour. I have witnessed first hand Housing Officers in partnership with the police patrolling this specific area issuing verbal warnings. Cameras and other secure gateways have not assisted with decreasing these occurrences as these resources were later vandalised.

- Orion house - The top floor in particular has continued to be used in the similar manner as heath pool court. Again the housing association was forced to act by installing secure gates both on the ground floor and all floors were there is no direct line of sight to witness such activities taking place.

- Swanlea School - Brady Street - The large glass windows on the entrance to the school have known to be repeatedly damaged after youths have intoxicated themselves into a drunken frenzy. The school as a result has taken expensive measures to prevent these occurrences including boarding the entire glass appendices with wood during the summer holidays.

- As mentioned the football pitch behind Brady street - Many arrests and call outs to police have occurred in this area. The cleaners and estate caretakers can testify to the litter created on public benches and especially the parking bays located in front of harvey house. The litters usually composed of alcohol beverages.

- The effects of purchases of alcohol will not just be experienced within the direct vicinity of the shop. To have a scope that limited will of course overlook the wider implications this license will have on the rest of the estate. In between Berry House and Redmill House there is a gap of approximately 17 meters which contains a storage facility caretakers use. Behind this youths gather in large numbers till late night and the same litter is produced overnight similar to the football area behind brady street.

- Coventry Road - Located within the same estate - particularly the entrances to the sheltered housing schemes were vulnerable residences including tenants with complex health problems reside. A frequent number of times - especially during school breaks, there are groups of youths who use these spaces to have a "get-together" causing an increase in the disturbances residents experience. Again this is usually loud noises, violent outbursts and threats to bystanders and pedestrians.

- As I have mentioned in my previous email (see below) the community enforcement officers can vouch for the disturbances these problems are continuing to cause. The reason why have talked about the issues surrounding the wider implications if this license was to be forwarded was because in addition to your licensing objectives, as I understand it there are many other domains which must also be met by licensing decisions. I quote from the documented titled *Appendix A London Borough of Tower Hamlets Licensing Policy after Consultation*

The Licensing Policy objectives and associated benefits have clear links with the Council's vision to improve the quality of life for everyone living and working in the Borough.

The five major themes that the Council set out by means of which the vision is delivered are

- *A better place for living safely*
- *A better place for living well*
- *A better place for creating and sharing prosperity*
- *A better place for learning, achievement and leisure*
- *A better place for excellent public services.*

The way which the Licensing Policy links with and assists in the delivery of these themes is:-

We will work with our partners and licensees to

- *reduce the level of crime and disorder associated with licensed premises within the Borough*
- *ensure licensed premises are safe for customers and staff*

A better place for living well

- *We will work with our partners and licensees to ensure that nuisance related to Licensed premises will be kept to acceptable levels*
- *We will respond to representations made to us that an area within the Borough has become saturated with licensed premises*
- *We will work with our partners and licensees to ensure that children are protected from harm from any activity taking place in Licensed premises*

A better place for creating and sharing prosperity

- *We will work with our partners to ensure that the Licensing Policy links with other Council strategies so that where possible the Borough economic benefits from developing the entertainments and leisure sector within the Borough*

A better place for learning, achievement and leisure

We will work with our partners to ensure the Licensing Policy links with other Council strategies that encourage and promote live music, dance theatre and festivals for the wider cultural benefit of the community.

I made references to the many other strategies which other directorates are working on because the licensing function has a documented duty to integrating Strategies and Avoiding Duplication. On your part all these objectives will be compromised in the estate.

I will personally be effected by rising crime levels, public nuisances and the work I have made to de-rail the occurances of such problems will also be compromised. Also, the numbers of fires which have been caused by youths using flammable alcoholic drinks on residential bins on headlam street is also something which poses severe risks to the public. The smell which is left by unfinished bottles as well as broken ones is also something which will likely increase in the areas near to A1 Newsagents. I believe this issue was flagged and signposted to the environmental health officers.

The youth club which operates on collingwood estate has also experienced problems surrounding the misuse of alcohol. This facility is commonly used to facilitate childrens entertainment and other private functions. Youths have repeatedly broken into this facility and there have been a number of times the property has been vandalised with expensive property stolen. Many times this has happened bottles of broken glass been found and the stench of alcohol was noted to be a regular occurance the next day workers discovered what had happened.

Already there are a number of off licenses and supermarkets which operate near the estate where we know perpetrators who emit the above mentioned behaviours go to purchase alcohol. The opportunity to buy alcohol much locally will undoubtedly aid the increase of public nuisance, safety, harm to children and older vulnerable residents who reside within the vecinity of the shop and the wider estate.

I would sincerely appreciate if you reply to this email address if you wish to make responses.

Kind Regards,

Masum Ahmed

From: [REDACTED]
To: [REDACTED]
Subject: FW: Alcohol License App - A1 Newsagents Brady Street London E1 5DW
Date: Wed, 27 Oct 2010 13:37:26 +0000

Subject: FW: Alcohol License App - A1 Newsagents Brady Street London E1 5DW
Date: Wed, 27 Oct 2010 13:38:20 +0100
From: Nick.Kemp@towerhamlets.gov.uk
To: [REDACTED]

Dear sir/madam,

I have received your e-mail objecting to the above application. Whilst I understand your objections to this application I am not able to forward your comments to the Licensing Committee as they are too general and do not contain any evidence of how the application will effect you or your household personally. The evidence has to be in relation to one or more of the licensing objectives; which are:

- The prevention of crime and disorder.
- Public Safety
- The prevention of public nuisance
- The protection of children from harm.

Much of your representation is very general and refers to issues not covered in the licensing objectives. There is one part of the representation that does touch upon drink related problems in the area:

"Drinking amongst young adults and the repeatedly loud and potentially violent behavior which is produced as a result on the football pitch located less then 30 meters from A1 newsagents is a common occurrence. It will not be surprising if this culture grows significantly if A1 Newsagents is permitted to sell Alcohol beverages".

However, you need to provide more detail of how this specific application will make these problems worse or create new problems. I would remind you that the applicant is not applying for a late-night licence but will be closing at 11pm.

If I can be of any further assistance do not hesitate to contact me.

Regards,

Nick Kemp

Nick Kemp - Licensing Officer

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

Tel ☎: 020 7364 7446 Mobile : 07946 830724 | Fax 📠: 020 7364 0863 E-mail ✉: nick.kemp@towerhamlets.gov.uk

From: Mohsin Yeman [REDACTED]
Sent: 27 October 2010 07:53
To: Nick Kemp
Subject: Alcohol License App - A1 Newsagents Brady Street London E1 5DW

Dear Nick,

I have recently come to learn about the alcohol licensing application which is now undergoing review for the A1 News-agents located on Brady Street E1.

I am delineating my objection to this application both as a resident of the estate in which A1 NewsAgents is located and my professional perspective as an employee who like yourself works for Tower Hamlets.

Firstly, alcohol consumption within the estate - particularly underage drinking is reportedly high and this has been also acknowledged first hand from the rounds which have been undertaken by the boroughs Community Enforcement Officers. Attached is the minutes collated from the overview and scrutiny meeting titled Scrutiny Challenge Session compiled on the 5th of October 2010 from which I quote the following paragraph from

*Cllr Pavitt travelled to hotspots around the Whitechapel and Altab Ali Park areas as part of the THEOs Operation Heat Wave programme which tackles ASB in parks and open spaces. She spent some time on foot patrol around the Whitechapel Drink Control Zone whilst Officers **confiscated alcohol from known trouble makers. In addition she also went to the Collingwood Estate which has a history of drugs misuse amongst young people.** The THEOs are currently delivering Operation Stairwell on this and other estates which tackle drugs use on block stairwells and Cllr Pavitt saw the impact of this operation on a housing block known for attracting ASB. (Item 4.3 - page 2)*

I am in the strict position of opposing this alcohol licensing application as it will significantly interrupt and derail progress myself and other estate residents are attempting to make to counter anti-social behavior, drug and alcohol misuse and domestic disturbances both within and between households amongst young adults, particularly the under 16 cohort of residents. I have approached the Community Support Officers on more than one occasion within my professional capacity to attempt to organize workshops with known troublemakers in order to mitigate the interruption of communal peace within the estate caused by result of alcohol misuse.

The Local Authority is attempting to make significant steps to confront the challenges caused by child poverty, the wider determinants of poverty, health, educational attainment and maximizing the employability of our younger population within the borough through the child poverty strategy, the Children and Young Peoples' Plan, Operation Stairwell and other work being delivered through the Tower Hamlets Partnership (which includes emergency services such as the police). In addition to this during times of austerity as is being experienced by the recession, we can expect crime levels, specifically drug and alcohol misuse to increase. It is in the common interest of residents of Collingwood Estate as well as the Councils' to maximize the positive outcomes on money spent on youth services as well as the wider vision outlined in the Tower Hamlets 2020 Community Plan for Collingwood Estate and elsewhere.

Following from the testimonial quoted above on drug and alcohol misuse with special emphasis on Collingwood Estate and the known history of drugs and alcohol related ASB incidents, it should be understood that the consequences of awarding the alcohol license will far exceed the miniature increase in profits for A1 NewsAgents from the selling of Alcohol.

Drinking amongst young adults and the repeatedly loud and potentially violent behavior which is produced as a result on the football pitch located less than 30 meters from A1 newsagents is a common occurrence. It will not be surprising if this culture grows significantly if A1 Newsagents is permitted to sell Alcohol beverages. Furtherance to this I have many residents from other estates inform me of the behavior of some of the younger people from Collingwood Estate attacking and verbally abusing individuals under the pretext of "territorial gang" type confrontations and the common theme when I am receipt of such news is the involvement of alcohol consumption exhibiting this behavior. It is clear that there are already a large segment of our under 16 residents who drink unlawfully in addition to the over 18 year olds who are legally entitled to purchase alcohol but are known to be irresponsible drinkers who often share their purchase with under 18s promoting and reproducing alcohol misuse.

With the above in mind I would like you to reject the request for an alcohol license by owners of A1 Newsagents on the Collingwood Estate. I am sure you have the interests of the estates' residents in mind as

well as the Councils wider strategic long term objectives particularly with the youth.

I would be grateful if I am informed of the outcome(s) reached as a result of feedback from myself and other feedback you would have inevitably received from concerned residents.

Kind and sincere regards,

Mohsinoor Reja Yemani



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Appendix 11

Nick Kemp

From: Azaher Miah [REDACTED]
Sent: 04 November 2010 19:03
To: Nick Kemp
Subject: Re: Application for the Sale of Alcohol by A1 News, Brady Street

Please find my details are below.

Azaher Miah
[REDACTED]

On Thu, Nov 4, 2010 at 6:47 PM, Nick Kemp <Nick.Kemp@towerhamlets.gov.uk> wrote:

> Sir/Madam,
>
> I require your full postal address before I can regard your
> representation as valid.
>
> Regards,
>
> Nick Kemp
>
> Nick Kemp - Licensing Officer
>
> London Borough of Tower Hamlets | Licensing Section | Mulberry Place
> (AH) | PO BOX 55739 | 5 Clove Crescent | London E14 1BY
>
> Tel': 020 7364 7446 | Mobile : 07946 830724 | Fax 2: 020 7364 0863
> | E-mail :: nick.kemp@towerhamlets.gov.uk
>

> -----Original Message-----

> From: Azaher Miah [REDACTED]
> Sent: 30 October 2010 21:50
> To: Nick Kemp
> Subject: Re: Application for the Sale of Alcohol by A1 News, Brady
> Street
>

> Dear Nick,
>

> I am writing to you regarding the application for an alcohol licence
> made by A1 News located in Brady Street, London, E1. I am sure that
> you have received many requests and complaints calling upon you to put
> an end to this process. However, as a resident of Collingwood estate I
> want to bring to your attention that many inside our estate fear for
> their personal safety. It is a well known fact that Alcohol
> consumption fuels -if not causes- many acts of anti-social behaviour.
> Though the estate currently experiences high levels of crime and
> anti-social behaviour, the concern is that the availability of alcohol
> for the young people on the estate will exacerbate the situation to
> dangerous levels.
>

> The residents of Grindall House, where my family and I have lived for
> more than 20 years, have seen on many occasions fights break out as a
> result of drunken behaviour; many residents on the ground floors
> throughout the estate have been victims of having their front doors
> urinated against by intimidating gangs, each member with a bottle of
> alcohol to their hand. Little or even next to nothing can be done
> about the existing shops from which one can buy alcohol around the
> estate, but

> A1 Newsagents is located at the centre for much of the anti-social
> behaviour that happens on the estate. It is apparent that these gangs
> revolve around such shops for their tobacco use, however when they go
> back to their 'spots' from A1 News- namely Heathpool Court, Brady
> Street football pitch, Orion House- top floor, Swanlea School, my

> family and I, along with many of our friends and neighbours are
> worried that the increase in the availability of alcohol to young
> persons already having caused so much trouble for the estate's
> residents, will make the situation deeply dangerous. I have seen on
> numerous occasions Al News holding inside its fridges small quantities
> of beer cans- I ask you: how do you expect such a shop to behave when
> someone under the age of 18 walks into this store to buy alcoholic beverages?
>
> The climate inside Collingwood estate is already hostile and somewhat
> dangerous, and it is my honest belief that if this application for the
> sale of alcohol license goes through, the people in this estate will
> have to fear for their personal safety.

> Regards,
>
> Azaher Miah



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

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> *****
> *****

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Appendix 12

Nick Kemp

From: Jahangir Ahmed YAHYA [REDACTED]
Sent: 04 November 2010 20:15
To: Nick Kemp
Subject: RE:

Subject: RE:
Date: Thu, 4 Nov 2010 18:43:08 +0000
From: Nick.Kemp@towerhamlets.gov.uk
To: [REDACTED]

Sir/Madam,

I require your full postal address before I can regard your representation as valid.

Regards,

Nick Kemp

Nick Kemp - Licensing Officer

London Borough of Tower Hamlets | Licensing Section | Mulberry Place (AH) | PO BOX 55739 | 5 Clove Crescent | London E14 1BY

Tel ☎: 020 7364 7446 | Mobile : 07946 830724 | Fax 📠: 020 7364 0863 | E-mail ✉: nick.kemp@towerhamlets.gov.uk

From: Jahangir Ahmed YAHYA [REDACTED]
Sent: 31 October 2010 14:19
To: Nick Kemp
Subject:

Dear Nick,

I have recently come to know about the alcohol licensing application for the A1 News Agents situated in Brady Street E1 . This is my own Area and the place where I have lived for over ten years now.

I am writing against this application of alcohol licence for A1 news Agents, as I am really anxious about the future activities within Brady Street. The anti-social behaviour that is going on at the present time and has been going on for a long time has been increasing rapidly over the past years. These include drug consumption from the tenderly young age of 16 and over, alcohol consumption at night time which leads to crazy shouting at night disturbing many people sleeping, vandalism, gang fights etc..

I am as well my fellow friends and family within my area certain that the permission for the alcohol licence for Brady Street Local newsagents will even make worse this situation to a greater degree.

With the above in mind I would like you to reject the request for an alcohol license by owners of A1 Newsagents on the Collingwood Estate. I am sure you have the interests of the estates' residents in mind as well as the Councils wider strategic long term objectives particularly with the youth. I would be grateful if I am informed of the outcome(s) reached as a result of feedback from myself and other feedback you would have inevitably received from concerned residents.

Yours Sincerely,

Many Thanks,

Jahangir Khan
JK



Working Together for a Better Tower Hamlets

Web site : <http://www.towerhamlets.gov.uk>

London Borough of Tower Hamlets E-Mail Disclaimer.

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Appendix 13

Nick Kemp

From: Jacqueline Randall on behalf of licensing
Sent: 06 August 2010 19:14
To: Nick Kemp; Mohshin Ali; Kathy Driver
Subject: FW: A1 News, Brady Street, London, E1

Who is dealing with this one ?

Jackie Randall
Acting Licensing Services Manager

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

Tele: 0207 364 5109/5008
Fax: 0207 364 0863

From: Farid Miah On Behalf Of General Enquiries
Sent: 03 August 2010 18:34
To: licensing
Cc: [REDACTED]
Subject: FW: A1 News, Brady Street, London, E1

Please see email below.

Kind Regards,

Farid Miah
Team Leader

Tower Hamlets Contact Centre.
6th Floor, Anchorage House
5 Clove Crescent
London E14 1BY

Tel: 0207 364 5020
Fax: 020 7364 3121
Email: generalenquiries@towerhamlets.gov.uk
Web: www.towerhamlets.gov.uk

From: Sanj Singh [REDACTED]
Sent: 03 August 2010 18:19

To: General Enquiries; General Enquiries
Subject: A1 News, Brady Street, London, E1

Hello,

I understand that A1 News in Brady Street, London, E1 has applied to the London Borough of Tower Hamlets to sell alcohol. I think that the Council should not let the shop sell alcohol as it will cause anti-social behaviour in the estate; Collingwood Estate, London, E1. There is currently a lot of anti-social behaviour resulting from young people buying alcohol from Cambridge Supermarket nearby and having a store more local that sells alcohol will just cause more problems.

Kind regards,

Mr. Sanjeev Singh

Appendix 14

Nick Kemp

From: Mohammed Jilany Gulzar [REDACTED]
Sent: 04 November 2010 22:32
To: Nick Kemp
Subject: RE: Licensing

Subject: RE: Licensing
Date: Thu, 4 Nov 2010 18:45:17 +0000
From: Nick.Kemp@towerhamlets.gov.uk
To: [REDACTED]

Sir/Madam,

I require your full postal address before I can regard your representation as valid.

Regards,

Nick Kemp

Nick Kemp - Licensing Officer

London Borough of Tower Hamlets | Licensing Section | Mulberry Place (AH) | PO BOX 55739 | 5 Clove Crescent | London E14 1BY

Tel ☎: 020 7364 7446 | Mobile : 07946 830724 | Fax 📠: 020 7364 0863 | E-mail 📧: nick.kemp@towerhamlets.gov.uk

From: Mohammed Jilany Gulzar [REDACTED]
Sent: 01 November 2010 11:15
To: Nick Kemp
Subject: FW: Licensing

Hi Nick,

Firstly sorry I got your name wrong in the last email.

Just wanted to know if there is any feedback about my objection.

Thanks
Jilany

From: [REDACTED]
To: nick.kemp@towerhamlets.gov.uk
Subject: Licensing
Date: Tue, 26 Oct 2010 16:12:08 +0100

Dear Mr Mark,

I am writing to express an **objection** to the proposal to sell alcohol in A1 News Agent (59 Brady Street, London E1 5DW).

I have lived and worked in the Collingwood estate as a community worker, over the years I have seen lot of youth related anti-social behaviour in the estate, drugs and underage alcohol

consumption is wide spread in the neighbourhood. By having a shop within the community selling alcohol will contribute to more anti-social behaviour and may led to more underage drinking which is a concern. My concerns are also shared by many residents living in the community.

I will be grateful if you can keep me informed about the progress of the proposed licensing.

Thank you for your co-operation.

Regards,

Jilany

Working Together for a Better Tower Hamlets

Web site : <http://www.towerhamlets.gov.uk>

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This communication and any attachments are intended for the addressee only and may be confidential. It may contain privileged and confidential information and if you are not the intended recipient, you must not copy, distribute or take any action in reliance on it. If you have received this E-Mail in error please notify us as soon as possible and delete this E-Mail and any attachments. This message has been checked for viruses, however we cannot guarantee that this message or any attachment is virus free or has not been intercepted or amended. The information contained in this E-Mail may be subject to public disclosure under the Freedom of Information Act 2000. Unless the information is legally exempt from disclosure, the Confidentiality of this E-Mail and your reply cannot be guaranteed.

If your request relates to a Freedom of Information enquiry, please resend this to foi@towerhamlets.gov.uk

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Appendix 15

Nick Kemp

From: Sayma Khatun [REDACTED]
Sent: 27 October 2010 22:48
To: Nick Kemp

Dear Mr Kemp,

I am writing to express an objection to the proposal to sell alcohol in A1 News Agent (59 Brady Street, London E1 5DW).

I was brought up in Tower Hamlets and was a student at Swanlea School. I am now employed by LBTH as a Peer Educator/Youth Worker and I have been working with young people for 6 years now.

Over the years I have seen lot of youth related anti-social behaviour in Collingwood estate, drugs and underage alcohol consumption is wide spread in the neighbourhood. By having a shop within the community selling alcohol will contribute to more anti-social behaviour and may led to more underage drinking which is a concern. My concerns are also shared by many residents living in the community.

I will be grateful if you can keep me informed about the progress of the proposed licensing.

Thank you for your co-operation.

Regards,

Sayma Khatun
SAYMA KHATUN

Alhamdulillah we managed to raise £30,000 for the Orphans of Mali so far. ET's chosen charity effort this year is to raise £100k for the Mali Children's Village - it's ambassador being none other than Frédéric Oumar Kanouté - Look out for more events - and donate peeps! <http://www.easy-talk.org/>

Appendix 16

Nick Kemp

From: ahad ahad [REDACTED]
Sent: 27 October 2010 15:42
To: Nick Kemp
Subject: licensing

Dear Nick.Kemp

I am writing to express an **objection** to the proposal to sell alcohol in A1 News Agent (59 Brady Street, London E1 5DW)

I have lived in the Collingwood estate for 27 years, over the years I have seen a lot of youth related anti-social behaviour in the estate, drugs and underage alcohol consumption is wide spread in the neighbourhood. By having a shop within the community selling alcohol will contribute to more anti-social behaviour and may lead to more underage drinking which is a concern. My concerns are also shared by many residents living in the community.

I will be grateful if you can keep me informed about the progress of the proposed licensing.

Best regard,

Abdul Choudhury.

Appendix 17

Nick Kemp

From: slo Ahmed [REDACTED]

Sent: 27 October 2010 20:04

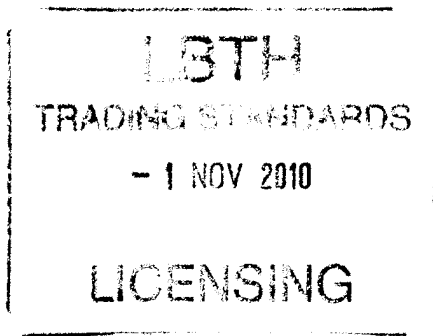
To: Nick Kemp

hi i'm a resident in collingwood estate for 20 years. i've seen the drug an alcahol use in this area for a long time i've also seen anti social behaviour in that estate after cosuming alcahol. cannabis users are very high in this area as some of my friends are doing it and also seen what they get upto. i would like to help the community by stopping this at the same time i would like to keep my self annonmous. about a1 newsagent they are selling alcahol already without the licence as i have my self witnessed this. they also sell cigaretts to under age people as a single cigaret and rizlah papers for cannabis users they sell single papers

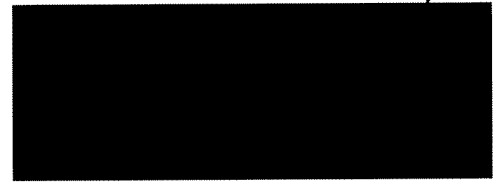
i would like to keep my name out of this as the shop owner knows me really well

hope i've given you enough information to stop the licence and the extra dodgy staff they are selling

Appendix 18



Mrs Salma Siddiqua



Date: 27 Oct 2010

Dear Sir or Madame,

I am writing to you to voice my objection to the application for a Premises License by Al News, 59 Brady Street, E15 0W.

As a mother of 3 children under the age of 6, I pass several times a day past the shop mentioned above with a double buggy. Often the pavement is blocked by groups of youth who frequently use foul and explicit language. The street is often filthy with urine and vomit and littered with bottles and other rubbish.

This kind of behaviour is extremely intimidating, not to mention unsavoury for young children and I avoid being out with my children late into the evening. I believe that should Al News be granted a license it would aggravate the current situation making it even more difficult for families with young children.

As a mother I strive to provide the best examples for my children, and I do not want them to grow up thinking that this is normal and acceptable. I hope that all these things will be taken into consideration. ~~before gran~~ I look forward to hearing from you soon.

Yours Sincerely



Appendix 19

Noor Uddin

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

01 November 2010

Dear Ms Butler,

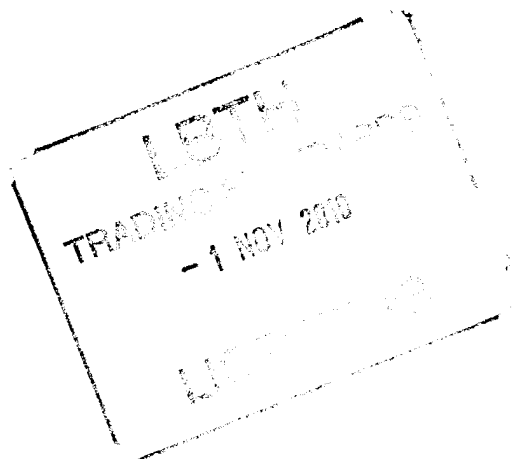
RE: A1 News, 59 Brady Street, London E1 5DW

Thank you for your letter dated 6 October 2010. You stated in your letter to submit representation by 29 October. However, it has come to our attention, according to East End Life Newspaper and confirmed by your department over the phone, that the final date for submitting a representation is 1 November 2010.

Please find enclosed the petition for our objection to the granting of a Premises License under the Licensing Act 2003 to A1 News.

Yours Sincerely

Noor Uddin



Residents Statement in objection to the granting of a Premises License under the Licensing Act 2003 to A1 News, 59 Brady Street, London E1 5DW

We the undersigned object to the approval of the new premises licence to A1 News as we do not believe the four licensing objectives will be met and will in fact add to the contrary.

Current situation:

Youth congregate around the local residential buildings, stairways and hall ways around the side and back of A1 News Store. This occurs during the day and carries on until the early hours of the morning. The youths create a lot of noise; many times they tend to gather with their cars playing loud music. The loitering of these youth is extremely intimidating while outside the building. It is also terrifying and intimidating when they gather in the hallway of adjacent blocks of flats; these entrances and hallways are narrow. The cigarettes and marijuana they smoke leaks into the flats leaving a sense of disgust, not to mention the horrid smell that suddenly overloads one's senses. The residents of these flats include children and the elderly.

There is a serious drugs problem amongst the youth in the area, in particular the local estates. The stairways of neighbouring blocks of flats are not only used by individuals to congregate but also for drinking, smoking, and drug taking. Often needles, syringes, foil paper, vomit and even faeces are found. Resident's garages and parked cars are vandalised. Many of the residents are witness to these events and are disturbed.

Immediately behind the A1 store drugs are sold in plain view of the residents and visitors who use the exit/entrance located there. This brings a myriad of people, including drug addicts and those with violent and criminal tendencies. This in itself is intimidating and extremely, unhealthy not just to adults, but to children too; who both reside or visit the local area.

In and around the building cans and broken beer bottles are found regularly. This is a danger to our children, the general public and cars, who's tyres are punctured; replacing tyre's can be quite costly, especially when required to do so numerous times.

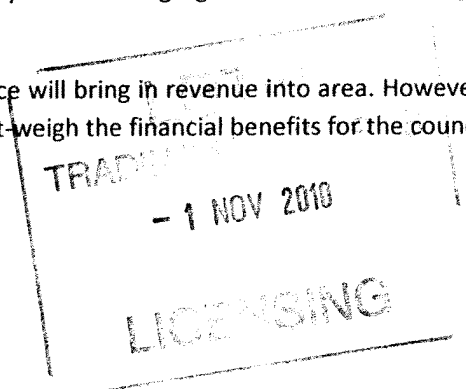
Despite the installation of CCTV and residents contacting the police and the anti-social behaviour unit, these problems continue.

Why the application for the License should be rejected:

Granting this application for the sale of alcohol will exacerbate the current situation. This is an ongoing problem and by granting the licence it will further encourage this gathering, drinking and disorderly behaviour. Providing easier access to alcohol will only worsen what the residents have to live with. It will also encourage an even larger number of youths to congregate in the area, making it unsafe, dirty and crime ridden.

From a financial point of view, it seems like the off-licence will bring in revenue into area. However, just to police the area and situation that will arise will outweigh the financial benefits for the council of Tower Hamlets.

(Page One)



TELEPHONE
- 1 NOV 2016

We the undersigned object to the granting of a Premises License under the Licensing Act 2003 to A1 News, 59 Brady Street, London E1 5DW on the grounds stated in page one of this petition.

Name	Address	Signature
FULL NAME		
i.e. Joe Bloggs		
E. A. McQuinn		
N' UDDIN		
S UDDIN		
O. GURJE		
ANSIMA BEGUM		
AMINUL Rahman		
Nazifa Ali		
Oliver George		
MARIA Ulyshava		
KATHRYN RICHARDS		
RUJINABEGUM		
NIZAM UDDIN		
IVAN MUÑOZ		
ASIA BEGUM		
Ben RICHARDS		
D. CHOWDHURY		
Mrs Z. Nehar		
Huy Loreto		
MD. M. MIAH		
S. AKHTAR		

TRACED
- 1 NOV 2011

We the undersigned object to the granting of a Premises License under the Licensing Act 2003 to A1 News, 59 Brady Street, London E1 5DW on the grounds stated in page one of this petition.

Name	Address	Signature
FULL NAME	FULL ADDRESS INCLUDING POSTCODE	
i.e. Joe Bloggs	i.e. Flat 1, Joe House, Bloggs Street, E1 5AX	
SYEDA KHATUN		
AKBAR-HOSHAIN		
Abdus Shafakat		
Rina Begum		
Sultana Bibi		
MosTAk Ahmed		
Syeda Parveen		
Nurul Islam		
SHABAZ MURSH		
Kamran Hussain		
Arif Ahmed		
ABDUL KORIM		
Abu Hasnat		
SaaZid Islam		
Abdulhussein		
Kamrul Hussain		
Mohammad Kashim		
Faieqat Rahman		
AZMAL MIAH		

↑
Signed here
in error.

TRADE MARK
- 1 NOV 2010

LICENSING

We the undersigned object to the granting of a Premises License under the Licensing Act 2003 to A1 News, 59 Brady Street, London E1 5DW on the grounds stated in page one of this petition.

Name	Address	Signature
FULL NAME	FULL ADDRESS INCLUDING POSTCODE	
i.e. Joe Bloggs	i.e. Flat 1, Joe House, Bloggs Street, E1 5AX	

Shojib miah

Miraj
Safwan

Salam

~~Fajed~~ Tameel

Jahangir

Farhan

NOOR MOHAMMAD

ALOMGIR ALI

SHABITH AHMED

→ L. BIBI

→ M. Ali

T. B. AKHTAR

Moinuddin

Mogana ^{pa}

Aishah Siddiqah

Shahara Omani

A. Latif Choudhury

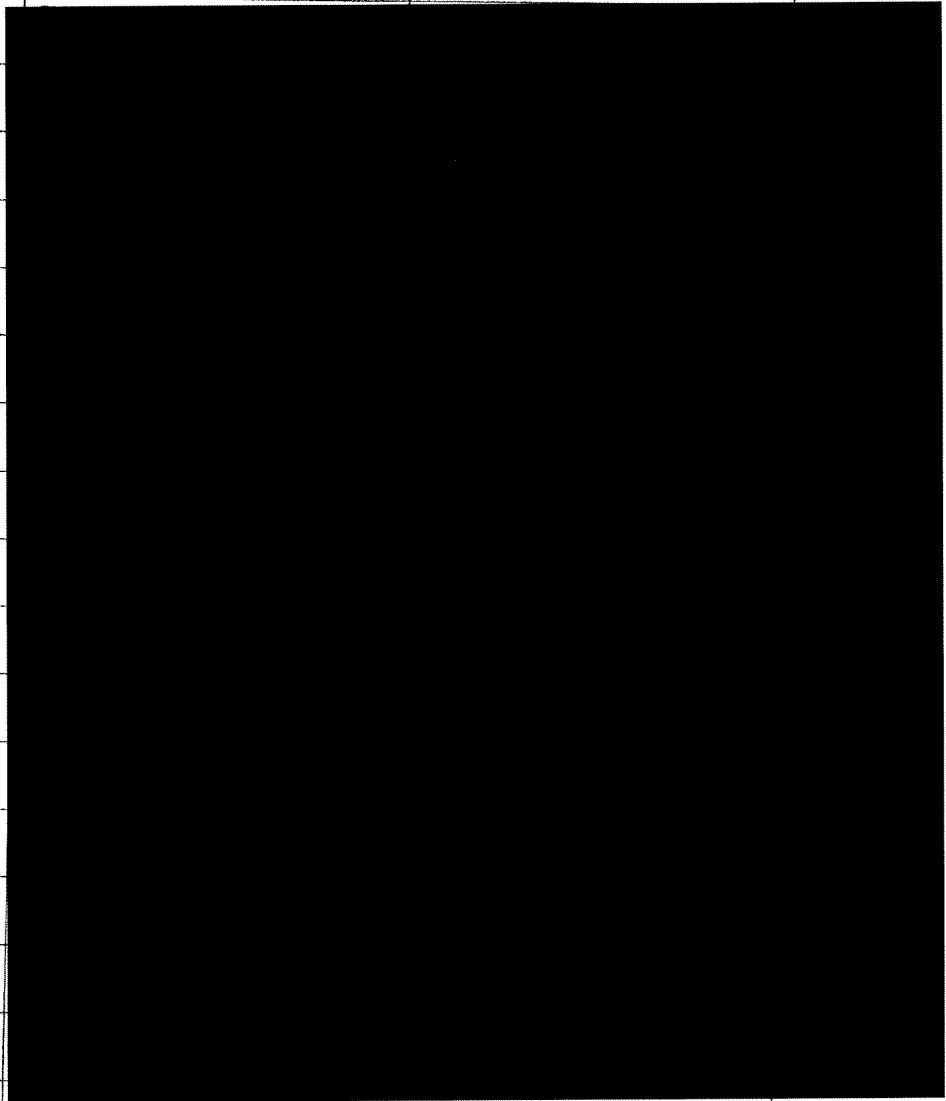
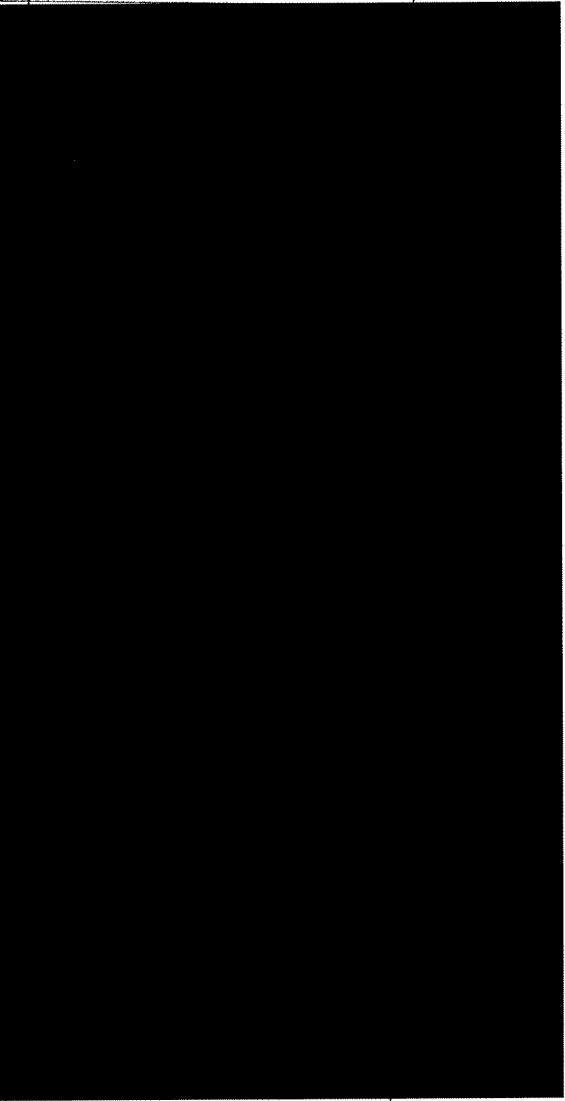
A. K. HOODHURY

both
sign need
here.

We the undersigned object to the granting of a Premises License under the Licensing Act 2003 to Al News, 59 Brady Street, London, E1 5DW on the grounds stated in page one of this petition

Name	Address	Signature
FULL NAME	FULL ADDRESS INCLUDING POSTCODE	
i.e. Joe Bloggs	i.e. Flat 1, Joe House, Bloggs Street, E1 5AX	
Sharhina begum		
MULETA BEGUM		
Mohibur Rahman		
S. BEGUM		
M. Ali		
Mize		
Razw		
Ambia Khater		
NAZIRAH		
ENAM		
MOHIB ALI		
Akter Ahmed		
Neha Begum		
Shelan Musabi		
Mohsinoor Yemari		
Motinoor Yemari		
Rayna Begum		
Nahar Begum		
ASLAM UDDIN		

We the undersigned object to the granting of a Premises License under the Licensing Act 2003 to A1 News, 59 Brady Street, London E1 5DW on the grounds stated in page one of this petition.

Name	Address	Signature		
FULL NAME				
i.e. Joe Bloggs				
E. PARSON				
F. PARVIN				
M. OROO				
S DUTLER				
AN NGVILN				
R. SIMON				
Syed Masud Hlovi				
ADREN ?UA				
NAIMUDDIN				
TANGOR LILISSA				
M. GUN				
S Ghaffar				
SHUPRIA WASH				
M. FAIZULLAH				

LETH
 TRADING
 - 1 NOV 2010


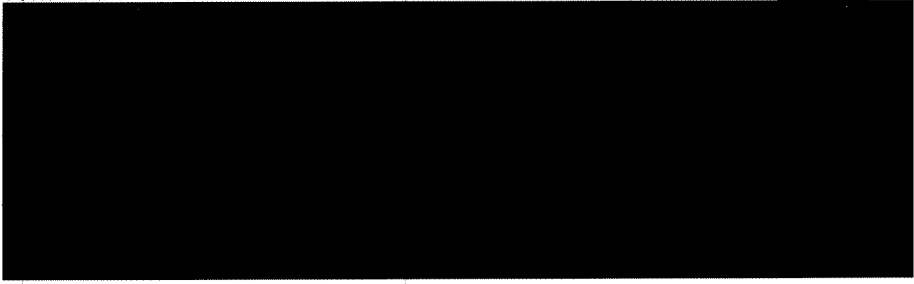
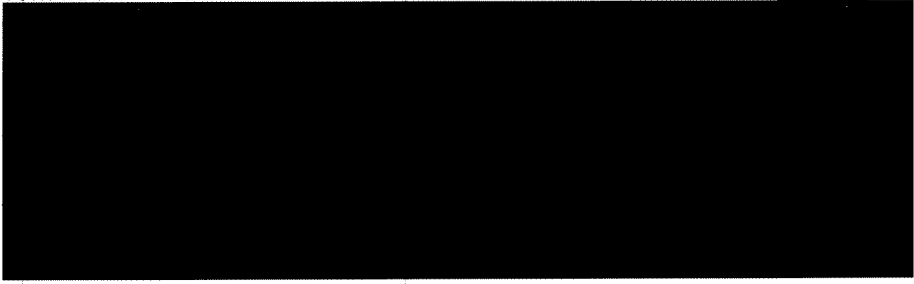


11 NOV 2015

We the undersigned object to the granting of a Premises License under the Licensing Act 2003 to A1 News, 59 Brady Street, London E1 5DW on the grounds stated in page one of this petition.

Name	Address	Signature
FULL NAME	FULL ADDRESS INCLUDING POSTCODE	
i.e. Joe Bloggs	i.e. Flat 1, Joe House, Bloggs Street, E1 5AX	
ABDUL MOJID		
PARYIN BEGUM		
Nargis Begum		
ABDUL AZIZ		
Dhupa Begum		
Nifa Begum		
Shipa Begum		
SALEHA KHATUN		
Tula Nnah		
ROKEYA BEGUM		
P. BBI		
MOMTAZ RAHMAN		
Shahnaz Rahman		
ABU TAHER		
MR ABDUL-MANNAN		
MIG FARUQUE		
M. B Faruque		
Komari Nesso		
Kama Nesso		
Sufia Begum		

We the undersigned object to the granting of a Premises License under the Licensing Act 2003 to AI News, 59 Brady Street, London E1 5DW on the grounds stated in page one of this petition.

Name FULL NAME	Address FULL ADDRESS INCLUDING POSTCODE	Signature
Joe Bloggs	i.e. Flat 1, Joe House, Bloggs Street, E1 5AX	
Ambia		
Rokya		
Nasima		
Amara Amara		


We the undersigned object to the granting of a Premises License under the Licensing Act 2003 to A1 News, 59 Brady Street, London E1 5DW on the grounds stated in page one of this petition.

Name	Address	Signature
FULL NAME	FULL ADDRESS INCLUDING POSTCODE	
i.e. Joe Bloggs	i.e. Flat 1, Joe House, Bloggs Street, E1 5AX	
DILWAR HOSSAIN		
NISHAT JABIN .		
ABULGHOSHIR M		
SITARA BEGUM		
JESMRE ARTER		
MR. ABDUL ALIM		
Mushahed Ahmed		
Usman Gromi		
Shahanaara		

LBTH
 TRADING STANDARDS
 - 1 NOV 2010
 LICENSING

1 NOV 2016

We the undersigned object to the granting of a Premises License under the Licensing Act 2003 to A1 News, 59 Brady Street, London E1 5DW on the grounds stated in page one of this petition.

Name	Address	Signature
FULL NAME	FULL ADDRESS INCLUDING POSTCODE	
i.e. Joe Bloggs	i.e. Flat 1, Joe House, Bloggs Street, E1 5AX	
AEMOL HUSSAIN		
Alim Hussain		
Kamal Hussain		
Normul Hussain		
Mohi Meah		
Layla Begum		
Melad Ahmed		
Junaid Ahmed		
Shafiq ulHaque		
Seliam Ahmed		
Mustak Khair		
Kaduma Begum		
Mina Begum		
Shirui Meah		
Ariful Nessa Begum		
Yaseen Ahmed		
Koysoo Ahmed		
Rubina Begum		
Rutena Begum		
Nozia Begum		

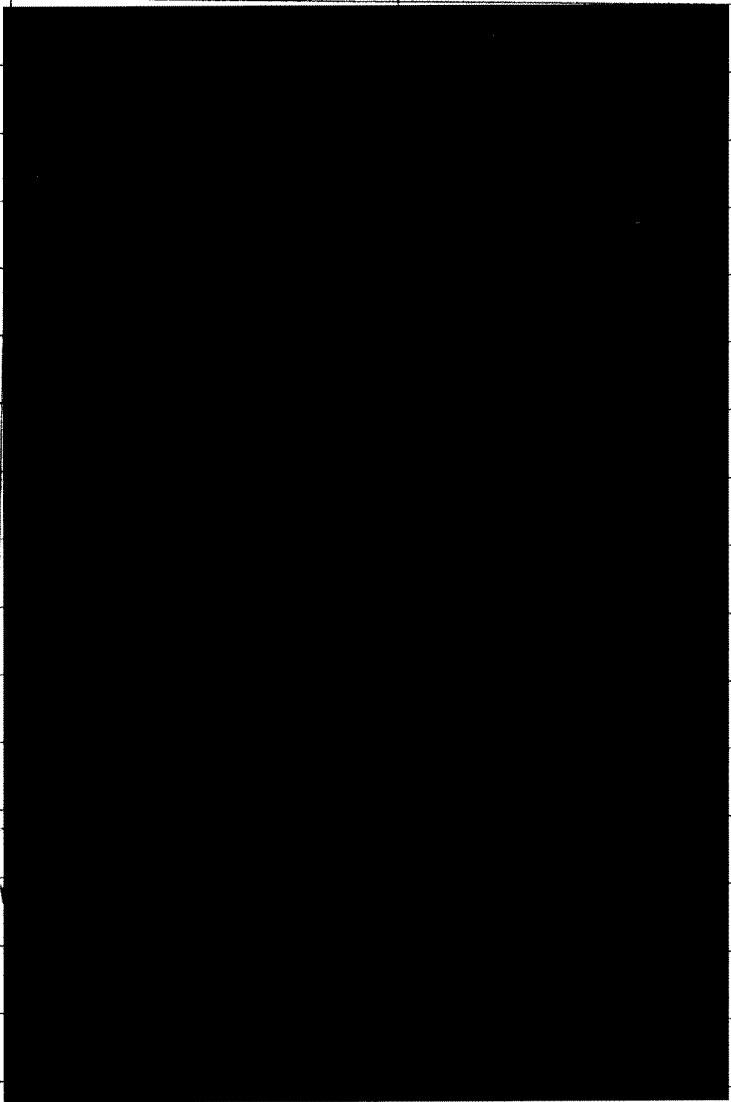
TRADING LICENSING
 - 1 NOV 2010

We the undersigned object to the granting of a Premises License under the Licensing Act 2003 to Al News, 59 Brady Street, London E1 5DW on the grounds stated in page one of this petition.

Name	Address	Signature
FULL NAME	FULL ADDRESS INCLUDING POSTCODE	
i.e. Joe Bloggs	i.e. Flat 1, Joe House, Bloggs Street, E1 5AX	
S. MIAM/A.KHAFUN		
Alhoz Miah		
ATZAL Miah		
EZZE Miah		
AKIAK Miah		
SAYEED ALI		
JUNAYED		
FIRUJ MIA		
NASIMA BEGUM		
MOYNUK ISLAM		
TOLA BEGUM		
RESHMA BEGUM		
Kajir Miah		
Najma Begum		
Parvin Begum		
Dilwan Ali		

- 1 NOV 2010

We the undersigned object to the granting of a Premises License under the Licensing Act 2003 to A1 News 59 Brady Street, London E1 5DW on the grounds stated in page one of this petition.

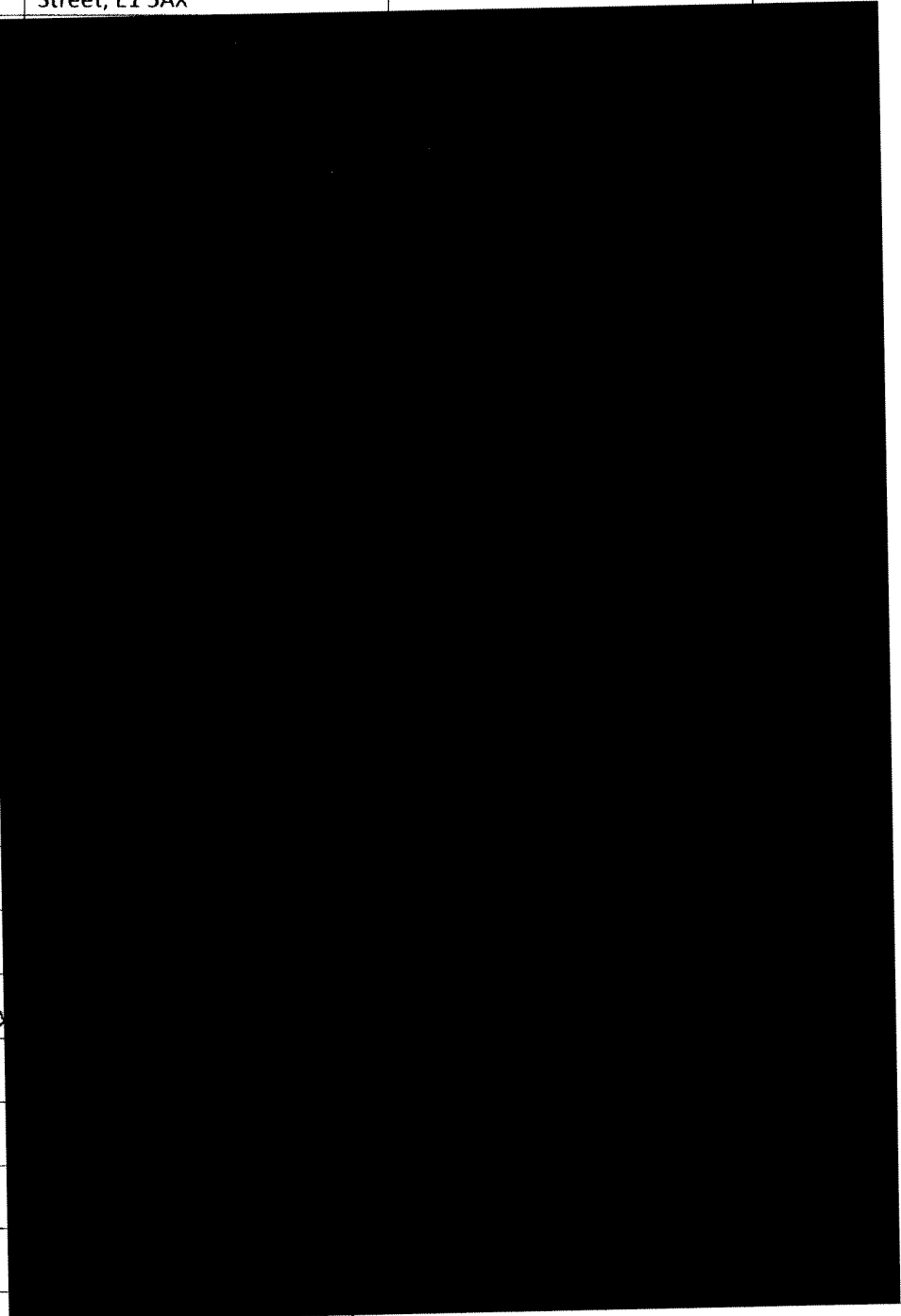
NAME	Address	Signature
FULL NAME	FULL ADDRESS INCLUDING POSTCODE	
Mr Joe Bloggs	i.e. Flat 1, Joe House, Bloggs Street, E1 5AX	
Imanul Hussain		
Bahrul Hussain		
Bozrul Hussain		
Nazmul Hussain		
Mohammed Islam		
Jabon Khatun		
Amina Begum		
Shabna Begum		
Hatibul Islam		
Shofi Ahmed		
Jamshed Alam		
Mehran Ahmed		
Aziz Meah		
Shazida Begum		
SHABIA BEGUM		
Imom Hussain		

- 1 NOV 2010

We the undersigned object to the granting of a Premises License under the Licensing Act 2003 to A1 News, 59 Brady Street, London E1 5DW on the grounds stated in page one of this petition.

Name	Address	Signature
FULL NAME	FULL ADDRESS INCLUDING POSTCODE	
i.e. Joe Bloggs	i.e. Flat 1, Joe House, Bloggs Street, E1 5AX	

Nurul Choudhury
Salma Siddiqua
E. KETEMA
N. ALDRIDGE
M. Iwaszko
MD. TAHIR. ALI.
K. Begum
Khurshid Khan
ASHRAF. R. CHOUHDURY.
JULIE MICHAEL
Mark Dolezal
MATT TROSMAN
KIMBERLY DOWLING
M T OSLIN
N Begum
Shahana Chowdhury
Shelina Begum
Lahfa Khanam
Asma Sultan
Humaira Yasmin



We the undersigned object to the granting of a Premises License under the Licensing Act 2003 to AI News, 59 Brady Street, London E1 5DW on the grounds stated in page one of this petition.

Name	Address	Signature
FULL NAME	FULL ADDRESS INCLUDING POSTCODE	
i.e. Joe Bloggs	i.e. Flat 1 Joe House, Bloggs Street, E1 5AX	
Kamolan	[REDACTED]	[REDACTED]
Nessa	[REDACTED]	[REDACTED]
Rubaiya Yasmin	[REDACTED]	[REDACTED]
Moda Miah	[REDACTED]	[REDACTED]
Rashida Begum	[REDACTED]	[REDACTED]
MRS. R.A. KHANAM	[REDACTED]	[REDACTED]

LBTH
TRADING STANDARDS
- 1 NOV 2010
LICENSING

Appendix 20

Section 182 Advice by the Home Office

Updated October 2010

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 Home Office 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 Home Secretary 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.

Appendix 21

Anti-Social Behaviour From Patrons Leaving The Premises

General Advice

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

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

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

Licensing Policy

The policy recognises that other legislation or measures may be more appropriate but also states that licensing laws are "a key aspect of such control and will always be part of an overall approach to the management of the evening and night time economy." (See **Section 4.10 and 4.11 of the Licensing Policy**).

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

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

Cumulative Impact

There is a process by which the Licensing Authority can determine that an area is saturated following representations. However, the process for this involves wide consultation and cannot come from representations about a particular application. (See Section 6 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 (13.20).

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, but can relate to 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, police liaison, no glasses are all relevant (s.2.7-2.11).

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

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

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).

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 22

Acting As A Magnet Attracting The Young Who Then Engage In Anti-Social Behaviour

General Advice

Members will need to consider whether any of the problems alleged to be associated with young people are the responsibility of the premises. Are they encouraging gangs in any way? If not, there may not be any proportionate conditions that can be applied? Are these patrons of the premises?

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. However, hours may be an important issue.

Licensing Policy

The policy recognises that other legislation or measures may be more appropriate (in relation to the behaviour of patrons who have left the premises) but also states that licensing laws are “a key aspect of such control and will always be part of an overall approach to the management of the evening and night time economy.” (See **Section 4.10 and 4.11 of the Licensing Policy**).

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

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

Cumulative Impact

There is a process by which the Licensing Authority can determine that an area is saturated following representations. However the process for this involves wide consultation and cannot come from representations about a particular application. (See **Section 6 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

Conditions can be imposed for large capacity “vertical consumption” premises (10.40).

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.

Anti-Social Behaviour Act 2003

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 23

Access and Egress problems

Such as:

Disturbance from patrons arriving/leaving the premises on foot
Close proximity to residential properties

General Advice

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

The hours of operation also need to be considered.

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

Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. **(See Section 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 Section 8.2 of the Licensing Policy)**.

The policy also recognises that staggered closing can help prevent problems at closure time **(See Section 12.10)**.

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 12.10)**

The Council has adopted a set of framework hours **(See 12.8 of the licensing policy)**. This relates to potential disturbance caused by late night trading.

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Pool of Conditions 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 (Annex G). 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 24

Underage drinking or other harm to minors

General Advice

If Members hear evidence that gives them cause for concern in relation to the licensing objective of protecting children from harm, and provided it is proportionate they should consider a licence condition that all under 18 year olds are excluded, and that a registered door supervisor is employed to check the age of all customers. This should be done where the activities to be carried on, previous history or lack of effective management justifies it.

There are also other licensing conditions that may be appropriate, as explained below. This may be appropriate where the premises may have children present and it is not primarily a place for consuming alcohol. For example a restaurant or a Cinema.

Of course, it is not necessary to restate the existing law in relation to any licensing conditions.

Licensing Policy

The policy recognises that children need to be protected (**See Section 9 of the Licensing Policy**).

The Licensing Policy expects applicants to have sought appropriate advice from the Area Child Protection Agency. (**See 9.3**).

The following are examples of premises that will raise concern:

- Where there have been convictions for serving alcohol to minors or with a reputation for underage drinking
 - With a known association with drug taking or dealing
 - Where there is a strong element of gambling on the premises
 - Where entertainment of an adult or sexual nature is provided
 - Where irresponsible drinking is encouraged or permitted
- (**See 9.4**).

The Licensing Authority expects all applicants who are supplying alcohol to have addressed the issues relating to the protection of children from harm, and to have robust measures in place to protect children. (**See Section 9.9**)

The policy expects all licence holders to comply with the Portman Group Code of Practice, and in particular the Retailer Alert Bulletin. (**See Section 9.8**).

The Licensing Authority will consider attaching conditions to protect children and these may include Conditions drawn from the Model Pool of Conditions relating to Protecting Children from Harm. (**See Appendix 2 Annex H of the Licensing Policy**). In particular Members may wish to consider the following: (this list is not exhaustive):

-
- Restricting access to premises where heavy or binge or underage drinking is a problem
 - Restricting access where significant gambling, or adult entertainment is an issue
 - There is a general presumption that where the public are allowed on a premises after 11pm children under 12 will not be allowed unaccompanied by an adult (for example a supermarket)-the applicant can however rebut this
 - Restrictions may be applied at particular times, for example when adult entertainment takes place or "happy hours"
 - Age restrictions that apply to cinema performances
 - Age restrictions for theatres where the entertainment is "adult"
 - Conditions relating to the safety of children at performances, or as performers-such as venue, fire safety, special effects and dangerous equipment
 - The Portman Code relating to the naming, packaging and promotion of alcoholic drinks

Licensing Act 2003 (Part 7)

The Licensing Act 2003 only permits under 16 years olds onto premises exclusively or primarily used for the supply of alcohol when accompanied by adults.

Children under 16 years old must be accompanied by an adult to be present between midnight and 5am on all premises supplying alcohol.

Restaurants may serve wine, beer or cider for consumption to 16-18 year olds with a meal-this is the only significant exception to the prohibition of selling alcohol to minors, and the purchase itself must be by an adult..

The Licensing Act 2003 makes it a criminal offence to serve alcohol to minors (there is however a defence of due diligence). Applicants are always free to exclude minors if they wish to do so.

Other Legislation

The Children (Performances) Regulations 1968 sets out the requirements for protecting child performers

Agenda Item 4.3

Committee :	Date	Classification	Report No.	Agenda Item No.
Licensing Sub Committee	23 November 2010	Unclassified	LSC 46/011	

Report of Colin Perrins Head of Trading Standards and Commercial	Title Licensing Act 2003 Application for New Premises Licence for Poppies Fish & Chips, 6-8 Hanbury Street, E1 6QR.
Originating Officer: Nick Kemp - Licensing Officer	Ward affected Spitalfields & Banglatown

1.0 Summary

Applicant: **Poppies Fish & Chips Limited**

Name and Address of Premises: **Poppies Fish & Chips
6-8 Hanbury Street
E1 6QR**

Licence sought: **Licensing Act 2003**
Sale of alcohol
Provide regulated entertainment
Late Night Refreshment

Objectors: **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

020 7364 7446

3.0 **Background**

- 3.1 This is an application for the grant of a premises licence for:
Poppies Fish & Chips, 6-8 Hanbury Street, E1 6QR

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

- 3.2 The applicant has described the nature of the application as:
A restaurant selling hot and cold food, alcohol and non-intoxicating beverages.

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

Sale of Alcohol (on and off sales)

Monday to Saturday 07:00 hours - midnight
Sunday 07:00 hours - 23:00 hours

The Provision of Regulated Entertainment:

Recorded music only:
Monday to Saturday 07:00 hours - midnight
Sunday 07:00 hours - 23:00 hours

The Provision of Late Night Refreshment:

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

Hours premises is open to the public:

Monday to Saturday 07:00 hours - midnight
Sunday 07:00 hours - 23:00 hours

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

4.0 **Licensing Policy and Government Advice**

- 4.1 The Council has adopted a licensing policy and this is available from the Licensing Section, and at the hearing. The revised policy came into effect on the 7th January 2008.
- 4.2 Relevant Sections of the policy are brought to the attention of Members within the Licensing Officers report.
- 4.3 The Home Secretary has issued Guidance under Section 182 of the Licensing Act 2003. This is available on the Government's website, www.homeoffice.gov.uk. It was last revised on the 12th October 2010.
- 4.4 Relevant Sections of this advice are brought to Members attention within the Licensing Officers report. Members should note however, that in some areas Tower Hamlets, after a proper consideration of local circumstances, has not followed the Government's advice, or has developed it further.

5.0 Representations

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

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

Local Residents

See Appendices 3-20.

5.3 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
- Noise (Environmental Health)
- Trading Standards
- Child Protection

5.4 The applicant has come to an agreement with the Police and Environmental Protection on conditions to be placed on the licence to prevent noise nuisance and disorder in and around the premises see Appendix 21.

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

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

5.6 The objections cover allegations of:

- Anti social behaviour from patrons leaving the premises
- Disturbance from patrons leaving the premises on foot
- Disturbance from patrons leaving the premises by car
- Close proximity to residential properties

5.7 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)

❖ Mandatory conditions must be imposed (10.43) and censorship avoided (10.31).

- ❖ Routine conditions about drink promotions are not permitted but can be imposed in an appropriate circumstances (10.38). The Office of Fair Trading's Advice also needs to be considered, namely that minimum prices setting is not permitted.
- 6.3 The Licensing Act 2003 permits children of any age to be on the premises which primarily sells alcohol providing they are accompanied by an adult. It is not necessary to make this a condition.
 - 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 In **Appendices 21-24** Members are given general advice, and also have explanations of the Council's Licensing Policy, Government advice and other legislation relating to the matters previously identified.
- 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 Schedule 1 Part 2 of the Act states that entertainment in churches, Morris dancing (and accompanying music if live and unamplified) and incidental music are not licensable activities-that is no conditions can be set for them.
 - 7.3 Acts of religious worship, wherever performed are not licensable.
 - 7.4 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.”

7.5 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.

7.6 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

Appendix 1	A copy the application.
Appendix 2	Maps of the area
Appendix 3	List of representations from local residents
Appendix 4-20	Representations from local residents
Appendix 21	Conditions agreed by applicant
Appendix 22	Sec 182 Advice from the Home Office
Appendix 23	Licensing Officer comments on anti social behaviour from patrons leaving the premises
Appendix 24	Licensing Officer comments on access and egress

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Appendix 1

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

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

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.

XWe Poppies Fish & Chips 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 **Xwe** are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description	
Poppies Fish & Chips 6 - 8 Hanbury Street	
Post town London	Post code E1 6QR

Telephone number at premises (if any)

NOT KNOWN AT PRESENT

Non-domestic rateable value of premises

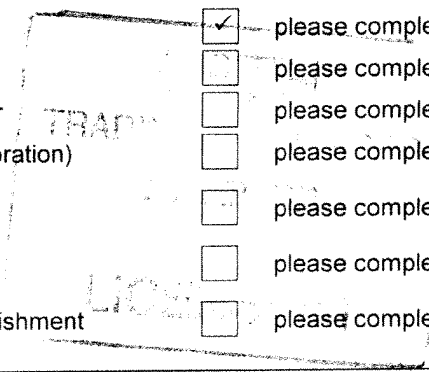
£ 22,500.00

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick Yes

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



- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- 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

Please tick **Yes**

I am 18 years old or over

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

Please tick Yes

I am 18 years old or over

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 Poppies Fish & Chips Limited
Address 
Registered number (where applicable) 07310447
Description of applicant (for example partnership, company, unincorporated association etc) Private Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 - Operating Schedule

When do you want the premises licence to start?

Day		Month		Year		
a	s	a	p			

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

Day		Month		Year		
n	/	a				

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

n/a

Please give a general description of the premises (please read guidance note 1)
 A restaurant selling alcohol and hot and cold non-intoxicating beverages.

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)

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)

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

Plays 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			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

B

Films 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			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)

D

Boxing or wrestling entertainment 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)	
Day	Start	Finish	Indoors	Outdoors
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				

Please give further details here (please read guidance note 3)

State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)

Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)

E

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

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	06.00	00.00	Please give further details here (please read guidance note 3) Provision of recorded music at the management's discretion.	Both	
Tue	06.00	00.00			
Wed	06.00	00.00	State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur	06.00	00.00			
Fri	06.00	00.00	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 (please read guidance note 5) New Years' Eve hours are to be extended until the authorised commencement hour the following day.		
Sat	06.00	00.00			
Sun	06.00	00.00			

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 ✓ (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur						
Fri				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 (please read guidance note 5)		
Sat						
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing			
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors		
Mon				Please give further details here (please read guidance note 3)	Outdoors	
Tue			Both			
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)			
Thur						
Fri			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 (please read guidance note 5)			
Sat						
Sun						

I

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			
			Will the facilities for making music be indoors or outdoors or both - please tick ✓ (please read guidance note 2)		Indoors	
					Outdoors	
					Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon						
Tue						
Wed			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)			
Thur						
Fri						
Sat			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)			
Sun						

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 ✓ (see guidance note 2)		Indoors	
					Outdoors	
					Both	
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing			
Mon						
Tue						
Wed			Please give further details here (please read guidance note 3)			
Thur						
Fri						
Sat			State any seasonal variations for providing dancing facilities (please read guidance note 4)			
Sun						
			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)			

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)	Indoors	
Mon				Outdoors	
				Both	
Tue			Please give further details here (please read guidance note 3)		
Wed			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4)		
Thur					
Fri			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 (please read guidance note 5)		
Sat					
Sun					

L

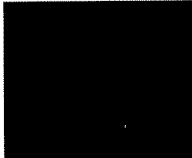
Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
Mon	23.00	00.00		Both	
Tue	23.00	00.00	Please give further details here (please read guidance note 3) Provision of food and hot drinks (for consumption on the premises only). Provision to be at the management's discretion.		
Wed	23.00	00.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	23.00	00.00			
Fri	23.00	00.00	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 (please read guidance note 5)		
Sat	23.00	00.00	New Years' Eve hours are to be extended until the authorised commencement hour the following day.		
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)	On the premises	
				Off the premises	
				Both	✓
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	06.00	00.00			
Tue	06.00	00.00			
Wed	06.00	00.00			
Thur	06.00	00.00			
Fri	06.00	00.00			
Sat	06.00	00.00			
Sun	06.00	00.00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) New Years' Eve hours are to be extended until the authorised commencement hour the following day.		

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

Name Ekrem Hassan

Address 

Postcode 

Personal Licence number (if known) 

Issuing licensing authority (if known) London Borough of Greenwich

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)

There will be no activities at the premises which may give rise to concern in respect of children

O

Hours premises are open to the public Standard timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)
Day	Start	Finish	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 (please read guidance note 5) New Years' Eve hours are to be extended until the authorised commencement hour the following day.
Mon	06.00	00.30	
Tue	06.00	00.30	
Wed	06.00	00.30	
Thur	06.00	00.30	
Fri	06.00	00.30	
Sat	06.00	00.30	
Sun	06.00	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)

Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the trading hours.

b) The prevention of crime and disorder

CCTV will be installed at the premises in consultation with the Police.
Recordings will be stored for a minimum period of time as agreed with the Crime Prevention Officer and, during this period, made available to an authorised officer of the Licensing Authority or Police on request.

c) Public safety

The applicant will comply with the reasonable requirements of the Building Control Officer.
The applicant will comply with the reasonable requirements of the Fire Officer.
The premises will be risk assessed from time to time in accordance with relevant legislation.
An adequate and appropriate supply of first aid equipment and materials is to be available on the premises.

d) The prevention of public nuisance

The Licensee shall prominently display a notice reminding patrons to leave the premises in an orderly fashion.

The premises will be operated in accordance with Health and Safety and related legislation in order to ensure the safety of customers and staff.

e) The protection of children from harm

Appropriate steps will be taken by management to ensure no underage sales will occur

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 JWLLP

Date 17 September 2010

Capacity Joelson Wilson LLP Solicitors for and on behalf of the applicant.

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

Signature

Date

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Mark McDermott
Joelson Wilson LLP Solicitors
30 Portland Place

Post town London

Post code W1B 1LZ

Telephone number (if any) 020 7580 5721

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

████████████████████

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. 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.

Consent of individual to being specified as premises supervisor

(full name of prospective premises supervisor)
(home address of prospective premises supervisor)

I, ^E EKRAM HASSAN
of [REDACTED]

(type of application)

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for
NEW PREMISES LICENCE

(name of applicant)

by POPPIES FISH & CHIPS LIMITED

(number of existing licence, if any)

relating to a premises licence N/A

(name and address of premises to which the application relates)

for 6-8 HANBURY STREET, LONDON, E1 6QR

(name of applicant)

and any premises licence to be granted or varied in respect of this application made by POPPIES FISH & CHIPS LIMITED

(name and address of premises to which application relates)

concerning the supply of alcohol at
6-8 HANBURY STREET, LONDON, E1 6QR

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

(insert personal licence number, if any)

Personal licence number WK/200514890

(insert name and address and telephone number of personal licence issuing authority, if any)

Personal licence issuing authority GREENWICH

Signature

[REDACTED SIGNATURE]

Name

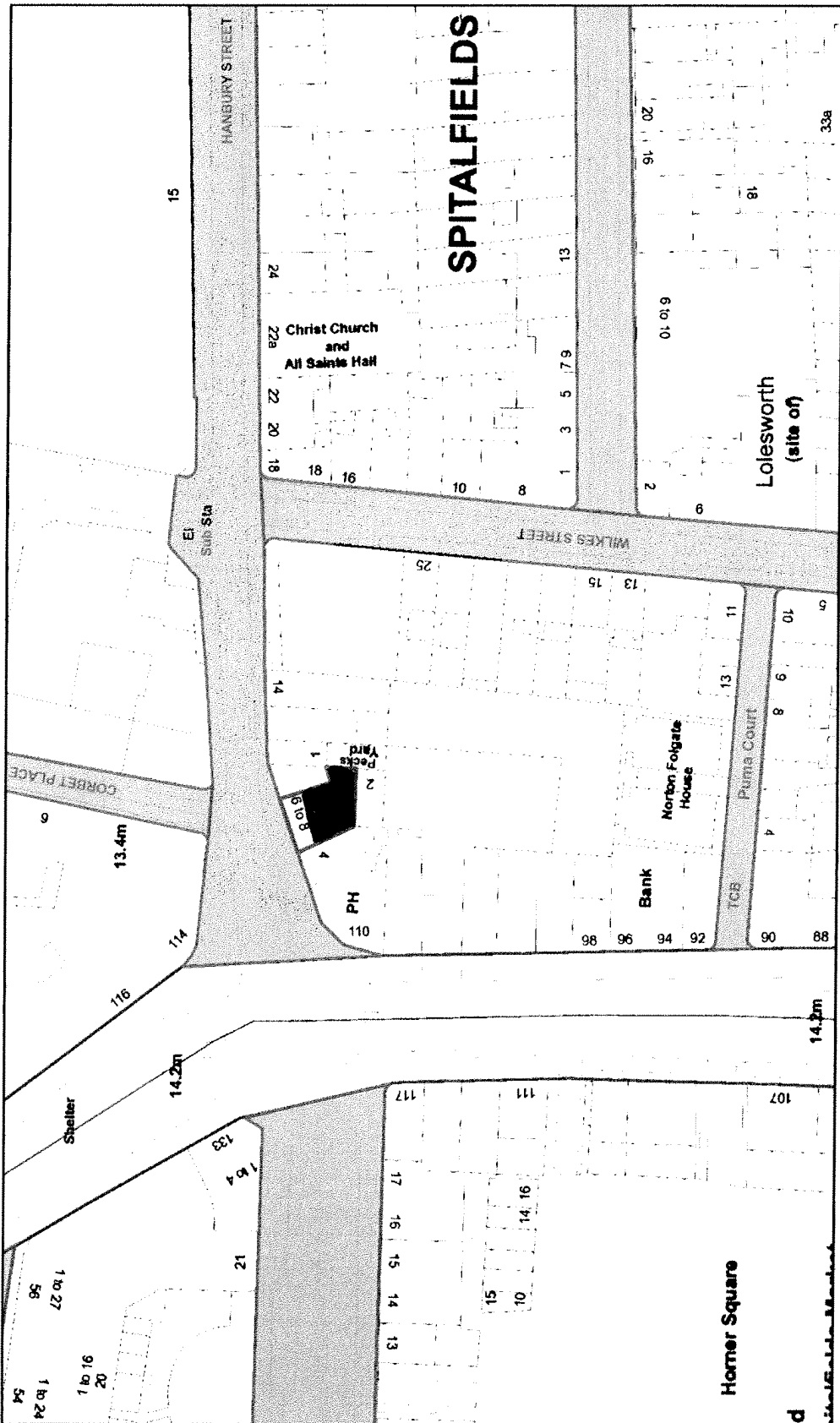
EKRAM HASSAN
(please print)

Dated

15/9/2010

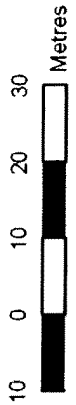
LET
20 SEP 2010

Appendix 2



6-8 Hanbury Street

Poppies Chip Shop



Scale 1:870



TOWER HAMLETS

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Appendix 3

List of representations

First Name	Surname	Appendix
Jane	Curtis	4
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Lucinda de	Jasay	6
Eriko	Miyazaki-ross	7
Alan	Williams	8
Juliet	McKoen	9
Carolyn	Fuest	10
Margaret	Gordon	11
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Matthew	Merchant	16
Matt & Vikki	Piper	17
Selina & Glen	Mifsud	18
Dr Jenny & Dr Paul	Maslin	19
Dyson family		20

Appendix 4

Nick Kemp

From: Jane Curtis [REDACTED]
Sent: 18 October 2010 21:31
To: licensing; Nick Kemp
Cc: [REDACTED]
Subject: Poppies Fish and Chips, 6-8 Hanbury Street, London E1 6QR

Dear Mr Kemp,

Poppies Fish and Chips, 6-8 Hanbury Street, London E1 6QR

Licensing application for provision of recorded music and the sale of alcohol from 06:00 to 00:00 Monday to Sunday and for the provision of late night refreshment from 23:00 to 00:00 Monday to Sunday, and for the terminal hour for the provision of recorded music, sale of alcohol and late night refreshment on New Year's Eve to continue until the authorised commencement hour the following day.

I am writing to register my **objection** to this application.

This is a restaurant which replaces a cafe which was open until approx 4:30pm. The applicants planning application does not state opening hours and these proposed hours would be a change to the previous use of the restaurant. PA/10/01425

The licensing hours applied for are excessive and the applicants will not be able to uphold the licensing objectives in particular **prevention of crime and disorder** and the **prevention of public nuisance**.

The hours and activities which have been applied for will create problems of noise and antisocial behaviour to local residents. Customers leaving a premises late at night and in the early hours (6am) may have spent many hours drinking and will inevitably disturb residents, preventing sleep and taking away their right to live peacefully in their homes.

The nature of these premises as a Fish and Chip Restaurant means that there will be a take away trade which may present problems for residents from cars and people sitting in our streets eating and drinking.

These premises are part of a 19th century building which is impossible to sound proof. Any noise will disturb residents and local businesses. There are residential flats above and to either side of the premises and residential streets within yards of the premises. Also the premises backs onto an almost entirely residential street and sound break out is inevitable causing disturbance to families, many with young children who sleep to the rear of their houses.

The area is already suffering from alcohol-related antisocial behaviour and granting a licence for these premises will add to it making lives intolerable.

I therefore object to this license application on the following grounds.

- The location of the premises in a residential and business area.
- The proposed hours during which licensable activities would take place
- The applicant has not adequately addressed problems of noise break out, the prevention of crime and disorder, public nuisance and anti social behaviour
- The previous use of these premises was as a cafe and as such closed at about 4:30pm. This was in line with the residential properties surrounding it.
- Customers leaving the premises will cause disturbance to residents living above and to either side of the premises and will pass by many residential homes in order to reach public transport, creating noise nuisance for many residents.
- The hours applied for are not in line with recent licenses granted by the licensing committee which recognise that this area is suffering from the cumulative affect of too many licensed premises which are creating terrible problems for residents

- The nature of these premises does not require a the licensing hours applied for

If a licence is granted it should not be for any off sales and alcohol should only be sold with food within the restaurant.

Any music should be monitored so that it can not be heard in the streets and surrounding residential properties.

I therefore ask the Licensing Committee to reject this application on the grounds that the application cannot meet the licensing objectives.

Thank you for your consideration

Jane Curtis



Appendix 5

Nick Kemp

From: [REDACTED]
Sent: 18 October 2010 21:39
To: licensing; Nick Kemp
Cc: [REDACTED]
Subject: Poppies

Subject: Poppies Fish and Chips, 6-8 Hanbury Street, London E1 6QR
Date: Mon, 18 Oct 2010 20:31:04 +0000

Dear Mr Kemp,

Poppies Fish and Chips, 6-8 Hanbury Street, London E1 6QR

Licensing application for provision of recorded music and the sale of alcohol from 06:00 to 00:00 Monday to Sunday and for the provision of late night refreshment from 23:00 to 00:00 Monday to Sunday, and for the terminal hour for the provision of recorded music, sale of alcohol and late night refreshment on New Year's Eve to continue until the authorised commencement hour the following day.

I am writing to register my objection to this application.

This is a restaurant which replaces a cafe which was open until approx 4:30pm. The applicants planning application does not state opening hours and these proposed hours would be a change to the previous use of the restaurant. PA/10/01425

The licensing hours applied for are excessive and the applicants will not be able to uphold the licensing objectives in particular

prevention of crime and disorder and the prevention of public nuisance.

The hours and activities which have been applied for will create problems of noise and antisocial behaviour to local residents. Customers leaving a premises late at night and in the early hours (6am) may have spent many hours drinking and will inevitably disturb residents, preventing sleep and taking away their right to live peacefully in their homes.

The nature of these premises as a Fish and Chip Restaurant means that there will be a take away trade which may present problems for residents from cars and people sitting in our streets eating and drinking.

These premises are part of a 19th century building which is impossible to sound proof. Any noise will disturb residents and local businesses. There are residential flats above and to either side of the premises and residential streets within yards of the premises. Also the premises backs onto an almost entirely residential street and sound break out is inevitable causing disturbance to families, many with young children who sleep to the rear of their houses.

The area is already suffering from alcohol-related antisocial behaviour and granting a

licence for these premises will add to it making lives intolerable.

I therefore object to this license application on the following grounds.

The location of the premises in a residential and business area.
The proposed hours during which licensable activities would take place
The applicant has not adequately addressed problems of noise break out, the prevention of crime and disorder, public nuisance and anti social behaviour

The previous use of these premises was as a cafe and as such closed at about 4:30pm. This was in line with the residential properties surrounding it. Customers leaving the premises will cause disturbance to residents living above and to either side of the premises and will pass by many residential homes in order to reach public transport, creating noise nuisance for many residents. The hours applied for are not in line with recent licenses granted by the licensing committee which recognise that this area is suffering from the cumulative affect of too many licensed premises which are creating terrible problems for residents
The nature of these premises does not require a the licensing hours applied for

If a licence is granted it should not be for any off sales and alcohol should only be sold with food within the restaurant.

Any music should be monitored so that it can not be heard in the streets and surrounding residential properties.

I therefore ask the Licensing Committee to reject this application on the grounds that the application cannot meet the licensing objectives.

Thank you for your consideration

Keith Bowler



Appendix 6

Nick Kemp

From: Lucinda de Jasay [REDACTED]
Sent: 16 October 2010 15:21
To: Nick Kemp
Cc: licensing
Subject: Licence Application: Poppies Fish & Chips, 6-8 Hanbury Street.

Dear Sir

Poppies Fish and Chips (formerly Rossi's Café) has applied for a licence "for provision of recorded music and the sale of alcohol from 06:00 to 00:00 [midnight] Mon to Sun and for the provision of late night refreshment from 23:00 to 00:00 [midnight] Mon to Sun, and for the terminal hour for the provision of recorded music, sale of alcohol and late night refreshment on New Year's Eve to continue until the authorised commencement hour the following day [06:00]".

I learnt with extreme apprehension about the above application for late opening hours and music at Poppies Fish and Chips 6-8 Hanbury Street and hope that you will not grant this application for such long hours. Previous experience has shown that this is a very bad idea. Customers get drunk, drop their litter, shout and scream, defecate or worse on their way home to Liverpool Street Station in the late hours of the night - the path to which runs directly under our windows in Lamb Street. There are plenty of places already for drink and food in the area, too many frankly, and this is just the last straw it being so near to all the residential homes on the North side of Spitalfields Market on the flight path to the station so to speak. I object therefore on grounds of noise and nuisance to those rate paying residents who have to walk through the litter and vomit the next day after such nights on the tiles.

Yours faithfully

Lucinda de Jasay
[REDACTED]

Appendix 7

Nick Kemp

From: [REDACTED]
Sent: 15 October 2010 16:56
To: Nick Kemp
Subject: RE: New premises licence application/variation of premises licence

Dear Nick,

My full postal address in [REDACTED] - I live directly next to the premises applying for the licence.

I would like to object to the application on the following grounds. Currently, there is a public house located directly across the street from the premises in question. This public house (the commercial tavern) closes at 11pm. My concern is that on the closing of the public house at 11pm, all patrons will simply relocate across the street to the premises applying for late licence (there are no other late licence establishments on this block currently). At the moment, when the public house closes at 11pm, it is standard that many intoxicated patrons hang around outside for some time whilst deciding where next to go (up to an hour usually). This current practice will simply translate to 2am outside the premises applying for the late licence, but with a greater number of people (both those patrons who relocated from the closed public house and those already in the premises given its large capacity). As such, I will have a large number of inebriated people hanging around, making noise at 2am directly outside my window and front door.

Furthermore, on Bishopsgate there is a late licence alcohol establishment (the light bar) which currently causes the pedestrian alley way from the end of Fleur de Lis St through to Bishopsgate to be used as a urinal on a daily basis. If the licence were to be granted to the premises next to my property, I am concerned that this alley way will not only receive more traffic but be used even more than it is currently is as a public restroom, or even worse, this could occur outside my front door.

Kind Rgds,
Eriko Miyazaki-Ross

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

From: Nick Kemp [mailto:Nick.Kemp@towerhamlets.gov.uk]
Sent: 15 October 2010 16:01
To: [REDACTED]
Subject: FW: New premises licence application/variation of premises licence

Dear Eriko,

To make a valid representation you need to provide some evidence of how you think the application will adversely effect you and your household.

The evidence has to be in relation to one or more of the licensing objectives; which are:

- * The prevention of crime and disorder.
- * Public Safety
- * The prevention of public nuisance
- * The protection of children from harm.

We cannot accept representations based upon a business or competition argument, or the lack of 'need' for the premises or the number of premises already in existence.

I also need your full postal address. The consultation for this application ends on 1st November, by which time we must have received your representation.

If you have any queries or if I can be of any further assistance do not hesitate to contact me.

Regards,

Nick Kemp
Nick Kemp - Licensing Officer
London Borough of Tower Hamlets | Licensing Section | Mulberry Place
(AH) | PO BOX 55739 | 5 Clove Crescent | London E14 1BY

Tel': 020 7364 7446 | Fax 2: 020 7364 0863 | E-mail ::
nick.kemp@towerhamlets.gov.uk
-----Original Message-----
From: Jacqueline Randall On Behalf Of licensing
Sent: 14 October 2010 18:59
To: Nick Kemp
Subject: FW: New premises licence application/variation of premises licence

Jackie Randall
Acting Licensing Services Manager

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

Tele: 0207 364 5109/5008
Fax: 0207 364 0863

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

From: [REDACTED]
[mailto:[REDACTED]]
Sent: 13 October 2010 11:51
To: Jacqueline Randall; licensing
Subject: New premises licence application/variation of premises licence

Dear Jacqueline,

I recently received a letter from Tower Hamlets council regarding the application for a new/variation of a premises licence for 159 Commercial Street, E1 6BJ. I would like to object to this application and would be grateful if you could please inform me about the necessary procedures in order to do this.

Kind Regards,

Eriko Miyazaki-Ross
[REDACTED]

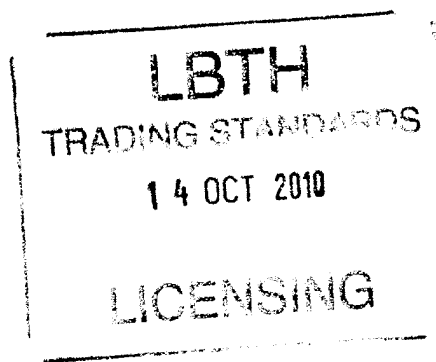
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Appendix 8



11th October, 2010

N Kemp Esq
Licensing Officer
London Borough of Tower Hamlets
Licensing Section
Mulberry Place (AH)
PO BOX 55739
5 Clove Crescent
London E14 1BY



Dear Mr Kemp,

Poppies Fish and Chips, 6-8 Hanbury Street, London E1 6QR

Licensing application for provision of recorded music and the sale of alcohol from 06:00 to 00:00 Monday to Sunday and for the provision of late night refreshment from 23:00 to 00:00 Monday to Sunday, and for the terminal hour for the provision of recorded music, sale of alcohol and late night refreshment on New Year's Eve to continue until the authorized commencement hour the following day.

I am writing to register my objection to this application. This proposed new restaurant is intended to replace "Rossi's", a local café which shut at 16:30 and had no alcohol or music licence.

I consider that the hours and conditions applied for are excessive. At present most of the bars and restaurants in Spitalfields are allowed to trade no later than 23:00 or midnight. You should be aware that even with this restriction the residents of this area consider that their lives are becoming more and more intolerable because of the unsupportably large number of these establishments and the unfortunately frequently

exceptionally anti-social behaviour of those who frequent them.

Customers to the bars and restaurants in this area cause huge problems by their loud and anti-social behaviour as they leave the premises and move through residential streets. Many customers have been drinking throughout the evening and into night. Some urinate and vomit in local doorways and light wells.

Drunken groups gather on the streets and in front of homes, screaming, shouting and singing. There is aggressive and abusive behaviour, with drug taking and drug trading carried out openly in the street. Many customers leave the premises with their food and drinks and continue to eat and drink sitting in the street and on doorsteps, usually leaving litter including glasses and bottles in doorways and on windowsills. Open defecation and sexual activity are becoming common.

Much of this nuisance is caused by the bars and restaurants which have proliferated in the area. Residents are not able to enjoy peace and quiet in their homes and no apparent consideration of the surrounding residential community has been made by these premises; they seem only interested in making money. The residential amenity of those who live in the area is already severely affected by the operation of the restaurants and bars and an extension of trading beyond reasonable hours must not be permitted.

The Licensing Committee should reflect seriously before agreeing to allow opening hours for this new restaurant any later than those granted recently to other restaurants in the area: 12:00 to 23:00 Monday to Saturday, and 12:00 to 22:30 on Sundays and Public holidays, with strict conditions including noise limiters on the amplifiers for recorded music.

I also object to the application for late night refreshment between 23:00 and midnight and ask the Licensing Committee to reject outright this section of the application. I would also object to any application for off-sales.

Yours sincerely

A large black rectangular redaction box covering the signature area.

Alan Williams

Appendix 9

Nick Kemp

From: [REDACTED]
Sent: 11 October 2010 15:25
To: Nick Kemp; licensing
Subject: Licensing Application by Poppies Fish and Chips, 6-8 Hanbury Street, London E1 6

From Juliet McKoen



Dear Sir/Madam

I wish to object to the above application which is for a music and sale of alcohol licence for a new restaurant planned to replace "Rossi's", a local day time café which shut in the mid-afternoon and which had no alcohol or music licence.

I have lived in Wilkes Street, Spitalfields since 1981. For very many years I welcomed the regeneration of the Brick Lane/Spitalfields area and the energy it brought into the area.

However, in the last couple of years, the energy and late night activities in the Spitalfields/Brick Lane areas have reached saturation point and life for residents has become a nightmare. The area is rowdy, seedy, packed with people and increasingly threatening during the late evening and night. During the summer months and now increasingly all year round residents are woken up at 11pm, midnight, 1am, 2am, 3am, 4am, 5am by people swearing, shouting, singing, arguing, pissing, vomiting, dealing drugs, injecting drugs and arguing in the street below. Residents often find people urinating into their lightwells or doorways. At the weekend, the 100 metre walk to Tesco will be littered with vomit.

Brick Lane has become recognised by many as the binge drinking capital of London. The opening paragraphs from a 2 page Observer article (italicised below) about the deleterious effects of relaxing the Licensing laws highlighted this. The harm and damage that this is doing to the lives of residents is incalculable.

I refer you to paras 6.1-6.3 of LBTH's current Licensing Policy which highlights how the "cumulative effect" of a large number of licensed premises in an area can lead to an area becoming "saturated" with licensed premises and becoming a "focal point where large groups of people gather" thus creating "exceptional problems of disorder and nuisance over and above the impact from individual premises". These phrases very accurately describe what has happened in Spitalfields and Brick Lane.

I would ask you to refuse this application on the grounds outlined above and in line with paragraphs 6.1-6.3 from LBTH's Licensing Policy. I also ask you to refuse the application in order to support a reasonable quality of life for the residents who will be affected by these proposed licensing hours. There is a large established residential community in the area. Yet another licensed premise will place yet more strain on this community. For all these reasons please refuse this application in its entirety.

Please let me know if there is to be a Licensing Committee hearing for this application.

With many thanks

Juliet McKoen

<http://www.guardian.co.uk/society/2010/jun/20/police-call-end-late-licences/print>

There was a high-pitched shriek; then the fight started. For several moments, the group of girls tore into each other before bouncers pulled them apart. Outside the 24-hour off-licence

across the road, a crowd of lads cheered above a sound track of breaking bottles, swearing and heavy bass lines.

It was 1am in Brick Lane in the East End; Britain's embrace of continental drinking hours was never meant to be like this. When Labour introduced round-the-clock drinking, it came with the promise of delivering café society to the nation's streets. Liberalising the licensing regime would temper Britain's binge-drinking culture, inspiring a "relaxed" social culture that mirrored southern Europe's approach to alcohol.

Labour believed an "open-all-hours" licensing regime could reduce crime. The truth appears to be the opposite....

Appendix 10

Nick Kemp

From: [REDACTED]
Sent: 11 October 2010 23:06
To: Nick Kemp; licensing
Cc: alan.cruickshank@met.police.uk
Subject: Poppies fish & chips E1 6QR

From
Carolyn Fuest

“Dear Mr Kemp,

Poppies Fish and Chips, 6-8 Hanbury Street, London E1 6QR

Licensing application for provision of recorded music and the sale of alcohol from 06:00 to 00:00 Monday to Sunday and for the provision of late night refreshment from 23:00 to 00:00 Monday to Sunday, and for the terminal hour for the provision of recorded music, sale of alcohol and late night refreshment on New Year’s Eve to continue until the authorised commencement hour the following day.

I am writing to register my objection to this application from a planned new restaurant that will replace “Rossi’s”, a local café which shut at 16:30 and had no alcohol or music licence.

The hours and conditions applied for are excessive. At present most of the bars and restaurants in Spitalfields are allowed to trade no later than 23:00 or midnight and even with this restriction the lives of the residents of this area are becoming more and more intolerable because of the total saturation of the area with these establishments and the exceptionally anti-social behaviour of those who frequent them.

Customers to the bars and restaurants in this area cause huge problems by their loud and anti-social behaviour as they leave the premises and move through residential streets. Many customers have been drinking throughout the evening and into night. Some urinate and vomit in our doorways and light wells. This is disgusting to clear up. Drunken groups gather on the streets and in front of homes, screaming, shouting and singing. It is extremely difficult to bring up a young family here under these sort of hours. There is aggressive and abusive behaviour, with drug taking and drug trading carried out openly in the street. Many customers leave the premises with their food and drinks and continue to eat and drink sitting in the street and on our doorsteps, always leaving litter including glasses and bottles in our doorways and on our windowsills. Open defecation and sexual activity are becoming common.

All this nuisance is caused by the bars and restaurants which have been allowed to proliferate in the area. We are not able to enjoy peace and quiet in our home and no consideration of the surrounding residential community has been made by these premises; they are only interested in making money. The residential amenity of those who live in the area is already severely affected by the operation of the restaurants and bars and an extension of trading beyond reasonable hours must not be permitted.

I urge the Licensing Committee not to allow opening hours for this new restaurant any later than those granted recently to other restaurants in the area: 12:00 to 23:00 Monday to Saturday, and 12:00 to 22:30 on Sundays and Public holidays, with strict conditions including noise limiters on the amplifiers for recorded music.

And I also object to the application for late night refreshment between 23:00 and midnight and ask the Licensing Committee to reject outright this section of the application. I would also object to any application for off-sales.

Yours sincerely,
Carolyn Fuest

Appendix 11

Nick Kemp

From: [REDACTED]
Sent: 12 October 2010 10:50
To: Nick Kemp
Cc: licensing
Subject: Premises Licence application, Poppies, 6-8 Hanbury Street. E1 6QR

From:
Mrs Margaret Gordon, Chairman St George Residents Association

To:

Mr Nick Kemp, Licensing Officer,
London Borough of Tower Hamlets, Licensing Section,
Mulberry Place (AH),
5 Clove Crescent,
London E14 1BY

Dear Mr Kemp,

Re: Premises Licence Application by Poppies, 6-8 Hanbury Street, London E1 6QR

I am chairman of the St George Residents' Association, which represents owners and residents of almost 200 flats in [REDACTED]

The Applicants' premises is on the opposite side of the Lamb Street/Commercial Street junction, very close to some St George flats and within a couple of minutes' walk of all our residents' flats.

The opening of Poppies restaurant with the licensing times they have applied for is likely to increase the number of people gathering on the paved area on Lamb Street late at night, and the numbers that walk along Lamb Street and Folgate Street – eating take-away food and drinking alcohol bought at one of the many off-licences. The addition of another take-away food outlet with an alcohol licence will add to the evening disturbances.

The nuisance will not be confined to the evening if this outlet has a licence for sale of alcohol from 6am. We already suffer from litter left by clients of the Old Spitalfields Market who choose to sit on our paved area on Lamb Street or in Elder Gardens, including inebriated vagrants. The areas are not cleaned by the council, but the cost of cleaning is part of owners' service charges.

We object to this application because the increase in hours of alcohol sales will increase the incidence of

crime and disorder and public nuisance in the form of alcohol-related anti-social behaviour. The previous cafe "Rossi's" closed at 16:30 and had no alcohol or music licence.

Most of the bars and restaurants in Spitalfields are allowed to trade no later than 23:00 or midnight. Even with this restriction the lives of the residents of this area are adversely affected by the anti-social behaviour of those who frequent the large number of alcohol outlets.

Customers leaving the bars and restaurants in Spitalfields cause problems by their uncontrolled behaviour as they leave and move through nearby streets. Many customers have been drinking throughout the evening and into the night. Drunken groups gather on the paved area of Lamb Street in front of our homes, talking loudly, always leaving litter including glasses and bottles on and around the seats and walls. It is not unusual for such people to urinate in our doorways, or to vomit near the walls.

Premises selling alcohol take no responsibility for the behaviour of their clients afterwards. Trading beyond reasonable hours is unacceptable in a densely residential area where people need to sleep in order to work.

Regarding the application to play music, such permission should only be given with strict conditions including noise limiters on the amplifiers for recorded music.

We urge the Licensing Committee not to allow hours for the sale of alcohol any different than those granted recently to other restaurants in the area: 12:00 to 23:00 Monday to Saturday, and 12:00 to 22:30 on Sundays and Public holidays.

We also object to the application for late night refreshment between 23:00 and midnight. We also object to any application for off-sales.

Yours sincerely,

Margaret Gordon.

Appendix 12

Nick Kemp

From: [REDACTED]
Sent: 11 October 2010 14:23
To: Nick Kemp
Cc: licensing; alan.d.cruickshank@met.police.uk
Subject: Poppies Fish and Chips, 6-8 Hanbury Street, London E1 6QR

“Dear Mr Kemp,

Poppies Fish and Chips, 6-8 Hanbury Street, London E1 6QR

Licensing application for provision of recorded music and the sale of alcohol from 06:00 to 00:00 Monday to Sunday and for the provision of late night refreshment from 23:00 to 00:00 Monday to Sunday, and for the terminal hour for the provision of recorded music, sale of alcohol and late night refreshment on New Year’s Eve to continue until the authorised commencement hour the following day.

We are writing to register our objection to this application from a planned new restaurant that will replace “Rossi’s”, a local café which shut at 16:30 and had no alcohol or music licence.

The hours and conditions applied for are excessive. At present most of the bars and restaurants in Spitalfields are allowed to trade no later than 23:00 or midnight and even with this restriction the lives of the residents of this area are becoming more and more intolerable because of the total saturation of the area with these establishments and the exceptionally anti-social behaviour of those who frequent them.

Customers to the bars and restaurants in this area cause huge problems by their loud and anti-social behaviour as they leave the premises and move through residential streets. Many customers have been drinking throughout the evening and into night. Some urinate and vomit in our doorways and light wells. Drunken groups gather on the streets and in front of homes, screaming, shouting and singing. There is aggressive and abusive behaviour, with drug taking and drug trading carried out openly in the street. Many customers leave the premises with their food and drinks and continue to eat and drink sitting in the street and on our doorsteps, always leaving litter including glasses and bottles in our doorways and on our windowsills. Open defecation and sexual activity are becoming common.

All this nuisance is caused by the bars and restaurants which have been allowed to proliferate in the area. We are not able to enjoy peace and quiet in our home and no consideration of the surrounding residential community has been made by these premises; they are only interested in making money. The residential amenity of those who live in the area is already severely affected by the operation of the restaurants and bars and an extension of trading beyond reasonable hours must not be permitted.

We urge the Licensing Committee not to allow opening hours for this new restaurant any later than those granted recently to other restaurants in the area: 12:00 to 23:00 Monday to Saturday, and 12:00 to 22:30 on Sundays and Public holidays, with strict conditions including noise limiters on the amplifiers for recorded music.

And we also object to the application for late night refreshment between 23:00 and midnight and ask the Licensing Committee to reject outright this section of the application. We would also object to any application for off-sales.

Yours sincerely,

Eleanor Jones



Appendix 13

Nick Kemp

From: [REDACTED]
Sent: 09 October 2010 16:01
To: Nick Kemp; licensing
Cc: alan.d.cruickshank@met.police.uk
Subject: Licensing Application by Poppies Fish and Chips, 6-8 Hanbury Street, London E1 6QR

Dear Mr Kemp,

Poppies Fish and Chips, 6-8 Hanbury Street, London E1 6QR Licensing application for provision of recorded music and the sale of alcohol from 06:00 to 00:00 Monday to Sunday and for the provision of late night refreshment from 23:00 to 00:00 Monday to Sunday, and for the terminal hour for the provision of recorded music, sale of alcohol and late night refreshment on New Year's Eve to continue until the authorised commencement hour the following day.

We are writing to register our objection to this application from a planned new restaurant that will replace 'Rossi's', a local café which shut at 16:30 and had no alcohol or music licence.

The hours and conditions applied for are excessive. At present most of the bars and restaurants in Spitalfields are allowed to trade no later than 23:00 or midnight and even with this restriction the lives of the residents of this area are becoming more and more intolerable because of the total saturation of the area with these establishments and the exceptionally anti-social behaviour of those who frequent them.

Customers to the bars and restaurants in this area cause huge problems by their loud and anti-social behaviour as they leave the premises and move through residential streets. Many customers have been drinking throughout the evening and into night. Some urinate and vomit in our doorways and light wells. Drunken groups gather on the streets and in front of homes, screaming, shouting and singing. There is aggressive and abusive behaviour, with drug taking and drug trading carried out openly in the street. Many customers leave the premises with their food and drinks and continue to eat and drink sitting in the street and on our doorsteps, always leaving litter including glasses and bottles in our doorways and on our windowsills. Open defecation and sexual activity are becoming common.

All this nuisance is caused by the bars and restaurants which have been allowed to proliferate in the area. We are not able to enjoy peace and quiet in our home and no consideration of the surrounding residential community has been made by these premises; they are only interested in making money. The residential amenity of those who live in the area is already severely affected by the operation of the restaurants and bars and an extension of trading beyond reasonable hours must not be permitted.

We urge the Licensing Committee not to allow opening hours for this new restaurant any later than those granted recently to other restaurants in the area: 12:00 to 23:00 Monday to Saturday, and 12:00 to 22:30 on Sundays and Public holidays, with strict conditions including noise limiters on the amplifiers for recorded music.

And we also object to the application for late night refreshment between 23:00 and midnight and ask the Licensing Committee to reject outright this section of the application. We would also object to any application for off-sales.

Sincerely

Sheila Lawson

[REDACTED]

Appendix 14

Nick Kemp

From: [REDACTED]
Sent: 10 October 2010 17:56
To: Nick Kemp
Cc: licensing
Subject: Poppies Fish and Chips, 6-8 Hanbury Street, London E1 6QR

Dear Mr Kemp,

Poppies Fish and Chips, 6-8 Hanbury Street, London E1 6QR

Licensing application for provision of recorded music and the sale of alcohol from 06:00 to 00:00 Monday to Sunday and for the provision of late night refreshment from 23:00 to 00:00 Monday to Sunday, and for the terminal hour for the provision of recorded music, sale of alcohol and late night refreshment on New Year's Eve to continue until the authorised commencement hour the following day.

We are writing to register our objection to this application from a planned new restaurant that will replace "Rossi's", a local café which shut at 16:30 and had no alcohol or music licence.

The hours and conditions applied for are excessive. At present most of the bars and restaurants in Spitalfields are allowed to trade no later than 23:00 or midnight and even with this restriction the lives of the residents of this area are becoming more and more intolerable because of the total saturation of the area with these establishments and the exceptionally anti-social behaviour of those who frequent them.

Customers to the bars and restaurants in this area cause huge problems by their loud and anti-social behaviour as they leave the premises and move through residential streets. Many customers have been drinking throughout the evening and into night. Some urinate and vomit in our doorways and light wells. Drunken groups gather on the streets and in front of homes, screaming, shouting and singing. There is aggressive and abusive behaviour, with drug taking and drug trading carried out openly in the street. Many customers leave the premises with their food and drinks and continue to eat and drink sitting in the street and on our doorsteps, always leaving litter including glasses and bottles in our doorways and on our windowsills. Open defecation and sexual activity are becoming common.

All this nuisance is caused by the bars and restaurants which have been allowed to proliferate in the area. We are not able to enjoy peace and quiet in our home and no consideration of the surrounding residential community has been made by these premises; they are only interested in making money. The residential amenity of those who live in the area is already severely affected by the operation of the restaurants and bars and an extension of trading beyond reasonable hours must not be permitted.

We urge the Licensing Committee not to allow opening hours for this new restaurant any later than those granted recently to other restaurants in the area: 12:00 to 23:00 Monday to Saturday, and 12:00 to 22:30 on Sundays and Public holidays, with strict conditions including noise limiters on the amplifiers for recorded music.

And we also object to the application for late night refreshment between 23:00 and midnight and ask the Licensing Committee to reject outright this section of the application. We would also object to any application for off-sales.

Yours sincerely,

Appendix 15

Nick Kemp

From: [REDACTED]
Sent: 09 October 2010 15:35
To: Nick Kemp; licensing@towerhamlets.co.uk
Cc: Alan.D.Cruickshank@met.police.uk; 'Critchley'
Subject: Licensing application for Poppies Fish and Chips, 6-8 Hanbury Street, London E1 6QR

Dear Mr Kemp,

Poppies Fish and Chips, 6-8 Hanbury Street, London E1 6QR

Licensing application for provision of recorded music and the sale of alcohol from 06:00 to 00:00 Monday to Sunday and for the provision of late night refreshment from 23:00 to 00:00 Monday to Sunday, and for the terminal hour for the provision of recorded music, sale of alcohol and late night refreshment on New Year's Eve to continue until the authorised commencement hour the following day.

We are writing to register our objection to this application from a planned new restaurant that will replace "Rossi's", a local café which shut at 16:30 and had no alcohol or music licence.

The hours and conditions applied for are excessive. At present most of the bars and restaurants in Spitalfields are allowed to trade no later than 23:00 or midnight and even with this restriction the lives of the residents of this area are becoming more and more intolerable because of the total saturation of the area with these establishments and the exceptionally anti-social behaviour of those who frequent them.

Customers to the bars and restaurants in this area cause huge problems by their loud and anti-social behaviour as they leave the premises and move through residential streets. Many customers have been drinking throughout the evening and into night. Some urinate and vomit in our doorways and light wells. Drunken groups gather on the streets and in front of homes, screaming, shouting and singing. There is aggressive and abusive behaviour, with drug taking and drug trading carried out openly in the street. Many customers leave the premises with their food and drinks and continue to eat and drink sitting in the street and on our doorsteps, always leaving litter including glasses and bottles in our doorways and on our windowsills. Open defecation and sexual activity are becoming common.

All this nuisance is caused by the bars and restaurants which have been allowed to proliferate in the area. We are not able to enjoy peace and quiet in our home and no consideration of the surrounding residential community has been made by these premises; they are only interested in making money. The residential amenity of those who live in the area is already severely affected by the operation of the restaurants and bars and an extension of trading beyond reasonable hours must not be permitted.

We urge the Licensing Committee not to allow opening hours for this new restaurant any later than those granted recently to other restaurants in the area: 12:00 to 23:00 Monday to Saturday, and 12:00 to 22:30 on Sundays and Public holidays, with strict conditions including noise limiters on the amplifiers for recorded music.

And we also object to the application for late night refreshment between 23:00 and midnight and ask the Licensing Committee to reject outright this section of the application. We would also object to any application for off-sales.

Yours sincerely,

John and Sandy Critchley

A solid black rectangular redaction box covers the text below the name.

Appendix 16

Nick Kemp

From: [REDACTED]
Sent: 10 October 2010 09:00
To: Nick Kemp; licensing
Cc: alan.d.cruickshank@met.police.uk
Subject: Poppies Fish And Chips 6-8 Hanbury Street

Dear Mr Kemp,

Poppies Fish and Chips, 6-8 Hanbury Street, London E1 6QR

Licensing application for provision of recorded music and the sale of alcohol from 06:00 to 00:00 Monday to Sunday and for the provision of late night refreshment from 23:00 to 00:00 Monday to Sunday, and for the terminal hour for the provision of recorded music, sale of alcohol and late night refreshment on New Year's Eve to continue until the authorised commencement hour the following day.

We are writing to register our objection to this application from a planned new restaurant that will replace "Rossi's", a local café which shut at 16:30 and had no alcohol or music licence.

The hours and conditions applied for are excessive. At present most of the bars and restaurants in Spitalfields are allowed to trade no later than 23:00 or midnight and even with this restriction the lives of the residents of this area are becoming more and more intolerable because of the total saturation of the area with these establishments and the exceptionally anti-social behaviour of those who frequent them.

Customers to the bars and restaurants in this area cause huge problems by their loud and anti-social behaviour as they leave the premises and move through residential streets. Many customers have been drinking throughout the evening and into night. Some urinate and vomit in our doorways and light wells. Drunken groups gather on the streets and in front of homes, screaming, shouting and singing. There is aggressive and abusive behaviour, with drug taking and drug trading carried out openly in the street. Many customers leave the premises with their food and drinks and continue to eat and drink sitting in the street and on our doorsteps, always leaving litter including glasses and bottles in our doorways and on our windowsills. Open defecation and sexual activity are becoming common.

All this nuisance is caused by the bars and restaurants which have been allowed to proliferate in the area. We are not able to enjoy peace and quiet in our home and no consideration of the surrounding residential community has been made by these premises; they are only interested in making money. The residential amenity of those who live in the area is already severely affected by the operation of the restaurants and bars and an extension of trading beyond reasonable hours must not be permitted.

We urge the Licensing Committee not to allow opening hours for this new restaurant any later than those granted recently to other restaurants in the area: 12:00 to 23:00 Monday to Saturday, and 12:00 to 22:30 on Sundays and Public holidays, with strict conditions including noise limiters on the amplifiers for recorded music.

And we also object to the application for late night refreshment between 23:00 and midnight and ask the Licensing Committee to reject outright this section of the application. We would also object to any application for off-sales.

Yours sincerely,

Matthew Marchant



Appendix 17

Nick Kemp

From: [REDACTED]
Sent: 10 October 2010 12:26
To: Nick Kemp; licensing
Cc: alan.d.cruickshank@met.police.uk
Subject: Licensing Application by Poppies Fish and Chips, 6-8 Hanbury Street, London E1 6QR

Dear Mr Kemp,

Poppies Fish and Chips, 6-8 Hanbury Street, London E1 6QR

Licensing application for provision of recorded music and the sale of alcohol from 06:00 to 00:00 Monday to Sunday and for the provision of late night refreshment from 23:00 to 00:00 Monday to Sunday, and for the terminal hour for the provision of recorded music, sale of alcohol and late night refreshment on New Year's Eve to continue until the authorised commencement hour the following day.

We are writing to register our objection to this application from a planned new restaurant that will replace "Rossi's", a local café which shut at 16:30 and had no alcohol or music licence.

The hours and conditions applied for are excessive. At present most of the bars and restaurants in Spitalfields are allowed to trade no later than 23:00 or midnight and even with this restriction the lives of the residents of this area are becoming more and more intolerable because of the total saturation of the area with these establishments and the exceptionally anti-social behaviour of those who frequent them.

Customers to the bars and restaurants in this area cause huge problems by their loud and anti-social behaviour as they leave the premises and move through residential streets. Many customers have been drinking throughout the evening and into night. Some urinate and vomit in our doorways and light wells. Drunken groups gather on the streets and in front of homes, screaming, shouting and singing. There is aggressive and abusive behaviour, with drug taking and drug trading carried out openly in the street. Many customers leave the premises with their food and drinks and continue to eat and drink sitting in the street and on our doorsteps, always leaving litter including glasses and bottles in our doorways and on our windowsills. Open defecation and sexual activity are becoming common.

All this nuisance is caused by the bars and restaurants which have been allowed to proliferate in the area. We are not able to enjoy peace and quiet in our home and no consideration of the surrounding residential community has been made by these premises; they are only interested in making money. The residential amenity of those who live in the area is already severely affected by the operation of the restaurants and bars and an extension of trading beyond reasonable hours must not be permitted.

We urge the Licensing Committee not to allow opening hours for this new restaurant any later than those granted recently to other restaurants in the area: 12:00 to 23:00 Monday to Saturday, and 12:00 to 22:30 on Sundays and Public holidays, with strict conditions including noise limiters on the amplifiers for recorded music.

And we also object to the application for late night refreshment between 23:00 and midnight and ask the Licensing Committee to reject outright this section of the application. We would also object to any application for off-sales.

Yours sincerely,

Matthew and Vikki Piper



Appendix 18

Nick Kemp

From: [REDACTED]
Sent: 09 October 2010 18:12
To: licensing; Nick Kemp
Cc: Alan.Cruickshank@met.police.uk
Subject: Poppies Fish and Chips, 6-8 Hanbury St, E1 6QR

Dear Mr Kemp,

RE : Poppies Fish and Chips, 6-8 Hanbury Street, London E1 6QR

Licensing application for provision of recorded music and the sale of alcohol from 06:00 to 00:00 Monday to Sunday and for the provision of late night refreshment from 23:00 to 00:00 Monday to Sunday, and for the terminal hour for the provision of recorded music, sale of alcohol and late night refreshment on New Year's Eve to continue until the authorised commencement hour the following day.

We are writing to register our objection to this application for a planned new restaurant that will replace "Rossi's", a local café which shut at 16:30 and had no alcohol or music licence.

The hours and conditions applied for are excessive. At present most of the bars and restaurants in Spitalfields are allowed to trade no later than 23:00 or midnight and even with this restriction the lives of the residents of this area are becoming more and more intolerable because of the total saturation of the area with these establishments and the exceptionally anti-social behaviour of those who frequent them.

Customers to the bars and restaurants in this area cause huge problems by their loud and anti-social behaviour as they leave the premises and move through residential streets. Many customers have been drinking throughout the evening and into night. Some urinate and vomit in our doorways and light wells. Drunken groups gather on the streets and in front of homes, screaming, shouting and singing. There is aggressive and abusive behaviour, with drug taking and drug trading carried out openly in the street. Many customers leave the premises with their food and drinks and continue to eat and drink sitting in the street and on our doorsteps, always leaving litter including glasses and bottles in our doorways and on our windowsills. Open defecation and sexual activity are becoming common.

All this nuisance is caused by the bars and restaurants which have been allowed to proliferate in the area. We are not able to enjoy peace and quiet in our home and no consideration of the surrounding residential community has been made by these premises; they are only interested in making money. The residential amenity of those who live in the area is already severely affected by the operation of the restaurants and bars and an extension of trading beyond reasonable hours must not be permitted.

We urge the Licensing Committee not to allow opening hours for this new restaurant any later than those granted recently to other restaurants in the area: 12:00 to 23:00 Monday to Saturday, and 12:00 to 22:30 on Sundays and Public holidays, with strict conditions including noise limiters on the amplifiers for recorded music.

And we also object to the application for late night refreshment between 23:00 and midnight and ask the Licensing Committee to reject outright this section of the application. We would also object to any application for off-sales.

Yours sincerely,

Selina and Glen Mifsud

[REDACTED]

Appendix 19

Nick Kemp

From: [REDACTED]
Sent: 10 October 2010 15:37
To: Nick Kemp; licensing
Subject: Application for Premises Licence by Poppies, 6-8 Hanbury St, E1 6QR

Dear Mr Kemp,

With reference to the Licence Application made by Poppies Fish and Chips, 6-8 Hanbury St, London E1 6QR, for the provision of recorded music and the sale of alcohol from 06:00 to 00:00 Mon to Sun and for the provision of late night refreshment from 23:00 to 00:00 Mon to Sun, and both for 24 hours over New Year's Eve.

We object to this application for the following reasons:

1. The increase in hours of alcohol sales will increase the incidence of crime and disorder and public nuisance in the form of alcohol-related anti-social behaviour. The previous cafe at this location closed at 16:30 and had no alcohol or music licence.
2. The quality of life of the local residents is already negatively affected by the anti-social behaviour and noise generated by people leaving the many bars and restaurants in the area. Premises selling alcohol take no responsibility for the behaviour of their customers afterwards and it becomes increasingly difficult to relax in our own homes after a long day at work, or sleep at night without continual disturbance.
3. Poppies are requesting later hours than most of the bars and restaurants locally. We ask you not to allow opening hours for this new restaurant any later than those granted recently to other restaurants in the area, ie. 12:00 to 23:00 Mon to Sat and 12:00 to 22:30 on Sun and Public holidays, with noise limitations on the amplifiers for recorded music. We also ask the Licencing Committee to outrightly reject the application for late night refreshment between 23:00 and midnight and would also object to any application for off-sales.

Yours sincerely,

Dr Jenny Maslin and Dr Paul de Mornay Davies

Appendix 20

Nick Kemp

From: Chris Dyson [REDACTED]
Sent: 09 October 2010 15:46
To: Nick Kemp; licensing
Cc: alan.d.cruickshank@met.police.uk
Subject: RE: Licensing Application by Poppies Fish and Chips, 6-8 Hanbury Street, London E1 6QR
Importance: High

Dear Nick Kemp, Licensing Officer, London Borough of Tower Hamlets, Licensing Section, Mulberry Place (AH), PO BOX 55739, 5 Clove Crescent, London E14 1BY

Poppies Fish and Chips, 6-8 Hanbury Street, London E1 6QR

I am writing to object to the granting of a late licence at this premises

We fear that the opening of the restaurant with the licensing conditions they have applied for will further reduce our residential amenity and in particular increase the number of people sitting on the kerbstones and on our doorsteps late at night – eating take-away fish and chips and drinking alcohol bought at one of the numerous local off-licences.

We see no reason why the Licensing Committee should allow opening hours any later than those granted recently to 'Pushpita Preen', in Brick Lane:
12 noon to 23:00 Monday to Saturday, and 12 noon to 22:30 on Sundays and Public holidays, with strict conditions including noise limiters on the amplifiers for recorded music.

We intend to oppose the application as currently submitted, quoting local saturation, public nuisance and anti-social behaviour. And we will object to the application for what they call "late night refreshment" between 2300 and midnight. They do not seem to have applied for an off-licence, but we have mentioned it nonetheless.

Licensing application for provision of recorded music and the sale of alcohol from 06:00 to 00:00 Monday to Sunday and for the provision of late night refreshment from 23:00 to 00:00 Monday to Sunday, and for the terminal hour for the provision of recorded music, sale of alcohol and late night refreshment on New Year's Eve to continue until the authorised commencement hour the following day.

We are writing to register our objection to this application from a planned new restaurant that will replace "Rossi's", a local café which shut at 16:30 and had no alcohol or music licence.

The hours and conditions applied for are excessive. At present most of the bars and restaurants in Spitalfields are allowed to trade no later than 23:00 or midnight and even with this restriction the lives of the residents of this area are becoming more and more intolerable because of the total saturation of the area with these establishments and the exceptionally anti-social behaviour of those who frequent them.

Customers to the bars and restaurants in this area cause huge problems by their loud and anti-social behaviour as they leave the premises and move through residential streets. Many customers have been drinking throughout the evening and into night. Some urinate and vomit in our doorways and light wells. Drunken groups gather on the streets and in front of homes, screaming, shouting and singing. There is aggressive and abusive

behaviour, with drug taking and drug trading carried out openly in the street. Many customers leave the premises with their food and drinks and continue to eat and drink sitting in the street and on our doorsteps, always leaving litter including glasses and bottles in our doorways and on our windowsills. Open defecation and sexual activity are becoming common.

All this nuisance is caused by the bars and restaurants which have been allowed to proliferate in the area. We regularly have to assist the street cleaners every morning to pick up waste vodka bottles and rubbish. We are not able to enjoy peace and quiet in our home and no consideration of the surrounding residential community has been made by these premises; they are only interested in making money. The residential amenity of those who live in the area is already severely affected by the operation of the restaurants and bars and an extension of trading beyond reasonable hours must not be permitted.

We urge the Licensing Committee not to allow opening hours for this new restaurant any later than those granted recently to other restaurants in the area: 12:00 to 23:00 Monday to Saturday, and 12:00 to 22:30 on Sundays and Public holidays, with strict conditions including noise limiters on the amplifiers for recorded music.

And we also object to the application for late night refreshment between 23:00 and midnight and ask the Licensing Committee to reject outright this section of the application. We would also object to any application for off-sales.

Yours Sincerely,
Chris, Sarah, Oliver and Isabella Dyson

Appendix 21

Conditions:

(1) 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 31 days. 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, and all signs as required will be clearly displayed. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity. There must also be someone on the premises, who can download the images and present them immediately on request by a police officer or other responsible authority.

(2) No noise shall emanate from the licensed premises nor vibration be transmitted through the structure of the licensed premises which gives rise to a nuisance.

(3) No off-sales

(4) Alcohol only to be sold to customers who are sitting having a meal.

(5) No one allowed to stand outside the premises drinking alcohol.

(6) No early morning or late night deliveries or collections of bottled goods or services or the collection/disposal of waste food either before 08.00 hours or after 21.00 hours at night.

(7) A risk assessment will be completed and made available for inspection by the police or officer from the local authority covering the management of:

- access to the premises
- control of any queues outside the premises
- the dispersal of customers leaving the premises
- the collection and removal of litter from directly outside the premises.

Appendix 22

Section 182 Advice by the Home Office

Updated October 2010

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 Home Office 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 Home Secretary 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.

Appendix 23

Anti-Social Behaviour From Patrons Leaving The Premises

General Advice

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

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

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

Licensing Policy

The policy recognises that other legislation or measures may be more appropriate but also states that licensing laws are “a key aspect of such control and will always be part of an overall approach to the management of the evening and night time economy.” (See **Section 4.10 and 4.11 of the Licensing Policy**).

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

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

Cumulative Impact

There is a process by which the Licensing Authority can determine that an area is saturated following representations. However, the process for this involves wide consultation and cannot come from representations about a particular application. **(See Section 6 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 (13.20).

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, but can relate to 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, police liaison, no glasses are all relevant (s.2.7-2.11).

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

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

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).

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 24

Access and Egress problems

Such as:

Disturbance from patrons arriving/leaving the premises on foot

Disturbance from patrons arriving/leaving the premises by car

Close proximity to residential properties

General Advice

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

The hours of operation also need to be considered.

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

Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. **(See Section 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 Section 8.2 of the Licensing Policy)**.

The policy also recognises that staggered closing can help prevent problems at closure time **(See Section 12.10)**.

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 12.10)**

The Council has adopted a set of framework hours **(See 12.8 of the licensing policy)**. This relates to potential disturbance caused by late night trading.

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Pool of Conditions 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 (Annex G). 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)