

EXTRAORDINARY

LICENSING SUB COMMITTEE

Friday, 19 December 2014 at 10.30 a.m.

The Council Chamber, Town Hall, Mulberry Place, 5 Clove Crescent,
London, E14 2BG

This meeting is open to the public to attend.

Contact for further enquiries:

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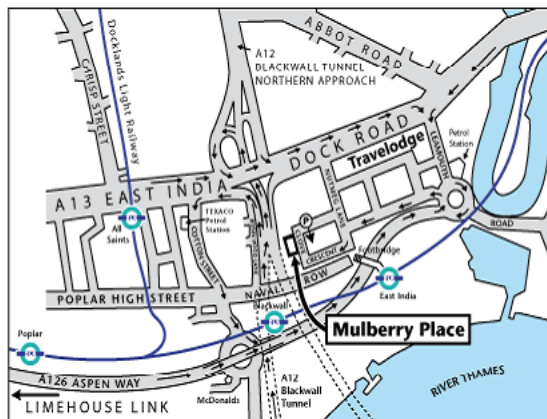
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QR code for smart phone users.

APOLOGIES FOR ABSENCE

To receive any apologies for absence.

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST (Pages 1 - 4)

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 Monitoring Officer.

2. RULES OF PROCEDURE (Pages 5 - 20)

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

	PAGE NUMBER(S)	WARD(S) AFFECTED
3. ITEMS FOR CONSIDERATION		
3 .1 Application for a Temporary Event Notice for 2nd Floor, 2-4 Commercial Street, London, E1 7RA	21 - 42	Spitalfields & Banglatown
3 .2 Application for a Temporary Event Notice for B & B restaurants, Arch 252 Paradise Row, London E2	43 - 76	St Peter's

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Agenda Item 1

DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

Interests and Disclosable Pecuniary Interests (DPIs)

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

Effect of a Disclosable Pecuniary Interest on participation at meetings

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Monitoring Officer following consideration by the Dispensations Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Monitoring Officer of the interest for inclusion in the Register.

Further advice

For further advice please contact:-

Meic Sullivan-Gould, Monitoring Officer, Telephone Number: 020 7364 4801

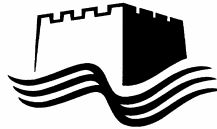
APPENDIX A: Definition of a Disclosable Pecuniary Interest

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

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

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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).
 - 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.

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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 grant of personal licence).	10 working days	5 working days	Applicant; Chief Officer of Police who has given Notice	2 working days

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 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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Guidance for Licensing Sub-Committee Meetings.

(1) Attendance at Meetings.

All meetings of the Sub-Committee are open to the public and press to attend. On rare occasions, the Sub-Committee may retire to consider private business that will be clearly marked on the agenda as such. The press and public will be excluded for those confidential items only. We try to keep confidential reports to an absolute minimum. We request that you show courtesy to all present and please keep mobile phones on silent. Meetings can reach full capacity and seats are allocated on a first come first come served basis.

(2) Licensing Sub-Committee Role and Membership.

In summary, the Sub-Committee will consider and determine applications to grant, vary or review a license submitted under the Licensing Act 2003 where representations have been made. The full terms of reference can be found on the Committee webpages (see below). The Licensing Sub-Committee will consist of 3 Members of the main Licensing Committee. Meetings are normally held in the Town Hall Council Chamber.

Licensing Sub-Committee Webpages

To view go to the Committee and Member Services web page: www.towerhamlets.gov.uk/committee - 'agenda, reports, decisions and minutes', then click on 'Licensing Sub-Committee'.

The pages include:

- Terms of Reference for the Licensing Sub-Committee.
- Meeting dates, agendas and minutes.
- Agenda timetable including agenda publication dates. (To view click 'browse meetings and agendas for this committee', then 'show agenda management timetable').

(3) Access to Committee Papers.

The agenda for Sub-Committee meetings is published five clear (working) days before the Sub-Committee meeting on the Committee webpages (except for certain types of applications where special rules apply). All Committee papers (i.e. agendas, reports, minutes and decisions) are published on the website and also available on iPad and Android tablet apps downloadable for free from their respective app stores.

(4) Who can speak at Licensing Sub-Committee meetings?

Only interested parties may address the Sub-Committee (those who have made a valid representation) and the applicant and their representatives. Although the Sub-Committee may allow other persons to present the interested parties evidence or to give supporting evidence. If you are planning to attend the hearing to address the committee, you are advised to contact the Committee officer - see the Committee

pages and agenda front page for contact details. Speakers are advised to arrive at the start of the meeting in case the order of business is changed. Speakers will be called to speak by the Chair at the appropriate time. If speakers are not present by the time their application is heard, the Committee may consider the item in their absence.

(5) What can be circulated?

Should you wish to submit any material, please contact the Committee/Licensing Officer as soon as possible. The Sub-Committee may accept information at the hearing, however this is only with the agreement of all parties present.

(6) How will the applications be considered?

The Sub-Committee will normally consider the items in agenda order subject to the Chair’s discretion. The hearing procedure is detailed at the end of this guidance.

(7) How can I find out about a decision?

You can contact Democratic Services the day after the meeting to find out the decisions.

(8) Queries on reports.

For any questions, please contact the Officer named on the front of the report.

Typical Seating Plan for Licensing Sub - Committee Meetings in the Town Hall Council Chamber.

Public Seating		Objectors Benches		Sub-Committee Members
Public Seating				Chair
Public Seating				Legal Officer
Public Seating		Applicants Benches		Committee Officer
Public Seating				Licensing Officer

LICENSING SUB COMMITTEE HEARING PROCEDURE

All interested parties to the hearing must notify Democratic Services within prescribed timescales that they intend to attend and/or be represented at the hearing and whether any witnesses will be attending on their behalf. The meeting will be in the form of a discussion led by the Sub Committee, cross examination of either party will not be permitted.

The Chair will allocate an equal amount of speaking time to each party. Where there is more than one representation raising the same or similar grounds, those parties should consider nominating a single representative to address the Sub-Committee on their behalf at the hearing.

The hearing will proceed as follows (subject to the discretion of the Chair).

1. Chair will introduce him/herself and ask Members, officers, and all interested parties present at the meeting to introduce themselves.
2. Licensing Officer to present the report.
3. Committee Members to ask questions of officer (if any).
4. The Applicant to present their case in support of their application (including any witnesses they may have).
5. Committee Members to ask questions of applicants and their witnesses or ask for points of clarification.
6. The relevant Responsible Authorities in attendance will present their case and their reasons for representation (including any witnesses they may have).
7. The Objectors/Interested Parties in attendance will present their case and their reasons for objecting (including any witnesses they may have).
8. Committee Members to ask questions of Responsible Authorities, objectors and their witnesses or ask for points of clarification.
9. Applicant (with exception and with permission of the Chair) can ask questions of the other parties to the hearing and their witnesses.
10. Interested Parties to the hearing (with exception and with the permission of the Chair) can ask questions of the applicant/other parties to the hearing and their witnesses.
11. Chair's closing remarks
12. Sub-Committee retire from the meeting with the Committee Officer and Legal Officer and consider their decision.
13. The Sub-Committee will return to the meeting and Chair announces the decision together with the reasons for the decision and any right to appeal.
14. Decision letter will be sent to all interested parties confirming the decision made.

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Agenda Item 3.1

Committee :	Date	Classification	Report No.	Agenda Item No.
Licensing Sub Committee	19 December 14	Unclassified	LSC 59/145	

Report of David Tolley Head of Consumer and Business Regulation Originating Officer: Alexander Lisowski, Licensing Officer.	Title: Licensing Act 2003 Temporary Event Notice for 2nd Floor, 2-4 Commercial Street, London, E1 7RA. Ward affected: Spitalfields and Banglatown
---	---

1.0 Summary

Applicant: **Mr Callum Thomson**

Address of Premises: **2nd Floor
2-4 Commercial Street
London E1 7RA**

Objectors: **The Metropolitan Police
Environmental Health**

2.0 Recommendations

- 2.1 That the Licensing Committee considers the application and objections 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

File Only

Alexander Lisowski
020 7364 7446

3.0 **Background**

3.1 This is an application for a Standard Temporary Event Notice.

3.2 Enclosed is a copy of the application. (**See Appendix 1**).

3.3 The applicant has described the nature of the application as follows:

**The supply of alcohol
Regulated Entertainment
Late Night Refreshment**

3.4 The premises that has been applied for is:

**2nd Floor
2-4 Commercial Street
London E1 7RA**

3.5 The dates and times that have been applied for are as follows:

The on-sale of alcohol, 21.00pm 31/12/2014 to 04.00am 1/1/2015

Late night refreshment, 21.00pm 31/12/2014 to 04.00am 1/1/2015

Opening hours of the event, 21.00pm to 06.00am 1/1/2015

3.6 A map showing the relevant premises and immediate area is included as **Appendix 2**.

4.0 **Temporary Event Notices**

4.1 Temporary Event Notices (TENs) are a creation of the Licensing Act 2003. They provide a method by which licensable activities can be carried out on a temporary basis (max. 168 hrs) without a licence. The maximum number that can attend at any one time is 499. At least 10 full working days notice must be given to the licensing authority. When a TEN cannot be obtained, for example the event is over 499, then a full premises licence must be obtained, for a limited duration.

4.2 The licensing authority cannot oppose an application, (nor can local residents or businesses. The licensing authority must reject any application that does not meet the rules as to numbers, maximum per year etc. The limits are now as follows: 12 TEN per calendar year or 21 days. The responsible authorities that can object is the Metropolitan Police or Environmental Protection.

4.3 The Police and Environmental Protection can object on the grounds that allowing the event to go ahead will undermine one of the Licensing Objectives.

- 4.4 Following an objection by the relevant responsible authority one or more conditions may be imposed by the Licensing Authority
- (a) if it considers it appropriate for the promotion of the licensing objectives to do so,
 - (b) the conditions are also imposed on a premises licence or club premises certificate that has effect in respect of the same premises, or any part of the same premises, as the temporary event notice, and
 - (c) the conditions would not be inconsistent with the carrying out of the licensable activities under the temporary event notice.
- 4.5 Where the authority decides to impose one or more conditions;
- (a) the authority must give the premises user notice of the decision;
 - (b) the notice must be accompanied by a separate statement (the “statement of conditions”) which sets out the conditions that have been imposed on the temporary event notice; and
 - (c) a copy of the notice and statement of conditions must be given to each relevant party.
- 4.6 LATE TENs have been created through the Police Reform and Social Responsibilities Act 2011, a Late TEN can be made no later than FIVE working days and no earlier than NINE working days before the event. The limits to these applications are no more than 2 for a non personal licence holder or no more than 10 for a personal licence holder.
- 4.7 The Police and Environmental Protection can object to Late TENs, if an objection is made the Licensing Authority must issue a counter notice advising the event cannot take place.

5.0 **Objections**

5.1 The Police objections are contained in **Appendix 3**.

5.2 Environmental Protection objections are contained in **Appendix 4**.

6.0 Advice to Members

- 6.1 The Police Reform and Social Responsibility Act 2011 have amended legislation whereby Environmental Protection alongside Police can object to Temporary Event Notice under any of the licensing objectives.
- 6.2 This hearing is required by the Licensing Act 2003. As always the decision is on the civil burden of proof, i.e. the balance of probability.
- 6.3 Members can consider any of the licensing objectives. Other matters can also be dealt with elsewhere by primary legislation.
- 6.4 Premises users are not required to be on the premises for the entire duration of the event authorised by the TEN, but they will remain liable to prosecution for certain offences that may be committed at the premises during the period covered by it. These include, for example, the offences of the sale of alcohol to a person who is drunk; persistently selling alcohol to children; and allowing disorderly conduct on licensed premises.
- 6.5 The police or local authority exercising environmental health functions may contact the premises user to discuss their objections and try to come to an agreement which will allow the proposed licensable activities to proceed. The TEN can be modified. If there is no agreement, the licensing authority must hold a hearing to consider the notice.

7.0 Legal Comments

- 7.1 The Council's legal officer will give advice at the hearing.

8.0 Finance Comments

- 8.1 There are no financial implications in this report.

9.0 Appendices

Appendix 1	A copy of the application
Appendix 2	Maps of the area
Appendix 3	Police Objection
Appendix 4	Environmental Protection Objection

Appendix 1

Section 1 of 9

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

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

First name

Family name

E-mail address

Main telephone number

Other telephone number

Include country code.

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

Are you:

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

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

Applicant Business

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

Is your business registered outside the UK? Yes No

Business name If your business is registered, use its registered name.

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 9

APPLICATION DETAILS (See also guidance on completing the form, general notes and note 1)

Have you had any previous or maiden names?

- Yes No

Your date of birth / /

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Correspondence Address

Is the address the same as (or similar to) the address given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Continued from previous page...

Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes No

E-mail

Telephone number

Other telephone number

Section 3 of 9

THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). [\(See also guidance on completing the form, note 2\)](#)

Does the premises have an address?

- Yes No

Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes No

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

- Neither Premises licence Club premises certificate

Location Details

Provide further details about the location of the event

the premises is a social club. recently available to let, purpose built bar, designated outside smoking area conforming to regulations, 3 seperate exits, 6 seperate male and female toilets

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below [\(see also guidance on completing the form, note 3\)](#)

i propose to use only the main room, the bar room and the outside smoking area. in the main room a soft drink only

Continued from previous page...

temporary bar will be used in addition to the main licensed bar. i propose a maximum occupancy of 499, inclusive of staff, stewards, artists and guests. the guests are by direct invitation only, with a guest list limited to 470, allowing for a maximum of 29 staff and artist combined. there will be no "walk in's", or ticket sales on the door. only one bar in the venue will be selling alcohol and late night refreshment.

Describe the nature of the premises below ([see also guidance on completing the form, note 4](#))

the premises is a social club, in a largely commercial area with very few residential dwellings. the building is equipped for such activities with multiple exits, exit signs, multiple fire escapes and routes. it has a large number of male and female toilets. running water. several close rail links and an extensive public transport network.

Describe the nature of the event below ([see also guidance on completing the form, note 5](#))

the event is New Years Eve celebration. i propose to have recorded music being played with dancing and socialising, i propose to have in total seven trained and licensed door staff. 5 male and two female. in addition there will be a number of volunteer stewards. All staff will be briefed prior to event. familiarised with property lay out, fire exits/routes and duties. the guests are by private invitation only and limited to a maximum of 470. There will be no walk in's and no ticket sales on the door. i propose to operate a challenge 25 policy on all sales. Although this ten is not late it is on the deadline, this is due too losing a venue at very short notice and only just securing this venue. i can only apologise for this. i am also attending personal licence training on 16.12.14, with a subsequent licence application pending test result that day.

Section 4 of 9

LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises ([see also guidance on completing the form, note 6](#)):

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- The giving of a late temporary event notice

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

[\(See also guidance on completing the form, note 7\).](#)

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

[\(see also guidance on completing the form, note 8\)](#)

Event start date / /
dd mm yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date / /
dd mm yyyy

Continued from previous page...

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

[\(see also guidance on completing the form, note 9\)](#)

event time 21.00 - 06.00, alcohol sales 21.00 - 04.00, tea and coffee(late night refreshment) 09.00-06.00. soft drinks and cold food 09.00-06.00

State the maximum number of people at any one time that you intend to allow to be present at the premises

during the times when you intend to carry on licensable activities, including any staff, organisers or performers

[\(see also guidance on completing the form, note 10\)](#)

499

Note that the maximum number of people cannot exceed 499.

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

[\(see also guidance on completing the form, note 11\):](#)

- On the premises only
- Off the premises only
- Both

Section 5 of 9

RELEVANT ENTERTAINMENT [\(See also guidance on completing the form, note 12\)](#)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

no such activities will be taking place.

Section 6 of 9

PERSONAL LICENCE HOLDERS [\(See also guidance on completing the form, note 13\)](#)

Do you currently hold a valid personal licence?

- Yes
- No

Section 7 of 9

PREVIOUS TEMPORARY EVENT NOTICES [\(See also guidance on completing the form, note 14\)](#)

Continued from previous page...

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

Yes No

Have you already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or Yes No
- b) Begins 24 hours or less after the event period proposed in this notice?

Section 8 of 9

ASSOCIATES AND BUSINESS COLLEAGUES [\(See also guidance on completing the form, note 15\)](#)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or Yes No
- b) Begins 24 hours or less after the event period proposed in this notice?

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes No

Continued from previous page...

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

Yes No

a) Ends 24 hours or less before; or
b) Begins 24 hours or less after the event period proposed in this notice?

Section 9 of 9

CONDITION [\(See also guidance on completing the form, note 17\)](#)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.
This formality requires a fixed fee of £21

DECLARATION [\(See also guidance on completing the form, note 18\)](#)

- * The information contained in this form is correct to the best of my knowledge and belief
- * I understand that it is an offence:
 - * (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
 - * (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both

* For completion by the Licensing Authority

* I acknowledge receipt of this temporary event notice

* SIGNATURE _____ On behalf of the Licensing Authority NAME OF OFFICER

DATE _____

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Full name

Capacity

Date / /
dd mm yyyy

Continued from previous page...

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

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/tower-hamlets/apply-1> to upload this file and continue with your application.

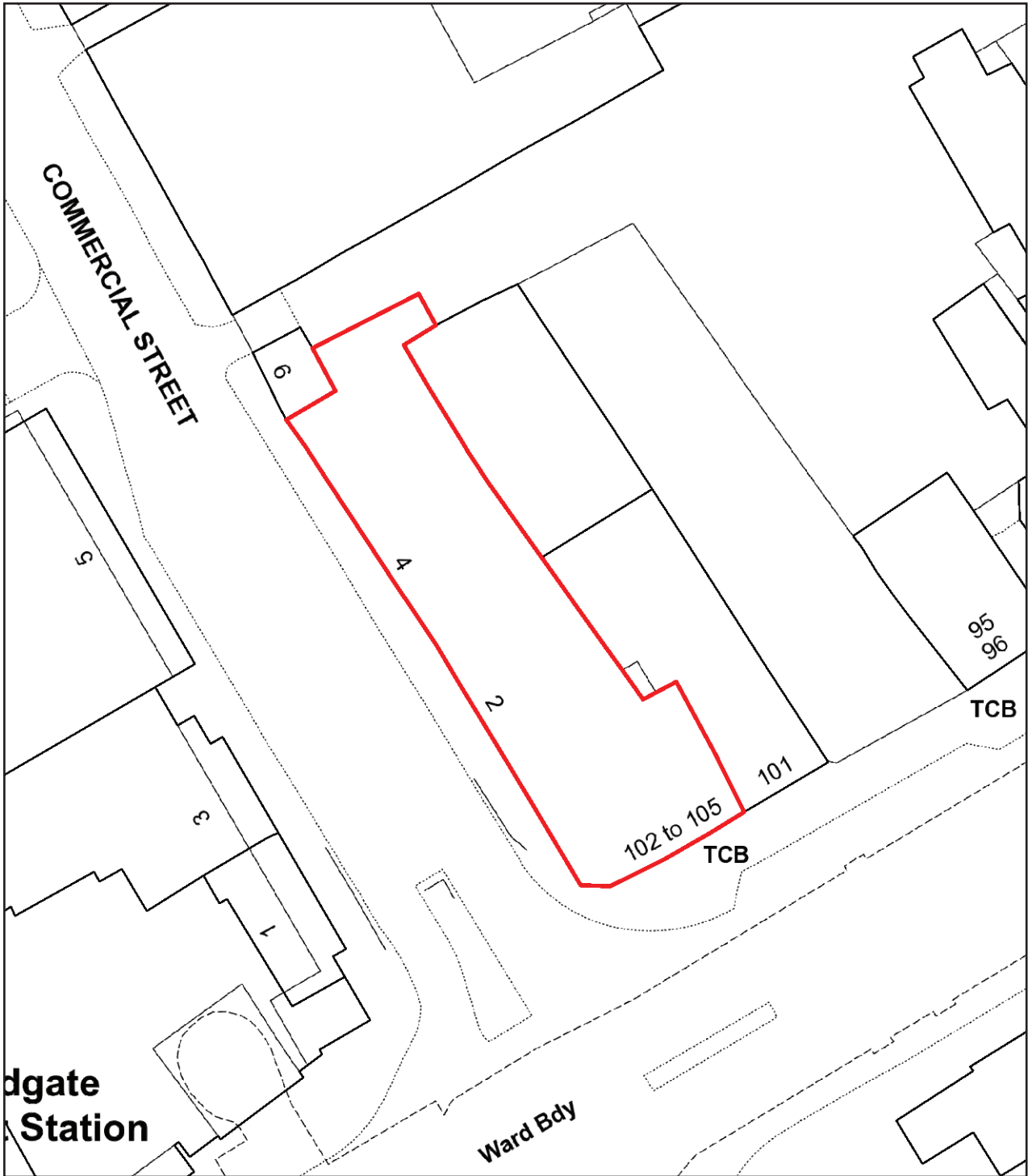
Don't forget to make sure you have all your supporting documentation to hand.

OFFICE USE ONLY

Applicant reference number	<input type="text" value="nye whitechapel"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

< Previous [1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) Next >

Appendix 2

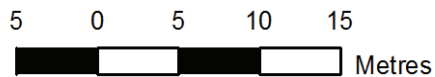


dgate
Station

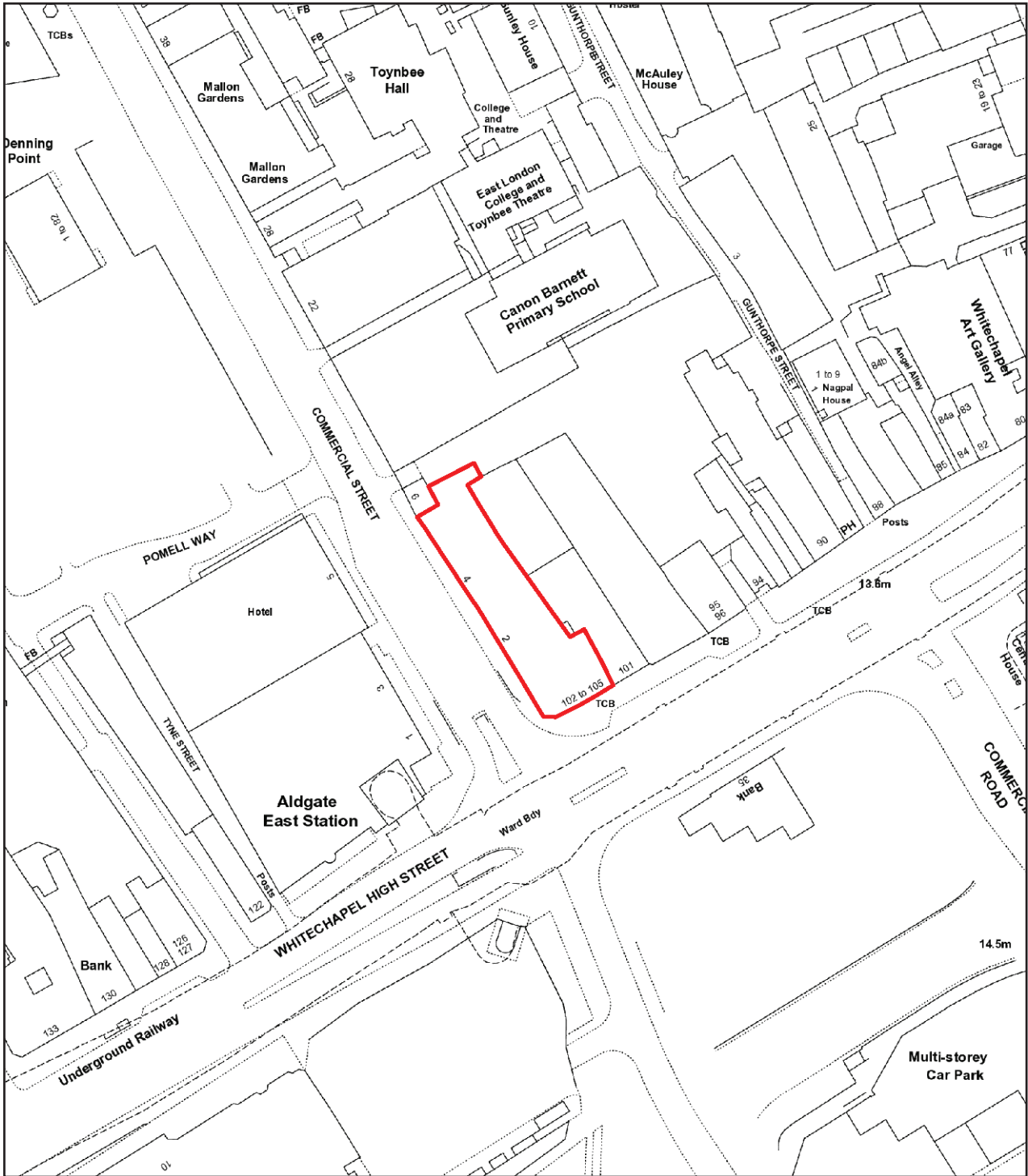
2nd Flr, 2-4 Commercial Street



Scale 1:572



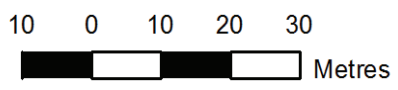
Produced by London Borough of Tower Hamlets on 17/12/2014. © Crown copyright and database rights 2012 Ordnance Survey, London Borough of Tower Hamlets 100019288.



2nd Flr, 2-4 Commercial Street



Scale 1:1334



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Appendix 3

John McCrohan
LBTH Licensing
Toby Club
Vawdrey Close
E1 4AU

HT - Tower Hamlets Borough

Licensing Office
Limehouse Police Station
27 West India Dock Road &
5 Birchfield Street
E14 8EZ

Telephone: [REDACTED]

Facsimile:

Email:

[REDACTED]
[REDACTED]
www.met.police.uk

Your ref:

Our ref:

17 December 2014

Dear Mr McCrohan

Re: Temporary Event Notice (31st December 2014 : 2100 - 0600)

Floor2 , 2-4 Commercial St, E1 7RA

Please accept this letter as notification that the police as a responsible authority wish to object to this application on the following two licensing objectives

The prevention of crime and disorder

The prevention of public nuisance

New Year's Eve is one of the busiest evenings for the Metropolitan Police and all emergency services, where our resources can be stretched to the limit.

The applicant has applied for a TEN between the hours of 2100 - 0600

Although TENs are not covered by the Cumulative Impact Zone, it does reflect the concerns over violence and ASB.

Mr Thomson admits not to have any experience in running such large events, even if he has applied for his personal licence.

It is specifically at this time of year that one needs “experienced hands” to run such an event, to ensure that all the licensing objectives are adhered to, especially the crime and disorder and public nuisance objectives.

Approximately 500 people in Commercial St, adds an extra burden to an already busy area. How will the applicant control access and egress from the venue?

With this amount of people there is a significant chance of low level ASB whether it is people talking in loud voices or minor disturbances.

The applicant has stated that 7 SIA staff will be on duty. Although some events will have 1 SIA per 100 attendees, I do not think this is sufficient on NYE when people are normally intoxicated and intent on having a good time by way of alcohol or drugs

There is no mention of a search policy in relation to drugs.

I don't believe that there is sufficient staff to deal with any minor break out of disorder and if this is not immediately curtailed then this can develop into serious disorder, which again would stretch police resources.

I have sent an e-mail to the LFB to see if they find this second floor premises suitable for a dance/rave event.

I am also concerned that the previous venue for the event was to be held in “an arch behind Bethnal Green tube”

The applicant was unable to say why this was no longer an option. I am aware of the arches behind the tube in Gales Gardens, one of which is an unlicensed venue where myself and Ian Wareing of LBTH noise team have investigated.

Overall, this is another venue in an already very busy area. The applicant has no experience in running such an event, especially on NYE when people can be either at their best or worst behaviour. He lacks the experience to nip any problems in the bud. Police resources will already be stretched with the licensed venues in Brick Lane who will be open until the very early hours in the morning.

I ask the committee to refuse this application

Alan Cruickshank PC 189HT

Appendix 4

Alex Lisowski

From: Ian Wareing
Sent: 16 December 2014 12:45
To: Licensing; [REDACTED]
Cc: Alan.D.Cruickshank@met.pnn.police.uk
Subject: TEN 081620 - Representation

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir/Madam, please accept this email as a representation against the above application.

EH has concerns over the event in a building that does not have a Premises Licence. I visited the site today and viewed from the outside. It appears that the windows are weak with regards to sound insulation and having an event with DJ's until 06.00 will inevitably cause Public Nuisance. There is a hotel and residential flats opposite and there is possibly residential to the east of the building above commercial property. These residents will invariably take the brunt of loud music until 06.00 if this licence were to be granted.

The applicant has stated that he does not yet have his Personal Licence and I believe this shows that there will be a lack of experience with running an event like this with up to 499 attendees.

It is therefore recommended that this TEN be refused.

Ian

Ian Wareing
Technical Officer
Pollution Team
Environmental Protection
Environmental Health
2nd Floor
Gladstone Place Offices
1 Ewart Place
London
E3 5EQ

020 7364 5008
[REDACTED]

Agenda Item 3.2

Committee :	Date	Classification	Report No.	Agenda Item No.
Licensing Sub Committee	19 December 14	Unclassified	LSC 60/145	

Report of David Tolley Head of Consumer and Business Regulation Originating Officer: Kathy Driver Principal Licensing Officer	Title: Licensing Act 2003 Temporary Event Notice for B & B restaurants, Arch 252 Paradise Row, London E2 Ward affected: St Peters
---	---

1.0 Summary

Applicant: **Daniel Bernardi**

Address of Premises: **Arch 252
Paradise Row
London
E2 9LE**

Objectors: **Environmental Health
Metropolitan Police**

2.0 Recommendations

2.1 That the Licensing Committee considers the application and objections 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

File Only

Kathy Driver
020 7364 5171

3.0 **Background**

- 3.1 This is an application for a Standard Temporary Event Notice.
- 3.2 Enclosed is a copy of the application. (**See Appendix 1**).
- 3.3 The applicant has described the nature of the application as a New Years Eve dinner with DJ for the:
The supply of alcohol
Regulated Entertainment
Late Night Refreshment
- 3.4 The premises that has been applied for is: Arch 252 Paradise Row, London E2 9LE.
- 3.5 The dates that have been applied for are as follows: 31st December 2014 to 2nd January 2015
- 3.6 The times that have been applied for are as follows: 11:00 hours to 11:00 hours.
- 3.7 A map showing the relevant premises and immediate area is included as **Appendix 2**.
- 3.8 The venue holds premises licence and the licence including conditions is attached in **Appendix 3**.

4.0 **Temporary Event Notices**

- 4.1 Temporary Event Notices (TENs) are a creation of the Licensing Act 2003. They provide a method by which licensable activities can be carried out on a temporary basis (max. 168 hrs) without a licence. The maximum number that can attend at any one time is 499. At least 10 full working days notice must be given to the licensing authority. When a TEN cannot be obtained, for example the event is over 499, then a full premises licence must be obtained, for a limited duration.
- 4.2 The licensing authority cannot oppose an application, (nor can local residents or businesses). The licensing authority must reject any application that does not meet the rules as to numbers, maximum per year etc. The limits are now as follows: 12 TEN per calendar year or 21 days. The responsible authorities that can object is the Metropolitan Police or Environmental Protection.
- 4.3 The Police and Environmental Protection can object on the grounds that allowing the event to go ahead will undermine one of the Licensing Objectives.

- 4.4 The Police received notification of the event on Friday 11th November 2014. The Police and EH may object within 3 working days after the date of notification.
- 4.5 Following an objection by the relevant responsible authority one or more conditions may be imposed by the Licensing Authority
- (a) if it considers it appropriate for the promotion of the licensing objectives to do so,
 - (b) the conditions are also imposed on a premises licence or club premises certificate that has effect in respect of the same premises, or any part of the same premises, as the temporary event notice, and
 - (c) the conditions would not be inconsistent with the carrying out of the licensable activities under the temporary event notice.
- 4.6 Where the authority decides to impose one or more conditions;
- (a) the authority must give the premises user notice of the decision;
 - (b) the notice must be accompanied by a separate statement (the “statement of conditions”) which sets out the conditions that have been imposed on the temporary event notice; and
 - (c) a copy of the notice and statement of conditions must be given to each relevant party.
- 4.7 LATE TENs have been created through the Police Reform and Social Responsibilities Act 2011, a Late TEN can be made no later than FIVE working days and no earlier than NINE working days before the event. The limits to these applications are no more than 2 for a non personal licence holder or no more than 10 for a personal licence holder.
- 4.8 The Police and Environmental Protection can object to Late TENs, if an objection is made the Licensing Authority must issue a counter notice advising the event cannot take place.
- 5.0 **Objections**
- 5.1 Environmental Protection objections are contained in **Appendix 4**.
- 5.2 The Police objections are contained in **Appendix 5**.

6.0 Advice to Members

- 6.1 The Police Reform and Social Responsibility Act 2011 have amended legislation whereby Environmental Protection alongside Police can object to Temporary Event Notice under any of the licensing objectives.
- 6.2 This hearing is required by the Licensing Act 2003. As always the decision is on the civil burden of proof, i.e. the balance of probability.
- 6.3 Members can consider any of the licensing objectives. Other matters can also be dealt with elsewhere by primary legislation.
- 6.4 Premises users are not required to be on the premises for the entire duration of the event authorised by the TEN, but they will remain liable to prosecution for certain offences that may be committed at the premises during the period covered by it. These include, for example, the offences of the sale of alcohol to a person who is drunk; persistently selling alcohol to children; and allowing disorderly conduct on licensed premises.
- 6.5 The police or local authority exercising environmental health functions may contact the premises user to discuss their objections and try to come to an agreement which will allow the proposed licensable activities to proceed. The TEN can be modified. If there is no agreement, the licensing authority must hold a hearing to consider the notice.

7.0 Legal Comments

- 7.1 The Council's legal officer will give advice at the hearing.

8.0 Finance Comments

- 8.1 There are no financial implications in this report.

9.0 Appendices

Appendix 1	A copy of the application
Appendix 2	Maps of the area
Appendix 3	Copy of Premises Licence
Appendix 4	Environmental Protection objection
Appendix 5	Police Objection

Appendix 1



* required information

Section 1 of 9

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

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

First name

Family name

E-mail address

Main telephone number Include country code.

Other telephone number

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

Are you:

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

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

Applicant Business

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

Registration number

Business name

VAT number

Legal status

If your business is registered, use its registered name.
 Put "none" if you are not registered for VAT.

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 9

APPLICATION DETAILS [\(See also guidance on completing the form, general notes and note 1\)](#)

Have you had any previous or maiden names?

- Yes No

Your date of birth

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Correspondence Address

Is the address the same as (or similar to) the address given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Continued from previous page...

Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes No

E-mail

Telephone number

Other telephone number

Section 3 of 9

THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). [\(See also guidance on completing the form, note 2\)](#)

Does the premises have an address?

- Yes No

Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes No

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

- Neither Premises licence Club premises certificate

Premises licence number

Location Details

Provide further details about the location of the event

We would like to celebrate NYE with dinner and drinks in the restaurant, but be allowed to continue later into the night than usual.

Continued from previous page...

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below ([see also guidance on completing the form, note 3](#))

All of the licensed area, ie both ground floor and mezzanine level.

Describe the nature of the premises below ([see also guidance on completing the form, note 4](#))

We're a restaurant and bar under the railway arches on Paradise Row. It is an open plan arch with a mezzanine.

Describe the nature of the event below ([see also guidance on completing the form, note 5](#))

We would like to serve a sit down dinner to our guests, followed by a DJ and celebration on New Years.

Section 4 of 9

LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises ([see also guidance on completing the form, note 6](#)):

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- The giving of a late temporary event notice

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

[\(See also guidance on completing the form, note 7\).](#)

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

[\(see also guidance on completing the form, note 8\)](#)

Event start date / /
dd mm yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date / /
dd mm yyyy

Continued from previous page...

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

[\(see also guidance on completing the form, note 9\)](#)

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

Note that the maximum number of people cannot exceed 499.

[\(see also guidance on completing the form, note 10\)](#)

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

[\(see also guidance on completing the form, note 11\):](#)

- On the premises only
- Off the premises only
- Both

Section 5 of 9

RELEVANT ENTERTAINMENT [\(See also guidance on completing the form, note 12\)](#)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

DJs and possibly a bag-pipe player or other live music.

Section 6 of 9

PERSONAL LICENCE HOLDERS [\(See also guidance on completing the form, note 13\)](#)

Do you currently hold a valid personal licence?

- Yes
- No

Provide the details of your personal licence below.

Issuing licensing authority

Licence number

Date of issue / /
dd mm yyyy

Date of expiry / /
dd mm yyyy

Continued from previous page... Any further relevant details

Section 7 of 9

PREVIOUS TEMPORARY EVENT NOTICES [\(See also guidance on completing the form, note 14\)](#)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

Yes No

Have you already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or Yes No

b) Begins 24 hours or less after the event period proposed in this notice?

Section 8 of 9

ASSOCIATES AND BUSINESS COLLEAGUES [\(See also guidance on completing the form, note 15\)](#)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or Yes No

b) Begins 24 hours or less after the event period proposed in this notice?

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes No

Continued from previous page...

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

Yes No

a) Ends 24 hours or less before; or
b) Begins 24 hours or less after the event period proposed in this notice?

Section 9 of 9

CONDITION [\(See also guidance on completing the form, note 17\)](#)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.
This formality requires a fixed fee of £21

DECLARATION [\(See also guidance on completing the form, note 18\)](#)

- * The information contained in this form is correct to the best of my knowledge and belief
- * I understand that it is an offence:
 - * (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
 - * (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both

* For completion by the Licensing Authority

* I acknowledge receipt of this temporary event notice

* SIGNATURE _____ On behalf of the Licensing Authority NAME OF OFFICER

DATE _____

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Full name

Capacity

Date / /
dd mm yyyy

Continued from previous page...

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

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/tower-hamlets/apply-1> to upload this file and continue with your application.

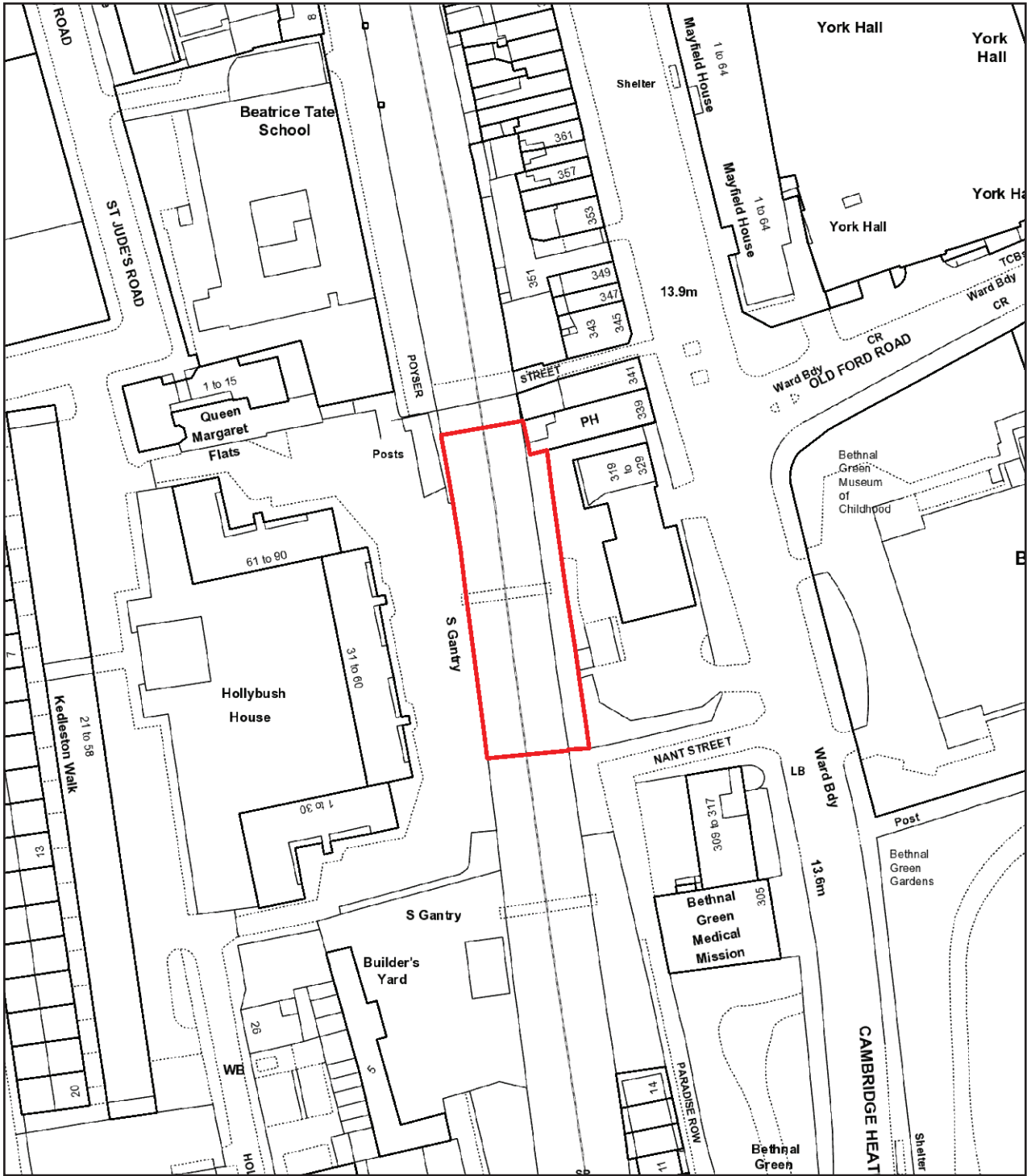
Don't forget to make sure you have all your supporting documentation to hand.

OFFICE USE ONLY

Applicant reference number	<input type="text" value="Resident NYE Request"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

< Previous [1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) Next >

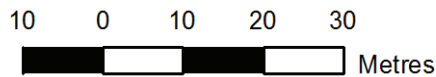
Appendix 2



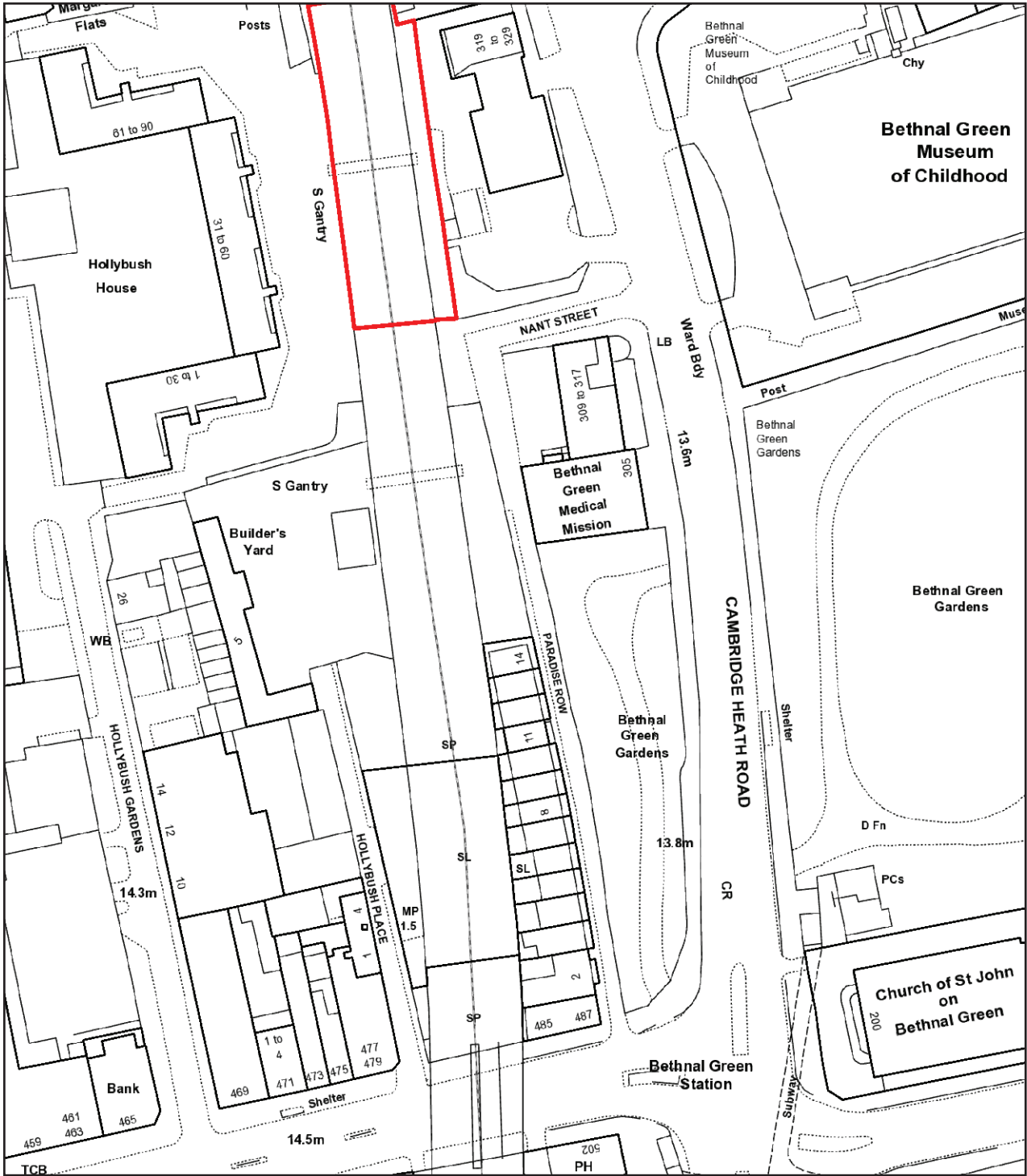
Arch 252 Paradise Row



Scale 1:1153



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Arch 252 Paradise Row



Scale 1:1153

10 0 10 20 30



Metres



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Appendix 3

**(B & B Restaurants)
Arch 252
Paradise Row
London
E2 9LE**

Licensable Activities authorised by the licence

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

See the attached licence for the licence conditions

Signed by

John McCrohan 
Trading Standards and Licensing Manager

Date: 13th May 2014

Amended by minor variation in relation to plans 23/10/2014



Part A - Format of premises licence

Premises licence number

18403

Part 1 - Premises details

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

(B & B Restaurants)
Arch 252
Paradise Row

Post town

London

Post code

E2 9LE

Telephone number

None

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

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

The times the licence authorises the carrying out of licensable activities

Supply of Alcohol (on premises only)

- Monday to Thursday from 11:00hrs to 23:30hrs
- Friday to Saturday from 11:00hrs to 00:00hrs (midnight)
- Sunday from 10:30hrs to 23:30hrs

Late Night Refreshment (indoors)

- Monday to Sunday from 23:00hrs to 23:30hrs

The provision of regulated entertainment in the form of live music (both indoors and outdoors)

- Monday to Sunday from 11:00hrs to 23:00hrs

The provision of regulated entertainment in the form of recorded music (indoors)

- Monday to Sunday from 09:30hrs to 23:30hrs

The opening hours of the premises

- Monday to Thursday from 09:30hrs to 00:00hrs (midnight)
- Friday to Saturday from 09:30hrs to 00:30hrs (the following day)
- Sunday from 09:30hrs to 23:00hrs

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

On sales only

Part 2

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

B & B Restaurants Ltd.
53 Fore Street
London
EC2Y 8AX

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

Registered Number: 08902827

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

Daniel Bernardi



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

Licence Number: LBH-PER-N-1038
Issuing Authority: London Borough of Hackney

Annex 1 - Mandatory conditions

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

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

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

1.

- (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children–
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

- (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
 3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
 4.
 - (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.
 5. The responsible person shall ensure that;
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) customers are made aware of the availability of these measures.

Annex 2 - Conditions consistent with the operating Schedule

1. A clear and legible notice outside the premises indicating the normal hours under the terms of the premises license during which licensable activities are permitted;
2. The maximum occupancy of the building or venue at any one time will be restricted once we have a final floor plan including furniture. We will ask the fire authorities to verify this;
3. The number of persons admitted to the premises on any one occasion shall not exceed the maximum occupancy;
4. We will regularly count heads, checking the number of people entering and leaving the premises and ensure that steps are taken so that, once the maximum occupancy is reached, no further persons are admitted;
5. As far as is practical, that persons on or leaving the Premises will be reminded to conduct themselves in an orderly manner and do not in any way cause annoyance to residents or persons passing by;
6. Clear and conspicuous notices warning of potential criminal activity (such as bicycle and bag and mobile phone theft) within the premises that may target patrons of the premises will be displayed;
7. CCTV capable of covering the entrance to the premises in suitable positions will be provided to enhance the safety of patrons and staff where deemed appropriate;
8. 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;
9. There must be someone on the premises, who can download the CCTV images and present them on request by a police officer or other responsible authority,
10. A written zero tolerance drugs policy will be in force at the premises with the objective of securing, as far as reasonably practicable, the safety of patrons and others attending the premises;

11. To prevent the sale of alcohol to persons under the age of 18 years, suitable proof of age from young people attempting to purchase alcohol will be required;
12. Bar staff will be suitably trained to prevent the sale of alcohol to under 18's and patrons who are already inebriated;
13. Regular glass and bottle collection will be undertaken throughout the premises;
14. Patrons will not be permitted to leave the premises with any glass or bottles that belong to the premises;
15. A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by Statute, and information compiled to comply with any public safety condition attached to the premises license that requires the recording of such information. The logbook shall be kept available and produced for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation;
16. A log book shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:
 - i. All crimes reported to the venue
 - ii. All ejections of patrons
 - iii. Any complaints received
 - iv. Any incidents of disorder
 - v. All seizures of drugs or offensive weapons
 - vi. Any faults in the CCTV system
 - vii. Any refusal of the sale of alcohol
 - viii. Any visit by a relevant authority or emergency service
17. Adequate access is provided for emergency vehicles;
18. All parts of the premises and all fittings and apparatus therein, door fastenings and notices and the seating, lighting, heating, electrical, ventilation, sanitary accommodation, washing facilities and other installations, will be maintained at all times in good order and in a safe condition;
19. At least one qualified first-aider will be present on the premises during the whole time the premises are made available for regulated entertainment;
20. Noise or vibration will not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed.

- (i) Before 11pm – Noise emanating from the premises will not be clearly distinguishable above other noise.
 - (ii) After 11pm – Noise emanating from the premises will not be distinguishable above background levels of noise.
- 21. The volume of amplified sound used in connection with the entertainment provided shall at all times be under the control of the Licensee/Management and the controlling mechanism shall be operated from a part of the Premises not accessible to the public;
- 22. Noise levels within the premises resulting from the operation of any musical instrument or amplified equipment will be regulated so as to protect the hearing of any employee therein in accordance with current standards;
- 23. Prominent, clear and legible notices will be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly;
- 24. The placing of refuse, such as bottles, into receptacles outside the premises takes place at times that will prevent disturbance to nearby properties;
- 25. Deliveries of kegs, bottles, food or other materials necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents;
- 26. The Licensee will ensure that staff who arrive early morning or depart late at night when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents;
- 27. The handling of beer kegs, bottles and other similar items will not take place in the late evening, at night and during the early morning, when the noise generated could cause a nuisance, particularly outside buildings;
- 28. The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises.
- 29. All the rubbish produced by the premises will be stored securely in a designated area or in a bin with a tight fitting lid. This will help prevent litter being blown around;
- 30. We will not allow unaccompanied children less than 16 years of age in the premises;

31. We will not sell alcohol to children under the age of 18 at any time. All staff will be suitably trained to request valid ID where there is any question whatsoever of a customer's age;
32. An exception to drinking alcohol is provided for an accompanied individual aged 16 or 17 where the alcohol is beer, wine or cider to be consumed at a table meal. This will be treated on a case by case basis following a discussion with the children's parents or guardians;
33. Clear signage is to be displayed prominently and maintained at all exits of the premises requiring patrons to leave and enter the premises and area quietly out of respect for local residents;
34. No customer drinking in the Premises external area after 22:00hrs;
35. No more than 10 smokers to smoke in the external areas after 22:00hrs

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

Not applicable

Annex 4 - Plans

The plans are those submitted to the licensing authority on 8th October 2014 – Ground Floor and Mezzanine (Drawing No: BC 101 / June 2014 / Job No: NS076)



Part B - Premises licence summary

Premises licence number

18403

Premises details

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

(B & B Restaurants)
Arch 252
Paradise Row

Post town

London

Post town

E2 9LE

Telephone number

None

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

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

The times the licence authorises the carrying out of licensable activities

Supply of Alcohol (on premises only)

- Monday to Thursday from 11:00hrs to 23:30hrs
- Friday to Saturday from 11:00hrs to 00:00hrs (midnight)
- Sunday from 10:30hrs to 23:30hrs

Late Night Refreshment (indoors)

- Monday to Sunday from 23:00hrs to 23:30hrs

The provision of regulated entertainment in the form of live music (both indoors and outdoors)

- Monday to Sunday from 11:00hrs to 23:00hrs

The provision of regulated entertainment in the form of recorded music (indoors)

- Monday to Sunday from 09:30hrs to 23:30hrs

The opening hours of the premises

- Monday to Thursday from 09:30hrs to 00:00hrs (midnight)
- Friday to Saturday from 09:30hrs to 00:30hrs (the following day)
- Sunday from 09:30hrs to 23:00hrs

Name, (registered) address of holder of premises licence

B & B Restaurants Ltd.
53 Fore Street
London
EC2Y 8AX

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

On sales only

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

08902827

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

Daniel Bernardi

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

No unaccompanied children less than 16 years of age in the premises

Appendix 4

Kathy Driver

From: Ian Wareing
Sent: 15 December 2014 10:57
To: Licensing
Cc: 'Alan.D.Cruickshank@met.pnn.police.uk'; 'daniel@residentlondon.com'
Subject: TEN 81553 B&B Restaurant Arch 252 Paradise Row **Representation**

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir/Madam, please accept this email as representation against the above TEN. The applicants have applied for live and recorded music including a DJ from 11.00 on the 31/12/2014 until 11.00 on the 2/1/2015. This equates to 48hrs of potential Public Nuisance that is to be suffered by nearby residents situated only 20-30m away.

The hours sought are excessive and it is recommended that this application be refused.

Regards,

Ian

Ian Wareing
Technical Officer
Pollution Team
Environmental Protection
Environmental Health
2nd Floor
Gladstone Place Offices
1 Ewart Place
London
E3 5EQ

020 7364 5008

ian.wareing@towerhamlets.gov.uk

Appendix 5

John McCrohan
LBTH Licensing
Toby Club
Vawdrey Close
E1 4AU

HT - Tower Hamlets Borough

Licensing Office
Limehouse Police Station
27 West India Dock Road &
5 Birchfield Street
E14 8EZ

Telephone: 0207 275 4911

Facsimile:

Email:

Alan.D.Cruickshank@met.pnn.police
.uk

www.met.police.uk

Your ref:

Our ref:

17 December 2014

Dear Mr McCrohan

Temporary Event Notice (31st December 2014 - 2nd January 2015)

Resident of Paradise Row, Arch 252 Paradise Row, E2 9LE

Please accept this letter as notification that the police as a responsible authority wish to object to this application on the following two licensing objectives

The prevention of crime and disorder

The prevention of public nuisance

New Year's Eve is one of the busiest evenings for the Metropolitan Police and all emergency services, where our resources can be stretched to the limit.

The applicant has applied for a TEN on the 31st December 2014 to the 2nd January from 1100 - 1100(48 hours)

I have since spoken with the applicant and he was under the belief that the government had granted a 24 hr extension to all licensed premises on NYE.. This is not the case.

. I have tried to negotiate hours but on my last phone call he was too busy to speak to me, as he was beginning to get customers (Wed 17th Dec around 1410) I therefore have no option but to object to the present application.

The hours are exceedingly extensive. To remain open for this length of time can only have a negative effect on the nearby residents. It will attract many people from other nearby venues who will have already been drinking. To remain constantly open for 48 hours can only result in disorder.

Are the bar staff really going to cope with such extended hours?

There is no mention of how many SIA staff they will employ

Will they allow people to stand outside with drinks? The noise from these revellers would certainly create a public nuisance

Will there be food throughout these late hours?

As I've indicated, police resources are stretched at this time of year and a venue that is open for 48 hours can only increase the likelihood of disorder. People get heavily intoxicated and will staff have time to comply with the Licensing Act and refuse service to these people?

A small incident can quickly turn into something serious and will the staff be able to cope with this?

Finally, by asking for such an extension I do not believe the applicant is taking his seriously his licensing objectives in promoting the prevention of crime and disorder and the prevention of public nuisance.

I ask the committee to refuse this application.

Alan Cruickshank PC 189HT